



Corporate Committee

Tuesday, 07 November 2023

NOTICE IS HEREBY GIVEN that a Meeting of the **Corporate Committee** is to be held at **Council Chambers, Council Office, High Street, Elgin, IV30 1BX** on **Tuesday, 07 November 2023 at 09:30.**

BUSINESS

1. **Sederunt**
2. **Declaration of Group Decisions and Members Interests ***
3. **Resolution**

Consider, and if so decide, adopt the following resolution:
"That under Section 50A (4) and (5) of the Local Government (Scotland) Act 1973, as amended, the public and media representatives be excluded from the meeting for Items 15 and 16 of business on the grounds that it involves the likely disclosure of exempt information of the class described in the relevant Paragraphs of Part 1 of Schedule 7A of the Act."
4. **Minutes**
 - 4a. **Minute of the meeting of 29 August 2023** 7 - 14
 - 4b. **Minutes of Special Meeting of 4 October 2023** 15 - 18
5. **Written Questions ****
6. **Best Value Progress Report** 19 - 26

Report by Depute Chief Executive (Education, Communities and Organisational Development)
7. **Improvement and Modernisation Programme Update** 27 - 76

Report by Depute Chief Executive (Education, Communities and Organisational Development)

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| 8. | Complaints Annual Report 2022-23
Report by the Depute Chief Executive (Education, Communities and Organisational Development) | 77 - 94 |
| 9. | Information Governance Annual Report 2023
Report by Depute Chief Executive (Education, Communities and Organisational Development) | 95 - 118 |
| 10. | Performance Report - Financial Services Period to September 2023
Report by Depute Chief Executive (Education, Communities and Organisational Development) | 119 - 124 |
| 11. | Performance Report - Governance, Strategy and Performance - Period to September 2023
Report by Depute Chief Executive (Education, Communities and Organisational Development) | 125 - 130 |
| 12. | Performance Report - HR ICT and OD Period to September 2023
Report by Depute Chief Executive (Education, Communities and Organisational Development) | 131 - 136 |
| 13. | Trust Properties in Elgin
Report by Depute Chief Executive (Economy, Environment and Finance) | 137 - 142 |
| 14. | Question Time ***
Consider any oral question on matters delegated to the Committee in terms of the Council's Scheme of Administration.

Item(s) which the Committee may wish to consider with the Press and Public excluded | |
| 15. | Longmore Hall Report [Para 9]
<ul style="list-style-type: none"> • 9. Information on terms proposed or to be proposed by or to the Authority; | |

16. **Review of Rent Rebate [Para 4 and 9]**

- 4. Information relating to any applicant or recipient of any financial assistance provided by the Authority;
- 9. Information on terms proposed or to be proposed by or to the Authority;

Summary of Corporate Services Committee functions:

To regulate, manage and monitor the finances of the Council both capital and revenue; to deal with staffing policies and practices other than for teaching staff; to deal with equal opportunities policies and practices; to deal with procurement policies and priorities; to deal with all matters relating to the Council's duty to initiate, maintain and facilitate Community Planning; to ensure that the organisation, administrative and management processes of the Council are designed to make the most effective contribution to achieving the Council's objectives; to provide all central support services; to exercise the functions of the Council in connection with the Registration of Births, Deaths and Marriages; to deal with valuation and electoral registration matters.

GUIDANCE NOTES

* **Declaration of Group Decisions and Members Interests** - The Chair of the meeting shall seek declarations from any individual or political group at the beginning of a meeting whether any prior decision has been reached on how the individual or members of the group will vote on any item(s) of business on the Agenda, and if so on which item(s). A prior decision shall be one that the individual or the group deems to be mandatory on the individual or the group members such that the individual or the group members will be subject to sanctions should they not vote in accordance with the prior decision. Any such prior decisions will be recorded in the Minute of the meeting.

** **Written Questions** - Any Member can put one written question about any relevant and competent business within the specified remits not already on the agenda, to the Chair provided it is received by the Proper Officer or Committee Services by 12 noon two working days prior to the day of the meeting. A copy of any written answer provided by the Chair will be tabled at the start of the relevant section of the meeting. The Member who has put the question may, after the answer has been given, ask one supplementary question directly related to the subject matter, but no discussion will be allowed.

No supplementary question can be put or answered more than 10 minutes after the Council has started on the relevant item of business, except with the consent of the Chair. If a Member does not have the opportunity to put a supplementary question because no time remains, then he or she can submit it in writing to the Proper Officer who will arrange for a written answer to be provided within 7 working days.

*** **Question Time** - At each ordinary meeting of the Committee ten minutes will be allowed for Members questions when any Member of the Committee can put a question to the Chair on any business within the remit of that Section of the Committee. The Member who has put the question may, after the answer has been given, ask one supplementary question directly related to the subject matter, but no discussion will be allowed.

No supplementary question can be put or answered more than ten minutes after the Committee has started on the relevant item of business, except with the consent of the Chair. If a Member does not have the opportunity to put a supplementary question because no time remains, then he/she can submit it in writing to the proper officer who will arrange for a written answer to be provided within seven working days.

MORAY COUNCIL
Corporate Committee

SEDERUNT

Councillor Bridget Mustard (Chair)
Councillor Kathleen Robertson (Depute Chair)

Councillor Theresa Coull (Member)
Councillor John Cowe (Member)
Councillor John Divers (Member)
Councillor Amber Dunbar (Member)
Councillor Jérémie Fernandes (Member)
Councillor Sandy Keith (Member)
Councillor Graham Leadbitter (Member)
Councillor Marc Macrae (Member)
Councillor Paul McBain (Member)
Councillor Shona Morrison (Member)
Councillor Derek Ross (Member)
Councillor John Stuart (Member)
Councillor Draeyk Van Der Horn (Member)

Clerk Name:	Tracey Sutherland
Clerk Telephone:	07971 879268
Clerk Email:	committee.services@moray.gov.uk

Minute of Meeting of the Corporate Committee

Tuesday, 29 August 2023

Council Chambers, Council Office, High Street, Elgin, IV30 1BX

PRESENT

Councillor Theresa Coull, Councillor John Cowe, Councillor John Divers, Councillor Amber Dunbar, Councillor Jérémie Fernandes, Councillor Sandy Keith, Councillor Graham Leadbitter, Councillor Marc Macrae, Councillor Paul McBain, Councillor Shona Morrison, Councillor Bridget Mustard, Councillor Kathleen Robertson, Councillor Derek Ross, Councillor John Stuart, Councillor Draeyk Van Der Horn

IN ATTENDANCE

The Chief Executive, Depute Chief Executive (Economy, Environment and Finance), Depute Chief Executive (Education, Communities and Organisational Development), Chief Financial Officer, Head of Governance Strategy and Performance, Head of HR, ICT and Organisation Development, Acting Head of Education Resources and Communities, Payments Manager, Taxation Manager, and Lindsey Robinson, Committee Services Officer.

Councillor Bloomfield was in attendance for item 8.

1. Chair

Councillor Bridget Mustard, as Chair of the Corporate Committee, chaired the meeting.

2. Welcome

The Committee joined the Chair in welcoming Councillor Van der Horn to his first meeting of the Corporate Committee.

3. Declaration of Group Decisions and Members Interests *

In terms of Standing Order 21 and 23 and the Councillors' Code of Conduct, Councillor Van der Horn declared an interest in Agenda Item 18 – Common Good Site in Forres - as he had a party connection with one of the trustees. However following advice from the Monitoring Officer he stated that he had not discussed the item with anyone and felt it did not preclude him from sitting in on the consideration of the item.

There were no further declarations from Group Leaders or Spokespersons in regard to any prior decisions taken on how Members will vote on any item on the agenda or any declarations of Member's interests in respect of any item on the agenda.

4. Resolution

The meeting resolved that under Section 50A (4) and (5) of the Local Government (Scotland) Act 1973, as amended, the public and media representatives be excluded from the meeting for Item 18 of business on the grounds that it involves the likely disclosure of exempt information of the class described in relevant Paragraphs of Part 1 of Schedule 7A of the Act.

Paragraph Number of Minute	Paragraph Number of Schedule 7a and Reason
21	4 - Information relating to any applicant or recipient of any financial assistance provided by the Authority. and 9 - Information on terms proposed or to be proposed by or to the Authority

5. Vary Order of Business

In terms of Standing Order 29 the meeting agreed to vary the order of business set down on the agenda and take item 13 – Armed Forces Covenant Update as the first report after item 5 on the agenda to allow Councillor Bloomfield to speak to the report.

6. Minute of meeting of 13 June 2023

The minute of the meeting held 13 June 2023 was submitted and approved.

7. Written Questions **

The Committee noted that no written questions had been submitted.

8. Armed Forces Covenant Update

The meeting had before it a report by the Depute Chief Executive (Education, Communities and Organisational Development) providing an update to the Committee on the progress made in supporting the armed forced community in Moray through the Armed Forces Covenant.

Councillor Bloomfield addressed the Committee in his role as Armed Forces Champion and gave an overview of the Armed Forces Covenant.

Following consideration the Committee unanimously agreed to:

- i. note the progress being made in delivering the Armed Forces Covenant;
and
- ii. acknowledge the significant achievement in Moray Council receiving the Ministry of Defence Gold Employer Recognition status.

Councillor Bloomfield left the meeting at this juncture.

9. Revenue Budget Monitoring to 30 June 2023

The meeting had before it a report by the Depute Chief Executive (Economy, Environment and Finance) advising the Committee of the revenue budget monitoring position to 30 June 2023.

Following consideration the Committee unanimously agreed to note:

- i. the budget monitoring position of £867,000 under budget for 2023/24 as at 30 June 2023;
- ii. that the position consists of an underspend on Devolved School budgets of £448,000, an underspend of £747,000 on Environmental and Commercial Services, an overspend on Social Care services delivered on behalf of the Moray Integration Joint Board of £985,000 and an underspend on other services of £380,000;
- iii. movement of a £162,000 decrease in the General Revenue Grant, as detailed in paragraph 3.4;
- iv. the emerging budget pressure noted in paragraph 6.3 for Bus Revolution, required to match the agreed business plan.

The Committee further unanimously approved the use of ear-marked reserves for Covid of £74,000 as detailed in paragraph 6.3.

10. Capital Plan 2023-24

The meeting had before it a report by the Depute Chief Executive (Economy, Environment and Finance) advising the Committee of expenditure to 30 June 2023 under the capital plan for financial year 2023/24 and of estimates of projected expenditure profiled into quarters.

Following consideration the Committee unanimously agreed to:

- i. note the expenditure to 30 June 2023 of £2,761,000;
- ii. note the current plan, prior to amendment of £72,681,000 for 2023/24 based on approved expenditure adjusted for known differences in planned expenditure which have been identified to date, profiled into quarters, as set out in Appendix 1;
- iii. note the projected overall expenditure for the projects spanning more than one financial year, as set out in Appendix 2; and
- iv. approve amendments to the 2023/24 and 2024/25 capital plan as detailed in section 6.1 of the report.

11. Proposed Self Catering Unit Transfer Policy

The meeting had before it a report by the Depute Chief Executive (economy, Environment and Finance) asking the Committee to consider the Council's policy for dealing with units removed by the Assessor from the Valuation Roll for non-conformity with the legislative test.

Following consideration the Committee unanimously agreed to approve a policy that the Council does not exercise a discretionary power permitting it to request that in exceptional circumstances the Assessor retains in the Valuation Roll any self-catering unit which does not conform to the legislative requirement of being available for let for 140 days per year and actually let for 70 days per year.

12. Common Good Funds - Summary Expenditure for 2022-23 and Estimates Disposable Income for 2023-24

The Committee had before it a report by the Depute Chief Executive (Economy, Environment and Finance) informing the Committee of the final position of Common Good Funds at 31 March 2023 and the estimated income available for disbursement in 2023/24.

Following consideration the Committee unanimously agreed:

- i. to note the disbursements approved for 2022/23 for each of the Common Goods Funds shown in Appendix 1;
- ii. to approve the carry forward of the undisbursed balances for 2022/23 for the Buckie, Cullen, Dufftown, Elgin, Forres, Portknockie, Keith and Findochty Funds to be made available in 2023/24;
- iii. the estimated income available for disbursement in 2023/24 shown in Appendix 1;
- iv. to note the Balance Sheet for each Common Good at appendix 2;
- v. to note the Common Good Fund asset register at Appendix 3;
- vi. to advance notice being given to Ward Members when expenditure is to be applied to the Common Good Fund; and
- vii. to undertake a training session on Common Good Funds and Trusts.

13. Procurement Annual Report for 2022-23 and Procurement Strategy 2023-26

The meeting had before it a report by the Depute Chief Executive (Economy, Environment and Finance) providing the Committee with an update report on Procurement activity in Moray and in particular on procurement performance for 2022/23 and seeking Committee approval of the Strategy for 2023/26 and the Procurement Action Plan for 2023/24.

Following consideration the Committee unanimously agreed to:

- i. note the overall procurement performance for 2022/23 set out in the Annual report in Appendix 1 and summarised in Section 4 of the report;
- ii. approve extending the current one year Strategy to three years (2023 – 2026) outlined in Section 3.3 of the report; and

- iii approve the Strategy and Procurement Action Plan set out in Appendices 2 and 3 and summarised in Section 5 of the report.

14. Trust Funds - Summary Expenditure for 2022-23 and Estimates Disposable Income for 2023-24

The meeting had before it a report by the Depute Chief Executive (Economy, Environment and Finance) informing the Committee of the disbursements made from Trusts in 2022/23 and the estimated disposable income available for disbursement in 2023/24.

Following consideration the Committee unanimously agreed:

- i. to note the disbursements made from each of the Trust Funds in 2022/23, shown in Appendix 1; and
- ii. the estimated income available for disbursement in 2023/24, shown in Appendix 2.

15. Draft Allotment Regulations - Public Consultation

The meeting had before it a report by the Depute Chief Executive (Education, Communities and Organisational Development) informing the Committee of the requirement to make allotment site regulations and seeking Committee approval for public consultation on the draft Allotment Regulations, set out in Appendix 1 in accordance with the Council's duties under Part 9 of the Community Empowerment (Scotland) Act 2015.

Councillor Van der Horn sought clarification on the wording in paragraphs 7.5.2, 7.6 and 7.7 and provided alternative wording as follows:

"First line of control is good practice in cultivation methods, cultivar/plant selection, garden hygiene and encouraging natural predators. Chemical control should only be used in a minimal, highly targeted manner as a last resort in consultation with the Allotment Association."

Adjournment

The Chair proposed a short adjournment to allow the new wording to be circulated to Members.

Resumption of meeting

Following a short adjournment it was agreed that officers would add in the additional wording prior to the public consultation.

Thereafter the Committee unanimously agreed to:

- i. approve in principle the draft Allotment Regulations set out in Appendix 1;
- ii. Officers carrying out a public consultation on the draft Allotment Regulations, in accordance with the Council's duties under Part 9 of the Community Empowerment (Scotland) Act 2015; and
- iii note that a report will be brought back to this Committee after the public consultation with details of any representations made together with a

proposed final version of proposed Allotment Regulations, for consideration and approval; and

- iv. Insert the additional wording at Section 7:

First line of control is good practice in cultivation methods, cultivar/plant selection, garden hygiene and encouraging natural predators. Chemical control should only be used in a minimal, highly targeted manner as a last resort in consultation with the Allotment Association

16. ICT and Digital Strategy and Plan 2023-2026

The meeting had before it a report by the Depute Chief Executive (Education, Communities and Organisational Development) informing the Committee of the progress made against the current Information and Communications Technology (ICT) and Digital Strategy and Plan and asking Committee to consider the revised Strategy and Plan for the period 2023-2026.

Following consideration the Committee unanimously agreed to:

- i. note the progress made against the 2020-23 ICT Plan at Appendix 1; and
- ii. approve the ICT and Digital Strategy 2023-2026 at Appendix 2.

17. Corporate Risk Register

The meeting had before it a report by the Depute Chief Executive (Education, Communities and Organisational Development) providing the Committee with a copy of the Council's recently updated Corporate Risk Register.

Following consideration the Committee unanimously agreed to defer consideration of this item to enable officers to engage with Members and look at the frequency of reporting.

18. Information Reports - if called in

The Committee noted that no information reports had been called in.

19. Question Time ***

Culture Working Group

Under reference to paragraph 15 of the minute of the meeting of this Committee dated 13 June 2023, Councillor Divers sought an update on the Culture Working Group report to be provided by the Chief Executive.

In response the Chief Executive advised that there had been an overlap between that report and the Corporate Risk Register and that a report will be brought to the November meeting of this Committee or to Moray Council.

Recouping costs on Portacabins

Councillor Ross sought clarification as to the position of the Council in recouping the costs of the Early Learning Childcare units or selling these on.

In response the Depute Chief Executive (Economy, Environment and Finance) advised that the Head of Housing and Property Services had been in conversation with some local companies and that she would circulate an update to Members.

Clarification on Valuations

Councillor Van der Horn sought clarification on valuations and whether they were likely to alter now that issues such as Community Wealth Building, Wellbeing, Resilient Communities, Biodiversity and Food Security were being looked at more closely.

In response the Head of Governance, Strategy and Performance advised that the Council had a duty to obtain the best price possible, and rely on professional surveyors for this. In certain areas, such as Community Asset Transfers, social value is taken into account instead of monetary value.

Eco-bus Launch

Councillor Fernandes sought clarification on behalf of a constituent as to why so many people had to drive to Speyside to launch an Eco-bus.

Councillor Macrae advised that the location was changed to fit in with the Cabinet Secretary visit to the area.

The Chief Executive further advised that there was no protocol as to who was invited and how they travel, it is on a case by case basis, and that shared pool cars had been used for journey.

20. Suspension of Standing Orders

In terms of Standing Order 85, the meeting agreed to suspend Standing Order 77 and continue beyond 12.45pm in order to conclude consideration of the final item.

21. Common Good Site in Forres [Para 4 and 9]

The meeting had before it a report by the Depute Chief Executive (Economy, Environment and Finance) inviting the Committee to consider options in relation to an application to vary the lease terms in respect of land at Bogton Road, Forres, held on a potentially inalienable Common Good title.

During consideration Councillor Robertson, seconded by Councillor McBain, moved that Option A1 and B1 should be considered.

Councillor Van der Horn moved an amendment that options A2 and B2 should be the preferred options and this was seconded by Councillor Leadbitter.

On the division there voted:

Motion (8)	Councillors Robertson, McBain, Cowe, Dunbar, Keith, Macrae, Mustard and Ross
Amendment (6)	Councillors Van der Horn, Leadbitter, Coull, Divers, Morrison and Stuart
Abstention (1)	Councillor Fernandes

Accordingly the motion became the finding of the meeting and the Committee agreed:

- i. Option A1 - reject the rent rebate application entirely; and
- ii. Option B1 - reject the request to remove the option to resume possession.

Minute of Special Meeting of the Corporate Committee**Wednesday, 4 October 2023****Council Chambers, Council Office, High Street, Elgin, IV30 1BX****PRESENT**

Councillor Theresa Coull, Councillor John Cowe, Councillor John Divers, Councillor Amber Dunbar, Councillor Jérémie Fernandes, Councillor Sandy Keith, Councillor Graham Leadbitter, Councillor Marc Macrae, Councillor Paul McBain, Councillor Shona Morrison, Councillor Bridget Mustard, Councillor Kathleen Robertson, Councillor Derek Ross, Councillor John Stuart, Councillor Draeyk Van Der Horn

IN ATTENDANCE

The Chief Executive, Depute Chief Executive (Economy, Environment and Finance), Depute Chief Executive (Education, Communities and Organisational Development), Head of Governance, Strategy and Performance, Democratic Services Manager and Caroline O'Connor, Committee Services Officer.

1. Chair

The meeting was chaired by Councillor Bridget Mustard.

2. Declaration of Group Decisions and Members Interests

In terms of Standing Order 21 and 23 and the Councillors' Code of Conduct, there were no declarations from Group Leaders or Spokespersons in regard to any prior decisions taken on how Members will vote on any item on the agenda or any declarations of Member's interests in respect of any item on the agenda.

3. Resolution

The meeting resolved that under Section 50A (4) and (5) of the Local Government (Scotland) Act 1973, as amended, the public and media representatives be excluded from the meeting for Item 6 of business on the grounds that it involves the likely disclosure of exempt information of the class described in relevant Paragraphs of Part 1 of Schedule 7A of the Act.

Paragraph Number of the Minute	Paragraph Number of Schedule 7A
6	<p>Para 1 Information relating to Staffing Matters</p> <p>Para 9 Information on terms proposed or to be proposed by or to the Authority</p> <p>Item 10</p>

	Information relating to the identity of the Authority as the person offering any particular tender for a contract
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4. Corporate Risk Register

The meeting had before it a report by the Depute Chief Executive (Education, Communities and Organisational Development) providing the Committee with an update on the Council's Corporate Risk Register.

Councillor Mustard moved that Committee agree to quarterly reporting to Committee on the 4 risks which have a score of 20 to enable Committee to address issues along with Officers and should Committee agree this be reviewed in 6 months.

Councillor Van Der Horn sought clarification on why the risks above 16 were not being included.

In response, the Chief Executive confirmed that the intention was for the Corporate Risk Register to be more dynamic and it was felt that reporting on risks 20 or above was hoped to be striking a manageable balance.

The Head of Governance, Strategy and Performance further added that he had discussed the issue with Internal Audit and it had been confirmed that the 3 monthly updates would be for the risks 20 and over, however the update would include all risks and would allow members the opportunity to seek assurances on all risks not just the ones identified as high.

On the assurances of both the Chief Executive and the Head of Governance, Strategy and Performance, Councillor Van der Horn confirmed he was happy to accept the recommendation moved by Councillor Mustard.

Following further consideration and there being no one otherwise minded the Committee unanimously agreed to:

- i) approve the updated Corporate Risk Register dated September 2023 attached as Appendix 2 to this report; and
- ii) quarterly reporting to Committee on the 4 risks which have a score of 20 to enable Committee to address issues along with Officers; and
- iii) review the frequency of reporting in 6 months time.

5. Workforce Culture

The meeting had before it a report by the Chief Executive informing the Committee of the findings of the Chief Executive into the existing frameworks and options available to facilitate engagement between Elected Members, Chief Officers and recognised Trade Unions on matters of mutual interest in relation to workforce culture.

Councillor Mustard informed the Committee of an error on Page 41 of the papers, the Joint Consultative Committee has 7 Elected Members and not 10 as stated.

In introducing the report the Chief Executive confirmed that the preferred option in the recommendations would be 2.1 (ii) a.

Following lengthy consideration the Committee unanimously agreed to:

- i) note the findings set out in para 3.5 and 3.6 of the report;
- ii) authorise the Chief Executive, in consultation with the Council Leader and Head of HR, ICT and Organisational Development to establish, an arrangement of informal but structured engagement between Elected Members, Chief Officers and recognised Trade Unions on workforce culture; and
- iii) note the outputs of the Culture Working Group and to formally bring the Culture Working Group to a close.

Councillor Dunbar joined the meeting during the discussion of this item.

6. Best Value Progress Update [Para 1, 9 and 10]

The meeting had before it a report by the Chief Executive recommending to Committee how to take forward recommended actions to be added to the Best Value Assurance Review Strategic Action Plan and to commence one recommendation in particular.

Following consideration the Committee unanimously agreed to:

- i) note the 9 recommendations in the Briefing Note attached to this report (Appendix 1);
- ii) authorise the Chief Executive, in consultation with the Council Leader to scope and tender for the external support required by Recommendation 2 in the Briefing Note;
- iii) note the other 8 recommendations in the Briefing Note will be integrated along with the appropriate actions and activities into the Best Value Action Plan, which will be reported to the scheduled meeting of this Committee on 7 November 2023;
- iv) support this work going forward, agree to authorise the re-engagement of the external support previously commissioned; and
- v) homologate the action taken by the Chief Executive in consultation with the Council Leader and the expenditure to date.



REPORT TO: CORPORATE COMMITTEE ON 7 NOVEMBER 2023

SUBJECT: BEST VALUE PROGRESS REPORT ON MORAY COUNCIL

BY: DEPUTE CHIEF EXECUTIVE (EDUCATION, COMMUNITIES AND ORGANISATIONAL DEVELOPMENT)

1. REASON FOR REPORT

- 1.1 To inform the Committee of the latest progress on the Best Value Assurance Review Strategic Action Plan relating to the 2019 review and subsequent 2022 follow up report.
- 1.2 To outline the actions to be taken to address the Best Value related recommendations set out in paras 3.5 and 3.6
- 1.3 This report is submitted to Committee in terms of Section 103E of the Local Government (Scotland) Act 1973, as amended by the Local Government (Scotland) Act 2003.

2. RECOMMENDATIONS

2.1 It is recommended that Committee:

- i) **consider and note progress made on the Best Value Assurance Report (BVAR) Strategic Action Plan shown in Appendix 1; and**
- ii) **note that the outcomes of the best value aspects of the 2023 annual audit report and the findings of the external adviser supporting the council on cultural issues associated with best value are being reviewed for future incorporation into the Best Value Action Plan**

3. BACKGROUND

BV Action Plan Progress Monitoring

- 3.1 Reference is made to the report to the Moray Council on 29 June 2022 when the Council approved the updated Best Value Action Plan to continue progress in response to the Best Value Audit and the follow up report (para 25 of the minute refers).

3.2 The report set out the background that had led to the most recent iteration of the Improvement Plan and the positive progress that had been made in reaching that point, as summarised below:

- i) A Best Value Audit of the Council took place in September 2019, published in August 2020;
- ii) the Council agreed a plan of strategic actions in response in October 2020;
- iii) Further report by the Controller of Audit on the progress made by the Council published February 2022;
- iv) the outcome of the follow up report was recognised that good progress and that challenges remained in delivering the council's strategic priorities;
- v) Plan of action to address remaining areas agreed by Council in June 2022.

3.3 On 25 April 2023, the Corporate Committee noted that since the Action Plan was agreed many of the actions had progressed well and a number had been concluded, albeit that in some cases timescales were more protracted than originally planned (para 7 of the minute refers). Progress has noted in:

- i) IMP project monitoring to CMT/SMT established and showing progress across a number of projects and shifts from red/amber to amber/green evidencing progress in maintaining pace;
- ii) Work on financial planning: hierarchical approach agreed, assumptions revised and contributions to budget gap identified, although gap remains;
- iii) Remit of Audit and Scrutiny Committee and Scrutiny Guide agreed;
- iv) Improve Education Attainment – range of work progressing, including finalisation of curriculum progressions (BGE), extension of qualifications and accreditation in line with SCQF ambassador programme (Senior Phase) and working in partnership with key partners (SDS, DYW, ES) to progress work on learner pathways and skills.

3.4 Further progress has been made as noted in **Appendix 1** and the majority of actions are now completed. There are 2 areas where work is ongoing and both of these are part of ongoing significant work and it is proposed that further reporting is as noted below:

- i) Financial Planning – there is significant work required and in progress to address short, medium and long term financial planning. This is reported to the Council on a regular basis and a number of specific reports will come forward in the next few months, including the report to

the council on 25 October 2023 which proposed a range of savings for consideration. Active and challenging financial planning is likely to be an ongoing core area of council work that will continue to be specifically and regularly reported on to enable full consideration by the council of the issues. Therefore, it is proposed that this specific reporting is also used to track progress for best value purposes although high level reporting will continue through best value updates as attached.

- ii) Improve educational attainment – this is also a broad area of work that is overseen in more detail by the Education Children’s and Leisure Services Committee with regular reports on both broad general education and senior phase achievement to that committee. The final action that requires to be concluded is an overall improvement in attainment. Current trends indicate year on year improvements in Broad General Education Achievement of Curriculum for Excellence level data, notable improvement in the Annual Participation Measure, positive initial post-school leaver destinations against virtual comparator and improvements in literacy and numeracy at SCQF level 4 and 5 overall compared with virtual and national comparators. Positive achievement in line with Scottish Government Core Stretch Aims set for Senior Phase leavers (1+ at SCQF level 5 and 1+ at SCQF level 6) has been realised along with positive performance overall of S4 cohorts in particular across a number of measures, against virtual and national comparators. Work continues towards improvement in educational attainment across all schools, with revised and aspirational Stretch Aims set and reported through our National Improvement Framework Plan 2023-2024 as part of Scottish Government and Education Scotland’s framework for recovery and accelerating progress 2023. Ongoing reporting and monitoring of attainment will continue through ECLS Committee and it is proposed that this is also used to track progress for best value purposes, including beyond the February 2024 date in the BV action plan, although overview reporting will continue as above until that point.

3.5 As reported to the Council on 25 October 2023, changes have been made to the Best Value Audit process and the audit is now integrated into the annual audit process (para 8 of the draft minute refers). A new annual thematic focus to Best value reporting has also been introduced and is summarised in the Annual Audit and Thematic Review Reports each year. This report has four recommended areas for improvement that were reported to the Council at the above noted meeting: Community participation (PB) in council budget; review of capital plan; annual self-evaluation for continuous improvement and training of Audit and Scrutiny members. It was noted that work is already underway to address the actions identified in the Thematic Review and that process will be reported along with the wider Best Value action plan monitoring. In addition, there are another seven Best Value recommendations in the Annual Audit (Wider Scope section).

3.6 At a special meeting of Corporate Committee on 4 October 2023 (para 6 of the minute refers) received a report regarding work that had been undertaken to advance the actions under the heading ‘Need for Clear and

Decisive Leadership'. The Committee supported the action going forward in relation to one of the recommendations from that work and agreed that the other eight recommendations in the Briefing Note will be integrated along with the appropriate actions and activities into the Action Plan.

- 3.7 The summary action plan and progress monitoring at **Appendix 1** now has a heading to incorporate future reporting on the above recommendations. These require to be developed into specific measurable actions with plans and timescales in order to be advanced and reported as part of future monitoring of progress on Best Value actions. The actions from the annual audit review have not yet been added due to the timing of these reports but will also be incorporated moving forward to ensure monitoring of progress.

4. SUMMARY OF IMPLICATIONS

(a) Corporate Plan and 10 Year Plan (Local Outcomes Improvement Plan (LOIP))

The Council is committed to delivering better public services year on year through Best Value and its key principle of continuous improvement.

(b) Policy and Legal

The Council has a legal duty to deliver Best Value and to address any findings containing recommendations arising from any Best Value Assurance Reports.

(c) Financial Implications

There are no financial implications arising directly from this monitoring report.

(d) Risk Implications

There are risks associated with the council's ability to deliver the actions in the Best Value Action Plan alongside a challenging agenda including addressing the Council's significant budget gap. The challenge of prioritisation and resourcing was reported to the Council on 8 March 2023 in the Chief Executive's report Corporate Overview of Council Priorities and it is planned to update this to take account of current circumstances. The balancing of operational priorities and planned development work and the potential stop/start impact on planned work has been recognised in the series of best value reviews the Council has experienced and is one of the biggest challenges in ensuring sustained progress.

In order to mitigate this, the Corporate and Senior Management team monitor progress on the Improvement and Modernisation Programme and the Best Value Action Plan and as noted in this report, progress is being made with many actions well advanced and the majority of the overall work arising from the Best Value Review completed.

Prioritisation of resources and focusing of agendas and priorities will be ongoing to continue to deliver planned actions and maintain the pace established for improvement and modernisation.

The financial climate adds demands that will require considerable political and officer attention to be given to unprecedented levels of savings in a climate where the council has already delivered savings for many years. This may require further review and prioritisation of the remaining Best Value actions in the context of the priority required to be allocated to the delivery of savings to address financial sustainability.

(e) Staffing Implications

There are no additional staffing implications arising directly from this report. Work is being accommodated within existing resources which increases the risks of delivery and risks to other work. As noted above, this is monitored through reporting at the Management team and Committee.

(f) Property

None.

(g) Equalities/Social Economic Impact

This is covered in terms of the inspection regime itself and the Council's duty to deliver Best Value.

(h) Climate Change and Biodiversity Impact

There are no implications for climate change or biodiversity arising from this report.

(i) Consultations

The progress reports that contribute to the **Appendix 1** have been provided by Heads of Service and considered by CMT/SMT.

5. CONCLUSION

5.1 The Council continues to make progress on the Action Plan to address the recommendations of the Best Value Assurance Report and follow up report (Appendix 1). This is set in a continuing challenging environment where priorities must be carefully balanced to ensure ongoing progress. However, there has been progress across the majority of planned actions with a number now concluded and work progressed on the workforce actions that had been delayed due to vacancies. Attention will now focus on incorporating and addressing actions from the work on the need for clear and decisive leadership and the eleven areas identified through the new annual audit process that incorporates Best Value.

Author of Report: Denise Whitworth

Background Papers: [Best Value Assurance Report Strategic Action Plan \(Appendix 1\)](#) – Moray Council on 28 October 2020

[BVAR Action Plan Report 001](#) (20.01.2021)
[BVAR Action Plan Report 002](#) (10.03.2021)
[Covid Related Pressures and Service Prioritisation Report and Appendix](#) (10.3.21)
[BVAR Action Plan Report 003](#) (12.05.2021)
[BVAR Action Plan Report 004](#) (30.06.2021)
[BVAR Action Plan Report 005](#) (15.09.2021)
Scottish Government published advice and guidance on Coronavirus (COVID-19) protection levels and decision making framework
[BVAR Action Plan Report 006](#) (19.01.2022)
[Report to Council 15 March 2022](#) (Item 03)
[Best Value Progress Report 29 June 2022](#) (Item 17c)
[Best Value Progress 25 April 2023](#) (item 7)
[Best Value Progress Update 4 October 2023](#) (Item 6)
[Best Value Thematic Review 25 October](#) (Item 6)
SPMAN-1108985784-901 / SPMAN-1108985784-918

Ref:

Committee Report Ref:	009
Report Date:	09/10/2023
Committee Date:	Corporate 07/11/2023

Best Value Action Plan: Progress Summary Report APPENDIX 1

Key	Not Started	Concern	Caution	On Target	Complete			
RAG	% Completed	Target Date	Lead	Priority	Workstreams (BV Recommendations)	Status Update	Decisions Required/Made by cmt/smt	
	100	June 2023	DCE/ECOD	1	R1: INCREASE THE PACE OF TRANSFORMATIONAL CHANGE	Final element to be completed was to ensure the OD plan was updated which has been done based on feedback from leadership forum. Implementation and ongoing maintenance is in place via the OD service aligned to the transformation of the council work and workforce strategy agreed by Committee. COMPLETE.		
	100	April 2023	H/ GPS & HR ICT OD	2	R2: IMPROVE PERFORMANCE MANAGEMENT REPORTING / IMPROVE THE QUALITY & CLARITY OF SERVICE PERFORMANCE REPORTING	Action complete		
	75	Sept 23	DCE/EEF & CFO	1	R3: FINANCIAL PLANNING	Short to Medium Term Financial Strategy approved by Council on 27/09/2023. Savings Max and Income Max - proposals from Green and Amber lists will be reported to Council on 25/10/2023. There will be a second decision point per the Short to Medium Term Financial Strategy in December. The Medium to Long Term Financial Strategy will also be reported to Council on 25/10/2023		
	100	Sept 23	H / GSP	4	R5: CONTINUE TO PROGRESS THE GOVERNANCE REVIEW	Complete programme. Agreed rolling programme for review of second tier governance documents taken forward as operational business.		
	85	Feb 24	H / Educ	2	R6: IMPROVE EDUCATIONAL ATTAINMENT Item 6.	Key actions in service plan, School Improvement Plans and QA work across service all link to the continued need to improve outcomes for learners.		
	95	June 2023	CEx	1	R AC: ACCOUNTS COMMISSION FINDINGS: NEED FOR CLEAR COMMITTED AND DECISIVE LEADERSHIP	Consideration of investment in leadership development will be concluded by the end of October. The only remaining actions relate to develop and improve relationships of trust and it is proposed to carry this forward into the next stage BV action plan. CLOSE THIS WORKSTREAM		
NEW	NEW		CEx		Best Value Action Plan: Next Stage	These are 20 new actions to be incorporated into the next stage BV action plan following on from the decisions of the Special Corporate Committee on 4 October 2023, in relation to the recommendations contained in Appendix 1 to the report; and the Special meeting of Council on 25 October 2023 in relation to the Thematic Review and Annual Audit Report Wider Scope. Note actions in relation to the risk register and Transform have been completed to date. Note arrangements are in hand to tender for the additional external support in Recommendation 2 of Appendix 1.		
	100	Sept 2023	DCE (ECOD)	1	R WC: WORKFORCE AND CAPACITY	Apprenticeship report on hold, rest of recruitment work progressing per available resource as part of workforce strategy and plan. Complete		

Key	Issues (I)	Major Risks (R)	Change Request (C)			Targets for Next Period
	Issues / Major Risks / Change Requests					
R1	C: Aug 2023: Request change of target date for OD approach to support transformation to Sept 2023 - progress impacted over summer holiday period. (Approved 07/08/23 CMT SMT)			R1		
R2				R2		
R3				R3	October 2023: Medium to Long Term Financial Strategy to be reported to Council 25/10/2023, delay from September to allow workshop on transformation / future council to input to strategy	
R5		R: Impact of any potential future reduction in capacity on delivery of further targets/improvements now required.		R5		
		R: Impact of budgetary pressures on service delivery.				
R6				R6	Revised Education (Schools) Governance and framework in place/actions ongoing Moray Curriculum Strategy Group and revised governance implemented with group guiding key developments (ongoing) Moray Improvement Groups supported through Strategy Group direction with clear actions plans, outcomes and measures (ongoing) Strengthen approaches to learning, teaching and assessment by establishing collaborative learning communities across our schools through empowered leadership, realising improvements in pedagogy and practice Secondary Attainment and Performance Frameworks/Stretch Aims setting and monitoring	
R AC	C: Aug 2023: Request for change to target date for Leadership Actions x 2. (Approved 07/08/23 CMT SMT)			R AC		
R AcC2				R AcC2	Award tender for external support	
R WC	C: Aug 2023: Request to change target date to Sept 2023. (Approved 07/08/23 CMT SMT)			R WC		

Programme Summary

Report 007 Update:	Good to reasonable progress in all areas with four workstreams substantially complete and signed off by Full Council on 15 March 2022. Approach and requirements to be developed for those workstreams to be carried forward for reporting to Full Council following the LGE in May 2022.
Report 008 Update:	Progress continues across the range of action planned. Workforce issues have impacted on a number of OD related actions which accounts for a number of amber indicators but with resources in place, timescales have been reviewed and this work is expected to recover to green. The financial actions at R3 have been rated as amber due to the level of risk attached to this. However, overall it can be seen that actions are well progressed with many nearing completion
Report 009 Update:	The actions in a further 2 workstreams have been completed (Transformational Change and Workforce) and one other (Leadership) is 85% completed with remaining work being carried forward to the next stage BV action plan. Longer terms workstreams such as financial planning and education have remaining actions which are progressing and will also continue as part of the BV action plan.



REPORT TO: CORPORATE COMMITTEE ON 7 NOVEMBER 2023

SUBJECT: IMPROVEMENT AND MODERNISATION PROGRAMME

BY: DEPUTE CHIEF EXECUTIVE (EDUCATION, COMMUNITIES AND ORGANISATIONAL DEVELOPMENT)

1. REASON FOR REPORT

- 1.1 To inform the Committee of the progress made in developing the projects set out in the Council's Improvement and Modernisation Programme (IMP).
- 1.2 This report is submitted to Committee in terms of Section III (A) 2 of the Council's Scheme of Administration relating to considering Capital and Revenue Budgets and long term financial plans.

2. RECOMMENDATIONS

- 2.1 It is recommended that the Committee reviews and notes progress on the projects set out in the Council's Improvement and Modernisation Programme (IMP);**

3. BACKGROUND

- 3.1 The Council has established an Improvement and Modernisation Programme to deliver transformational change across the authority, which was first approved by the Council on 12 December 2018 with the most recent update being considered by the Corporate Committee on 25 April 2023 (para 7 of the minute refers).
- 3.2 Subsequent reports to the Council and Corporate committee (see background papers references below) have expanded and adjusted the IMP programme of work. A comprehensive statement of the total remaining programme of work now comprised within the IMP is set out in **Appendix 1** with an update on the current position for each area of work.
- 3.3 Key points of progress to note from the update in **Appendix 1** are:
- Smarter Working Project is on target. The full business case is completed and implementation is in progress with committee room refurbished and headquarters office moves complete;

- The Depot Review reported to Economic Development and Infrastructure Committee on 20 June 2023 with progression of some early property savings and work has commenced on removing these from the Council operational base;
- Customer Service redesign has moved to project closure with end of project report under consideration by the programme board;
- Schools for the Future has continued to develop the Elgin High School extension, Forres Academy and Buckie High school projects and Inveravon case for closure has been accepted by Scottish Government. Considerable work has been required to respond to the RAAC in Forres Academy with cross service input and community engagement on the future of Forres Academy us underway;
- Raising Attainment - Well-being (ASN) has an improved focus on key priorities which are progressing on well, although the overall programme plan needs to be updated to reflect this to enable more accurate monitoring of planned actions which is likely to shift the RAG rating to green;
- Raising Attainment (Pastoral Care) – following consideration of a range of options the ECLS Committee on 19 September 2023 (para 12 of minute refers) decided that in light of the current financial position and cost of available options this project should be concluded;
- Raising Attainment – This project is moving to the delivery phase to put in place mobile device management in schools.

3.4 Transformation is one of the elements in the hierarchy of measures to ensure the council is financially sustainable moving forward. Therefore, work is underway to consider the “Council of The Future” and transformation work that would be necessary to support this. Given the history of transformation within the Council reaching back to Designing Better Services, which rationalised office accommodation; reviewed vehicle use (including pool cars); introduced mobile and flexible working for office and field workers (DLO and care at home); to Digital Services that resulted in over 80 services being available online and more recently the projects in IMP1 and IMP2, a further programme of significant transformation is challenging. However, there are some new projects that are being defined and some areas where acceleration may be proposed. One of the issues in progressing this next stage of IMP work, is identifying dedicated resources and this is being considered alongside the definition of opportunities, all of which will be reported to the Council as soon as possible. It is anticipated that this will be in the first quarter of 2024.

3.5 The Internal Audit report on Transformation identified an action in relation to the Programme Governance policy that the Council uses to ensure that it is current. Work has been undertaken through the Project Managers Network and CMT/SMT to take this forward. This has been relatively light touch and a

revised document has been prepared (attached at **Appendix 2** for information). However, further consideration is required of the practical implications of this in terms of the project and programme governance arising and the capacity to provide and sustain this across all projects given the ongoing pressures on resources. This requires to be considered further by CMT/SMT particularly in relation to existing projects so that the full implications of the refreshed policy can be considered by committee when it is reported for approval. It is anticipated that this will be to the next Corporate Committee.

- 3.6 The Council has been challenged in the Best Value Audit feedback to ensure that the pace of change is secured and maintained. As a small local authority this is particularly challenging as finite resources are stretched across broad strategic and operational remits. However, as business administration and smarter working showing progress across the spectrum of the IMP.

4. **SUMMARY OF IMPLICATIONS**

(a) Corporate Plan and 10 Year Plan (Local Outcomes Improvement Plan (LOIP))

The Improvement and Modernisation Programme is the development of the commitment in the Corporate Plan to a programme of modernisation and improvement to contribute to a financially stable Council.

(b) Policy and Legal

None.

(c) Financial implications

This financial implications of the IMP have been approved in previous reports. There is no change to this from the content of this report.

Project	Cost 2018 to 2022 £000s	Projected Cost 2022/23 £000s	Actual Savings 2018 to 2022 £000s	Projected Savings 2022/23 £000s	Projected future savings £000s	Total projected savings £000s
IMP	674	223	118	800	1,714	2,632
Digital Services	362	82	44	3	150	197
ELC review	-	91	-	-	500	500
Service restructure	398	-	1,165	-	-	1,165
CAT	53	-	189	-	-	189
Depot Review (initial savings)	-	-	-	-	42	42
Total	1,487	396	1,516	803	2,406	4,725

(d) Risk Implications

The risks associated with the IMP have been reported to Committee previously and are managed through the relevant programme boards and overseen by CMT/SMT. There are no changes to the current risk profile and it is noted that progress is being made in maintaining pace which was previously noted as a risk. However, the risks associated with change and the success of transformation remain and will continue to be monitored

In order to manage these risks, the council will:-

- (i) Ensure that all projects meet a given standard of governance that is proportionate to the change.
- (ii) Ensure there are adequate resources for the overall programme of work and for individual projects.
- (iii) Manage the dependencies and interdependencies across the scope of the change and its implications for other areas of prioritised work.
- (iv) Appoint appropriate project resources and failing which, review whether objectives are deliverable and review planned work accordingly.

(e) Staffing Implications

There continue to be challenges in securing time from stakeholders involved in a demanding workload. The post of Head of Transformation remains vacant and there are currently no plans to activate recruitment, however, this will be reconsidered as work to develop a programme of further transformation to address the ongoing budget gap is developed.

(f) Property

No direct implications from this report, although property is the subject of one of the workstreams and the issues arising from this will be reported in due course with activity on climate change being progressed as a stand-alone programme of activity.

(g) Equalities/Socio Economic Impact

For the purposes of this report an Equality and a Socio Impact Assessment are not required, however it is acknowledged that various workstreams will identify change that will have an impact on equalities and socio economic considerations and will be reported in due course.

(h) Climate Change and Biodiversity Impacts

There are no immediate climate change implications directly arising from this report. However, flexible working is one of the workstreams and the issues arising from this will be reported in due course.

(i) Consultations

The Corporate and Senior Management team have been involved in the review work referred to in this report and have been consulted on the report. The comments received have been incorporated into the report and project updates.

5. CONCLUSION

- 5.1 The Committee is invited to acknowledge the progress in the projects contained in the Improvement and Modernisation Programme and the improving picture of progress across the programme of work. IMP is focussed on council priorities, particularly financial sustainability and to manage risks associated with ongoing budget position it is proposed to bring forward a further report to consider how the programme of work can be developed and accelerated to support financial sustainability of the Council.

Author of Report: Denise Whitworth, DCE ECOD
Background Papers: Reports updating on progress on Improvement and Modernisation Programme to:
12 May 2021 Full Council (Item 09 [Report](#) and Appendix [A / B / C / D / E](#))
15 September 2021 Full Council (Item 15 [Report](#) and Appendix [1 / 2 / 3](#))
15 March 2022 Corporate Committee (Item 13a [Report](#) and [Appendix](#))
30 August 2022 Corporate Committee ([Item 06 Report](#) and [Appendix](#))
25 April 2023 Corporate Committee ([Item 08 Report](#) and [Appendix](#))
Ref: SPMAN-1108985784-895 / SPMAN-1108985784-917 / SPMAN-1108985784-912

**IMPROVEMENT AND MODERNISATION PROGRAMME: TRANSFORMATION TO ACHIEVE
Progress Update and Summary of IMP Projects**

KEY

\$ - service based project £- possible post-project revenue pressure	BRAGG – Quality, Cost, Time Black – complete or stopped Red – project on course to miss planned targets Amber – Likely imminent issues with delivery to plan Green – project progressing as planned Grey - project not active – not started or awaiting progress	Project Stages – agile descriptions with traditional council project term in () Discover – identify evidence, issues, (Concept) Define – specify the issue to be addressed to provide focus (Definition – OBC: Outline Business Case) Develop – research and develop range of solutions and appraise (Definition – FBC – Full Business Case) Deliver – identify and design preferred solution(s) and deliver (Initiation and Planning)	Status Not started – project agreed but not yet active Started – in early stages of planning/definition In progress – project operational and working to plan Completed – project completed and project close work concluded On Hold – project not active but remains in programme Stopped – project removed from programme
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Stream 1: Asset Management				Budget			Status	Progress to Date (Sept 2023)	Progress RAG	Next Steps	Lead
Project	Purpose	Impact/Outcomes	Revenue	Capital	Cashable savings £'000						
1.1 PAMA – Office Review (incl Area Office Review) Now Smarter Working Project (Council 25/04/23)	Align property assets and their long term management to the Council priorities to ensure affordable and sustainable asset base.	Fewer buildings. Reduced operating costs New income.	60		338 Subject to detailed business cases being developed: some savings dependent on Joint Boards financial arrangements	<u>In Progress</u>	Full Business Case and Equalities Impact Assessment approved by Full Council on 28 June. Committee Room refurbishment has been completed. The high tech hybrid meeting equipment has been installed and is under testing. Office moves in the Headquarters campus have proceeded per the schedule with support from ICT, Asset Man, Facilities, Housing DLO and Services.		HQ, Annexe and 9 North Guildry Street moves planned to be completed by w/e 6th October. Installation of hybrid meeting equipment for all heads of service and in other Elgin and Out of Elgin offices. Detailed plan for Southfield staff to move to HQ campus to be developed. Project completion target by end Dec 23.	HoHPS/ HoHROD	
1.2 PAMA – Depot Review Corp Ctte 25/04/23	As above	As above			86 Subject to business case being developed as there will be capital investment required	<u>In Progress</u>	An update on the progress of the Depot and Stores review was presented to the 20 June ED&I Committee where the report was approved including the progression of some early opportunity properties. Work has commenced on removing these properties from the Council's operational base,		Updated Outline Business Case (OBC) to be prepared Report progress and resource requirements as required and OBC to ED&I committee in	-HoHPS	

Stream 1: Asset Management				Budget			Status	Progress to Date (Sept 2023)	Progress RAG	Next Steps	Lead
Project	Purpose	Impact/Outcomes	Revenue	Capital	Cashable savings £'000						
1.3	Property Asset Mgmt. Stage 2 – Shared Community hubs for public/3rd sector	Provide shared community hubs and services with CP partners with a view to securing reduced costs through economies of scale.	Greater efficiency in resources to deliver public services in Moray. Shared place based asset management plan. Fewer strategically located shared hubs/buildings. Maximise funding through strategic planning, etc.				<u>On Hold</u>	This is a second stage of the PAMA work that is yet to be scheduled. Relative priority to be reviewed following delivery of stage 1 above. The scope for potential work in this area will be re-visited taking account of current exploratory discussions with the Scottish Futures Trust and the work of the North Scotland Strategic Territory Partnering Board. Meantime officers are working with public sector partners to ensure any opportunity for shared occupation of property assets are considered in the normal course of business.		Where possible, shared use of buildings with partners will be incorporated into capital developments on an ongoing basis as opportunities arise	-
1.4	Building Information Model (BIM) (MC 12/5/21 - proceed with initial investment to demonstrate merits)	To introduce a Building Information Modelling system to enhance the use of digital data held on construction projects and buildings to optimise the efficiency of the asset during its life where the greatest costs are incurred.	Current digital data in the construction industry has shown savings of 15% to 20% can be generated. Improve information sharing and reduce abortive time and costs on built assets. Improve capturing and measurement of intended outcomes to be set out and	20			<u>Started</u>	The SharePoint solution as the Common Data Environment (CDE) for operational property assets has now been confirmed as feasible with no ongoing revenue costs for licence or storage requirements. The consultant has also advised that SharePoint would not however form a		Updated 3MB to be prepared for CMT and Full Business Case (FBC) being prepared for Transform Economy Board on 7th December to evidence return on investment required,	HoHPS

Stream 1: Asset Management				Budget			Status	Progress to Date (Sept 2023)	Progress RAG	Next Steps	Lead
Project	Purpose	Impact/Outcomes	Revenue	Capital	Cashable savings £'000						
Corp Ctte 25/04/23 - update	<p>Put in place arrangement whereby all professions and trades involved in the construction process can share information on construction projects. Within the council it will require cross departmental co-operation and integration of systems and procedures.</p> <p>The appraisal tool (BIM) provides a consistent method of comparing and reporting whole life outcomes for new projects and buildings. It looks at the costs and outcomes during the design, construction, operation and disposal stages for a built asset and promotes the analysis of whole life outcomes across three assessment criteria: commercial; performance; and environmental.</p>	measured through procurement and operation for individual projects and programmes of work.					<p>suitable CDE for live construction projects, proposing instead that a licence for a CDE for each live project is rented from either a consultant or contractor and the information transferred to SharePoint at the end of each project stage. This arrangement is likely to be suited to all stakeholders in larger projects.</p> <p>The consultant has been asked to establish costs for renting this facility based on the current draft 10 year Capital Plan. This is to establish that renting a CDE for each new construction project is value for money against a single annual arrangement for all projects.</p>		with figures being revised to this end.		

Stream 2: Transforming Customer Service				Budget			Status	Progress to Date (May 2023)	Progress RAG	Next Steps	Lead
Project	Purpose	Impact/Outcomes	Revenue	Capital	Cashable savings						
2.1 Customer Service Re-design MC 12/12/18 Corp Ctte 25/04/23 - update	To deliver a culture change in customer service delivery towards an enabling approach for most customers with supported service delivery for those who need it. Encourage customers to choose alternative lower cost, more efficient digital means of accessing services where possible.	Single service for first point of contact. Efficiencies and savings through economies of scale, simplified and consistent processes and harnessing available technology.			250 Auchernack 40 (achieved) 20 (revenue saving from building disposal to come) Hubs Yr 1 50 Yr 2 50	<u>In Progress</u>	Change management plan for the structure of Customer Services has been approved and implemented. HQ Annexe reception has re-opened for appointment only meetings. Public also able to drop off documentation and have free access to a telephone to contact Customer Services. Information hubs have now been established across all libraries where the public can drop of documentation get support and sign posted to services, provided with free access to telephone to contact Customer Services, free PC access to use online services and supported where necessary. The update to the Customer Charter was approved at Corporate Committee on the 25th April and made available on the council website.	●	<u>PROPOSE TO CLOSE</u> End of Project Report being prepared for the Transform Council Board of 26th October	HoGSP	

Stream 3: Alternative Service Delivery				Budget			Status	Progress to Date (February 2023)	Progress RAG	Next Steps	Lead
	Project	Purpose	Impact/Outcomes	Revenue	Capital	Cashable savings					
3.1	Museums Trust MC 12/12/18	Explore all avenues to create a sustainable future for the Museums service.	Sustainable service Reduced ongoing cost to council.	n/a	n/a	n/a	<u>Started</u>	<p>Investigating options that may enable future progress as limited staffing resource</p> <p>Development of an alternative financially sustainable model of delivery was on hold due to the resource requirements of economic recovery in response to the pandemic. Capacity within the team remains limited but we are commencing the consideration of opportunities and models for the museum, this will not be a quick process as finding a financially sustainable model of service will be difficult but not impossible. The museum building and artefacts remain in good condition and are monitored and maintained.</p> <p>Heritage priority rather than efficiency or saving.</p> <p>The project is being taken forward as part of the development work for the Forres Conservation and Heritage project, a programme working group has been established and a sub group will be tasked with developing a new model for the museum and working with interested parties.</p>		<p>Continue to consider and seek opportunities, subject to available resources/workload</p> <p>Solution may incorporate external opportunities e.g. funding streams or private/third sector interest and therefore no timescale can currently be put on finding a solution.</p> <p>The work is currently being taken forward as part of the development work associated with the Forres conservation and Heritage Scheme which is developing a bid for funding from HES and National Lottery.</p>	HoEG&D

Stream 5: Income and Commercialisation				Budget			Status	Progress to Date (February 2023)	Progress RAG	Next Steps	Lead
Project	Purpose	Impact/Outcomes	Revenue	Capital	Cashable savings						
5.2	Sponsorship MC 12/12/18 MC 24.03.21 Corp Ctte 25/04/23 - update	Generate income from advertising, sponsorship and other commercial opportunities.				<u>Started</u>	Project refocused to broader income generation: work on Buckie Harbour (Offshore and renewables) and other opportunities arising Although previously proposed to close this workstream, consideration of commercial opportunities is active and so the project has remained open.		Renewed consideration to be given to developing opportunities as part of financial planning. In particular, a mandate is being prepared by the Transformation Working Group for a project focussed on net zero savings and investment in renewables. The Council's approach to charging will also be reviewed in the annual report to council in December.	HoECS	

Stream 6: Service Efficiency				Budget			Status	Progress to Date (May 2023)	Progress RAG	Next Steps	Lead
Project	Purpose	Impact/Outcomes	Revenue	Capital	Cashable savings						
6.1	Service Efficiency (MC 12/5/21) Corp Ctte 25/04/23 - update	Undertake lean reviews of a further 30-40 processes using specialist software. Focus on high volume, common cross service or resource intensive processes particularly within Educational Services, Children's Social Work.	121	0 10	250	<u>Started</u> <u>Planning – Define/Develop</u>	Service Efficiency discussion at SMT in February 2023 resulted in a range of service interest and Finance and HR services initially took this forward. However, focus on budget work has put this work on hold as service resources are not available. Consideration is being given to how this work can be activated for progress as part of the next stage of IMP planning.		<u>Planning – Define/Develop</u> Consider how to resource and develop work as part of next stage of IMP	HoT (Vacancy) DCE (ECOD)	

Stream 7: Transforming Education				Budget			Status	Progress to Date (May 2023)	Progress RAG	Next Steps	Lead
Project	Purpose	Impact/Outcomes	Revenue	Capital	Cashable savings						
7.1	Schools for the Future MC 12/12/18 Corp Ctte 25/04/23 – update ECLS Sept 2023	Provide the essential infrastructure for the delivery of education in Moray.				<u>In Progress</u> <u>Develop</u>	Buckie and Forres: work continues to progress with community engagement commenced for Forres. EHS extension (temp and perm) progressing. Inveravon closure accepted by SG and Crossroads mothballed.		Await outcome of SG decision on Leip 3 ASG assessments and planning Community engagement –	Ho ERC	

Stream 7: Transforming Education				Budget			Status	Progress to Date (May 2023)	Progress RAG	Next Steps	Lead	
Project	Purpose	Impact/Outcomes	Revenue	Capital	Cashable savings							
Various reports to ECLS and MC (7/11/22) on relevant projects MC 28/09/22 ECLS 07/11/22 MC 07/11/22 MC 07/12/22		Development of forward plan of schools estate to recognise changing demographic and needs.							Work on condition and suitability surveys underway		conclusion of Forres and planning for Buckie	
7.2 Business Support for Schools MC 12/12/18 Corp Ctte 30/08/22 - update ECLS 14/12/22 ECLS 19/04/23	Rationalise business support across council and schools. Digital implementation and service (payments, absence reporting, reporting generally).	As above			250 150	In Progress Develop			Overall Project Status is AMBER . While the report following the consultation exercise has been submitted as per the agreed timeline to committee GREEN, securing the identified service efficiency savings has been delayed and the Change Management Plan was not able to be fully implemented.		A summary of the outcome of the consultation exercise and a short-term (6 months) and medium term (12-24 months) will be considered as a confidential item at the ECLS Committee meeting on 19 September 2023.	HoERC
7.3a & b (7.3a) Raising Attainment - Well-being MC 12/5/21 & 15/09/21 Corp Ctte 25/04/23 - update (7.3b) ASN Review £ MC 12/12/18 ECOD 11/08/21 Corp Ctte 25/04/23 - update ECLS 14/12/22 MC 02/02/2023	Enhance support and resources for all learners and impact positively on the delivery of consistently high quality learning and teaching experiences. Focus on GIRFEC and wellbeing of every child to ensure they are safe, healthy, achieving, nurtured, active, respected, responsible and included. Provide support that is equitable, inclusive and timely to raise the attainment and achievements of all children and young people. Contribute to improvements in literacy, numeracy and behaviour through improved health and wellbeing. Support for targeted intervention. Enhancing and developing staff skills.	All staff supporting children and young people in schools understand and engage with staged intervention and inclusive practice and are confident in relating to and working with all learners, whatever their needs. Where intervention/intensive support is required it can be offered in a timely manner using expert resources. All children and young people receive the support they need, when they need it, including pupils who cannot manage a full curriculum or class attendance.	3200 (across 7.3 and 7.4)			In Progress Preparing for Deliver			Overall Project Status is AMBER due to programme plan schedule slippage in relation to Policy and Processes, Workforce Development and Enhanced Provision and the continuation of budget pressures. A moderation process has progressed across Moray to review the alignment of needs and resources. Workshops have been undertaken with head teachers to consider the future design of ASN services Flexible procurement process has been completed to increase the numbers of independent providers available		Programme planning to be revised to reflect planned actions based on progress made Consideration of better alignment of resources/needs to inform longer term resource planning Further work on future model.	HoERC

Stream 7: Transforming Education				Budget			Status	Progress to Date (May 2023)	Progress RAG	Next Steps	Lead
Project	Purpose	Impact/Outcomes	Revenue	Capital	Cashable savings						
	<p>Flexible Package to Support Unmet Need.</p> <p>Research Support for ASN Review.</p> <p>To support the effective delivery of the Moray ASN Strategy the ASN Review is ongoing and requires the development of a detailed business case by mid-2021, with the introduction/implementation of potentially new ways of working from August 2021.</p> <p>The proposed investment will also support the delivery of the 'Managing Challenging Behaviour Action Plan' developed by a corporate Health & Safety Working Group in response to increasing numbers of violent and aggressive incidents in schools (an outstanding action in the Health & Safety Annual Report).</p>	<ul style="list-style-type: none"> Enhancing ASN Review resources. An ASN review business case that is supported by robust evidence. A clear structure/measurement plan for evaluating the impact of any changes. Well trained staff teams able to respond to behaviours that relate to ASN and supported to better support children and young people. The establishment of a Moray Standard for the delivery of ASN services in all settings through comprehensive ASN induction and training. A reduction in the number of Violent and Aggressive Incidents in schools. A reduction in school exclusions. An increase in school inspection gradings of 'very good' and above for HGIOS 4 QI 3.1. Better targeting of ASN budgets to achieve the best possible outcomes. 									
7.3c	<p>Raising Attainment: Well-being Pastoral Care in Primary: Improving Outcomes for Learners and Early Years Intervention (All Groups) £</p>	<p>Promote and safeguard the health and wellbeing and safety of pupils in partnership with parents, support staff and partners to ensure all children, young people and their families receive the right support at the right time no matter the level of need.</p> <p>Key contribution to closing the attainment gap by monitoring attainment,</p>	<p>Links to ASN and Raising Attainment for All projects.</p> <p>Links to new Locality Management operating model.</p> <ul style="list-style-type: none"> Increased attendance at school for some children. Reduction in exclusions. Reduction in violence and aggressive incidents. 				<p><u>Started</u></p> <p><u>Planning – Define/Develop</u></p>	<p>In light of the financial challenges presently being experienced by the Council and consideration of alternative approaches outside the parameters of the Improvement and Modernisation Programme, ECLS Committee on 19 September agreed that none of the options were affordable and therefore the project should cease. It is the intention that as far as possible the aims of the project should be progressed through</p>	●	<p>Project Closed</p>	

Stream 7: Transforming Education				Budget			Status	Progress to Date (May 2023)	Progress RAG	Next Steps	Lead
Project	Purpose	Impact/Outcomes	Revenue	Capital	Cashable savings						
	Corp Ctte 25/04/23 - update	attendance, inclusion, participation and engagement. Release school leadership time for strategic planning, school improvement, attainment and other outcomes.									
7.4	Education Project B: Raising Attainment - Curriculum breadth Moray (Virtual Innovation Academy and Schools Digital Devices) £ MC 12/05/21 MC 23/02/22 Corp Ctte 25/04/23 - update	Create a Virtual Innovation Academy aimed at raising attainment, strengthening learning and teaching and expanding curriculum offer to meet the needs of all learners in the senior phase to enable positive sustained and quality destinations based upon labour market intelligence. Invest in devices and technology to support and embed digital innovation and strengthen digital literacy for all. Increase the number of subjects available across Moray as well as increasing attainment. Investment in Digital Devices to establish a pro-active programme to allocate pupils and teachers with an appropriate device to enable remote and distance learning. Roll out of devices to staff and pupils P6+ over 2 year roll out (2100 devices per year).	<ul style="list-style-type: none"> Increased attainment and achievement. 				<u>Deliver</u>	<p>Following the submission of a Digital Inclusion Outline Business Case to the ECLS Committee Meeting on 14 December 2022, it was agreed that in light of the absence of any additional funding from the Scottish Government for digital inclusion, the immediate focus should be on enhancing the current Education ICT infrastructure and aiming to ensure that it can support the future provision of 1:1 devices if funding is made available in the future.</p> <p>A draft Business Case has now been developed and the ECLS committee on 19 September agreed implementation of a mobile device management solution.</p>		Progress to delivery of Mobile Device Management (MDM) to support Apple products.	DCE (ECOD)

Stream 8: Transforming Children's Services				Budget			Status	Progress to Date (February 2023)	Progress RAG	Next Steps	Lead
Project	Purpose	Impact/Outcomes	Revenue	Capital	Cashable savings						
8.1 Service Review MC 12/12/18 MC 23/02/22 Corp Ctte 25/04/23 - update	<p>Most effective and efficient service delivery of a quality service that effects real change and measurable outcomes.</p> <p>Establish new approach, culture and ways of working in social work services.</p>	<p>Better outcomes for young people and families. Reduced costs across all areas. Improved partnership working. More efficient use of resources in delivering outcomes. More children in kinship care.</p> <p>Reduced</p> <ul style="list-style-type: none"> complaints from families; number of formal proceedings; unallocated child care cases; number on child protection register. 			<p>854 taken further 245 pa projected for 2023/24 to 2025/26</p> <p>Future savings previously reported as 358 pa included avoided spend 113</p>	<p><u>In progress</u></p> <p><u>Deliver</u></p>	<p>Children and Justice Social Work now delegated to the IJB.</p> <p>Two commissioned services supporting the model for social work and to continue to prevent children going into external foster or residential care are in place.</p> <p>The progress to move the service into a new model has been impacted by staffing issues.</p>		<p>Consultation / change management on workforce changes.</p> <p>The change management plan for the Youth Pod is in its final stages and will move forward to consultation within the next 3 months.</p> <p>Recruitment to vacancies continues as the national shortage for Social Workers continues.</p>	HoCS	
8.2 Commissioning MC 12/12/18 Corp Ctte 25/04/23- update	<p>Review commissioning of services to align with the new ethos and provide different options for older young people and shift in resources to community based care as the core.</p>	<p>Vibrant blended economy of service provision.</p> <p>More accessible services that can respond to need and provide sustainable services.</p>				<p><u>In progress</u></p>	<p>Contracts and monitoring is now in place and expect commissioned services to be accountable and needs led.</p> <p>We are monitoring our contracts quarterly which include a thorough reporting against the contractual outcomes as well as monthly comment complaints incidents and restraint (CCIR) reports. 3 contracts have been commissioned on 1st April 2023 all have a strong focus on community based resources. All contracts are now commissioned with the ethical commissioning principles taking into consideration to ensure best value.</p>		<p>Continuation of the commissioning procedure to include the decommissioning of services. To enhance the contract record document and to create the decommissioning contract document which will complement the decommissioning procedure.</p>	HoCS	

*STREAM 9: Corporate Plan - Strategic Priority				Budget			Status	Progress to Date (February 2023)	Progress RAG	Next Steps	Lead
Project	Purpose	Impact/Outcomes	Revenue	Capital	Cashable savings						
9.2	Poverty: Reducing Inequalities £ (MC 12/5/21) Corp Ctte 25/04/23 - update	<p>Establish a resource to develop the Council's strategic response to reducing poverty in Moray by defining the issues and priorities and developing a cross service whole Council Poverty Action Plan.</p> <p>Develop proposals to meet gaps in activity to meet agreed council priorities and co-ordinate activity and reporting across the plan.</p> <p>Establish 24 month Poverty Action Team</p>	<p>Reduction of poverty in Moray by addressing causes and mitigating impacts in shorter term, through co-ordination of council poverty work for greatest impact.</p> <p>Identification of and leadership for council priorities in addressing poverty.</p> <p>Action plan to pull work together and address any gaps.</p>	264			<u>On hold</u>	<p>Progress remains as noted below on the April 2023 updatee: Council position statement and approach on period poverty approved and published.</p> <p>Review of community planning partnership poverty governance completed. Reporting templates established and preparation underway to implement. Assessment of poverty data profile in Moray completed and Moray approach being used as good practice model nationally. Data shared with partner groups. Summary of current council actions and gaps completed and reported to Committee. Work to prepare compilation of council activity into poverty action plan currently slowed due to other work pressures. Project is amber as progress was slower than planned. Project recovery had commenced and can turn green once poverty plan in place.</p> <p>Child poverty plan incorporated into children's services plan -complete</p>		<p>Poverty plan to be reported to Corporate committee (date to be confirmed due to prioritisation of work)</p> <p>Review utilisation of IMP funding to advance specific areas of work</p>	HoT (vacancy) - DCE (ECOD)
9.3	Mainstreaming Participatory Budgeting in Moray £ MC 12/5/21 Corp Ctte 25/04/23 - update	<p>Identify a standard suite of tools to ensure all forms of public consultation can continue in an online/virtual environment and in a consistent manner regardless of what service is undertaking the consultation.</p> <p>Develop the online platform CONSUL and the current use of the council website, eForms, Survey Monkey and eForms to provide</p>	<p>A minimum of 1% of budget is delivered using Participatory Budgeting (circa £1.8m based on 2020/21 budgets).</p> <ul style="list-style-type: none"> • Effective consistent platform in place to gather ideas, consultation, debates and voting. • Communities will have an increased understanding of Council budgets and how they are allocated. • Communities will be empowered to participate in decisions that affect their lives and their communities. 	107 (recurring annual)			<u>In Progress</u>	<p>Work is underway in relation to PB for play parks in various locations in Moray. In Rothes the budget of £50k has been enhanced to £120k through fund raising from the community.</p> <p>A number of other avenues have been explored. PB has been used in 3 schools, 2 for some of PEF funding allocation. 2 youth work projects – in Forres and Buckie – are being progressed. Work has commenced on 2 Active Travel projects. Allocation of developer obligations for community facilities in Forres is being supported.</p>		<p>PB plan to be developed following PB Strategy Group review published March 2023 incorporating a wider view of PB and community engagement as reflected in the Annual Audit Report and Thematic Review.</p>	Ho FS

		<p>additional tools and functionality for public engagement and consultation including participatory budgeting.</p> <p>Review the appropriate level of resources, expertise and tools required to meet 1% of council budget via PB as part of PB plan</p>	<ul style="list-style-type: none"> • a greater reach into the community using effective suite of consultation tools. • Addresses potential equality issues to ensure more can contribute. 								
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COMPLETE/CLOSED PROJECTS:

Stream X1: Asset Management					
	Project	Purpose	Impact/Outcomes	Progress at Closure	Lead
X1.	PAMA (MC 12/12/18 MC 30-06-21)	Align property assets and their long term management to the Council priorities to ensure affordable and sustainable asset base.	Fewer buildings. Reduced operating costs New income.	The original asset wide review was completed and the Council report 30/6/21 set out actions to progress the remaining elements of the review taking account of the impact of Covid on the original recommendations. An update on progress on outstanding items being reported on 30.8.22. Subject to consideration of the PAMA report on 30.8, this wider heading will be removed from future reports as the remaining material elements are captured elsewhere in IMP. Or will be reported as business as usual for Property Services	HoHPS

Stream X4: Internal Transformation					
	Project	Purpose	Impact/Outcomes	Progress at Closure	Lead
	Workforce Development MC 21/05/2021 (Agreed as additional principle)	Developing the skills, knowledge and capacity of the workforce to deliver better	Workforce equipped to use digital technology as required <ul style="list-style-type: none"> Digital Champions Digital Skills Survey 	Digital Champions: The specific work related to digital aspects arising from the Smarter Working and M365 projects is beginning to take shape with the Digital Champions earmarked as a resource to assist with dissemination of knowledge, experience and guidance on new applications, platforms and equipment. Digital Skills Survey: The results of the SCVO survey have been analysed and actions identified. The nature of the needs identified relate to the work that has already been highlighted and planned through the Smarter Working project and the roll out of M365, therefore it is proposed that the digital skills action plan is used as a working document for use within the OD team to supplement the work arising from the other two projects and is not a substantive project in its own right.	HoHR / ICT / OD
X4.2	Organisational Design and Mgmt. Structure	Ensure the organisation is designed and structured to meet the challenges of the future as efficiently and effectively as possible and that it is flexible enough to adjust to meet future requirements.		The Management Review was undertaken by a third party consultant and implemented in October 2019. The subsequent review of 3rd and 4th tier management structures was to follow. Many services have reviewed their management structures and so this work is substantially completed. No specific requirement for further review is currently identified. Therefore, any further reviews of management structures will be included in relevant services reviews	CEx
4.3	Organisational Design and Governance Review Corp Cttee 25/04/23 – update MC 07/12/22	Review Moray Council Committee Structures, Scheme of Delegation and reports to committee with a view to faster, more focussed and efficient decision making and investigation of any cost savings.	Reduce Bureaucracy. Streamline decision making processes. Reduce material going to committee. Look at alternative governance structures.	<ul style="list-style-type: none"> Remit of Audit and Scrutiny committee and Scrutiny Guide now agreed 07.12.22 (MC 07/12/2022) 	HoGSP

Stream X5: Income and Commercialisation				Progress at Closure	Lead
	Project	Purpose	Impact/Outcomes		
X5.1	Sports & Leisure: Les Mills (MC 12/5/21)	<p>Improving the diversity of our exercise programme by expanding the popular Les Mills offer across all Council sites.</p> <p>Provide staff training to ensure a consistent approach across all sites and to deliver a comparable service to Moray Leisure Centre as part of the Fit Life Scheme.</p>	<ul style="list-style-type: none"> • Expansion and development of sustainable services. • Create an environment where health and wellbeing is at the core of our service. • Optimising income and growth. • Develop facilities to align with customer service needs. • Successful partnership. • A professional, informed and empowered workforce. • More people participating in physical activity. • Equality of access to programmes offered by MLC and MC for all Fit Life members. • Improved range of services and activities appropriate to the market and community needs. • Increased use of leisure services. 	<p>Implementation is now completed and classes being offered.</p> <p>Progress monitoring as part of Sport & Leisure Business Plan as business as usual</p>	Ho ERC

Moray Council: Project Management Governance Policy

**Framework for Project Sponsors, Project Boards,
Project Managers, Senior Management and Elected
Members.**

Document Details & Version Control			
Author: D Morris	Action: Draft for consultation	Version: v.01	Date: 27 April 2016
D Morris	Amendments: Property (EM), Finance (LP) & Training (MK) comments.	v.02	29 April 2016
D Morris	Amendments: Procurement (DB), Consultancy (DG), Ex DBS PMO (MA) & Property (MM) comments.	v.03	09 May 2016
D Morris	Final. For approval	V1.0	10 May 2016
D Morris	Amendment: to 5.7 following P&R Committee Meeting of 7 th June.	V1.1	20 Jun 2016
M Aldridge	Reviewed and updated	V1.2	27 July 2023
M Aldridge	Further updates from review	V1.3	14 Sep 2023

1. Introduction – Projects Defined

1.1 This policy defines a framework for the governance of **project management (specifically strategic projects)** within Moray Council (MC). It stipulates standard processes and governance requirements. It is based on the Prince2 project management methodology, aligned with the Scottish Government Construction Procurement Manual and the Office of Government Commerce (OGC) Gateway framework. Projects involving procurement will also follow the standards set out in MC Financial Regulations (Procurement Procedures). It builds on existing processes and guidance in use within the Council and intends to re-use existing controls where they have been shown to be effective. It will be subject to **periodic review**, so that any improvements / lessons learned from initial implementation can be incorporated.

1.2 There are differences in the management and governance arrangements between capital projects (Property and Infrastructure) and other projects, for instance due to the specific requirements for construction projects such as the Construction (Design and Management) Regulations 2015. The framework is intended to cover all circumstances with the flexibility to adapt the principles to suit the scale and type of project.

1.3 The framework is designed to ensure that the right environment for project success is created within the Council. It will define structures and processes that will ensure that projects are managed well and in accordance with this framework's key principles; that projects are aligned to the Council's strategic objectives, and that any projects exhibiting conditions of failure are identified on time and appropriate corrective and mitigating measures are put in place.

1.4 Project management governance provides a framework for accountability and responsibilities, ensuring that project decision-making is robust and logical and that projects provide value to the organisation. It offers a mechanism for ensuring that projects are conceived and implemented in accordance with agreed standards and regulations.

1.5 A Project, within the context at MC, is defined as:

- A unique, transient endeavour, undertaken to achieve planned objectives, which could be defined in terms of outputs, outcomes, benefits or strategic objectives.
 - Outputs - are the tangible or intangible products typically delivered by the project.
 - Outcomes – are the changed circumstances or behaviours that result from the use of an output.

The decision to implement a planned piece of work as a project is the responsibility of Corporate Management Team (CMT) and the decision must be informed by the category given to the project as described at Point 5.1.

1.6 For the purpose of this policy, governance could be applied at a **programme** level if felt to be appropriate by CMT. A Programme, within MC context, is defined as:

- A group of related projects and change management activities that together achieve beneficial change.

This would mean, for instance, that a programme consisting of a number of projects across Moray could be treated as one entity under this policy, meaning that the policy would not have to be separately applied for each individual project within the **programme**.

Commented [MA1]: Based on Strategic Projects only (see 1.7)

The policy is predominantly about Strategic Project with passing reference to Basic and Intermediate in Appendix 4
- BASIC Category - No project board required; change can be implemented as BAU.
- INTERMEDIATE Category - Change should be implemented as a PROJECT but with limited governance.
- STRATEGIC Category - Change must be implemented as a project with full project governance in place.

Commented [MK2]: I would suggest it is important that there is a simple register of all change activity taking place across the three levels. A lot of basic and intermediate activity could collectively create an impact on the organisation and there is the potential that they counteract objectives of strategic projects. The PMO could regularly review the register to identify cross cutting risks and opportunities.

Commented [MA3]: I agree but although we have a centrally held RADIC log projects are now holding their own versions and therefore overall transparency, awareness and reporting is no longer possible.

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Commented [MA4]: Reiteration that this is about Governance at a Programme level i.e. Transform rather than Intermediate and Basic projects

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Commented [VC7]: For clarification then any Education projects could sit under Transform Education Board therefore ASN and Digital projects sit here rather than separate board?

1.7 Whilst the standards and processes articulated in this document are seen as best practice for all projects within the organisation, compliance will only be enforced and monitored for projects that:

- Requires significant capital or revenue investments – significant investment means having a value of £2M or more over the lifecycle of the project and any resulting contract/s as set out in the MC Procurement Strategy (Procurement Procedures).
- “Strategic” projects whose implementation exhibits a high level of complexity, ambiguity, tension, uncertainty or risk as identified during categorisation in accordance with Appendix 4.
- Projects that are forecast to deliver substantial cost savings as identified by the Council’s Corporate Management Team (CMT).

Commented [MA8]: Confirmed with LP that this should be £2m based on [Procurement Strategy 21/23](#):
• “£50,001 to £2,000,000 – following supplier selection process, a quotation process for certain construction projects.”

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2 MC Project Management Governance Principles

2.1 To provide an appropriate level of proportional and consistent governance across the Council, the project life-cycle and associated processes are underpinned by the following key principles:

2.1.1 **Accountability and Responsibility:** A single point of accountability will exist for all projects within a Service area. This point of accountability will be the aligned to a member of CMT or Head of Service (HoS), while responsibility for ensuring that an individual project is run in compliance to this framework lies with the Project Sponsor (also referred to within MC as Senior Responsible Officer (SRO)). It is acceptable for a member of CMT to also to be the Project Sponsor. The practical application of the framework and the actual management of the project will be undertaken by a suitably trained/qualified Project Manager.

2.1.2 **Openness and Transparency:** Project performance will be visible across the different levels of governance, and reporting will be consistent, with a minimum data requirement set for all project status reports.

2.1.3 **Financial Management and Cost Transparency:** All projects will adhere to the Council’s Financial Regulations. Whole life-cycle costs will be estimated for all projects, including additional internal staff costs, and updated cost information will inform the business case and the tender process. Changes to baseline costs will be documented via Change Control process.

2.1.4 **Conduct of Procurements:** All procurements carried out either as the key objective of a project or as a subsidiary activity must be carried out in accordance with MC Financial Regulations (Procurement Procedures).

2.1.5 **Continued Business Justification:** The project Business Case in the case of change projects will be updated and reviewed at key decision points. Projects will only progress if the viability of the Business Case is confirmed and assumptions validated.

Deleted: , and the Quality Plan (suite of technical specifications and plans) in the case of infrastructure projects,

Deleted: or Quality Plan

2.1.6 **Technically assured and well managed projects:** All projects will be supported by sound technical and specialist advice and managed by suitably qualified and experienced Project Managers supported by appropriate project teams. Projects involving procurement will be supported by a lead Procurement Officer. When applicable, adequate feasibility studies will be completed with robust scoping and where a reference site is used, comparison will be based on requirements and accrued benefits.

Commented [VC9]: Definition of management and role of project manager and team?

2.1.7 **Risk Management:** All projects will have a well-defined risk and issues management strategy and report on to risk and issues.

2.1.8 **Well-defined roles and responsibility:** Roles within projects will be well defined with training and support provided to ensure that obligations under this framework are understood and embedded within

projects. It is compulsory for all members of Project Boards and all Project Sponsors to complete a training session on this framework before serving on a Project Board. For projects involving procurement, all those involved in the procurement activities must also have current procurement authorisation at the appropriate level and have had the necessary procurement training.

2.2 Supporting these principles are the monitoring checks and processes defined by this framework along with self-evaluation tools (PACE). These checks are carried out through a number of decision points that are based on the OGC Gateway framework. These check-points and processes are described in Section 5.0.

2.3 These checks and processes will ensure that the right environment and culture for project success is maintained across the Council with emphasis on three key project variables – the quality of the project deliverables and benefits (scope), the overall cost of the project, and the project time-scale.

3 Project Life-cycle

3.1 All projects regardless of complexity, scale or subject do share common features that allows for the design of a generic life-cycle. This life-cycle shows the different stages that projects progress through and are used as mandatory governance checkpoints.

3.2 The project life-cycle will normally have 6 stages; **Conception, Definition, Initiation & Planning, Delivery, Closure** and **Post Project Review**. These stages apply to all strategic category projects e.g. transformational saving projects, capital projects (property and infrastructure), ICT projects and other services-led projects within the Council (**Note: For certain capital projects RIBA will be used, and project delivery may use other project disciplines as appropriate e.g. Agile**). To steer a project through the project life-cycle, a Project Board must be assigned to manage the project – this is either done by forming a new Project Board, or by assigning the project to an existing Project Board which has relatable project objectives in.

3.3 The full make-up of a Project Board under Prince2 is described in Appendix 1, but there will be situations where a Project Board consisting of just a Sponsor and Project Manager/Procurement Lead will be sufficient. It is the responsibility of the Project Sponsor to ensure that the make-up of the Project Board adequately reflects the requirement for good project control but at the same time is not disproportionate to the scale of the project.

3.3 **Conception** (is the stage at which an idea is created or a need (a requirement for change) is identified and a strategic decision is made as to whether or not it should be pursued.

3.4 **Definition** (involves a full exploration of the change requirement and the development of the associated business case; the scope for the project is considered and procurement approaches investigated.

3.5 **Initiation and planning** (– A full plan for implementing the change is created and a contract or contracts awarded to any 3rd party suppliers as a result of commercial competitions carried out as part of the project. This is the Production Information and Tender stage for capital project procedure.

3.6 **Delivery** – This is the implementation stage for the project, where the project objectives are delivered and responsibility handed over from project to the business.

3.7 **Closure** – the project is drawn to a close and a review is carried out to confirm if there are any deliverables that have yet to be delivered and to formally end the project organisation.

3.8 **Post Project Review** – this is the stage at which the project is reviewed to confirm achievement of expected benefits and to ensure that lessons learned are identified and propagated through the organisation.

Commented [AS10]: How will this be delivered – nothing currently in the annual offering. Decision on how this will be delivered external v internal course. Budget available or how will this be managed i.e. annual training requests?

Commented [MA11]: Agreed

Commented [MA12]: Explore confirm training / resources OR amend paragraph Alternative wording if no provision "It is advisable that all members of Project Boards and all Project Sponsors have read and understood this framework before serving on a Project Board. For projects involving procurement, all those involved in the procurement activities must also have current procurement authorisation at the appropriate level and have had the necessary procurement training."

Commented [VC13]: Are we confident that all those leading projects at teh moment have been trained in both project management and procurement and if not what are the timescales and mitigations?

Commented [MK14]: It might be useful to provide definition for how RIBA and Agile interact with the 6 stages. For example, definition could be RIBA 2/3 and initiation / planning 4/5.

Commented [MA15]: Could be part of an appendix?

Commented [DW16]: TO BE DEVELOPED AS GUIDANCE/ADD ON

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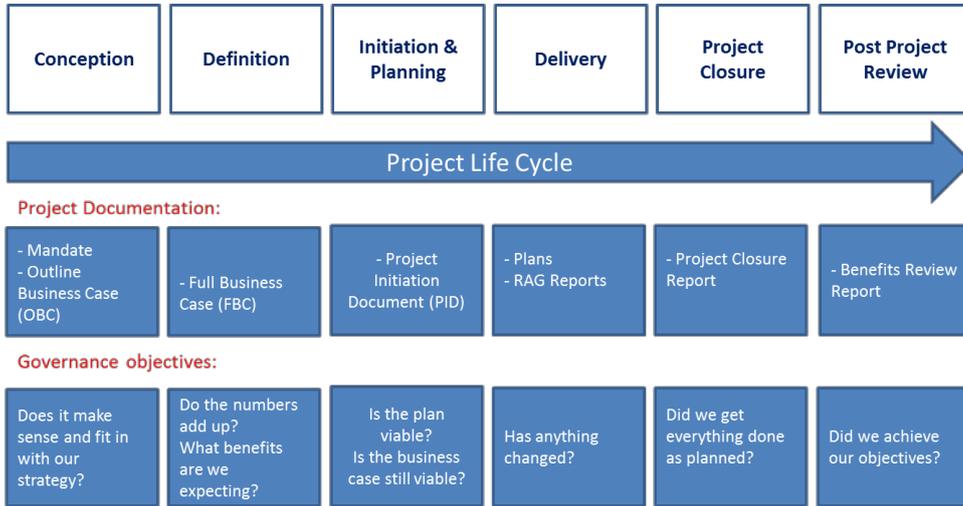
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3.9 A diagrammatic representation of the project life cycle is shown below with the appropriate documentation and governance objectives for each stage:



Commented [VC17]: Is this level of documentation essential for all projects? eg small project does it really need FBC?

Diagram 1 - Project Life Cycle

3.10 Current Capital project life-cycle matched to the generic project life-cycle:

Generic Projects	Conception	Definition			Planning & Initiation	Delivery	Closure	Post Project Review
Capital Projects	Project Inception	Appraisal Brief	Concept Design	Detailed to Technical Design	Production Information & Tender	Mobilisation & Construction	Post Practical Completion	

Diagram 2 - Project Life Cycle matched to Capital Project Life-cycle.

Commented [MK18]: I would make a case for FBC being in the initiation and planning stage. This is when procurement activities will conclude and offers a last review prior to delivery being initiated. This would move OBC to definition and SOC to conception.

Commented [MA19]: I disagree as the FBC needs to be approved and project defined before any detailed plan and commitments can be made for delivery.

The term SOC isn't used within this process and would require major reworking of the policy to incorporate

Commented [DW20]: This isn't a critical point – as long as process is followed pre-commitment and initiation so have left as is

4 Governance Structure and Responsibilities

4.1 The governance structure is a hierarchical arrangement of lines of accountability for project governance within the Council. It shows how information about the management of a project's status, risk and issues flows between the different levels of responsibility.

4.2 CMT through Service Management Teams (SMT) or, where in place, existing high-level Governance Boards (HGB) will act as the single point of overall accountability for all projects within that Service. HoS will be responsible for service projects and programmes. (Note: a member of CMT may take responsibility for any cross service projects or programmes as necessary).

Commented [MK21]: What about projects and programmes that span services, who takes responsibility?

Commented [MA22]: Updated re CMT

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4.3 Whilst overall accountability for enforcing/ensuring compliance rests with CMT / High-Level Governance Boards (HGB) and/or Service Management teams, responsibility is devolved to the Project Sponsor and the Project Board for each project.

4.4 HoS / CMT will ensure that an appropriate report is forwarded to the relevant Strategic Committee. These triggers are defined in Section 5.

4.5 The diagram below shows the full reporting structure for project management governance within the Council:

Commented [MA23]: Updated version below

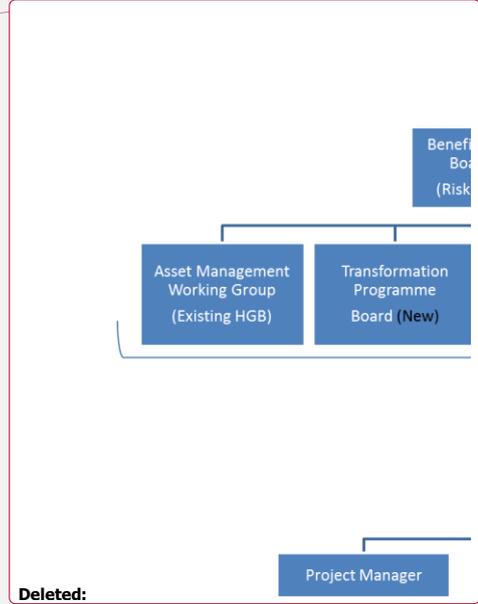
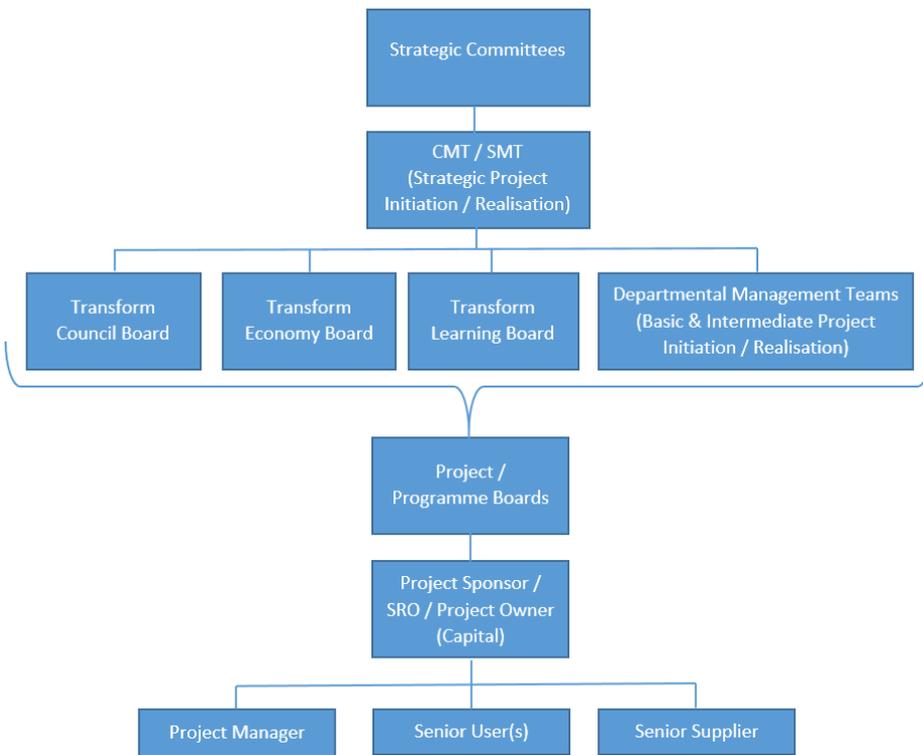


Diagram 3 - MC Project Management Governance Structure

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4.6 For construction projects, the project management team structure defined within the Scottish Government Construction Procurement Manual will apply, with the “Project Owner” (also referred to within MC as Senior Responsible Officer (SRO)) responsible for ensuring that the level of governance defined within the Council project management governance framework is implemented. Table 1 below maps the roles within the Scottish Government Construction Procurement Manual to the Council’s Project Management Governance Framework. Appendix 2 shows the full project team structure for the Scottish Government Construction Procurement Manual.

Project Management Governance Framework Policy Roles	Scottish Government Construction Procurement Manual Roles	Moray Council Terminology
Strategic Committees	Investment Decision Maker	Committee (e.g. ECLS)
CMT /High-level Governance Board (HGB)	Investment Decision Maker	Transformation Boards
Project Sponsor	Project Owner	Senior Responsible Officer (SRO)

Project Board members	Project Board members	
Project Manager	Project Manager	
Senior Supplier	Project Sponsor	
Senior User	Service User Representative	Client
Technical assurance – Service level implementation	Client Adviser	Client
Project Team – Service level implementation (not defined within framework)	External consultant Project Manager / Consultants / Contractors / Supplier	

Table 1 – The Scottish Government Construction Procurement Manual roles within MC Project Management Governance structure.

4.7 Governance Responsibilities. This defines the governance responsibilities at the different layers of the governance structure:

4.7.1 Elected Members – Strategic Committees

- a) The Strategic Committees will authorise the investment decision of appropriate projects in accordance with MC Financial Regulations.
- b) The Strategic Committees will provide independent and objective scrutiny of projects that are forecast to go above the defined tolerance level (typically 10%), ensuring that sound financial decisions are made.
- c) They will receive regular monitoring reports from CMT and will scrutinise the reports to confirm that project/programme benefits are delivered within budget and timescale.

4.7.2 CMT/SMT / High-level Governance Boards

- a) CMT/SMT serve as the single point of accountability for their assigned projects. The High-level Governance Boards (HGBs) provide scrutiny and application of the governance process.
- b) The High-level Governance Boards are:
 - Asset Management Group (AMG): chaired by the Chief Financial Officer – responsible for ensuring the governance framework is applied for all capital projects and programmes within the capital plan.
 - Department Management Teams (DMT): Chaired by individual Depute Chief Executives – responsible for ensuring the governance framework is applied to all Service-led projects.
 - The Project Initiation and Benefits Realisation Board (PIB/BRB) – CMT/SMT chaired by the Chief Executive, it will provide:
 - An initial strategic assessment of all project mandates ensuring that a project fits into the strategic and operational objectives of the Council, that it is not a duplication of work and that there are sufficient resources within the organisation to undertake the project.
 - Risk escalation from projects
 - A review of the effectiveness of the project outcomes in the form of Benefits Realisation
 - Transformation Programme Boards (TPB): There are three (Council, Economy and Learning) chaired by members of CMT - responsible for ensuring the governance framework is applied for projects that fall within the efficiency programme.

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Commented [MA24]: ICT Gateway removed, should this also be removed?

Commented [AD25]: My comment would be that we must still ensure that ICT are aware of project so that resources can be allocated as most projects will have some sort of ICT involvement.

Commented [MA26]: DW advised that would be part of the CMT/SMT review

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Deleted: (Economy, Environment, Finance)

Deleted: (Corporate Services)

Deleted: Service

Deleted: SMT

Deleted: Corporate Director

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Deleted: **Corporate Director**

Deleted: (Corporate Services)

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Deleted: the Chief Executive

d) The HGBs will provide governance assurance to the Strategic Committees – so that elected members can be assured that current and proposed projects have embedded the structure and processes defined within this framework.

e) The HGBs will review project monitoring reports, confirming that there is continuous business justification for the project and will authorise gateway progression through the project life-cycle as necessary e.g. OBC/FBC etc.

f) The HGBs will review and authorise project variables and re-baseline recommendations from the Project Sponsor. (Re-baselining is when a remedial action has been taken to change the baseline figure of one or more of the variables of a project; for example when the delivery time-scale is changed to account for a revised implementation date.)

g) The HGBs will provide support and advice in resolving issues and in implementing mitigations against risks. This may include providing independent assurance to Project Boards.

h) Make decisions on tolerance levels.

4.7.3 Project Sponsor:

a) The Project Sponsor makes decisions with regard to management of the project. The Project Sponsor owns the business case and is responsible for providing continuous justification of the business case to the HGB.

b) Responsible for providing project status reports and exception reports to the HGB; making recommendation for gateway progression to the HGB. The recommendation will be supported by a stage report and a completed checklist (See Appendix 3) to show that all aspects of the project variables have been considered before a recommendation is made to the HGB.

c) Work with the Project Board to ensure that proposed benefits are accrued and evidence of such benefits is captured.

d) Makes recommendation on the re-baselining of project's variables and demonstrate the astuteness of re-baselining.

e) Own the risk mitigation plans and project objectives.

f) Ensure that a suitably trained Project Manager is assigned and that there are appropriate resources to deliver the project.

4.7.4 Project Board:

a) The Project Sponsor is responsible for setting up and chairing the Project Board. The Project Sponsor must ensure that all the responsibilities assigned to the Project Board are met.

b) Whilst these responsibilities may be delegated to the Project Manager, true responsibility remains with the Project Sponsor.

c) The Project Board will provide assurance to the relevant HGB that appropriate risk mitigation plans are in place for all project risks, regularly monitor the viability of the mitigation plan, and report any exception to the HGB.

d) The Project Board will provide assurance to the HGB that the financial management of the project is within tolerance and report changes to baseline figures to the HGB.

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Deleted: or quality plan

e) Seek technical assurance from the appropriate Service specialist team for the project to ensure that proposed technical solution fits into the Council’s strategic goals.

f) The membership of Project Boards will be only for officers that have completed the necessary training and /or have experience. Project Boards may also have supplier representation when the supplier has been contracted to act as an agent for the Council or to provide specific advice relating to the requirements. The Sponsor is responsible for ensuring that they understand their role on the Project Board.

- Deleted: mandatory
- Deleted: course
- Deleted: (to be developed)
- Deleted: ideally

5 The Governance Process – Governance Checkpoints

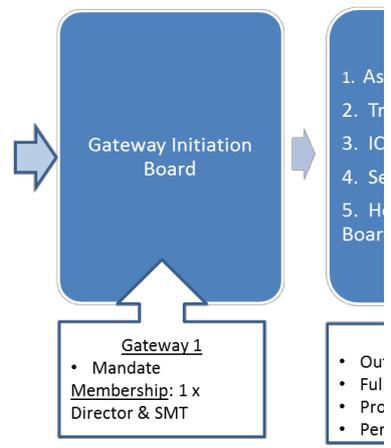
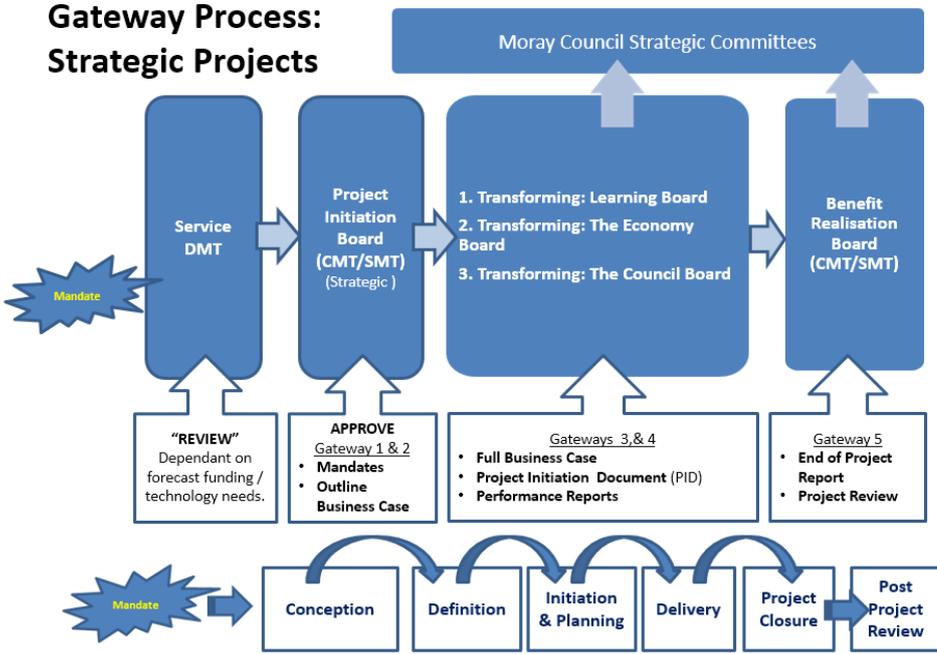
5.1 It is the responsibility of HoS to ensure that all change initiatives within their Service are assessed against the criteria set in Section 1.7. If a change initiative is not run in accordance with the policy, the rationale must be evidenced as to why not. The impact/complexity categorisation matrix is at Appendix 4.

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5.2 The governance process provides the mechanism for the project management governance to exercise its responsibilities under this framework. The process is designed to confirm governance compliance during the key decision-making points within the project life-cycle. The principle is that these decision-making points are seen as gateways that are shut, and have to be proactively opened before a project can move forward. This is based on the OGC Gateway framework. Diagram 4 below is an overview of the process.

Commented [MA29]: Updated and new version below

Gateway Process: Strategic Projects



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Alternate version with all projects

Gateway Process:

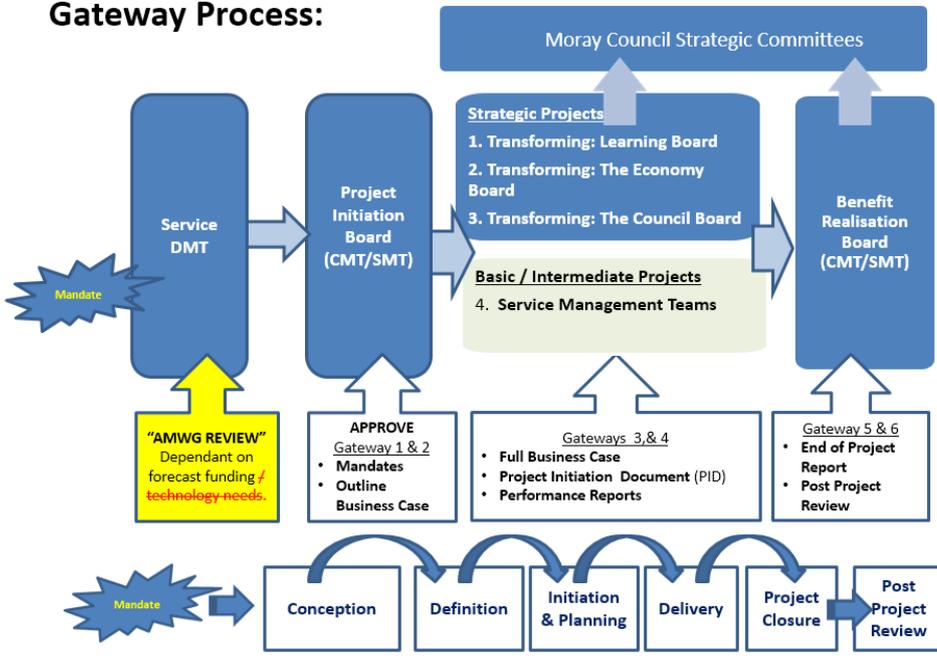


Diagram 4 – Strategic Governance Process (High Level)

5.3 There are 5 gateway points (G1 to G5) - the expectation for each gateway is specified in the Table 2 below. It is expected that the Project Board through the Project Sponsor will provide the required evidence to the HGB to demonstrate that the project is ready to progress through the gateways, and as a minimum in procurement projects the Sponsor/Board must approve the business case, project plan, strategy, and tender board report.

OGC Gateway Descriptions	Project Lifecycle Stage	Evidence provided to the Project Initiation Board (PIB) / High-Level Governance Board (HGB)	Outcome
<p>Gateway 1 (G1)</p> <p><u>Strategic Assessment and Business Justification.</u></p> <p>Project Initiation Board (PIB)</p>	Conception	<p>Evidence showing that a Mandate has been developed – to show the justification for the project; the scope, objectives, timeframe and timescales and initial estimates of costs and benefits.</p> <p><i>Completed Gateway 1 checklist – see Appendix 3</i></p>	<ul style="list-style-type: none"> Approval to fully investigate and define the project. Align to appropriate HGB.

Commented [MK30]: I would create a synergy with section 3.9 and have 6 stages – splitting closure and post project

Commented [MA31]: Done

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Commented [MA32]: At what point is the Board formed – after the mandate for the development of the OBC, or after the OBC is signed off?

Commented [DW33]: Suggest after the OBC

<p>Gateway 2 (G2) <u>Delivery Strategy.</u> High-Level Governance Board (HGB)</p>	<p>Conception</p>	<p>Evidence showing that an Outline Business Case has been developed – to show the justification for the project; the scope, objectives, timeframe, options, timescales, risks assessment, estimates of costs and benefits.</p> <p><i>Completed Gateway 2 checklist – see Appendix 3</i></p>	<ul style="list-style-type: none"> • Approval to fully investigate and define the project.
<p>Gateway 3 (G3) <u>Investment Decision.</u> High-Level Governance Board (HGB)</p>	<p>Definition</p>	<p>Evidence showing that assumptions in the Outline Business Case have been validated and a Full Business Case has been produced – showing requirements specification (quality), cost, timescale, results of pre-market research, risks and issues and a procurement strategy.</p> <p>Evidence that the Project Sponsor has nominated a Project Board.</p> <p>Evidence that nominated members of the Project Board have received formal training on the Council’s Project Management Framework Policy</p> <p><i>Completed Gateway 3 checklist – see Appendix 3</i></p>	<ul style="list-style-type: none"> • Approval to start pre-market activities and create project implementation plan.
<p>Gateway 4 (G4) <u>Prepare for delivery.</u> High-Level Governance Board (HGB)</p>	<p>Planning and Initiation</p>	<p>Evidence showing that a Project Initiation Document (PID) has been completed and assumptions in the Full Business Case have been clarified and validated where necessary.</p> <p>Evidence showing that the project cost model and other assumptions has been reviewed. Where applicable, payback period and Return on Investment (RoI) strategy agreed.</p> <p>Evidence showing that risk and issues management approach has been agreed.</p> <p>Evidence of completion of appropriate competition via a tender board report.</p> <p><i>Completed Gateway 4 checklist – see Appendix 3</i></p>	<ul style="list-style-type: none"> • Approval to award contract and begin implementation of project delivery.

Deleted: For infrastructure projects, evidence showing that a Quality Plan has been created and estimated project cost have been provided. ¶

Deleted: For infrastructure projects, evidence showing that the Quality Plan has been reviewed – with project cost updated and that design review frequency has been agreed and verification plan is in place. ¶

<p>Gateway 4a (G4a)</p> <p><u>Project Commencement</u></p> <p>High-Level Governance Board (HGB)</p>	<p>Delivery</p>	<p>On-going process. Evidence showing that the project is progressing within tolerance and that risks and issues are being managed.</p> <p>Evidence showing that the business case has been reviewed and updated and project cost model is still valid.</p> <p>Evidence showing that risk and issues management strategy is working.</p> <p>Evidence showing that project is delivering milestones.</p> <p>Completed Gateway 4a checklist – see Appendix 3</p>	<ul style="list-style-type: none"> Approval to go live / proceed.
<p>Gateway 5 (G5)</p> <p><u>Operational Review & Realisation</u></p> <p>High-Level Governance Board (HGB)</p> <p>Gateway 6 (G6)</p> <p><u>Operational Review & Benefit Realisation</u></p> <p>High-Level Governance Board (HGB)</p>	<p>Closure</p> <p>Post Project Review</p>	<p>Evidence showing that the project has delivered the key deliverables and <u>any immediate benefits</u> are been realised.</p> <p>Lessons Learned. Evidence confirming that longer term project’s benefits have been delivered.</p> <p>Completed Gateway 5 checklist – see Appendix 3.</p> <p><u>Evidence showing any outstanding project deliverables and longer term benefits have been realised.</u></p> <p><u>Lessons Learned. Evidence confirming that longer term project’s benefits have been / or are being delivered and reported within a specified time period under assigned operational services.</u></p> <p>Completed Gateway 6 checklist – see Appendix 3.</p>	<ul style="list-style-type: none"> Approval to close project and commence post project review / benefit realisation Project review / benefit realisation

Deleted: For infrastructure projects, evidence showing that the Quality Plan has been reviewed and that design review is progressing as planned and project budget is within tolerance.¶

Deleted: / Post Project Review

Commented [AD34]: Should that be any immediate benefits? Should it evidence outputs and outcomes?

Commented [MK35]: Separating this into 2 stages will enable closure consideration of benefits that have been realised and post project with benefits to be realised.

Commented [MA36]: Done

Table 2 – Mandatory Governance Checkpoints

5.4 Information will be passed up the governance structure through Project Status Reporting; these reports will be triggered by the mandatory check-points in the governance process and by exception when a project is forecast to exceed a defined tolerance level.

5.6 Mandatory trigger points for reports to committees are before check-point G3 – project definition stage and check-point G5 –post project reviews.

5.7 Exception reports will be triggered by the following conditions –

- Explicit request from existing Full Council or “Strategic Committees”;
- Explicit request from Audit and Scrutiny Committee;

- If there is a significant (above 10%) increase in initial cost estimates between the G3 and G4 review.
- During the Delivery Stage when a project is forecast to exceed defined tolerance level in respect of time or benefits to be delivered.

6 Project Status Reporting

6.1 Project Status Reporting provides the monitoring and control functions that enable the critical assessment of the ongoing viability of the project and reports on the overall progress of the project.

6.2 It defines how the overall status of projects, risk and issues are communicated across the governance structure.

6.3 The Project Sponsor is responsible for providing project status reports to the appropriate HGB. The CMT and HoS are accountable for providing reports to Elected Members while the Project Sponsor is responsible for generating the report.

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6.4 Reports to Elected Members will be provided prior to mandatory check points G3 and G5 and when tolerance levels are forecast to be exceeded. Check points are as described in Section 5 of this framework. Project Sponsors will be expected to raise exception reports between gateway points when required.

6.5 Project Sponsor will provide project status reports to the HGB at every check-point and will provide exception reports when a project requires remedial action or when a project overall RAG status is RED. The report will be circulated to members of the HGB 3 days before a HGB meeting.

6.6 The Project Manager will provide regular project status reports to the Project Board based on the frequency of meetings and requirements e.g. monthly, quarterly.

Commented [MK37]: Frequency expectations? Monthly, quarterly?

Commented [MA38]: I think it's hard to define to that level as it would depend on project / programme and the board meeting frequency, and even the stage the project is at e.g. with little activity in the pre delivery stage it may be 2 monthly or less, whereas if there were intense activity it could be appropriate to have reporting 2 or three weekly

Anything outwith the cycle should be escalated as necessary

6.7 A project status report regardless of gateway point will contain the following minimum dataset:

- Project Life-cycle Stage
- Project current Gateway
- Over-all Project RAG status
- Project Risk RAG status
- Project Issue RAG status
- Statement of validation of business case
- Milestones update
- Financial update
- Risk and issues update
- Changes and comparison to original baseline figures
- Changes to original impact assessments.
- Project Sponsor name and official designation
- Project Sponsor Recommendation

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6.8 If a project status report fails to provide the minimum dataset, then the report will be considered as in-complete and the Project Sponsor would be require to re-submit the report with the missing data.

6.9 All project status reports will be accompanied by the appropriate stage checklist (See Appendix 3) e-signed by the Project Sponsor, confirming that due diligence has been completed for key aspects of the project.

6.10 If, after going through a check-point, any changes to baseline figures outside of the agreed tolerance levels of the project would require a new gateway review for the current gateway.

6.11 BRAGG Definitions:

6.11.1 Black, Red, Amber, Green, Grey (BRAGG) provides an expanded traffic light visual representation of the current state of a reported item against the current baseline. Black denotes “complete” whilst Grey is “not started”. The overall purpose of a Red, Amber, Green (RAG) status is to indicate the level of attention and the action required at a particular point in time. RAG definition will be applied and be reported separately for the overall project status, project risk management and for project issues.

6.11.2 Overall RAG status must generate consistent response across all projects within the Council, hence the overall RAG system has been defined against expected responses.

6.11.3 The overall RAG status for a project must be a cumulative of the RAG statuses of three areas of project objectives – quality (scope), cost and time. Hence a project would not normally be RAGGED green if any of the three variances are RAGGED at any other colour. The project would be RAGGED with the worst RAG status.

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6.11.4 Project risks are to be RAGGED against the level of control that the Project Board have on the mitigation plan. This will be based on the standard Red, Amber and Green levels. For clarity, *risk can be defined as an uncertain event or set of events, which should it/they occur, will have an effect on the ability to deliver a project.* Refer to Section 7.5 for more details.

6.11.5 Project issues are to be RAGGED against implementation of a resolution i.e. an indication of whether issues are under control or not. This will be based on the standard Red, Amber and Green levels. For clarity, *issues are unplanned events or conditions that have already happened or are currently happening and that have impacted or are currently impacting on the objectives of the project.* Refer to Section 7.5 for more details.

6.11.6 RAG definition for **OVERALL** Project Status and expected response:

RAG Status	Objectives (Scope)	Budget	Schedule	Response
Red	Deviation imminent or has occurred on the agreed project objectives and scope.	Imminent increase above the 10% tolerance threshold on the estimated project cost for that particular milestone or for the whole project.	Project on course to miss milestones delivery dates or projected closure date.	<ul style="list-style-type: none"> Project Sponsor to escalate to High-Level Governance Boards (HGB) with an Exception Report. HGB to inform appropriate strategic committee if committee level tolerance threshold are broken. High level remedial action required and discussion with the Service Director for the appropriate action.
Amber	Likely imminent deviation from the agreed project objectives.	Likely imminent increase on estimated project cost for that particular milestone delivery or for	Likely imminent issues with delivery timescale; a milestone date may be missed.	<ul style="list-style-type: none"> Raise awareness with HGB. Project Board to take remedial action. Project to be monitored and project’s critical path reviewed. Project Board to start remedial action.

Deleted: Quality

Deleted: Cost

Deleted: Time

		the whole project.		<ul style="list-style-type: none"> Project Board to review assumptions on business cases, cost benefit report and review project's critical path and analyse impact.
Green	No deviation expected from the project objectives	No deviation expected from the estimated project cost.	No issues with timescale; current project milestone will be delivered in time.	<ul style="list-style-type: none"> No action required.

Table 1 - RAG Definitions for Project Status Reporting

6.11.7 RAG definition for **RISKS** measured against Council's control of the mitigation plan.

Commented [MA39]: Overall visibility of Risks and Issues no longer in place for Strategic Projects and there is a variance of approach

DW – Should each board highlight report go to CMT/SMT e.g. quarterly?

Is this idea a duplication of Transform Boards as they receive reports and the highlight reports as part of the meeting cycle?

RAG Status	Description	Response
Red	No mitigation plan in place or the Project Board has zero control over the mitigation plan or no control over key critical paths of the project or mitigation plan is unknown because the mitigation information is not available.	<ul style="list-style-type: none"> Project Sponsor/Board to engage with stakeholders, re-assess the project's critical pathways and identify contingency plans. Update risk register accordingly. Project Sponsor to escalate to HGB.
Amber	Mitigation is partly in place but does not cover end to end management of the risk as the Project Board does not have "managed control" of all aspects of the risk.	<ul style="list-style-type: none"> Project Sponsor/Board to engage with stakeholders, re-assess the project's critical pathways and identify contingency plans. No escalation required. Update risk register accordingly.
Green	Mitigation plan in place and all aspect of the risk can be control by the Project Board.	<ul style="list-style-type: none"> Continue to monitor the risk and update risk register accordingly.

Table 2 - RAG Definitions for Project Risks reporting

6.11.8 RAG definition for ISSUES measured against resolution

RAG Status	Description	Response
Red	No resolution identified yet or resolution has impact on business case.	<ul style="list-style-type: none"> Escalate to the HGB. Project Sponsor/Board to engage with stakeholders, re-assess the project's critical pathways and business case. Service Director to consider Exception Report for Strategic Committee.
Amber	Resolution identified but problem with implementation.	<ul style="list-style-type: none"> Project Sponsor/Board to engage with stakeholders Escalate to the HGB.

Green	Resolution identified and implementation in progress. Project will be able to proceed soon with limited impact.	<ul style="list-style-type: none"> • Maintain on Project Log and monitor as on-going.
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Table 3 - RAG Definitions for Project Issues reporting

6.11.9 RAG Status on re-baselined Projects

- a) Re-baselining is when a remedial action has been taken that changes the baseline figures of one or more of the variables of a project; for example when the delivery timescale is changed to account for a revised implementation date or if there is a project cost increase with budget increase agreed through the relevant HGB or Strategic Committee. It is essential that the RAG status thereafter reflects these changes.
- b) A new RAG status reflecting the current state of the project metrics measured against the new baseline value is to be reported. However, in order to provide a complete project life-cycle view, all re-baselined projects are to be reported on a table – showing original baseline values against new baseline values and the date that the new baseline was applied.
- c) This table will form part of the report to the HGB and relevant committee. The report would show the original baseline figure.

7 Standard Processes

7.1 These processes have been defined to help implement the key principles within this framework consistently across the Council.

7.2 Requirements Specification and Benefit Mapping:

7.1.1 Requirements Specification is the capturing and documenting of what a project is meant to achieve or deliver. It is the key to aligning project objectives to the benefits that the business is seeking. Failure to specify requirements accurately is one of the known high risks to project success.

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7.1.2 A comprehensive Requirement Specification document requires consultation with all key stakeholders: - this can be achieved via benefit-mapping workshops using the Benefit toolkits or via requirement workshops with stakeholders. For procurement projects a User Group will be set up to define the requirement, procurement strategy for the project and to develop supplier selection and contract award criteria.

Deleted: (training to be developed)

7.1.3 The requirement specification process will take place at the Project Definition stage helping to inform the outline business case and forms one of the key metrics for measuring benefit accruals.

7.1.4 The process will help understand the requirements of the Service; it will help define the scope of the project and help identify potential dependencies. The final outcome is a Requirement Specification document.

7.1.5 The Requirement Specification document must always specify a minimum viable product/outcome that will deliver the desired benefits. This can be a functional product or a quantifiable benefit like cost-saving or performance improvement.

7.1.6 A clear link between business requirements and functional requirements must be documented as this helps validate the minimum viable product/outcome description. Functional requirements describe specific tangible functionality of a product.

7.1.7 It is recognised that most projects require the input from an internal specialist (HR, ICT, Procurement and Property), therefore consideration should be given for their involvement in G2 e.g. A procurement exercise utilising the corporate procurement team. In the case of capital projects (property and equipment/infrastructure), corporate standards relating to procurement will apply.

7.1.8 Technical requirements must be validated by Service-based technical advisory groups where available.

7.2 Development of Full Business Case:

7.2.1 The Business Case is the business justification for a project. It demonstrates why and how the requirement specification will help us meet a business need. No project should progress to delivery without a business case. There will be a suite of documents capturing the approach to specification and delivery of an infrastructure project (scheme).

7.2.2 Business Case and supporting documents captures information on expected benefits/deliverables and estimate cost of delivering the benefits/deliverables.

7.2.3 The Business Case is owned by the Project Sponsor and updated throughout the project so as to confirm the continuous viability of the project.

7.2.4 A Mandate and Outline Business Case (OBC) are created at the Project Conception and Definition stage with several assumptions made. Validation of these assumptions and dependences must be completed before a full Business Case is signed off by the Project Board.

7.2.5 The Business Case is reviewed at every gateway by the HGB and its validity confirmed in line with the principle of continuous business justification. Hence a Business Case will only be deemed valid until the date of a checkpoint. There will also be reviews of the suite of design documents as the project develops and more detail is available.

7.3 Project Financial Management

7.3.1 Project financial management looks at the management of the financial aspects of a project. It covers the management of the project's budget; spend profile and the management of the procurement of deliverables within the project.

7.3.2 The Project Sponsor has overall responsibility for the financial management of the project and must ensure compliance with MC Financial Regulations.

7.3.3 The Project Sponsor must ensure that a business case has been established. This should examine all of the possibilities for meeting the Requirements Specification. In respect of projects with a value in excess of the OJEU tendering threshold, the Sponsor will be supported by a lead procurement officer.

7.3.4 The Project Sponsor will provide assurance that the cost model on which financial and budgetary assumptions about the project is based has been validated. This assurance will be provided through continuous validation of the business case at every governance decision check-point. The assurance reviews will be documented, with decisions recorded, and will be undertaken by the HGBs. For significant projects, an HGB may consider an external independent project review to be necessary.

Commented [AD40]: Is there a requirement for a similar paragraph for ICT involvement?

Commented [MA41]: Could do or split this one into two parts, although there are also other internal support teams which could be involved e.g. HR, Property

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Deleted: must be involved at Gateway 2 (G2)

Deleted: /Quality Plan

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Deleted: or quality plan in the case of infrastructure projects

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Deleted: For infrastructure projects, a Quality Plan will serve the purpose of a Business Case within this framework

Deleted: This applies to Quality Plan in that it is only valid until the next design review date.

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7.3.5 The cost model will cover the whole life-cycle cost of a project; including the cost of project management products, staff costs, contractors/suppliers cost, finance costs, efficiencies and income.

7.3.6 Where a project is funded from an external non-Moray Council fund, the Project Sponsor will ensure that the terms and conditions of such funding does not negate the principles of the Council's financial regulations.

7.3.7 Where project funding and implementation involves "arm's length external organisations" or Community partnerships group or external grant, the Council's Financial Regulations shall take precedence over all other arrangements.

7.3.8 At mandatory decision check-points – Gateways 3 and 5 - the Project Sponsor will provide reports to the HGB and to the appropriate Strategic Committee identifying the proposed source of funding for a project and the estimated cost. If the project cost is forecast to increase for more than 10% at any point, then the Project Sponsor will seek approval from the Strategic Committee to incur the increase.

7.4 Project Procurement

7.4.1 The Council's procurement regulation is applicable to all project procurement exercises and it is as contained within Financial Regulations (Procurement Procedures). This provides an appropriate reference to all procurement matters.

7.4.2 Project Sponsors must ensure that all members of the Project Team and Boards with procurement responsibilities have undergone Procurement Training to the appropriate levels.

7.4.3 Project Sponsors must ensure, in line with the current Financial Regulation, before placing an order that:

- The expenditure is an item or service that is within the Council's legal powers to incur.
- The expenditure is within the relevant estimate provision.

7.4.5 When applicable, the Project Sponsor as defined within this framework will assume the role of the "Project Owner" as defined within the Scottish Government Construction Procurement Manual and will ensure that relevant methodologies including but not being limited to competitive stages are initiated and corporate standards are maintained through the project life-cycle. The CMT or the HGB will assume the role of the Investment Decision Maker.

7.5 Risk Management

7.5.1 The Council's Risk Management Strategy details the corporate approach to risk management and sets out the Council's risk management process. This strategy forms the underlying principle for the governance of project management risks within the Council.

7.5.2 Risk can be defined as an uncertain event or set of events, which should it/they occur, will have an effect on the ability to deliver a project. This could be either a positive or negative effect. Risk Management is the activity required to identify and control the exposure to uncertainty which may impact the delivery of a project's objectives. The aim is to restrict threats to within an acceptable level (Council's "risk appetite"), and promote opportunities which will benefit the objectives of the project.

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Commented [MK42]: 7.5 and 7.6 are negative – risks and issues, but what about positive opportunities? I would suggest a section 7.7 that sets out text around projects seeking to identify opportunities that could enhance further the benefits to be achieved.

Commented [MA43]: 7.5.2 does state that there is both a "positive or negative effect" and that there is opportunities

"The aim is to restrict threats to within an acceptable level (Council's "risk appetite"), and promote opportunities which will benefit the objectives of the project."

7.6 doesn't have such wording and although Issue resolution is reaction to a negative which should provide a positive outcome e.g. the customer services provision through the pandemic

7.5.3 Risk management is not about avoiding risk-taking but is about finding ways of managing the risks to the project to still be able to realise the benefits/objectives of the project. Risk identification and management is the responsibility of the Project Board, often devolved to the Project Manager.

7.5.4 A Risk Register must be maintained for a project. The Risk Register will contain all risks that may impact the project; an action plan listing the mitigation plan – actions/control measures to manage the risks effectively and a RAG status for each risk as defined in Section 6.

7.5.5 The Risk Register must be reviewed regularly by the Project Board and the risk status must be reported along the Project Governance Structure. Section 6 - Project Status Reporting Risk RAG defines the reporting requirements and the appropriate RAG definition for Project Risk.

7.6 Issue Management

7.6.1 Issues are defined as unplanned events or conditions that have already happened or are currently happening and that have impacted or are currently impacting on the objectives of the project.

7.6.2 The management of issues requires a systematic approach to ensure that the full impact of the issue on the project is understood and managed appropriately. This approach involves capturing the issue, examining the impact of the issue, proposing a resolution and implementing the resolution.

7.6.3 An Issue Log must be created for all projects. This Log will serve as the repository for all issues and allows issues to be tracked and responsibility assigned accordingly. The Issue Log will provide a description of the issue, what is affected, who owns the issue, resolution status of the issue and a RAG status for the issue. Section 6 – Project Status Reporting Issue RAG defines.

7.6.4 The Project Sponsor will determine the priority for issues and would escalate them based on their RAG status to the HGBs through Project Report status.

8 Support and Training in the use of the Framework

8.1 To support the delivery of this framework within the Council, an online training course focusing on the application of the framework will be provided for all staff. This is a recommended training course for all project Sponsors/Owners and anyone that is required to serve on a Project Board.

8.2 Tailored workshop on the implementation of the framework will be available on request. It is recommended that Project Sponsors request this workshop for new Project Boards.

8.3 Training on the use of this framework will not prepare officers to become Project Managers, as Project Management is a recognised professional discipline. However, basic training on Project Management as a discipline is available through the corporate Organisational Development team. External training is also available leading to formal qualification.

8.4 It is the responsibility of the Project Sponsor to ensure that a suitably qualified and experienced Project Manager is appointed for their project.

8.5 A training matrix matching accountability to training requirement will be used to help Project Sponsor ascertain Project Board training need. This matrix will also provide a link to Project Management resource within the Council. See Appendix 5

Commented [AS44]: Do we have this resource?

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Commented [AS45]: Request it from who?

Commented [AS46]: Now the Organisational Development Team – we don't currently offer this as a course so this position needs clarification and links to my earlier comments

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Commented [AS47]: Should this be added as an appendix?

Commented [MA48]: Good idea

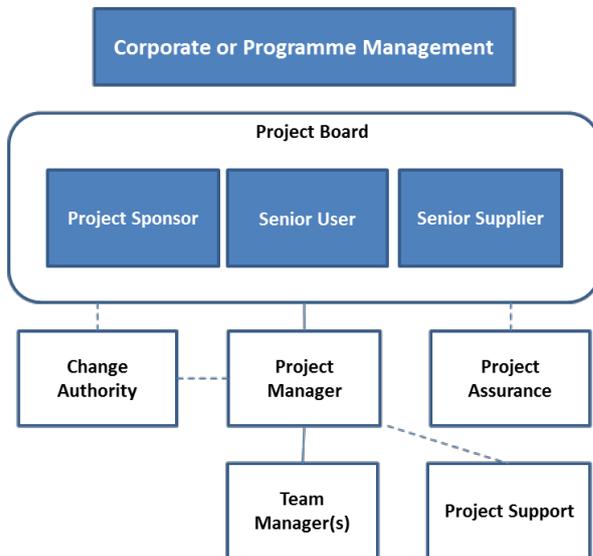
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Appendix 1 – Project Board Structure

Together, the Project Sponsor, the Senior User(s) and the Senior Supplier(s) make up the Project Board. The Project Board has authority and responsibility for the project within the instructions set by corporate or programme management. A good Project Board should display four key characteristics:

- ✓ **Authority:** The members of the Project Board should be senior enough within the corporate organisation to make strategic decisions about the project. As the Project Board is accountable for the project, the individuals chosen must have sufficient authority to make these decisions and provide resources to the project, such as personnel, cash and equipment. The managerial level required to fill the roles will depend on factors such as the budget, scope and importance of the project.
- ✓ **Credibility:** The credibility of the Project Board members within the corporate organisation will affect their ability to direct the project.
- ✓ **Ability to delegate:** A key part of the Project Board’s role is to ensure that the Project Manager is given enough space to manage the project by keeping Project Board activity at the right level. Project Board members should not be involved in the detail of how the project is managed, nor in the specialist content of the project.
- ✓ **Availability:** Project Board members who meet all the above characteristics are of little value to the project if they are not available to make decisions and provide direction to the Project Manager.



Project Board members are often from senior management positions, and their Project Board responsibilities will be in addition to their normal responsibilities. The concept of management by exception allows the Project Manager to keep them regularly informed of project progress but only requires decision-making at key points in the project.

The frequency and detail of communication required by the Project Board during a project will be documented at project-level. Project Board members may require more detail or less frequent information

at the start of the project. As the project progresses and the Project Board become more comfortable with the progress being achieved, the requirement for frequent or detailed Highlight Reports may reduce. It is important to review the level and frequency of reporting for each stage of the project.

Appendix 2 – Scottish Government Construction Procurement Manual – Project Team

As per the Scottish Government Construction procurement - Public sector procurement, all major works projects should have an investment decision maker, project owner and project sponsor. This section explains their roles and responsibilities, along with those of the project manager and client adviser, and sets out the abilities and training they require, and their relationship to one another (Figure 1, below).

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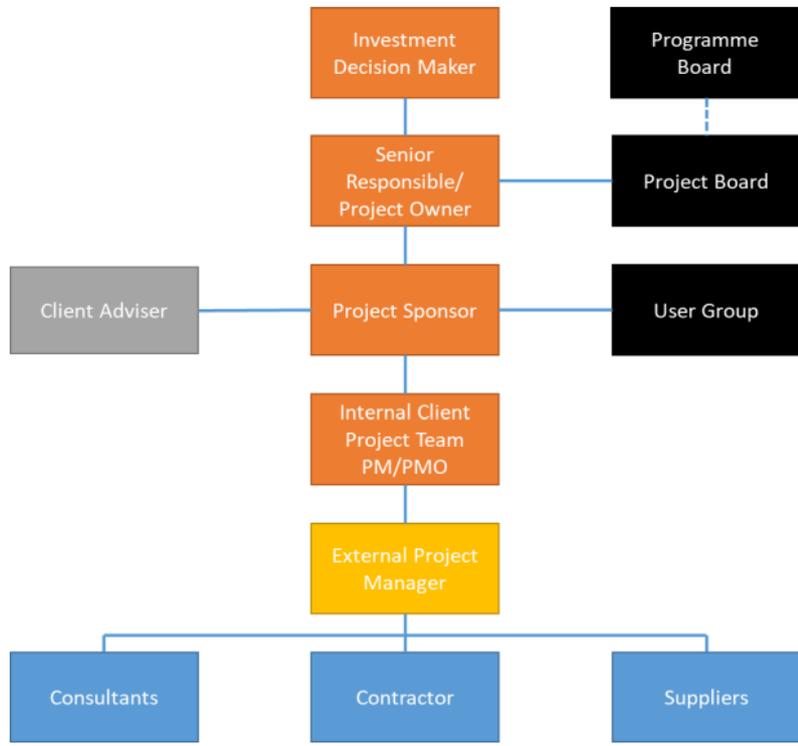
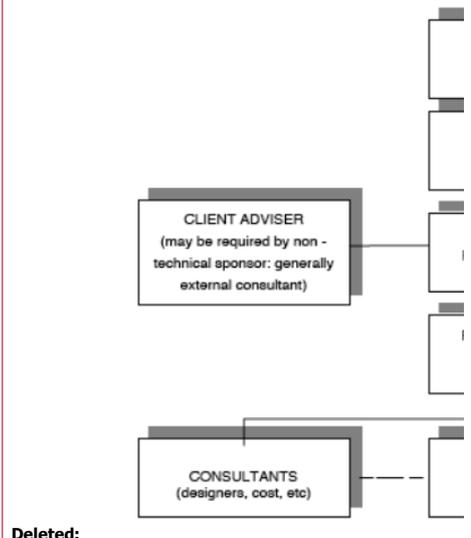


Figure 1: Project team organisation



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Appendix 3 – Project Sponsor Check Lists

Project Sponsor Check List: Gateway 1 – Strategic Assessment & Business Justification		
Consideration		Yes / No
Strategic Fit	Does this prepare the council for future demands or requirements?	
	Alignment with <u>Corporate Plan</u> ,	
	Are the project drivers identified? (Legislation / Council Priority / Service Development / Efficiency / Maintenance)	
Corporate Capacity & Do-ability?	Do we have internal/external authority and stakeholder support for the project?	
	High level governance, commitment and support?	
	Realistic?	
	Any dependencies identified?	
Impact of the Project	List which services are affected?	
	Outlines scale of impact?	
	Fit with current organisation design?	
	Timetable?	
Resources	Do we have the skills and resources available to take this forward?	
	Specialist input? (External/HR/ICT/Procurement/Legal?Property)	
Funding Streams	Funding requirement / availability to move to next Gateway?	
Risk	Of doing the project?	
	Of not doing the project?	
Value Case (Cost v Benefits)	Is there value awareness – indicative outline?	
Equality	Assessment as per council policy?	
Climate	<u>Assessment as per council policy?</u>	

Deleted: Moray 2023

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Commented [AD50]: Do we expand include Procurement and Legal

Commented [MA51]: Agreed

Commented [AD52]: Should we include a climate field?

Commented [MA53]: Agreed

Project Sponsor / PIB Check List: Gateway 2 – Delivery Strategy	
Considerations	Yes / No
Does this project contribute to wider Council and public sector strategies, within and outside the Council?	
Is the Outline Business Case complete and robust – does it meet the needs of the business, is it affordable and achievable, future proof, will it deliver value for money?	

Deleted: and/or Quality Plan

Are the requirements clear and unambiguous, and are they aligned with the programme to which the project contributes?	
Do we have enough commercial expertise to understand the supplier market capability and track record?	
Is the outline Project Plan , through to completion, sufficiently detailed and realistic?	
Do we have the right skills, capabilities and management expertise to ensure success?	
Have the critical success factors and desired benefits been identified and agreed with stakeholders?	
Have we explored a sufficiently wide range of options to meet the business need and identified a preferred way forward?	
Have we identified major risks, and do we have outline risk management plans?	
Can we confirm our planning assumptions, and are there plans, for the project in place for the next stage?	
Is there a clearly defined and agreed project management structure, with key roles and responsibilities identified?	
Do we have adequate risk and issue management plans and procedures?	

Commented [MA54]: An outline of a plan would be known but the detailed plan should be in G3 the Planning and Initiation section

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Project Sponsor Check List: Gateway 3 - Planning and Initiation	
Considerations	Yes/No
Is the Project Plan , through to completion, sufficiently detailed and realistic?	
Can we confirm the Full Business Case and Benefits Realisation Plan , now that we have relevant information from prospective suppliers?	
Are the objectives of the project still aligned with those of its programme and wider organisational and public sector strategies?	
Is the recommended decision on delivery approach likely to deliver what we need on time and within budget, and will it provide value for money?	
For procurements: Have we followed the agreed procurement strategy, and have we met all statutory and procedural requirements?	
Do we have sound plans for managing implementation, risk and change, and are they agreed across the supply chain?	
Do we have continuing stakeholder support for the project?	
Have we addressed the technical implications, such as "buildability" for construction projects, and information assurance for IT-enabled projects?	
Do we have the expertise and resources to manage the supplier relationship, and are appropriate management controls in place?	
Have we agreed draft contracts and/or Service Level Agreements?	

Commented [MA55]: A detailed Project Plan to be in place at this stage

Deleted: or the **Quality Plan** (for infrastructure projects)

Project Sponsor Check List: Gateway 4 – Delivery

Considerations	Yes / No
Is the Full Business Case still valid and unaffected by internal or external events or changes?	
Can we confirm that the Benefits Realisation Plan is likely to be achieved?	
Are commercial/legal arrangements with the supplier up-to-date?	
Can we confirm that our plans for managing implementation, roll-out and operation are achievable and that we have the resources we need?	
Is the Project Initiation Document and management controls in place to manage the project through to operation?	
Do we have shared plans for managing risk, with contingency and business continuity plans in place?	
Has full user and system testing and/or commissioning been done to our satisfaction so that we can approve full implementation and roll-out?	
Is the business ready to implement the business change, with the necessary resources in place?	
Do we have client-side plans for managing the working relationship, including contract management, reciprocated on the supplier side?	
Are lessons for future projects being identified and recorded?	

Deleted: or Quality Plan

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Project Sponsor Check List: Gateway 5 - Closure and Post Project review	
Considerations	Yes/No
Was the Business Case justification for the project at Gateway Review 3 realistic, and are the expected benefits actually being delivered?	
<u>Is there agreed timelines for a post-implementation review or equivalent review of business benefits?</u>	
Do we have the resources in place to manage the contract/SLA successfully and with continuity of key support personnel?	
If we have made agreed changes, can we be sure that they do not compromise any requirements of the procurement approach adopted (e.g. change of scope)?	
Is there still a business need for this contract/SLA? If circumstances have changed, are the service delivery approach and contract adapting to the new situation?	
Are we actively seeking to improve value for money and performance?	
Are we ready for the future, with plans for future service provision?	
Are we managing the working relationship effectively, with the right 'intelligent customer' skills?	
Are the exit strategy and arrangements for re-procurement still appropriate?	
Are we actively learning from experience and setting maturity targets?	
<u>Are there actions in place to track and report the benefits realisation?</u>	

Commented [MK56]: As above I would split this into 2: gateway 5 as closure, gateway 6 post project.

Commented [MA57]: Done

Deleted: For infrastructure projects – was the **Quality Plan** realistic?

Commented [AD58]: Should this also include future dates for post implementation review as many benefits will take time to be delivered?

Deleted: Have we done

Project Sponsor Check List: Gateway 6 - Post Project review	
Considerations	Yes/No
<u>Do we have the resources in place to manage the contract/SLA successfully and with continuity of key support personnel?</u>	
<u>If we have made agreed changes, did they compromise any requirements of the procurement approach adopted (e.g. change of scope)?</u>	
<u>Is there still a business need for this contract/SLA? If circumstances have changed, are the service delivery approach and contract adapting to the new situation?</u>	
<u>Are we actively seeking to improve value for money and performance?</u>	
<u>Are we ready for the future, with plans for future service provision?</u>	
<u>Are we managing the working relationship effectively, with the right 'intelligent customer' skills?</u>	
<u>Are the exit strategy and arrangements for re-procurement still appropriate?</u>	
<u>Are we actively learning from experience and setting maturity targets?</u>	
<u>Are there benefits still to be realised and actions in place to track and report?</u>	

PROJECT CATEGORISATION

Updated table

	Low	Medium	High
Corporate Impact (Business criticality and scale of project)	<ul style="list-style-type: none"> Actively relevant to an individual service or team within a department 	<ul style="list-style-type: none"> Some Member interest in project Contributes to delivery of a Government initiative Contributes to delivery of Council priority Maybe linked to statutory requirement / compliance with legislation Cross cutting activity with a Department affecting most services or teams 	<ul style="list-style-type: none"> Strong Member interest in the project Critical to delivery of a key Government initiative Critical to delivery of high Council Priority Essential to statutory requirements / compliance with legislation Critical to deliver if a "flagship" Council activity AND / OR critical to the running of the council
	Level of investment < £50,000	Investment value of greater than £50,000 (over lifecycle of project and any resulting contracts)	

Commented [MA59]: Investment value of £30k out of date now £50k – updated table below

	Low
Corporate Impact (Business Criticality and Scale of Project)	<ul style="list-style-type: none"> Activity relevant individual service team within a Department
	Level of investment < £30,000

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Commented [MA60]: DW – Most projects will meet these criteria now, should we add another value threshold?

*Essential to statutory requirements / compliance with legislation
*Critical to deliver if a "flagship" Council activity AND / OR critical to the running of the council

Each project is to be given a low / medium / high Corporate Impact assessment in accordance with the assessment

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	Low	Medium	High
Complexity	<ul style="list-style-type: none"> Low degree of inter-dependency with other Council projects Impact on staff felt mainly within a business unit or team Minimal innovation required (tried and tested solution(s) for the project in place) Small number of internal stakeholders affected (e.g. within a service team only) 	<ul style="list-style-type: none"> Medium degree of inter-dependency with other Council projects Impact on staff felt mainly within a service Some degree of business process change Some innovation required (solution(s) for project new to Council but established in the market) Internal stakeholders affected across at least 1 Department 	<ul style="list-style-type: none"> High degree of inter-dependency with other Council projects High impact on staff across the Council High degree of business process change High level of innovation required (solution(s) new to the market & untested by the Council) Multiple stakeholders affected across several Departments and external partners

Each project is to be given a low / medium / high Complexity assessment in accordance with the assessment criteria. The Impact and Complexity assessments are applied to the Category matrix.

Complexity Rating	High	Intermediate	Intermediate	Strategic
	Medium	Basic	Intermediate	Strategic
	Low	Basic	Intermediate	Intermediate
		Low	Medium	High
		Corporate Impact Rating		

- **BASIC** Category - No project board required; change can be implemented as BAU.
- **INTERMEDIATE** Category - Change should be implemented as a PROJECT but with limited governance.
- **STRATEGIC** Category - Change must be implemented as a project with full project governance in place.

Commented [MA61]: Closure Report to confirm completion as expected?

Commented [AD62]: with benefits outcomes highlighted

Commented [MA63]: Yes

Appendix 5 - Training Matrix

<u>Role Title</u>	<u>Job Responsibilities</u>	<u>Minimum requirements</u>
<u>Strategic Committees (Elected Members)</u>	<u>Authorise the investment decisions</u>	<u>Elected Members Induction which includes Governance training, Finance training and IMP overview</u>
<u>CMT /SMT / 3rd & 4th Tier Managers (High Level Governance Boards as per policy)</u>	<u>Accountable for assigned projects and provide scrutiny and application of the governance process</u>	<u>Effective Project Management Workshop (Basic certificate level)</u>
<u>Senior Responsible Officer / Project Sponsor</u>	<u>Responsible for ownership of the project.</u>	<u>Effective Project Management Workshop (Basic certificate level)</u>
<u>Project Manager</u>	<u>Responsible for the delivery of the project</u>	<u>Role specific as identified in job description and person specification requirements. Required skills will be held by those recruited to posts.</u>
<u>Project Board Member</u>	<u>To support the SRO in delivering the project and provide assurances</u>	<u>Effective Project Management Workshop (basic certificate level)</u> - -
<u>Snr /Project Officers</u>	<u>To support the Project Manager in the delivery of the project</u>	<u>Effective Project Management Workshop (basic certificate level)</u>
<u>Project Stakeholders (Project Team – service level implementation e.g. Finance, Technical Lead, HR etc.)</u>	<u>Subject experts who act as consultants to the project and support delivery of the project</u>	<u>Effective Project Management Workshop (basic certificate level)</u>



REPORT TO: CORPORATE COMMITTEE ON 7 NOVEMBER 2023

SUBJECT: COMPLAINTS ANNUAL REPORT 2022-23

BY: DEPUTE CHIEF EXECUTIVE (EDUCATION, COMMUNITIES AND ORGANISATIONAL DEVELOPMENT)

1. REASON FOR REPORT

1.1 The report informs the Committee of the Council's Complaints Annual Report 2022-23.

1.2 This report is submitted to Committee in terms of Section III (A) (4) of the Council's Scheme of Administration relating to monitoring performance in accordance with the Council's performance management framework.

2. RECOMMENDATION

2.1 The Committee is asked to:

- i) consider and note the contents of the Complaints Annual Report; and**
- ii) approve the report for submission to the Scottish Public Services Ombudsman (SPSO).**

3. BACKGROUND

3.1 All Councils are required to publish performance against the national performance indicators set by the SPSO. The attached report presents the Council's performance against the performance indicators for the 2022-23 reporting period. **(Appendix 1)**

3.2 Complaints handling is part of the Council's performance management framework. Members receive updates on complaints performance through routine reports to service Committees.

- 3.3 Compared to the 2021-22 figures, there has been a 10% increase in the number of complaints received. This increase was expected as services reverted to being delivered as they had been pre-pandemic. They remain well below that received prior to the COVID pandemic in 2019/20. The Council's complaints per 1,000 population increased slightly but are almost half the national average.
- 3.4 During 2022-23, there was a 4% increase to 81% of complaints dealt with at frontline stage compared to the 19% dealt with at the investigation stage including those escalated to investigation. It is heartening to see that most complaints continue to be dealt with at frontline, as suggested by the SPSO's guidance on the Model Complaints Handling Procedure to "take every opportunity to resolve service users' complaints at the first point of contact if at all possible." The Council are ahead of the Scottish average of 74% and hope to improve performance through continued staff training, discussions at quarterly complaint administrator meetings and with Senior Officers.
- 3.5 Despite more of the complaints closing within set target timescales, the average response times have also increased. In particular, Stage 2 complaints have taken significantly longer than usual to investigate having increased by 31%, this being well above the Scottish average. Our Complaints Officer regularly works with Complaint Administrators to progress more complex complaints while periodic checks of the Complaints Management System are also undertaken to identify any delays or issues.
- 3.6 It was raised nationally through the Local Authority Complaint Handlers Network with SPSO that Education complaints often exceed the Stage 2 period of up to 20 working days due to unavoidable delays arising from school holiday periods. SPSO declined to have school holiday periods deducted from the total working days to deal with a Stage 2 Education complaint and advised that authorised extensions should be applied.
- 3.7 In 2022/23, the proportion of Stage 1 complaints that were upheld has increased to 45% against a national average of 40%. Overall, 57% of Stage 1 complaints were upheld in some way (upheld, partially upheld or closed as resolution) compared to 73% nationally.
- 3.8 Only 24% of Stage 2 complaints were upheld compared to 31% nationally. Overall, 51% at this Stage were either upheld, partially upheld or closed as resolution compared to the national average of 58%.
- 3.9 62% of our Escalated Stage 2 complaints were either upheld, partially upheld or closed as resolution compared to a national average of 57%.
- 3.10 This demonstrates that where an anticipated level of service falls short, it is acknowledged, learning and improvement outcomes are identified and implemented.

- 3.11 16 (3%) of the complaints were closed as resolution in 2022/23. All were at Stage 1. Nationally, resolution as an outcome accounted for 16% of all closed complaints. The Complaints Officer routinely reviews resolution complaints to ensure compliance with complaint handling procedures, not undertaken in all authorities, perhaps offering explanation for the variance.
- 3.12 As in previous years, Environmental and Commercial Services and Housing and Property Services received the most complaints, accounting for 32% each. A notable change this year is the proportion relating to Financial Services. This has increased to from 1% to 6%.
- 3.13 In April 2022, the Complaints Management System was updated to reflect new Department Structure and as a result Taxation is now reported as part of Financial Services. Alongside this change, there has been an increase in complaints linked to Council Tax, from 11 in 2021/22 to 29 in 2022/23. No specific themes are evident and with no recent changes to procedures, this will be monitored going forward.
- 3.14 Learning from complaints is essential if the Council are to improve the way services are delivered. Essentially, all complaints normally fall into three categories. A complaint can be about;
- a) policy or procedures in that they are unclear, not agreed with or in need of revision;
 - b) practice whereby an employee did not follow policy/procedure; or
 - c) where the complaints relate to staff behaviours.
- 3.15 Monitoring of complaint database closure e-forms shows that learning outcomes are being completed for individual complaints however increased scrutiny is being undertaken to look for commonalities that could identify better learning outcome opportunities with some success. The Complaints Officer raised this issue of learning from complaints at the Local Authority Complaint Handlers Network (LACHN) meeting. This identified that, nationally, Councils tend to process individual complaints without any structured ways of capturing common complaint themes to allow actions to be put in place to address them. Work is ongoing nationally to improve upon this.

4. SUMMARY OF IMPLICATIONS

(a) Corporate Plan and 10 Year Plan - Local Outcomes Improvement Plan (LOIP)

This report supports the Scottish Government's national outcomes, in particular the commitment to be accountable to the community as stated: "Our public services are high quality, continually improving, efficient and responsive to local people's needs."

Effective complaints reporting is used to ensure the efficient and sustainable delivery of services to meet the Council's priorities in 'Moray 2026: A Plan for the Future.' Within the Moray Council Corporate Plan.

(b) Policy and Legal

The SPSO have made it a statutory requirement to have all local authorities publish a Complaints Annual Report.

(c) Financial implications

It is not anticipated that there will be any financial implications.

(d) Risk Implications

Failure to adhere to the statutory SPSO requirement may result in SPSO making a declaration of non-compliance against the Council. Non-compliance with the statutory duty relating to national standards being adopted would present risk in terms of reputational damage and a loss of public confidence in reporting complaints.

(e) Staffing Implications

There are no staffing implications related to this report.

(f) Property

There are no property implications related to this report.

(g) Equalities/Socio Economic Impact

The Equal Opportunities Officer has been consulted in the preparation of this report.

The Equal Opportunities Officer has recommended that where services are experiencing high volumes of complaints, the management of respective services should arrange to identify common complaint issues and any learning arising. This will help to ensure that complaints are not arising from situations where customer diversity needs have not been considered or addressed, e.g. disability or cultural issues.

He further recommends that where there is evidence or a suspicion that a complaint is related to characteristics protected under the Equality Act 2010 (race, disability, sex, religion/belief, sexual orientation, age, gender reassignment, pregnancy/maternity), services must make contact the council's Equal Opportunity Officer.

(h) Climate Change and Biodiversity Impacts

There are no climate change and biodiversity impacts related to this report.

(i) Consultations

The Corporate Management Team have been consulted on the contents of the Complaints Annual Report 2022-23.

5. CONCLUSION

5.1 That the Committee approve the publishing of the Complaints Annual Report 2022-23 to comply with the SPSO statutory requirement.

Author of Report: John Black, Complaints Officer
Background Papers: Held by Author
Ref: SPMAN-2045703626-312

Complaints Handling Annual Report 2022/23



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Introduction

At Moray Council, we aim to provide the highest level of service however there are times when things go wrong and we don't meet the expectations of our customers. When this happens, it is important we learn from complaints to help us improve our service delivery.

The Scottish Public Services Ombudsman (SPSO) is the responsible body for complaints handling for the public sector in Scotland. Their Model Complaints Handling Procedure (MCHP) defines how they expect complaints to be dealt with. In line with this, all complaints we receive are managed under the two Stage Complaints Handling Procedure:

Stage 1 - Also known as *Frontline Resolution*

These complaints should be straightforward. A Stage 1 complaint could mean immediate action to resolve the matter. These complaints should be answered within 5 working days. Most complaints will should be dealt with at Stage 1.

Stage 2 – Also known as *Investigation Stage*

A Stage 2 complaint may be a concern that has not been successfully resolved at Stage 1 and is therefore escalated or refers to a matter that is more complex and requires a full and detailed investigation. These complaints should be answered within 20 working days.

We aim to resolve as many complaints as possible at Stage 1 as this helps improve the customer experience and our service provision. However if a customer remains dissatisfied following the 2 Stage process, we advise the customer the complaint can be passed to the SPSO for further consideration.

All complaints, including the learning outcomes we have actioned, are recorded on our Complaints Management System. Details are shared with our Corporate Management Team and Heads of Service on a quarterly basis and with our Service Committees every six months. Our Complaints Officer also holds regular meetings with Complaints Administrators to monitor and address any concerns.

Complaints Performance Indicators

As part of a revised MCHP issued on 1 April 2021, local authorities are expected to record and publish complaints performance, including trends, outcomes and actions taken, against 4 Key Performance Indicators (KPIs).

How we performed against these KPIs in 2022/23 is set out below. For comparison purposes, we have also included our performance from the previous two years and the 2022/23 national averages for Scotland.

Indicator 1: Total number of complaints received (including complaints per 1,000 population)

This indicator records the total number of complaints received at both Stage 1 and Stage 2. To allow for consistent benchmarking across all local authorities in Scotland, the figure per 1,000 population is included.

Table 1: Complaints received including per 1,000 population

	Moray Council			Scotland
	2020-21	2021-22	2022-23	2022-23
Total Complaints Received (Stage 1 and Stage 2)	513	541	593	58,845
Population	95,710	96,410	96,410	5,047,300
Complaints per 1,000 population	5.36	5.61	6.15	11.66

(Moray Council population based on NRS Population Mid-Year Estimates 2021, Scotland population based on Mid-Year Estimates 2021 for those areas where complaints data was returned)

During 2022/23, we received 593 complaints, 10% more than in 2021/22 and 16% more than 2020/21. Despite this increase, our complaints remain well below the 738 received prior to the Covid pandemic in 2019/20 and against the latest national average, our rate of complaints per 1,000 population also continues to be low.

As in previous years, Environmental and Commercial Services and Housing and Property received the most complaints, accounting for 32% each. A notable change this year is the proportion relating to Financial Services which has increased to 6%.

Table 2 Number and % of Complaints received by Department

	2020-21		2021-22		2022-23	
Environmental and Commercial Services	195	38%	168	31%	191	32%
Housing and Property Services	163	32%	157	29%	191	32%
Education	22	4%	66	12%	64	11%
Financial Services	1	0%	7	1%	36	6%
Children and Families and Criminal Justice	31	6%	23	4%	29	5%
Economic Growth and Development	36	7%	37	7%	23	4%
Health and Social Care Moray	29	6%	24	4%	22	4%
Governance, Strategy and Performance	24	5%	35	6%	21	4%
Education Resources and Communities	9	2%	18	3%	14	2%
HR, ICT and Organisational Development	3	1%	6	1%	2	0%
Grand Total	513		541		593	

NB percentages may not total 100% due to rounding

Looking at complaints made to Financial Services in 2022/23, 32 related to Council Tax and Non Domestic Rates. In previous years, complaints of this nature were reported under Legal and Democratic Services (now Governance, Strategy and Performance). In April 2022, the Complaints Management System was updated to reflect our new Department Structure and as a result Taxation is now reported as part of Financial Services.

Alongside this change, there has also been a notable increase with Council Tax complaints, up from 11 in 2021/22 to 29 in 2022/23. There are various reasons why complaints are made to the Council Tax Service however a common issue is matters around arrears. Although there have been no recent changes to policy, good communication is key to helping people understand the procedures being followed. Actions have been taken within the Service to reinforce best practice for handling customer enquiries and complaints will be monitored going forward.

Table 3: Taxation Related Complaints

Council Tax Complaints	2018/19	2019/20	2020/21	2021/22	2022/23
Not Upheld	6	4	6	9	19
Partially Upheld	0	0	1	2	2
Upheld	1	2	2	0	8
Total	7	6	9	11	29

Indicator 2: Number and Percentage of complaints at each stage that were closed in full within set timescales of 5 and 20 working days

The MCHP requires complaints be closed within 5 working days at Stage 1 and 20 working days at Stage 2. While the aim is to handle complaints as quickly as possible, the main consideration must always be to deliver a quality decision based on facts and evidence.

Table 4: Number and Percentage of Complaints at each Stage that were closed in full within set timescales

	Moray Council						Scotland	
	2020-21		2021-22		2022-23		2022-23	
	No. within set timescales	% within set timescales	No. within set timescales	% within set timescales	No. within set timescales	% within set timescales	No. within set timescales	% within set timescales
Stage 1	296	79%	310	77%	377	81%	37,121	75%
Stage 2	79	65%	89	81%	54	68%	3,268	70%
Escalated Stage 2	8	67%	4	31%	8	31%	1,342	58%
Total	383	75%	403	76%	439	77%	41,731	74%

In 2022/23, 81% of our Stage 1 complaints were closed within target timescales, up from 77% in 2021/22. Although the proportion of Stage 2 complaints closing within 20 working days fell, overall, more of our complaints met MCHP targets and we remain above the national average.

Due to the complex nature of the issues involved in Stage 2 complaints, they can take longer to investigate fully. Our Complaints Officer monitors live complaints and highlights any late cases to Complaints Administrators and Heads of Service. One area where an issue has been identified is Education where complaints can take longer if received immediately prior to a school holiday period. Through the Local Authority Complaint Handler Network (LACHN), our Complaints Officer requested holiday dates be excluded from expected timescales however this was not supported by the SPSO. Instead, guidance has been issued for the use of authorised extensions.

Indicator 3: Average time in working days for a full response to complaints at each stage

This indicator details the average time in working days for a full response to be provided to a complaint at each stage.

Table 5: Average Response Times (Working Days)

	Moray Council			Scotland
	2020/21	2021/22	2022/23	2022/23
Stage 1	5.6	5.1	6.26	7.00
Stage 2	21.9	20.9	27.45	19.40
Escalated Stage 2	20.3	26.2	28.73	23.70

Our average response times increased in 2022/23 with Stage 2 and Escalated Stage 2 complaints above national averages. As highlighted with Indicator 2, less Stage 2 complaints met target timescales which does impact our average times.

Following a periodic check of data held on our Complaints Management System we identified an issue with how some complaints were closed. As a result, our Complaints Manual has been revised with clearer guidelines. A new template for Administrators has also been introduced to ensure customers are signposted correctly and advised of their right to escalate a complaint if need be.

Indicator 4: The outcome of complaints at each stage

Once a complaint has been investigated, we are required to contact the customer to provide an explanation of the findings and record the outcome. This could be;

Upheld – when a complaint is found to be true or is confirmed.

Partially Upheld - where several issues have been raised and some, but not all, are upheld.

Resolution - where a complaint includes a number of issues but we manage to agree an outcome without the need to investigate and respond on each separately. This outcome was introduced in April 2021.

Not Upheld - when a complaint is found to be untrue or where a reasonable standard of service has been provided.

Indicator 4 reports the number and percentage of our complaints closed at each stage against the outcome decision.

Table 6: The outcome of complaints at each Stage

	Moray Council						Scotland	
Stage 1	2020/21		2021/22		2022/23		2022/23	
Not Upheld	170	45%	184	46%	202	43%	13,476	28%
Partially Upheld	40	11%	50	12%	36	8%	8,021	16%
Upheld	167	44%	151	37%	212	45%	19,448	40%
Resolution	0	0%	19	5%	16	3%	7,975	16%
Total Closed at Stage 1	377		404		466		48,920	
	Moray Council						Scotland	
Stage 2	2020/21		2021/22		2022/23		2022/23	
Not Upheld	62	51%	61	55%	39	49%	1,964	42%
Partially Upheld	50	41%	25	23%	22	28%	932	20%
Upheld	10	8%	21	19%	19	24%	1,417	30%
Resolution	0	0%	3	3%	0	0%	357	8%
Total	122		110		80		4,670	
	Moray Council						Scotland	
Escalated Stage 2	2020/21		2021/22		2022/23		2022/23	
Not Upheld	4	33%	3	23%	10	38%	990	43%
Partially Upheld	5	42%	5	38%	13	50%	565	24%
Upheld	3	25%	5	38%	3	12%	520	22%
Resolution	0	0%	0	0%	0	0%	249	11%
Total	12		13		26		2,324	

NB percentages may not total 100% due to rounding

In 2022/23, the proportion of our Stage 1 complaints that were Upheld has increased to 45% against a national average of 40%. Overall, 56% of Stage 1 complaints were Upheld in some way (Upheld, Partially Upheld or closed as Resolution) compared to 72% nationally.

24% of our Stage 2 complaints were Upheld compared to 30% nationally. Overall, 52% at this Stage were either Upheld, Partially Upheld or closed as Resolution compared to the national average of 58%.

62% of our Escalated Stage 2 complaints were either Upheld, Partially Upheld or closed as Resolution compared to a national average of 57%.

We are lower than the national average for complaints closed as Resolution with just 3% recorded with this outcome in 2022/23 compared to 16% nationally. When the option for Resolution was introduced, it was anticipated it would help reduce the number of complex Stage 2 investigations, however most complainants continue to request a full investigation.

The Complaints Officer reviews complaints resulted as Resolution on a monthly basis to ensure they are CHP compliant. Staff training has also been provided on new aspects of the CHP, including the correct use of Resolution. Most councils have not carried out these steps and perhaps this accounts for the national difference.

Customer Satisfaction

In December 2021, as part of our plans for recovery and renewal from the Covid pandemic, we replaced paper copies of our survey with a link, direct to an online questionnaire, sent to those supplying an email address.

In 2022/23, 309 links to our survey were issued resulting in 26 responses. This gives a return rate of 8% which is the lowest in recent years (with 12% in 2021/22 and 15% in 2020/21) however similar low response rates are evident nationally. Alternative methods, within available resources, that could increase responses are kept under review.

Our survey requests feedback on the process of dealing with a complaint as opposed to the complaint outcome. Improvement areas identified from responses received in 2022/23 are around communication of timescales and the next stage of a complaint as well as clearer replies. The new signposting template, introduced to help Administrators reduce our average response times, should help address these issues.

What we do well when dealing with complaints:

- Our process for making a complaint is easy*
- We give people the opportunity to fully explain their complaint*

What we can improve when dealing with complaints:

- We need to ensure we fully understand the complaint and address all points raised*
 - We need to communicate better on timescales and the next stage of a complaint and make our responses easier to understand*
-

Learning from Complaints

Learning from complaints is a continuous process. We aim to identify trends and emerging issues and improve the services we provide. Some examples of changes we have implemented in 2022/23 are provided below.

Temporary and Supported Accommodation

We identified an issue with the handover condition of some temporary and supported accommodation. We reviewed our cleaning procedures and introduced regular inspections and a 7 day call back service. We also ensured our staff were made aware of required standards through tool box talks and new check sheets.

Health & Safety

During a spell of bad weather, concerns were raised regarding the gritting of school playgrounds. Our Health & Safety Advisors worked with Education to ensure a consistent gritting programme across all schools in Moray helping to improve safety.

Roads Maintenance

From complaints received, it was clear we needed to improve how we dealt with enquiries to our Roads Maintenance Team. We reviewed the process and introduced a new system ensuring all enquiries are automatically acknowledged and sent for processing.

Recycling Centres

We were made aware that information relating to our Recycling Centres could be improved. We updated signage which included clearer details of opening hours.

Education

To ensure the educational needs of pupils absent long term are met, steps have been introduced by Education to develop plans and involve other services as required, to support pupils when returning to a school setting. Staff have also received systems training to ensure time spent in school is recorded accurately.

Housing Repairs

To reduce complaints relating to housing repairs, the Housing Investment Budget was increased. The recruitment of additional staff was approved and a repairs group established to follow up the scheduling process. To help improve communication, Housing worked closely with the Contact Centre to ensure initial calls are dealt with correctly and all work instructions now include contact details of the customer.

Household Collections

To minimise reported missed bin collections, the Waste Team worked with the Contact Centre to improve communication and promote Service Alerts. These Alerts now include details of why collections have been disrupted and when they will next take place. Crews also receive more information about each route including maps identifying new build areas and rural properties.

Sport and Culture

Following a Transportation difficulty relating to the Music Service, a communication protocol was introduced and emergency contact details are now provided to all service users.

Conclusion

This Annual Report complies with the SPSO's requirement to publish complaints information and highlights our performance against their 4 key performance indicators. It also shows some of the recent issues we've addressed and where our Complaints Handling Procedure has been improved.

We are committed to learning from the views and experiences of our customers. To do this, we aim to record complaints accurately and adhere to the Complaints Handling Procedure. We will continue to welcome customer feedback and work towards providing the best service possible.

Contact Us

Complaints regarding services provided by Moray Council can be made in person at any one of our local access points in Elgin, Buckie, Forres or Keith or we can be contacted by telephone on 01343 543451 or email complaints@moray.gov.uk. More information is also available online at www.moray.gov.uk/complaints.



REPORT TO: CORPORATE COMMITTEE ON 7 NOVEMBER 2023

SUBJECT: INFORMATION GOVERNANCE ANNUAL REPORT

BY: DEPUTE CHIEF EXECUTIVE (EDUCATION, COMMUNITIES AND ORGANISTIONAL DEVELOPMENT)

1. REASON FOR REPORT

- 1.1 To provide the Committee with a report on Information Governance activities within the Council and in particular on improvements made for 2022/2023.
- 1.2 This report is submitted to Committee in terms of Section III (B) (40) of the Council's Scheme of Administration relating to ensuring suitable framework is in place for performance management across the Council.

2. RECOMMENDATION

- 2.1 **It is recommended that the Committee considers and notes the current Information Governance compliance for 2022/23 as set out in the Annual Report in APPENDIX 1 and summarised in Section 4 below.**

3. BACKGROUND

- 3.1 Information Governance covers a range of procedures, policies, guidance and tools used to support the Council in maintaining compliance with information legislation and its promotion of good recordkeeping, ensuring that the Council's information assets remain secure, relevant and accessible. This applies to the management of all information, in all formats, which the Council may collect, create, handle, store, share, erase, process, archive, and manage in any way.
- 3.2 The Information Governance team are responsible for the development, implementation and monitoring of corporate information governance and record management strategies, policies and statutory obligations across the Council, Licensing Board and MIJB.
- 3.3 The Information Governance Team comprises of 2.7 FTE posts: Information Governance Manager and Data Protection Officer (DPO), Information Governance Officer and Information Co-ordinator. This staffing complement is relatively small when benchmarked against other local authorities.

- 3.4 The Information Governance Team play a vital role in managing the information risk of the Council. Whilst some Information Governance issues are reported through service performance reports it is considered appropriate, given the organisational risk, for the Council to receive an annual report on Information Governance. This report is attached as **Appendix 1** with highlights given in Section 4 below:

4. HIGHLIGHTS FROM ANNUAL INFORMATION GOVERNANCE REPORT APRIL 2022- MARCH 2023

Data Protection

- 4.1 To ensure the Council complies with Data Protection obligations; policies, procedures and guidance for the effective management of personal data are in place at both corporate and service levels, supported by training and awareness activities.
- 4.2 Whilst there are service delivery benefits in partnership working between Council services and with other agencies this often requires complex data sharing/processing agreements to be put in place and privacy notices to inform people how their personal data is being processed.
- 4.3 The Council maintains a register of Data Protection Impact Assessments, which are used to identify the data protection risks of a project or process, as well as a Record of Processing Activities and Information Asset Register.
- 4.4 All staff within the organisation receive training in data protection and in terms of our policy all data breaches (situations where personal data has been mishandled) require to be reported to the Information Governance team. 131 data breaches were reported and internally recorded. Lessons are learnt from all breaches reported, in the anticipation this will avoid more serious breaches. Due to the severity of 2 breaches they were reported to the regulatory body for data protection, the Information Commissioner's Office (ICO). In these two cases the ICO was pleased to hear that the Council had acted swiftly, limited the harm caused and mitigated potential risks, they ICO highlighted specific guidance to the Council in order to prevent further or similar breaches.

Records Management

- 4.5 The Public Records (Scotland) Act 2011 requires the Council to have a Records Management Plan (RMP). RMPs are resubmitted or updated every 5 years. The most recently submitted RMP is currently being reviewed with National Records of Scotland (NRS). Their primary concerns are:
- Long term Archival arrangements and resourcing.
 - Having an appropriate system for records management across all council sections. Whilst Microsoft SharePoint fulfils this for a number of sections, others do not benefit from this automated system. Microsoft are phasing out SharePoint and replacing it with Microsoft 365.
- 4.6 Council closed records are currently split over 3 sites within Moray, the third site was established in Spring 2023. There are ongoing discussions with Property Services to find a suitable single site for the Closed Records Store.

Access to Information Requests

- 4.7 1247 Freedom of Information (FOI) and 42 Environmental Information Requests (EIRs) were received. The majority of these are proactively published on the Council's website and statistics are provided to the Scottish Information Commissioner's Office. 88% of FOIs, 81% of EIRs and 79% of the 19 FOI reviews were dealt with within statutory time limits. Whilst there is room for improvement, these results are slightly better than figures for other councils/public bodies. FOI responses can be time consuming and staff capacity is the main factor in response times.
- 4.8 91 Subject Access Requests (SARs) were received. These are requests by individuals for data the council holds about them. Statistics for these are already presented to Council. The ICO is concerned that the Council is currently not meeting the statutory timeframes for the completion of SARs and further work, including tailored training, is planned with services to improve response times. Again SAR's can be time consuming and staff capacity is the main factory in response times.

5. SUMMARY OF IMPLICATIONS

(a) Corporate Plan and 10 Year Plan (Local Outcomes Improvement Plan (LOIP))

None

(b) Policy and Legal

None

(c) Financial implications

There are no financial implications arising from this report, however the promotion and implementation of effective information governance impacts positively on the Council's ability to mitigate its exposure to financial risk, particularly monetary penalties levied by the ICO for non-compliance. For serious breaches of Data Protection the ICO have the power to issue fines of up to £17.5 million.

(d) Risk Implications

The Council does not currently have an approved RMP, and, is still working to ensure complete compliance with Data Protection legislation.

(e) Staffing Implications

Increased workloads are impacting on the ability of the team to respond to additional requests for support from departments. The team currently prioritise requests and tasks with statutory obligations taking highest priority.

(f) Property

None

(g) Equalities/Socio Economic Impact

None

(h) Climate Change and Biodiversity Impacts

None

(i) Consultations

The Depute Chief Executive (Education, Communities and Organisational Development), Head of Governance, Strategy and Performance, Democratic Services Manager and the Council's Information Assurance Group have all been consulted and their comments have been incorporated in the report.

5. CONCLUSION

5.1 The Information Governance Report summarises progress made during 2022/2023. It shows areas of progress and good performance whilst also identifying areas for further improvement.

5.2 This report will become an annual report.

Author of Report: Alison Morris, Information Governance Manager & DPO
Background Papers: Appendix 1: Annual Information Governance Report 2022-23
Ref: SPMAN-2045703626-318



Information Governance Annual Report 2022 – 2023

Version 1.0

October 2023

Document Control Sheet

Title	Information Governance Annual Report 2022 - 2023						
Author(s)	Information Governance Manager & Data Protection Officer, and, Information Governance Officer						
Consultees	Information Assurance Group, including: Head of Governance, Strategy and Performance Senior Solicitor Solicitor ICT Team Leader and Information Security Officer Audit and Risk Manager						
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1 Purpose

To report on the delivery and continuous improvement of Moray Council's compliance with regulatory regimes relating to Information Governance, with particular focus on Data Protection, Access to Information and Records Management.

This is the first Information Governance report, it is anticipated that hereafter, an Information Governance report will be produced annually.

2 Background

Information Governance covers a range of procedures, policies, and guidance used to support the Council in maintaining compliance with information legislation and its promotion of good recordkeeping; ensuring that the Council's information assets remain secure, relevant and accessible. This applies to the management of all information, in all formats, which the Council may collect, create, handle, store, share, erase, process, archive, and manage in any way. A summary of the relevant legislative regimes and key features is provided in Appendix 1.

2.1 The Information Governance Team

The Information Governance team are responsible for the development, implementation and monitoring of corporate information governance and record management strategies, policies and statutory obligations across the Council, Licensing Board and Moray Integration Joint Board (MIJB).

The Information Governance Team sit within Governance, Strategy and Performance and comprise:

- Information Governance Manager and Data Protection Officer (IGM & DPO for both the Council, and, MIJB)
- Information Governance Officer (IGO)
- Information Co-ordinator (0.7 FTE)

Although Local Heritage and Archives remain under Education Resources and Communities, the IGM, as a qualified Archivist, endeavours to support the development, maintenance and management of Heritage and Archives.

The IGM and IGO are members of:

- the Council's Information Assurance Group (IAG), which has strategic oversight of Data Protection and Information Security issues across the Council.
- SOLAR – DP/FOI/HRA Group.
- ASLAWG (IGM only).

3 Data Protection

In the UK, the protection of personal data is governed by the Data Protection Act 2018 (DPA) and the United Kingdom General Data Protection Regulation (UK

GDPR).¹ UK GDPR is the retained version of the European Union General Data Protection Regulation (GDPR), which came into force 25th May 2018.

In 2018, a range of new measures were implemented by the Council to support compliance with the legislative regime set out under the DPA 2018 and GDPR. The first assessment of these measures by the Council's Internal Audit Service took place in September 2022. The audit sought to provide assurance that the Council had systems and controls in place as required under Data Protection legislation (UK GDPR and the DPA), and that the Council has the appropriate governance arrangements, policies, procedures and training programmes in place, to monitor ongoing compliance. The audit found both the system assessment and testing assessment to be limited.

3.1 Data Breaches

A personal data breach, is defined as “a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data transmitted, stored or otherwise processed”.²

The Council's current data breach procedure requires all staff to report data breaches to the Council's data breach team as soon as a breach is identified or reasonably suspected. The data breach team will investigate the breach, assist with containment of the breach and undertake a risk assessment to establish whether the breach meets the threshold for reporting to the Information Commissioner's Office (ICO).

A breach likely to result in a risk to the rights and freedoms of data subject must be reported to the ICO within 72 hours of the Council becoming aware of the breach.³ The Council 'becomes aware' of a breach the moment any member of staff becomes aware of the breach. Where a breach is likely to result in “a high risk to the rights and freedoms” of the data subject(s), the Council must also report the incident to the data subject(s) concerned.⁴

The Council's Data Breach Reporting Form and Guidance on Data Security Breach Management are available on the Data Protection interchange page:

http://interchange.moray.gov.uk/int_standard/Page_132347.html

3.1.1 Data Breach Register

In compliance with UK GDPR Article 33(5), all data breaches are recorded on the Council's Data Breach Register. A record must be maintained of the facts regarding each breach, its effects and remedial action taken.

¹ Further reform of the UK Data Protection legislative regime is expected via the Data Protection and Digital Information Bill (No.2), introduced to Parliament on 8 March 2023. The full text of the draft Bill and Explanatory Notes is available here: <https://bills.parliament.uk/bills/3430>

² UK GDPR Article 4(12).

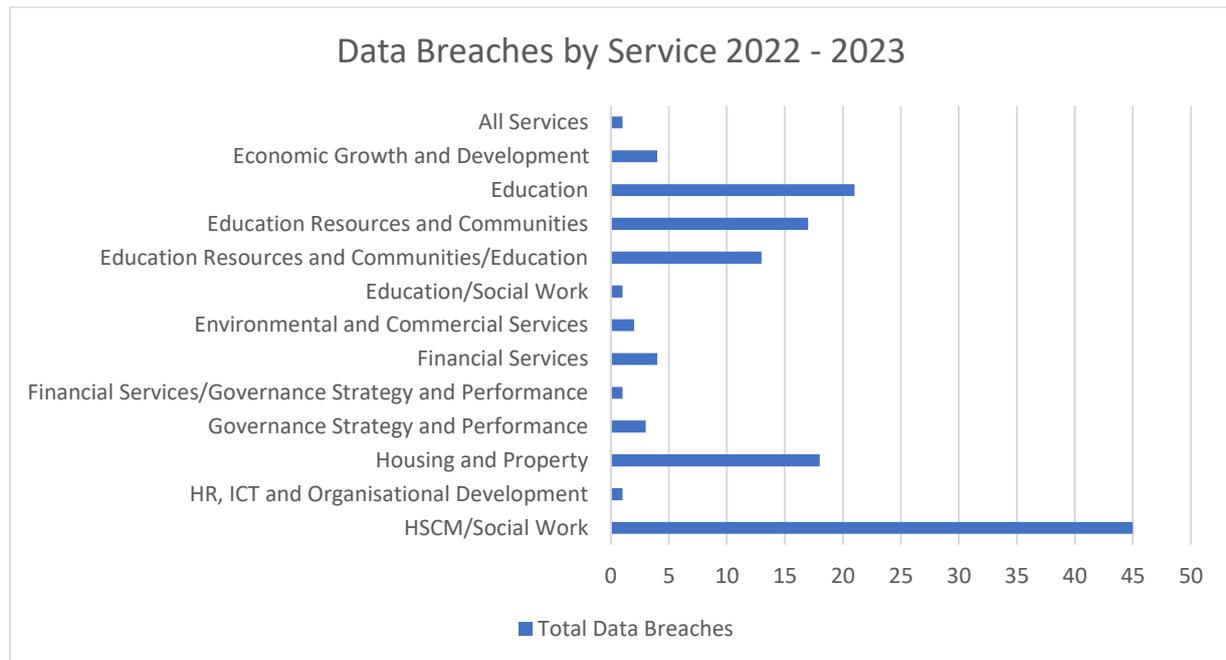
³ UK GDPR Article 33.

⁴ UK GDPR Article 34.

All confirmed and suspected data breaches are recorded, investigated and mitigations put in place to reduce the risk of a similar or more significant incident occurring in future.

From Autumn 2021 the Information Governance team started alerting Heads of Services to data breaches that take place within their Services.

131 data breaches were reported and recorded within the Council between April 2022 and March 2023:



3.1.2 The Information Commissioner’s Office (ICO)

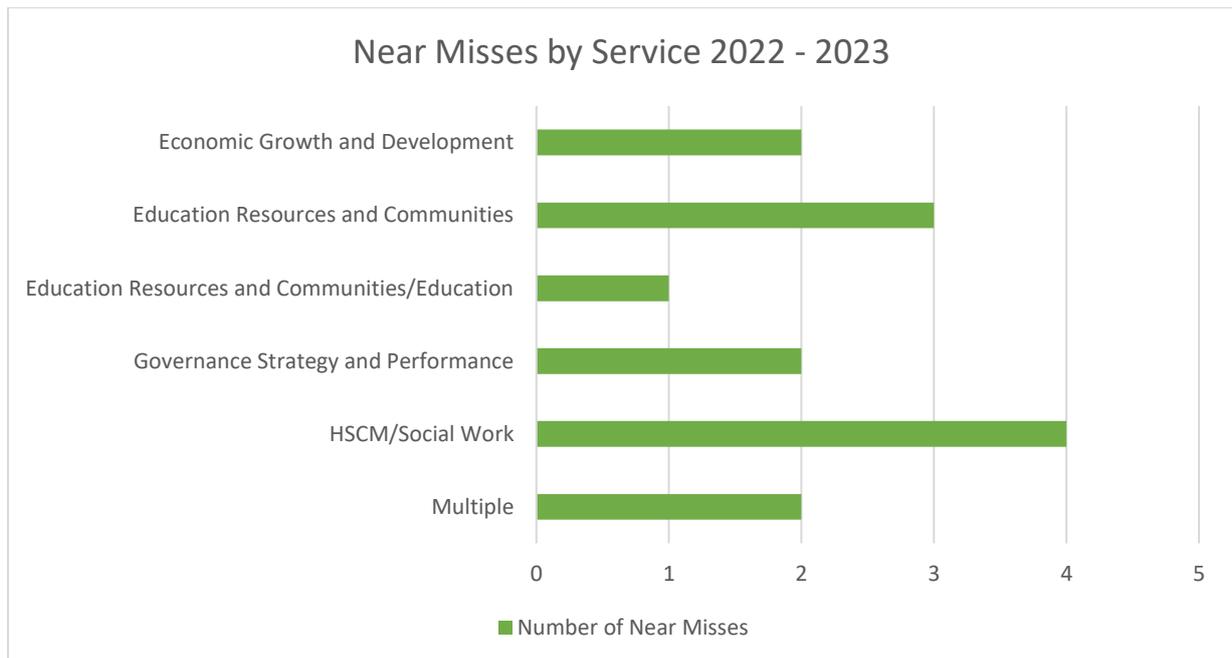
The ICO is the independent supervisory authority for data protection in the UK. They oversee and enforce UK Data Protection legislation. The ICO have significant tools at their disposal to take action for a breach of UK GDPR or the DPA 2018. These include warnings, reprimands, enforcement notices and penalty notices. They have the power to issue fines of up to £17.5 million, or 4% of an organisation’s annual worldwide turnover, whichever is greater.

Two data breaches were considered to meet the threshold for reporting to the ICO due to the likelihood of risk to the rights and freedoms of the data subjects. Both breaches were also assessed as meeting the statutory threshold for reporting to the affected data subjects. In both cases, following a review of the information provided about each data breach, the ICO decided that no further action by the ICO was necessary.

3.1.3 Near Miss Data Breaches

Although not a requirement under Data Protection legislation, the data breach team also record ‘near-miss’ data breaches, so that preventative measures can be put in place to ensure that similar more serious situations do not arise in future.

14 near misses were reported and recorded for 2022/23:



3.1.4 Lessons Learned

Each data security incident is assessed on a case by case basis and suitable, relevant mitigations are discussed with Services to improve information management practices. This should reduce the likelihood of a similar, or more significant, incident occurring in future.

In all instances reported 2022/23, manual, rather than technical measures were put in place. For example, requiring employees to manually check email addresses, attachments, process documents, addresses etc. Such follow up measures place a reliance on the training and knowledge of employees.

Feedback and recommended actions from the ICO in relation to the two reported incidents, combined with findings from the Council’s Internal Audit of ‘GDPR’, are recorded below, in addition to actions taken and planned actions for 2023/24:

The ICO
<ul style="list-style-type: none"> • Preventative measures in place that should help to reduce the risk of breaches of the nature reported in that instance occurring; including mandatory data protection training, refresher data protection training and targeted training following any ‘near-miss’ breaches. • Recommended regularly reminding staff about their data protection obligations. • Recommended having clear written guidance in place for all staff, highlighting the confidentiality and data security responsibilities within the organisation.

- Recommend reviewing staff contracts to ensure they clearly outline what staff can and cannot do with the personal data they handle, particularly in relation to handling service user details.
- Recommended reviewing the Council's 'bring your own device' (BYOD) policy, or consider implementing one as soon as feasibly possible to ensure staff who use personal devices have clear guidelines to follow on their use.
- Recommended impact of data breach on data subject is monitored and support offered to mitigate any risk of further detriment, and, that any identified outstanding remedial measures as part of the breach investigation are implemented.

Internal Audit

- Data Protection Policy and guidance should be reviewed and thereafter a timetable for continued review set.
- A Record of Processing Activities (ROPA) should be compiled by the Council based on a data mapping exercise.
- An Information Asset Register (IAR) should be compiled and maintained on an ongoing basis.
- A review of Privacy Notices held within Council services should be progressed and the documents made available on the Council website for public inspection.
- Consideration should be given to undertaking reviews within Services to audit compliance with the Data Protection Policy and Guidance.
- A review of the guidance documents and forms held within the Information Management section of the Interchange should be undertaken and updated accordingly.
- A review should be undertaken of the officers that have not undertaken the data protection training on the LearnPro training system. Those identified should be reminded to undertake their data protection training requirement.
- Consideration should be given to providing elected members with an update of actions undertaken to ensure the Council's compliance with data protection requirements.

Actions being taken:

- Staff are regularly reminded about their data protection obligations via internal reminders on interchange news. Reminders were issued about DPIAs, GDPR and the Data Protection Act 2018, clearing email caches (to mitigate against data breaches involving autofill), data breach reporting, DPIAs, Data Sharing/Processing Agreements.
- A suite of data protection guidance is also available on the interchange Information Governance pages.
- Work is ongoing with Services to compile and complete a thorough ROPA and IAR.
- Work is ongoing with Services to review and update current Privacy Notices. As Privacy Notices are updated or created they are added to a

designated Privacy Notices webpage on the Council website:

http://www.moray.gov.uk/moray_standard/page_142831.html

- Information Governance report produced to provide elected members with updates on the delivery and continuous improvement of the Council's compliance with data protection legislation 2022/23.
- The interchange now has an internally published register of DPIAs, highlighting processes and applications approved (or not) for use. The register is updated monthly and available here:

http://interchange.moray.gov.uk/int_standard/Page_132347.html

Planned Actions:

- Schedule of work to be drawn up to prioritise the ongoing reviewing and updating of Information Governance guidance and policies.
- Upon completion, both the ROPA and IAR are to be reviewed biennially.
- Continue ongoing work with Services to review and update current Privacy Notices, with all updated and new Privacy Notices to be added to the Council's designated Privacy Notice webpage.
- An Information Governance report is to be produced annually.
- A register of Data Sharing Agreements (DSAs), Data Processing Agreements (DPAs), Information Sharing Protocols (ISPs), Memorandums of Understanding (MoUs) and similar agreements reviewed by the Council's Information Governance Team is to be made available on the interchange. The register will be updated monthly.

3.2 Data Sharing/Processing Agreements

It is good practice for Data Controllers to have written Data Sharing Agreements (DSAs) when controllers share personal data. This helps all parties to understand the purpose for the sharing, what will happen at each stage of the process and what responsibilities they have. Similarly, Data Processing Agreements (DPAs) with any third-party processors can help all parties understand their data protection obligations and provide some legal certainty in areas with significant potential liability. These Agreements also helps the Council to demonstrate compliance in a clear and formal way.

During 2022/23 the IG Team have advised on over 20 DSAs, DPAs, Letters of Variation, Service Level Agreements and Memorandum of Understanding. These are recorded on a central register and copies of all agreements are held in a central repository.

3.3 Data Protection Impact Assessments (DPIAs)

DPIAs are an important tool to help identify and minimise the data protection risks of a project or process. They are required for any processing that is likely to result in a high risk to individuals, as such a screening section at the start of the DPIA form should highlight any such potential high risks. DPIAs also highlight if a new Privacy Notice or DSA/DPA may be required, as such DPIAs must be kept up to date with any significant changes.

65 DPIAs were reviewed in 2022/23, with all but 1 approved. An internally published register summarises any caveats required prior to use and notes why a DPIA may not be approved; it is available on the interchange here: [Home > Policies, Procedures & Guidance > Information Governance > Data Protection](#)

3.4 Privacy Notices

Privacy Notices (PNs) are required to inform data subjects how their personal data would be managed should they provide it for a certain process. PNs must clearly cover what personal data is collected, by whom and under which legal basis (bases), how it is handled, stored and shared, when it will be destroyed, and, what data rights may be applied. The IG Team are gradually reviewing and updating all PNs, these are being added to a single, publically accessible webpage:

www.moray.gov.uk/privacynotices

3.5 Advice, Guidance and Training

The IG Team provide advice, produce Guidance documents and Training as and when required. 2022/23 has seen a focus on supporting services with handling Data Protection Information Release requests, specifically those from the Police. Targeted training was also delivered, including to Councillors (Summer 2022) and Moray Integration Joint Board (Summer 2022).

4 Access to Information – Requests under FOISA and EIRs

The Freedom of Information (Scotland) Act 2002 (FOISA) and the Environmental Information (Scotland) Regulations 2004 (EIRs) came into force in 2005. Under FOISA, anyone who requests information from a Scottish public authority, which holds it is entitled to be given it by the authority (subject to a limited number of exemptions). FOISA applies to all information held by the Council, regardless of whether the Council created it or received the information from a third party. It covers information regardless of how it is recorded, or its format, for example emails, handwritten notes, photos, CCTV tapes, recorded messages etc. are all covered.

Whilst the EIRs, give the public the right to ask for environmental information held by a Scottish public authority (subject to a limited number of exceptions). Environmental Information covers a broad range of topics, such as the environment itself, and, matters that affect the environment such as emissions, radiation, noise and other forms of pollution and policies.

FOI and EIRs requests for information held by the Council or MIJB are logged, co-ordinated and responded to by the FOI Team (Information Co-ordinator).

FOISA and EIRs are enforced and promoted by the Scottish Information Commissioner (SIC), an independent public official. The SIC is responsible for dealing with complaints, promoting good practice to authorities, informing the public about information legislation and enforcing the relevant legislation. Requestors have the right to appeal to the SIC to make a decision on the response issued by an authority, following the authority's review. The SIC can order an authority to disclose

information, should it find that information has been wrongly withheld. SIC's Decision Notices are legally binding, although an appeal on a point of law may be made to the Court of Session. Appeals are dealt with on a case by case basis; completed cases are reported on the decisions section of the [SIC's website](#).

Should the SIC become aware that an authority is not complying with its duties under freedom of information legislation, the SIC may issue an enforcement notice, to compel compliance within a specific timescale. Failure to do so may result in a referral of the matter to the Court of Session.

5 Access to Information - Subject Access Requests

Under Data Protection legislation, data subjects have a right of access to the personal data about themselves held by an organisation. This is referred to as a subject access request (SAR). A SAR gives data subjects the right to obtain a copy of their personal data, as well as other supplementary information.

The ICO oversees and enforces the right of access. Data subjects have the right to lodge a complaint with the ICO about an infringement of Data Protection legislation in relation to their personal data, such as an organisation's failure to comply with a SAR. If the ICO establishes that an organisation has failed to comply with Data Protection legislation, the ICO may exercise their enforcement powers and issue the relevant organisation with a warning, reprimand, enforcement notice or penalty notice.

Should an organisation fail to comply with a SAR, the requestor may also apply for a court order requiring the organisation to comply, or to seek compensation. It is a matter for the court to decide, on a case by case basis, what action to take.

The co-ordination of this statutory duty is managed by the Information Co-ordinator, who collates the relevant information, organises redaction meetings and arranges of the released information to be collected.

The number of requests received under FOISA, the EIRs and Data Protection legislation have been gradually increasing in number, as illustrated in the table below:

Access to Information Requests 2016 – 2023

Year	FOI requests received	EIR requests received	SAR requests received	Reviews	Notes
2016 – 17	1144	19	31	13	
2017 – 18	1231	28	36	22	
2018 – 19	1321	104	59	21	
2019 – 20	1091	161	52	10	

2020 – 21	880	66	63	12	*Covid legislation extended timescales for release of information.
2021 – 22	1006	59	53	14	*Covid legislation extended timescales for release of information.
2022 – 23	1322	42	91	20	

Since January 2023, access to information statistics are collected in a more rigorous way to better reflect the burden of complying with such requests, see Appendix 2.

6 Records Management

The Public Records (Scotland) Act 2011 (PRSA) requires public authorities to develop and maintain a Records Management Plan (RMP) subject to approval by the Keeper of the Records of Scotland (the Keeper). Section 5(1) of PRSA requires RMPs to be kept under review; with voluntary progress update reviews (PURs), and RMPs to be fully re-submitted every 5 years.

Moray Council's first RMP, which covers the Council and Moray Licensing Board, was accepted by the Keeper on 6 March 2014 on an improvement model basis, with a number of areas highlighted by the Keeper as requiring ongoing improvement and development to close a gap in provision.

The Council's second RMP was submitted December 2020. On 15th July 2022, the Council received the National Records of Scotland's (NRS) PRSA Assessment Team's Interim Report on the Council's 2020 RMP submission. The purpose of the Interim Report is to highlight areas of required improvement before the Keeper agrees to a final plan; it facilitates a discussion with the PRSA Team about the issues highlighted by the assessment.

There are 15 elements to a RMP, with a Red Amber Green acceptance scale. In the Interim Report, the Assessment Team highlighted 3 elements as Green (accepted by the Keeper), 7 elements as Amber (accepted on an 'improvement model' basis) and 5 elements as Red (unacceptable). As such, their recommendation would be that the Keeper formally returns the RMP to the Council as failing to meet the requirements under the PRSA. A response to the Interim Report was submitted September 2023.

Should the Keeper return the RMP to the Council, as failing to meet the requirements under the PRSA, the Keeper may consider invoking their powers under section 7 of the PRSA. Including taking such steps as the Keeper considers appropriate to publicise the failure. This would include alerting Scottish Ministers and inviting the Cabinet Secretary and Minister with responsibility for local authority business to respond and could include publication to appropriate professional publications.

The RMP for MIJB is aligned with the Council's RMP. Ten elements (excluding 1, 9, 13, 14 & 15) on MIJB's RMP are directly covered by the Council's RMP. As such the above noted issues will also affect the IJB's RMP

7 Closed Records Store

The Council's Closed Records Store (CRS) is designed for the secure storage of physical information that is semi-current and requiring retaining. Paperwork, files, photographs, microfilms and other hardcopy information that is no longer in current use, may still be required either for an ongoing business use or to be kept under the Council's Retention Schedules, these are considered a Record and transferred to the CRS.

The CRS was relocated in 2019, then partially relocated in July 2022 and March 2023. There are now three CRS stores in 3 different locations within Moray. These stores and records are managed by the IGM. There is no open access; requested records are retrieved and returned by Mailroom staff.

Since March 2023, nearly half of the CRS's collections are now housed within one location, in a more suitable and accessible building. New mobile racking has been purchased, ensuring that the most recent CRS store is fully utilised. In spite of these improvements, it should be noted that the CRS does not conform to the relevant standards required.

During 2022/23: 684 boxes were accessioned to the CRS.

Space for new accessions remains limited. When records are highlighted by the IGM as due for destruction, relevant Services are contacted to arrange for review of the records, however, due to the IGM's capacity there is currently a backlog of records awaiting review by Services.

Appendix 1 – Information Governance Legislation

Legislation	Key Features
United Kingdom General Data Protection Regulation (UK GDPR)/ Data Protection Act (DPA) 2018	<ul style="list-style-type: none"> • Governs the protection of personal data in the UK; • Mandatory recording and reporting of personal data breaches. Any breach likely to “result in a risk to the rights and freedoms” of the data subject(s) must be reported to the ICO within 72 hours of the Council becoming aware of the breach (UK GDPR Article 33); • Any breach likely to result in “a high risk to the rights and freedoms” of the data subject(s) must be reported to the data subject(s) (UK GDPR Article 34); • A ‘personal data breach’ is defined as “a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data transmitted, stored or otherwise processed.” (UK GDPR Article 4). • Gives data subjects specific rights over the processing of their personal data, including: the right to be informed about the collection and use of their personal data; the right to access personal data held about them; rights to have their data rectified, erased or restricted; the right to object; the right to portability of their data and the right not to be subject to a decision based solely on automated processing. Where the legal basis for processing is consent, data subjects also have the right at any time to withdraw their consent to that processing. • Introduced a duty on public authorities to appoint a Data Protection Officer (DPO). DPOs assist with monitoring internal compliance with Data Protection legislation, informing and advising on Data Protection obligations, approving Data Protection Impact Assessments (DPIAs) and to act as the contact point for the ICO. DPOs must be independent, experts in Data Protection, adequately resourced, and, report to the highest management level. • Sets out seven key principles for processing personal data: lawfulness, fairness and transparency; purpose limitation; data minimisation; accuracy; storage limitation; integrity and confidentiality and accountability. • Under the accountability principle, the Council must have appropriate measures and records in place to demonstrate its compliance with the UK GDPR. This includes: taking a data protection by design approach; maintaining documentation of our processing activities; adopting and

	<p>implementing Data Protection policies and guides; having written contracts in place with organisations who process personal data on the Councils behalf; implementing appropriate security measures; recording and reporting personal data breaches and carrying out DPIAs. These measures and records should be kept under regular review and updated when necessary.</p> <ul style="list-style-type: none"> • Failure to comply with the principles can result in substantial fines – up to £17.5 million, or 4% of an organisation’s total worldwide annual turnover, whichever is higher.
Privacy and Electronic Communications (EC Directive) Regulations 2003 (PECR)	<ul style="list-style-type: none"> • Sits alongside DPA 2018 and UK GDPR; • Sets out specific privacy rights on electronic communications, including: marketing calls, emails, texts and faxes; cookies (and similar technologies); keeping communications services secure; and customer privacy regarding traffic and location data, itemised billing, line identification, and directory listings; • Aim to provide individuals with privacy when using electronic devices and keep communications secure.
Freedom of Information (Scotland) Act 2002 (FOISA)	<ul style="list-style-type: none"> • Supports and encourages the disclosure of information. • Under FOISA, anyone who requests information from a Scottish public authority that holds it, is entitled to be given it by the authority (subject to a limited number of exemptions) within a set timescale. • Enforced and promoted by the Scottish Information Commissioner (SIC).
Environmental Information (Scotland) Regulations 2004 (EIRs)	<ul style="list-style-type: none"> • Originate from a European Directive on access to environmental regulation. • They give everyone the right to ask for environmental information held by a Scottish public authority (subject to a limited number of exceptions) within a set timescale. • Enforced and promoted by the SIC.
The Pupils’ Educational Records (Scotland) Regulations 2003	<ul style="list-style-type: none"> • Under these regulations, parents and guardians can request copies of their child’s educational records (these requests are fulfilled by the school that holds the information); • These regulations apply to records relating to school pupils, past and present. The regulations stipulate that educational records must be retained for a period of five years following the child having ceased receiving school education.
The INSPIRE (Scotland) Regulations 2009	<ul style="list-style-type: none"> • Originate from a European Directive. • These regulations require Scottish public authorities to make spatial datasets available.

	<ul style="list-style-type: none"> • The regulations are enforced and promoted in Scotland by the SIC.
<p>Public Records (Scotland) Act 2011 (PRSA)</p>	<ul style="list-style-type: none"> • Governs the management of public records; • Named authorities must create a 15 point Records Management Plan (RMP) in line with the Model Plan created by the Keeper of the Records of Scotland ('the Keeper'); • Authorities can undergo optional review of their RMPs on an annual basis, by utilising the 'Progress Update Review Mechanism'. Active engagement provides National Records Scotland (NRS) greater assurances regarding the authority's compliance.

Appendix 2 – Access to Information Key Performance Indicators

EDUCATION RESOURCES & COMMUNITIES (Alison Morris) 2022/25



Generated on: 29 March 2023

PI Status		Long Term Trends		Short Term Trends	
	Alert		Improving		Improving
	Warning		No Change		No Change
	OK		Getting Worse		Getting Worse
	Unknown				
	Data Only				

Cannot group these rows by Theme
All Indicators

APPENDIX 1

Code	Code	Short Name	Current Target	2020/21	2021/22	2022/23	Q4 2021/22	Q1 2022/23	Q2 2022/23	Q3 2022/23	Q4 2022/23	Latest Note	Short Term Trend Arrow	Status
				Value	Value	Value	Value	Value	Value	Value				
CE015	Local(b)	Freedom of Information - Percentage of requests replied to within twenty working days	95%	89.8%	92%		85.2%	85.8%	85.5%	84.6%	90.5%	Please note that this figure does not include all requests received in this Quarter as those received after 27/03/2023 are not due until after the date this data is requested (20 requests)		
CE015a	MI	Freedom of Information Requests - Number received	Data Only	N/A	1,006	575	273	264		311	346	8 requests are still outstanding		
CE015b	MI	Freedom of Information Requests - Number responded to within 20 working days	Data Only	N/A	874	491	209	228	326	263	313			
CE015c	MI	Freedom of Information Requests - Number of exemptions	Data Only	N/A	N/A	N/A								
CE015d	MI	Freedom of Information Requests - Hours taken to answer	Data Only	N/A	N/A	N/A								
CE015e	MI	Freedom of Information requests - Average time taken to answer	Data Only	N/A	N/A	N/A								
CE016a	MI	Environmental Information Requests (EIR) - Number received	Data Only	N/A	59	11	5	4		7	17			
CE016b	MI	Environmental Information Requests (EIR) - Number responded to within timescale	Data Only	N/A	48	10	0	4		6	15			
CE016c	MI	Environmental Information Requests (EIR) - Number of exemptions	Data Only	N/A	N/A	0	N/A			0				

Code	Code	Short Name	Current Target	2020/21	2021/22	2022/23	Q4 2021/22	Q1 2022/23	Q2 2022/23	Q3 2022/23	Q4 2022/23	Latest Note	Short Term Trend Arrow	Status
				Value	Value	Value	Value	Value	Value	Value				
CE016d	MI	Environmental Information Requests (EIR) - Hours taken to answer	Data Only	N/A			N/A							
CE016e	MI	Environmental Information Requests (EIR) - Average time taken to answer	Data Only	N/A			N/A							
CE017a	MI	Subject Access Requests (SAR) - Number received	Data Only	N/A	53	23	17	9		14	25	+ 4 suspended		
CE017b	MI	Subject Access Requests (SAR) - Number responded to within timescale	Data Only	N/A	N/A	12	N/A			12	20			
CE017c	MI	Subject Access Requests (SAR) - Number of exemptions	Data Only	N/A	N/A	0	N/A			0				
CE017d	MI	Subject Access Requests (SAR) - Hours taken to answer	Data Only	N/A	N/A		N/A				85.7hrs			
CE017e	MI	Subject Access Requests (SAR) - Average time taken to answer	Data Only	N/A	N/A		N/A				3.1hrs			
CE037	Local(b)	Data Protection - Percentage of requests responded to within 30 calendar days	95%	89.5%	86.5%		75%	77.8%	81.8%	85.7%	80%			

Appendix 3 – Links Legislation

- Data Protection Act (DPA) 2018
<https://www.legislation.gov.uk/ukpga/2018/12/contents>
- Data Protection and Digital Information (No.2) Bill
<https://bills.parliament.uk/bills/3430>
- The Government has published Keeling Schedules to show the changes that will be made to UK GDPR, the Data Protection Act 2018 and the Privacy and Electronic Communications Regulations 2003 by the Data Protection and Digital Information (No. 2) Bill
<https://www.gov.uk/government/publications/data-protection-and-digital-information-bill-impact-assessments>
- Freedom of Information (Scotland) Act 2002
<https://www.legislation.gov.uk/asp/2002/13/contents>
- INSPIRE (Scotland) Regulations 2009
<https://www.legislation.gov.uk/ssi/2009/440/contents/made>
- Public Records (Scotland) Act 2011
<https://www.legislation.gov.uk/asp/2011/12/contents>
- The Environmental Information (Scotland) Regulations 2004
<https://www.legislation.gov.uk/ssi/2004/520/contents>
- The Privacy and Electronic Communications (EC Directive) Regulations 2003
<https://www.legislation.gov.uk/uksi/2003/2426>
- The Pupils' Educational Records (Scotland) Regulations 2003
<http://www.legislation.gov.uk/ssi/2003/581/contents/made>
- UK GDPR (the General Data Protection Regulation (as defined in the DPA 2018) as it forms part of the law of England and Wales, Scotland and Northern Ireland by virtue of section 3 of the European Union (Withdrawal) Act 2018, and as amended by the Data Protection, Privacy and Electronic Communications (Amendments etc) (EU Exit) Regulations 2019
<https://www.legislation.gov.uk/eur/2016/679/contents#top>

Interchange and Relevant Websites

- Information Governance Interchange Page (incl. RM, DP and Access to Information)
http://interchange.moray.gov.uk/int_standard/Page_132356.html
- Moray Council Information Management webpages (incl. DP, FOIs and RM)
http://www.moray.gov.uk/moray_standard/page_41220.html
- National Records of Scotland
<https://www.nrscotland.gov.uk/>
- Scottish Information Commissioner
<https://www.itspublicknowledge.info/>
- The Information Commissioner's Office
<https://ico.org.uk/>



REPORT TO: CORPORATE COMMITTEE ON 7 NOVEMBER 2023

SUBJECT: PERFORMANCE REPORT (FINANCIAL SERVICES) – PERIOD TO SEPTEMBER 2023

BY: DEPUTE CHIEF EXECUTIVE (ECONOMY, ENVIRONMENT AND FINANCE)

1. REASON FOR REPORT

1.1 To inform Committee of the performance of the service for the period to 30 September 2023.

1.2 This report is submitted to Committee in terms of Section III (A) (4) of the Council's Scheme of Administration to monitor performance in accordance with the Council's Performance Management Framework.

2. RECOMMENDATION

2.1 It is recommended that Committee:

(i) **scrutinises and notes performance in the areas of Service Planning, Service Performance and other related data to the end of September 2023; and**

(ii) **notes the actions being taken to improve performance where required.**

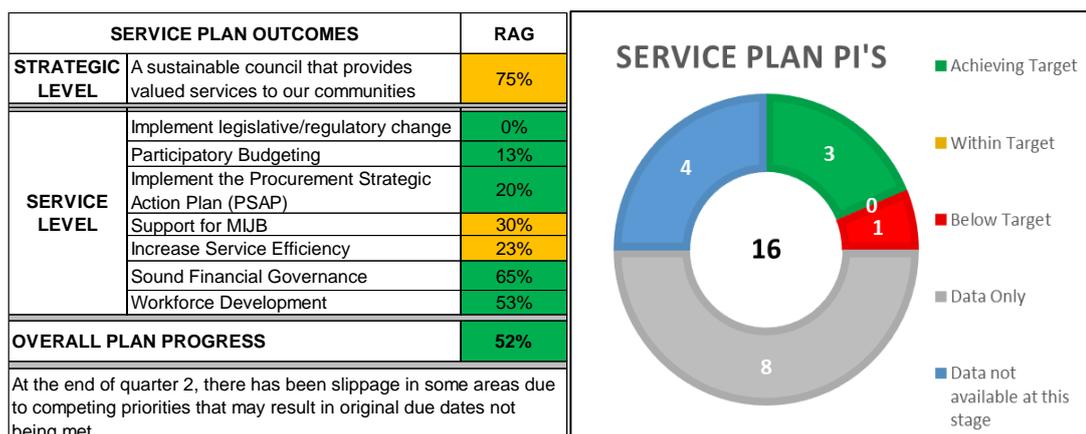
3. BACKGROUND

3.1 On 7 August 2019, the Moray Council approved a revised Performance Management Framework for services (para 5 of the minute refers).

4. SERVICE PLANNING

4.1 Each service plan sets out the strategic and service level priorities and outcomes it intends to deliver in the coming year aligning closely with financial planning, corporate and community planning partnership strategic priorities. This report provides an interim update on progress on the service plan, key outcomes and performance indicators. Committee is invited to review progress to secure assurance that is satisfactory and to provide scrutiny and further direction where performance requires attention.

- 4.2 The narrative included is by exception, links to Service Plan Actions and Performance Indicators can be accessed within the Background Papers section of this report.



Strategic Outcomes – successes

- 4.3 Nothing to report.

Strategic Outcomes – challenges and actions to support

- 4.4 A report on the medium to long term financial strategy was submitted to the Special meeting of Moray Council on 25 October, amendments will be made to reflect the Corporate Plan when finalised and the next stage of the Improvement and Modernisation Programme. (Action FIN23-24.Strat-4.1)

Service Level Outcomes – successes

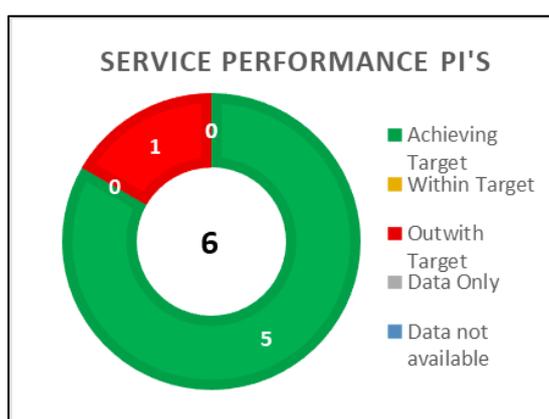
- 4.5 Actions contributing to sound financial governance have progressed well in the first half of the year with the Financial Reporting Template implemented for use in reporting to the Moray Growth Deal Board. Budget Manager training in Social Work took place with further sessions planned. (Actions FIM23-24.Serv-5.6a, 5.6b)

Service Level Outcomes – challenges and actions to support

- 4.6 Due to other workload priorities, advance work relating to IFRS 16 is yet to commence however timelines with services and the auditor will be agreed prior to implementation on 01 April 2024.
- 4.7 Due to competing demands, limited progress has been made on actions relating to increasing service efficiency through automation and e-billing within Council Tax and Non-Domestic Rates. With longer term due dates, it is anticipated that actions will be completed as scheduled. (Actions FIN23-24 Serv-5.5a, 5.5b, 5.5c, 5.5d)
- 4.8 Investigating workflow for accountancy processes has commenced following an initial meeting with ICT colleagues, however further progress is dependent on ICT resources, therefore it appears likely that work will continue out with original due dates in December. (Actions FIN23-24.Serv-5.5e, 5.5f)
- 4.9 The creation of a training post within Accountancy will complete out with the original due date of September. The required forms are in place and have been submitted to Human Resources.

5 SERVICE PERFORMANCE

- 5.1 In line with Performance Management Framework, operational performance is monitored quarterly by departmental management. Areas performing well and/or areas subject to a decreasing trend or where benchmarking results show performance below comparators will be reported to this Committee for member scrutiny.
- 5.2 Following approval of the Service Plan by Committee, a review of performance indicators has been undertaken and amendments made to align indicators with service outcomes.
- 5.3 The narrative included is by exception, links to Service Performance Indicators can be accessed within the Background Papers section of this report.



Operational Indicators – successes

- 5.4 Nothing to report. Results relate to previous reporting periods for benchmark indicators, latest results are due to be published nationally later this year.

Operational Indicators – challenges and actions to support

- 5.5 Nothing to report. Results relate to previous reporting periods for benchmark indicators, latest results are due to be published nationally later this year.

6. OTHER PERFORMANCE RELATED DATA

Complaints and MP/MSP Enquiries

- 6.1 In line with the Performance Management Framework, complaints are reviewed quarterly by departmental management in terms of time taken to respond, outcome and learning points. Detailed tables can be accessed within the Background Papers section of this report.
- 6.2 During the reporting period, Financial Services received 22 complaints. Nineteen were closed with 17 (89%) as Frontline and 2 (11%) as Investigative. Thirteen Frontline complaints (68%) and 1 Investigative complaint (50%) met target timescales of 5 and 20 working days respectively.
- 6.3 Overall, 5 complaints were upheld and 5 partially upheld. Nine related to Council Tax with one for Payments. To address the issues raised, working practices and procedures have been revised and staff reminded to deal with enquiries with due care and attention and within a reasonable timeframe.

- 6.4 In addition to complaints, 17 MP/MSP enquiries were received during the first half of 2023/24. The most common topics were Council Tax (9 enquiries) and Non-Domestic Rates (6 enquiries).

Other Performance (not included in the Service Plan)

- 6.5 Nothing to report.

Case Studies

- 6.6 Nothing to report.

Consultation and Engagement

- 6.7 Initial public engagement for the 2024/25 budget commenced on 14 September. Responses have now been analysed with the next phase due to begin at the end of October. .

7 SUMMARY OF IMPLICATIONS

(a) Corporate Plan and 10 Year Plan (Local Outcomes Improvement Plan (LOIP))

Performance measurement is used to ensure the efficient and sustainable delivery of services to meet the Council's priorities in both the Corporate Plan and the LOIP.

(b) Policy and Legal

The Council has a statutory requirement to publish a range of information that will demonstrate that it is securing best value and assist in comparing performance both over time and between authorities where appropriate.

(c) Financial implications

None.

(d) Risk Implications

None.

(e) Staffing Implications

None.

(f) Property

None.

(g) Equalities/Socio Economic Impact

An Integrated Impact Assessment is not needed because the report is to inform the Committee on performance.

(h) Climate Change and Biodiversity Impacts

None

(i) Consultations

The Depute Chief Executive (Economy, Environment and Finance), the Chief Financial Officer, Service Managers, Legal Services, the Equal Opportunities Officer and the Democratic Services Manager have been consulted with any comments received incorporated into this report.

8. CONCLUSION

8.1 At the end of September 2023, progress against the Financial Services Service Plan is that 52% of planned activities are complete.

Author of Report: Suzanne Wilson, Research and Information Officer
Background Papers: [Service Plan Actions](#)
[Service Plan Performance Indicators](#)
[Service Performance Indicators](#)
[Complaints Monitoring Report](#)

Ref: SPMAN-1293228629-967



REPORT TO: CORPORATE COMMITTEE ON 7 NOVEMBER 2023

SUBJECT: PERFORMANCE REPORT (GOVERNANCE, STRATEGY AND PERFORMANCE) – PERIOD TO SEPTEMBER 2023

BY: DEPUTE CHIEF EXECUTIVE (EDUCATION, COMMUNITIES AND ORGANISATIONAL DEVELOPMENT)

1. REASON FOR REPORT

1.1 To inform the Committee of the performance of the service for the period to 30 September 2023.

1.2 This report is submitted to Committee in terms of Section III (A) (4) of the Council's Scheme of Administration to monitor performance in accordance with the Council's Performance Management Framework.

2. RECOMMENDATION

2.1 It is recommended that Committee:

- (i) **scrutinises and notes performance in the areas of Service Planning, Service Performance and other related data to the end of September 2023; and**
- (ii) **notes the actions being taken to improve performance where required.**

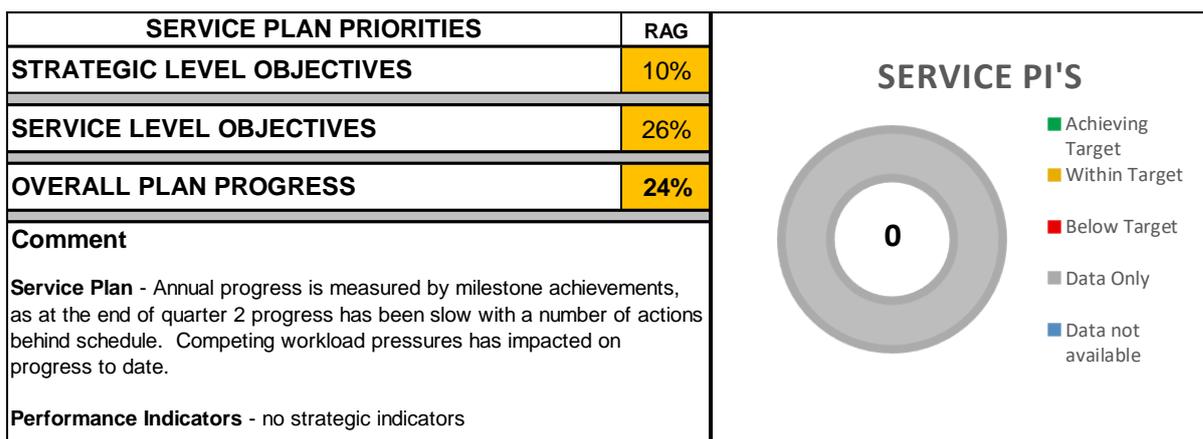
3. BACKGROUND

3.1 The Council, approved a revised Performance Management Framework for services on 7 August 2019 (para 5 of the minute refers) which provides for twice yearly reports to committee on service performance.

4. SERVICE PLANNING

4.1 Each service plan sets out the planned strategic and service level priorities and outcomes it intends to deliver in the coming year aligning closely with financial planning, corporate and community planning partnership strategic priorities. This report provides an interim update on progress on the service plan through key outcomes and performance indicators. Committee is invited to review progress to secure assurance that is satisfactory and to provide scrutiny and further direction where performance requires attention.

- 4.2 The narrative included is by exception, links to Service Plan Actions and Performance Indicators can be accessed within the Background Papers section of this report.



- 4.3 At the half year point of the 2023/24 service plan a number of actions have not progressed as scheduled, with overall progress at 24%. Competing workload priorities such as the work around corporate budget activities, have impacted on the resources available to drive service plan actions in the first half of the year. The actions identified remain priorities so it is likely that the timescales for implementation will need to be extended at the time the service plan is next renewed.

Strategic Outcomes – successes

- 4.4 Nothing to report.

Strategic Outcomes – challenges and actions to support

- 4.5 Progress on implementing a framework for Continuous Improvement across council services has not progressed as planned, largely due to resources being focused on corporate budget activities. A draft proposal on how this process can be embedded will be submitted to the Corporate Management Team for consideration in quarter 3. (GSP STRATEGIC 1.1)

Service Level Outcomes - successes

- 4.6 The framework for a rolling review of second tier governance documents is in place. The Guidance for Notice of Motion procedure was approved and the review of all priority A documents is on schedule to complete by the 31 March 2024. (GSP 2023-24 IG 1.2)

Service Level Outcomes – challenges and actions to support

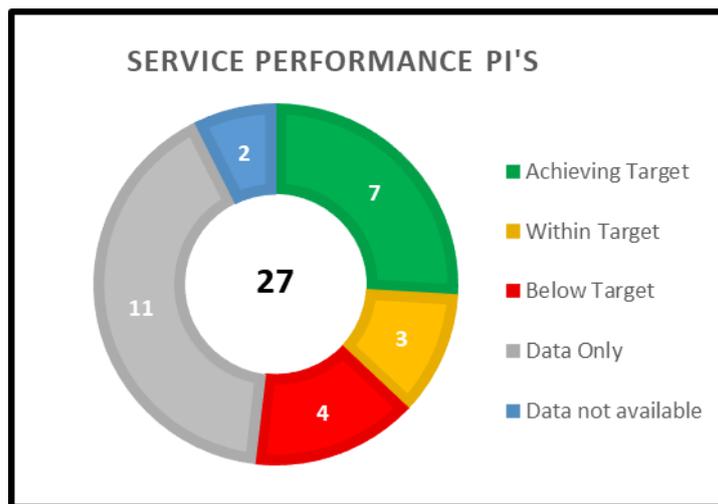
- 4.7 The half way point review of the Local Outcome Improvement Plan (LOIP) is ongoing following a development session with Community Planning Board members. As an interim solution, priority leads have been asked to update Delivery Frameworks for the 2023/24 reporting period that will allow progress against priorities to be monitored. (GSP 2023-24 PF 1.1)

- 4.8 Limited progress has been made to date on considering the options for centralising financial assessments within the Benefits Team. Competing priorities, such as meeting funding bid deadlines, have meant options have not been investigated as planned. Early engagement to identify other authorities that have expanded remits to include financial assessments has

been undertaken and awaiting feedback. It is expected that progress will be made in the remaining six months. (GPS 2023-24 DTE 1.3)

5. SERVICE PERFORMANCE

- 5.1 In line with the Performance Management Framework, operational performance is reviewed quarterly by departmental management. Areas performing well and/or areas subject to a decreasing trend or where benchmarking results show performance significantly below comparators will be reported to this committee for member scrutiny.
- 5.2 The narrative included is by exception, links to Service Performance Indicators can be accessed within the Background Papers section of this report.



Operational Indicators - successes

- 5.3 The Housing Benefits team continue to exceed targets in the processing of new and change of circumstance benefit claims. Over the first half of 2023/24 the average processing time for new housing benefit claims was 17 days, well within the target of 21 days and improving on the previous year (18 days). Change of circumstances housing claims have been processed in an average of 4 days, exceeding the 6 day target. (Indicators CPS011 and 012)

Operational Indicators - challenges

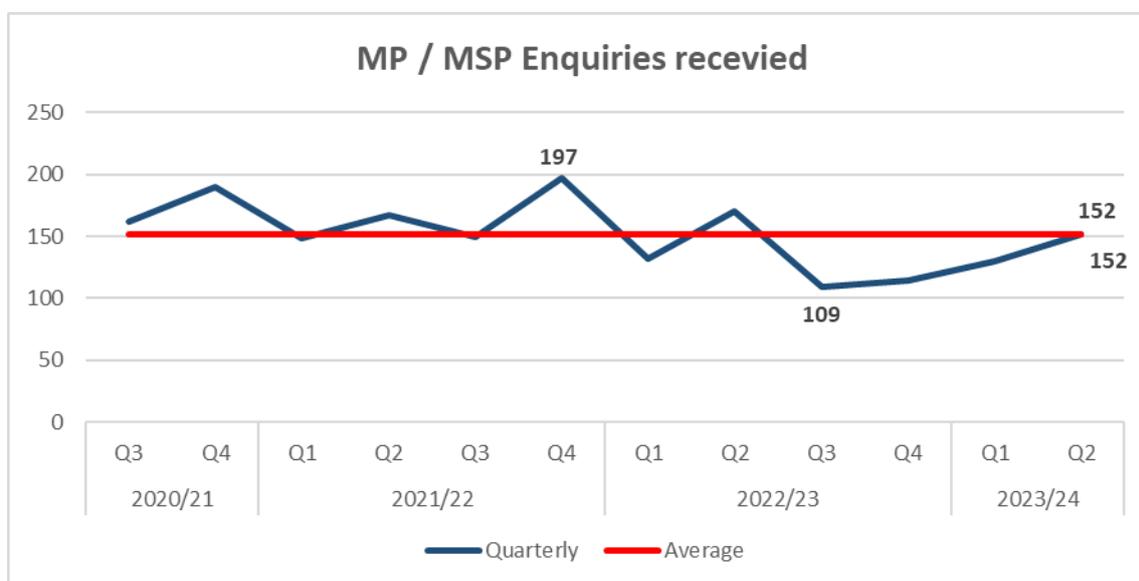
- 5.4 The percentage of committee action sheets and draft minutes issued by Committee Services on time or early has been below target for the first half of 2023/24. Just over half of committee action sheets (52%) and 68% of committee draft minutes were issued by due dates, below the target of 85%. The service have been operating with two vacancies, however recent recruitment of staff will enable the service to improve on performance. During this period, the issue of committee agendas has remained a priority, reflected in the above target performance being maintained. (Indicators CS002 and CS003)
- 5.5 The percentage of telephone calls received by Customer Services that were answered within 60 seconds slipped to 63.1% in quarter 2, below the 75% target. The volume of calls increased slightly on the previous quarter and by 9% when compared to the same period last year, in what is generally considered a quieter period over the summer months. The increase is attributed to Revenues related calls in August regarding Direct Debits. Call

volumes and answer rates continue to be monitored on a monthly basis. (Indicator CPS058a)

6. OTHER PERFORMANCE RELATED DATA

Complaints and MP/MSP Enquiries

- 6.1 In line with the Performance Management Framework, complaints are reviewed quarterly by departmental management in terms of time taken to respond, outcome and learning points. Detailed tables can be accessed within the Background Papers section of this report.
- 6.2 A total of 10 complaints were received during the first half of 2023/24, with 10 complaints closed in the same period. All complaints were resolved at Frontline stage. Five complaints were upheld, one partially upheld and the remaining four were not upheld. Nine of the ten complaints were resolved within the 5 working day target timescale, with the overall average time taken to respond to complaints being 3 days. Of the six complaints upheld / partially upheld, two related to delays in customers receiving follow up contact; two regarding confidentiality of customers personal data; one for the payment system being down; and one for the way an officer communicated with a customer. All were acknowledged and reinforcement action taken.
- 6.3 Ten MP/MSP enquiries were received and closed during the first half of 2022/23. All enquiries were resolved.
- 6.4 Across the council, over the last three years the Council have dealt with 1,820 non-statutory MP/MSP enquiries, in addition to around 1,600 statutory complaints. These are subject to a similar process to that of complaints using the Model Complaints Handling Procedure (MCHP). The following graph shows the volume of enquiries received each quarter since quarter 3 2020/21.



On average each quarter the Council receive 152 enquiries. Just over 85% of enquiries were directed to Economy, Environment and Finance.

Other Performance (not included within Service Plan)

- 6.5 Nothing to report.

Case Studies

6.6 Nothing to report.

Consultation and Engagement

6.7 Nothing to report.

7. SUMMARY OF IMPLICATIONS

(a) Corporate Plan and 10 Year Plan (Local Outcomes Improvement Plan (LOIP))

Performance measurement is used to ensure the efficient and sustainable delivery of services to meet the Council's priorities in both the Corporate Plan and the LOIP.

(b) Policy and Legal

The Council has a statutory requirement to publish a range of information that will demonstrate that it is securing best value and assist in comparing performance both over time and between authorities where appropriate.

(c) Financial implications

None.

(d) Risk Implications

None.

(e) Staffing Implications

Recruitment remains an acute challenge for the Legal Services section. Absence rates sit at around 50% with significant volumes of work requiring to be outsourced.

(f) Property

None.

(g) Equalities/Socio Economic Impact

An Equality Impact Assessment is not required as this report is to inform the Committee on performance.

(h) Consultations

The Head of Governance, Strategy and Performance, Depute Chief Executive (Education, Communities and Organisational Development), Service Managers, Legal Services, the Equal Opportunities Officer, and the Democratic Services Manager have been consulted with any comments received incorporated into this report.

8. CONCLUSION

8.1 As at September 2023, overall progress against the service plan for 2023/24 was 21% complete. A number of actions have been subject to slippage and will be progressed over the second half of 2023/24.

Author of Report:

Neil Stables, Research and Information Officer

Background Papers:

[Service Plan Actions](#)

[Service Performance Indicators](#)
[Service Complaints](#)
SPMAN-2045703626-314

Ref:



REPORT TO: CORPORATE COMMITTEE ON 7 NOVEMBER 2023

SUBJECT: PERFORMANCE REPORT (HUMAN RESOURCES, INFORMATION COMMUNICATIONS TECHNOLOGY AND ORGANISATIONAL DEVELOPMENT) – PERIOD TO SEPTEMBER 2023

BY: DEPUTE CHIEF EXECUTIVE (EDUCATION, COMMUNITIES AND ORGANISATIONAL DEVELOPMENT)

1. REASON FOR REPORT

- 1.1 To inform the Committee of the performance of the service for the period to 30 September 2023.
- 1.2 This report is submitted to Committee in terms of Section III (A) (4) of the Council's Scheme of Administration to monitor performance in accordance with the Council's Performance Management Framework.

2. RECOMMENDATION

2.1 It is recommended that Committee:

- (i) **scrutinises and notes performance in the areas of Service Planning, Service Performance and other related data to the end of September 2023; and**
- (ii) **notes the actions being taken to improve performance where required.**

3. BACKGROUND

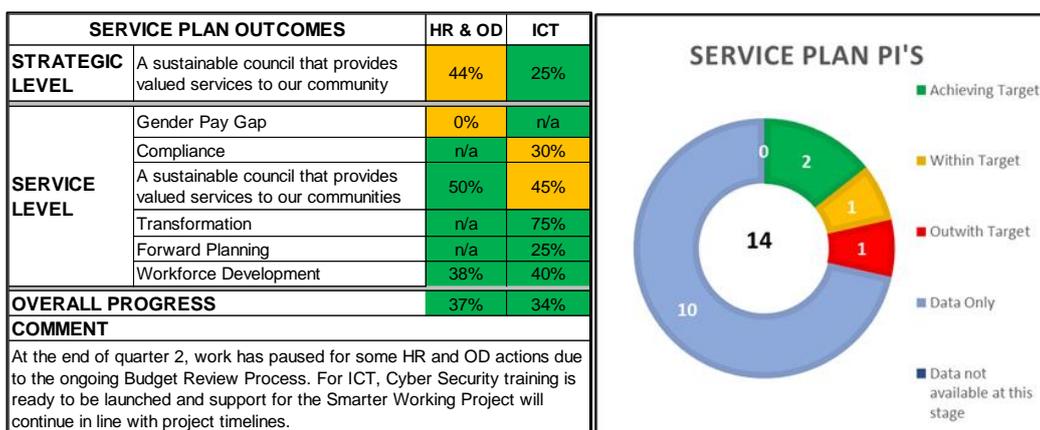
- 3.1 On 7 August 2019, the Moray Council approved a revised Performance Management Framework for services (para 5 of the minute refers).

4. SERVICE PLANNING

- 4.1 Each service plan sets out the strategic and service level priorities and outcomes it intends to deliver in the coming year aligning closely with financial planning, corporate and community planning partnership strategic priorities. This report provides an interim update on progress on the service plan, key outcomes and performance indicators. Committee is invited to review

progress to secure assurance that is satisfactory and to provide scrutiny and further direction where performance requires attention.

- 4.2 The narrative included is by exception, links to Service Plan Actions and Performance Indicators can be accessed within the Background Papers section of this report.



Strategic Outcomes – successes

- 4.3 Expansion of the use of digital technologies is on track with work ongoing across a number of services. Online forms for short term lets have attracted 226 applications submissions since the service went live. Corporate complaints can now be reported online, making the process easier for the public and reducing workload for customer service staff. Support was also provided for the enhanced m.connect service with the provision of the Lift & Go website and app. (Action ICT23-24.Strat.4.1a)

Strategic Outcomes – challenges and actions to support

- 4.4 To allow resources to prioritise budget review work, several strategic Human Resources and OD actions have been paused until the budget process is complete. (Actions HR&OD23-24 Strat.4.1, 4.3 and 4.4)

Service Level Outcomes – successes

- 4.5 To support both managers and employees through the budget review process and anticipated changes, several Skills for Change workshops have been delivered with more planned during quarter 3. (Action HR&OD23-24.Serv 5.1.1)
- 4.6 Development and implementation of M365 is progressing well with migration to the Microsoft Exchange Online commencing in July as planned. Roll out of M365 software has been tested with policies for Windows and Android in development. (Action ICT23-24 Serv 5.3)

Service Level Outcomes – challenges and actions to support

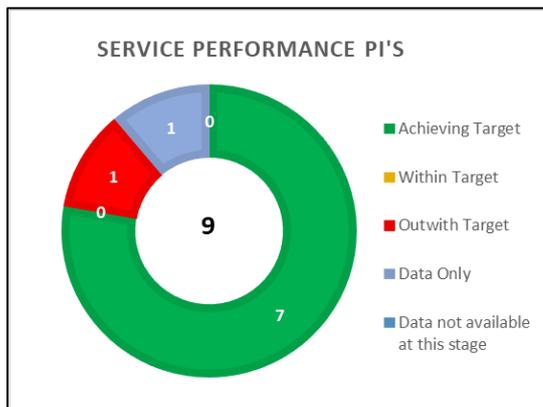
- 4.7 Work to address issues around the Gender Pay Gap has been affected by staff absence and paused to prioritise budget review work.. (Action HR&OD23-24.Serv 5.2, PI CORP3c)
- 4.8 Cyber Resilience progress is reported at 30%. Business as usual work, which contributes to the overall plan, has seen a significant increase in the number of cyber security notices that need to be reviewed or remediated. Cyber Security

training covering various topics has been created and will be launched later in the year. (Action ICT23-24.Serv 5.1)

- 4.9 Although the action covering Smarter Working has an agreed due date of October 2023, work will continue as per project requirements. Based on these timelines, ICT support is on track. (Action ICT23-24.Serv 5.2)

5 **SERVICE PERFORMANCE**

- 5.1 In line with Performance Management Framework, operational performance is monitored quarterly by departmental management. Areas performing well and/or areas subject to a decreasing trend or where benchmarking results show performance below comparators will be reported to this Committee for member scrutiny.
- 5.2 Following approval of Service Plans by Committee, a review of performance indicators has been undertaken and amendments made to align indicators with service outcomes.
- 5.3 The narrative included is by exception, links to Service Performance Indicators can be accessed within the Background Papers section of this report.



Operational Indicators – successes

- 5.4 Health and Safety Incidents and Working Days Lost have improved between quarters 1 and 2 with both indicators achieving target. The Health & Safety Team continue to focus resources where required based on analysis of reported incidents and trends. (PIs HROD005 & HROD007)

Operational Indicators – challenges and actions to support

- 5.5 Incidents of violence and aggression continue to exceed target. Between April and September, a total of 1,865 incidents were recorded with Education accounting for 1,675. Guidance and training on intervention techniques continues to be delivered with PSA induction training and the ASN handbook currently being updated. The new electronic recording system has also allowed for more targeted support with additional training on Behavioural Support Strategies provided where needed. (PI HROD006)

6 OTHER PERFORMANCE RELATED DATA

Complaints and MP/MSP Enquiries

- 6.1 In line with the Performance Management Framework, complaints are reviewed quarterly by departmental management in terms of time taken to respond, outcome and learning points. Detailed tables can be accessed within the Background Papers section of this report.
- 6.2 During the reporting period, HR, ICT and OD received 1 complaint. This remains open with investigations ongoing.
- 6.3 2 MP/MSP enquiries have also been received during the first half of 2023/24 covering issues around staff conditions and special leave.

Other Performance (not included in the Service Plan)

- 6.4 Moray Council was successful in achieving Gold in the Ministry of Defence Employer Recognition Scheme supporting the Armed Forces Covenant. This award demonstrates the high level of support the Council provides to Service Personnel both in the workforce and in the wider community.

Consultation and Engagement

- 6.5 The latest Employee Survey ran between August and September. Responses are now being analysed with outcomes and recommendations expected by the end of the year.

7 SUMMARY OF IMPLICATIONS

(a) Corporate Plan and 10 Year Plan (Local Outcomes Improvement Plan (LOIP))

Performance measurement is used to ensure the efficient and sustainable delivery of services to meet the Council's priorities in both the Corporate Plan and the LOIP.

(b) Policy and Legal

The Council has a statutory requirement to publish a range of information that will demonstrate that it is securing best value and assist in comparing performance both over time and between authorities where appropriate.

(c) Financial implications

None.

(d) Risk Implications

None.

(e) Staffing Implications

None.

(f) Property

None.

(g) Equalities/Socio Economic Impact

An Integrated Impact Assessment is not needed because the report is to inform the Committee on performance.

(h) Climate Change and Biodiversity Impacts

None

(i) Consultations

Depute Chief Executive (Education, Communities & OD), Head of HR, ICT & Organisational Development, Service Managers, Legal Services, the Equal Opportunities Officer and the Democratic Services Manager have been consulted with any comments received incorporated into this report.

8. CONCLUSION

- 8.1 At the end of September 2023, progress for Human Resources and OD actions stand at 37% complete with ICT actions at 34% complete. Progress has paused in some areas due to the ongoing budget process which may result in slippage against original due dates.**

Author of Report: Suzanne Wilson, Research and Information Officer
Background Papers: [Service Plan Actions](#)
[Service Plan Performance Indicators](#)
[Service Performance Indicators](#)
[Complaints Monitoring Report](#)

Ref: SPMAN-1656699058-144



REPORT TO: CORPORATE COMMITTEE ON 7 NOVEMBER 2023

SUBJECT: TRUST PROPERTIES IN ELGIN

BY: DEPUTE CHIEF EXECUTIVE (ECONOMY, ENVIRONMENT AND FINANCE)

1 REASON FOR REPORT

- 1.1 To invite the Committee to consider a mechanism for bringing vacant residential properties held under public trusts back into use.
- 1.2 This report is submitted to the Corporate Committee in terms of Section (III) (B) 20 of the Council's Scheme of Administration relating to the management of Trust property.

2. RECOMMENDATION

2.1 It is recommended that the Committee:

- (i) **agree in principle to the four vacant Trust properties being leased to the Council on terms and conditions to be agreed by the Head of Housing and Property, the Head of Governance Strategy and Performance and the Chief Financial Officer; and**
- (ii) **authorise the Chief Financial Officer, in consultation with the Head of Housing and Property and the Head of Governance, Strategy and Performance, to agree the detailed terms of the lease subject to the proposal being financially sustainable.**

3. BACKGROUND

- 3.1 The Council are Trustees of two cottages at Ladyhill, Elgin, (Ladyhill Cottages) and eight Victoria Diamond Jubilee Homes in Victoria Road, Elgin, (Victoria Cottages). Both of the Ladyhill Cottages and two of the Jubilee Cottages are currently vacant. The previous tenancies were managed by the Council's Housing service on behalf of the Trustees.
- 3.2 Ladyhill Cottages were gifted by the Right Honourable Sir Archibald Williamson in 1921 to the former City and Royal Burgh of Elgin to be held in trust for the benefit of "suitable persons". The trust property comprises two cottages being Suvla Cottage and Messines Cottage, together with an area of garden ground, open space and access and approach to Ladyhill. The

cottages are Category C listed. Ladyhill Cottages are not registered with the Office of the Scottish Charity Regulator (OSCR).

- 3.3 Jubilee Cottages were built by the City and Royal Burgh of Elgin in 1897 to establish a memorial to the Diamond Jubilee Year of Queen Victoria. The property was transferred by a Deed of Trust to the Trustees in 1899. The cottages are also Category C listed. In March 2017, the six mid-terraced cottages were renovated to provide assessment and rehabilitation units, which are currently managed by Health and Social Care Moray. At that time, the two end-terraced cottages were still occupied by tenants. Jubilee Cottages are registered with OSCR.
- 3.4 All four vacant cottages are not in a lettable condition as they do not meet the requisite standards. Both of the Trust Funds are in deficit with no prospect of any income to offset ongoing costs. The bulk of the ongoing property costs relate to Council Tax, currently amounting to a total of £5,232 for the two Ladyhill Cottages and £4,484 for the two Jubilee Cottages.
- 3.5 A project to bring Suvla Cottage up to a lettable standard secured a grant of £64,000 from the Town Centre Capital Fund allowing work to commence earlier this year. After the project started on site, additional essential works were identified, bringing the total cost up to £90,000. These additional estimated costs of £26,000 are currently unfunded. Messines Cottage will require the same level of work to bring it back into use. No works have commenced on Messines Cottage. Bringing both vacant Jubilee Cottages back into use would require the construction of rear extensions to meet spatial standards and a specification of full refurbishment has been developed at a total estimated cost of £155,000.
- 3.6 The Trust purposes are currently incapable of being delivered without the identification of an alternative funding source.

4. LADYHILL COTTAGES TRUST

- 4.1 The beneficiaries of the Ladyhill Cottages are such persons as the Trustees may at their discretion select as occupants with preference being given to:
- (i) ex-sailors, ex-soldiers or ex-airmen of the national forces should any apply and be approved by the Trustees; and
 - (ii) if possible, to natives of Morayshire or Nairnshire.
- 4.2 The trust deed includes a further preference that the rent to be charged shall be purely nominal in return for the occupant's services as gardeners in their spare time and caretakers of the garden, open space, access and approach to the cottages and to Ladyhill.
- 4.3 The Council sought advice from external solicitors who are specialists in trust law. Although the Trustees are not permitted to sell or change the use of the cottages, the advice received is that the Trustees do have the power to let out the property on such terms as they see fit, including charging a rent, without the need to amend the Deed of Gift. Although the preferences set out in paragraphs 4.1 and 4.2 above reflect the wishes of the granter of the Deed of Gift, they are not considered to be legally binding.

5. JUBILEE COTTAGES TRUST

- 5.1 Under the terms of the Trust Deed, Jubilee Cottages are to be used as far as possible as dwelling places or homes for poor people of respectable character who are unable otherwise to provide comfortable homes of a similar class for themselves. In selecting the tenants, the trust deed includes provision that preference is to be given applicants in the following order:
- (i) To old married couples and the survivor of them provided the survivor is over fifty years of age at the time of death of the predeceased.
 - (ii) To widows or elderly single females.
 - (iii) To old men married or unmarried.
 - (iv) In making the selection of beneficiaries ... natives of the City and Royal Burgh of Elgin will have first claim and after them preference will be given to persons who for a length of time have resided in the City and Royal Burgh of Elgin and made an honest living there.
- 5.2 As with Ladyhill Cottages, the preferences reflect the wishes of the grantors, in this case being the former City and Royal Burgh of Elgin. Many of the detailed conditions are now considered archaic and unenforceable.
- 5.3 The Trust Deed allows the Trustees to re-convey the property to the Council. However, the vacant cottages can also be leased to the Council provided that the proposal is not at variance with the Trust purposes.

6. PROPOSAL

- 6.1 The Trustees have the power to grant a lease of the four cottages to the Council in its capacity as Housing Authority. This would allow the trust purposes to be fulfilled by enabling funds from the Housing Revenue Account to be used to bring the cottages back into use.
- 6.2 As the cottages would remain the property of the respective Trusts, the Council would allocate the tenancies under the framework of its Allocations Policy via a lettings plan which would endeavour to satisfy the preferences set out in the trust deeds as far as reasonably possible in the current context.
- 6.3 In exchange for taking on full responsibility for the properties, no rent would be charged by the Trustees. The level of rent charged by the Council would enable it to use funds from the Housing Revenue Account to maintain the properties.
- 6.4 It is proposed that the trust properties be leased to the Council for a minimum period of 20 years to ensure full recovery of the refurbishment costs. The financial position would be kept under review, with a formal review undertaken prior to the end of the lease to ensure that a return to the respective trust control would be sustainable at that time. The intention is for the properties to return to trust control only when that is financially sustainable.

- 6.5 In summary, it is proposed that the Trusts lease the cottages to the Council on full repairing terms and conditions for a period of 20 years at a nominal rent. The Council would be obliged under the terms of the lease to bring the cottages back into a lettable condition before subletting. The lease could be extended by mutual agreement between the Trust and the Council if deemed appropriate.

7. SUMMARY OF IMPLICATIONS

(a) Corporate Plan and 10 Year Plan (Local Outcomes Improvement Plan (LOIP))

This report identifies a means of bringing four vacant residential properties back into use in a way that is financially sustainable. The Corporate Plan and LOIP identify the need to address the shortage of affordable housing and tackle homelessness while working towards creating a sustainable Council that provides valued services to the community.

(b) Policy and Legal

This report deals with the Council's legal duties as Trustees. The Trustees have full responsibility for the management of the two public trusts with reference to the trust purposes. In the absence of any powers in a deed of trust then the powers under the Trusts (Scotland) Act 1921 apply. These powers include granting leases provided that they are not at variance with the terms and purposes of the trust.

(c) Financial Implications

If no changes are agreed then the trust funds would continue to operate in deficit, incurring additional annual costs of at least £9,713 in respect of Council Tax alone, with additional miscellaneous costs incurred as required for reasons of health and safety.

The proposal involves funding from the Housing Revenue Account of £116,000 in respect of Ladyhill Cottages and £155,000 in respect of Jubilee Cottages. The intention would be to let each cottage at the prevailing Local Housing Allowance rate, providing an annual income of approximately £5,000 per cottage at current levels. Allowing for annual Council operating costs of £20 per week per cottage, this leaves approximately £4,000 per annum to service the debt. Assuming no extraordinary costs during the period of the lease, this results in a minimum payback period of 15 years for Ladyhill Cottages and 20 years for Jubilee Cottages.

(d) Risk Implications

If no changes are agreed, the properties will remain unlettable and their condition will continue to deteriorate. The proposals provide a mechanism for bringing the properties back into use.

(e) Staffing Implications

There are no staffing implications arising from this report.

(f) Property Implications

The property implications are set out in the body of the report.

(g) Equalities/Socio Economic Impact

A stage 1 Integrated Impact Assessment identified no adverse impacts. The proposals involve bringing four dwelling houses back into use, which would then be let out in accordance with the Council's Allocations Policy. There is no change to Council services involved.

(h) Climate Change and Biodiversity Impact

There are no climate change or biodiversity implications arising from this report.

(i) Consultations

The Depute Chief Executive (EEF), Head of Housing and Property, Head of Governance Strategy and Performance, Chief Financial Officer, Legal Services Manager, Property Asset Manager, Laurie Milne, Senior Accountant, Democratic Services Manager, and Equal Opportunities Officer have been consulted and their comments incorporated in the report.

The properties sit within Wards 6 and 7. Ward Members, Councillors Peter Bloomfield, John Divers, Amber Dunbar, Jeremie Fernandes, Graham Leadbitter and Sandy Keith, are aware of the proposal and may make their views known at Committee.

8. CONCLUSION

8.1 The Trusts are currently operating in deficit, which means that the Trustees are unable to fulfil the trust purposes without identifying an alternative funding source.

8.2 The Trustees have power to grant a lease to the Council on terms and conditions that would allow the trust purposes to be delivered while bringing four dwelling houses back into use.

Author of Report: Andrew Gray, Asset Management Coordinator
Background Papers: Held by author
Ref: SPMAN-1285234812-1417

