



## **Moray Council**

Wednesday, 12 May 2021

**NOTICE IS HEREBY GIVEN** that a Meeting of the **Moray Council** is to be held at various locations via video conference, on **Wednesday, 12 May 2021** at **09:30**.

### **BUSINESS**

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2. **Declaration of Group Decisions and Members Interests \***
3. **Minutes**
- 3a. **Minute of Meeting of Moray Council dated 20 January 2021** 5 - 12
- 3b. **Minute of Special Meeting of Moray Council dated 3 March 2021** 13 - 20
- 3c. **Minute of Meeting of Moray Council dated 10 March 2021** 21 - 26
4. **Written Questions \*\***
5. **External Audit Annual Plan** 27 - 46  
Report by Depute Chief Executive (Economy, Environment and Finance)
6. **Best Value Assurance Report Action Plan Progress Report** 47 - 54  
Report by the Chief Executive
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Report by Depute Chief Executive (Education, Communities and Organisational Development)

<b>8. ICT Resourcing</b>	<b>61 - 70</b>
Report by Depute Chief Executive (Education, Communities and Organisational Development)	
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Report by Depute Chief Executive (Education, Communities and Organisational Development)	
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Report by the Depute Chief Executive (Economy, Environment and Finance)	
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Report by the Depute Chief Executive (Economy, Environment and Finance)	
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Consider any oral question on matters delegated to the Committee in terms of the Council's Scheme of Administration.	

**Moray Council Committee meetings are currently being held virtually due to Covid-19. If you wish to watch the webcast of the meeting please go to:**  
[http://www.moray.gov.uk/moray\\_standard/page\\_43661.html](http://www.moray.gov.uk/moray_standard/page_43661.html)  
**to watch the meeting live.**

\* **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.

# THE MORAY COUNCIL

## Moray Council

### SEDERUNT

Councillor Shona Morrison (Chair)  
Councillor Graham Leadbitter (Depute Chair)

Councillor George Alexander (Member)  
Councillor James Allan (Member)  
Councillor David Bremner (Member)  
Councillor Frank Brown (Member)  
Councillor Theresa Coull (Member)  
Councillor John Cowe (Member)  
Councillor Gordon Cowie (Member)  
Councillor Paula Coy (Member)  
Councillor Lorna Creswell (Member)  
Councillor John Divers (Member)  
Councillor Tim Eagle (Member)  
Councillor Ryan Edwards (Member)  
Councillor Claire Feaver (Member)  
Councillor Donald Gatt (Member)  
Councillor Marc Macrae (Member)  
Councillor Aaron McLean (Member)  
Councillor Maria McLean (Member)  
Councillor Ray McLean (Member)  
Councillor Louise Nicol (Member)  
Councillor Laura Powell (Member)  
Councillor Derek Ross (Member)  
Councillor Amy Taylor (Member)  
Councillor Sonya Warren (Member)  
Councillor Walter Wilson (Member)

Clerk Name:	Moirra Patrick
Clerk Telephone:	
Clerk Email:	committee.services@moray.gov.uk

**Minute of Meeting of the Moray Council**

**Wednesday, 20 January 2021**

**remote locations via video conference,**

**PRESENT**

Councillor George Alexander, Councillor James Allan, Councillor David Bremner, Councillor Frank Brown, Councillor Theresa Coull, Councillor John Cowe, Councillor Gordon Cowie, Councillor Paula Coy, Councillor Lorna Creswell, Councillor John Divers, Councillor Tim Eagle, Councillor Ryan Edwards, Councillor Claire Feaver, Councillor Donald Gatt, Councillor Graham Leadbitter, Councillor Marc Macrae, Councillor Aaron McLean, Councillor Maria McLean, Councillor Ray McLean, Councillor Shona Morrison, Councillor Louise Nicol, Councillor Laura Powell, Councillor Derek Ross, Councillor Amy Taylor, Councillor Sonya Warren, Councillor Walter Wilson

**APOLOGIES**

**IN ATTENDANCE**

The Chief Executive, Depute Chief Executive (Economy, Environment and Finance), Depute Chief Executive (Education, Communities and Organisational Development), Interim Chief Officer Moray Health and Social Care, Chief Social Work Officer, Head of Governance, Strategy and Performance, Chief Financial Officer, Head of Environmental and Commercial Services, Acting Head of Children and Families and Justice Services and the Democratic Services Manager as Clerk to the Meeting.

**1 Declaration of Group Decisions and Members Interests \***

In terms of Standing Order 20 and the Councillors' Code of Conduct, Councillors Morrison, Brown, Coull and Divers, as members of the Moray Integration Joint Board, all declared an interest in Agenda Item 5 "Annual Report of the Chief Social Work Officer". Councillor Alexander, declared an interest in Agenda Item 9 "Committee Governance Arrangements during Covid-19 Restrictions" on behalf of the Councillors Open Group (COG) who had discussed the item and come to an agreement.

The meeting noted that there were no other 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.

**2 Minute of Meeting of Moray Council dated 28 October 2020**

The Minute of the Meeting of Moray Council dated 28 October 2020 was submitted and approved.

### **3 Minute of Special Meeting of Moray Council dated 17 November 2020**

The Minute of the Special Meeting of Moray Council dated 17 November 2020 was submitted and approved.

### **4 Minite of Special Meeting of Moray Council dated 01 December 2020**

The Minute of the Special Meeting of Moray Council dated 1 December 2020 was submitted and approved.

### **5 Minute of Special Meeting of Moray Council dated 16 December 2020**

The Minute of the Special Meeting of Moray Council dated 12 December 2020 was submitted and approved.

### **6 Written Questions \*\***

The Council noted that no written questions had been submitted.

### **7 Annual Report of The Chief Social Work Officer 2019-2020**

A report by the Chief Social Work Officer informed the Council of the annual report of the Chief social Work Officer on the statutory work undertaken on the Council's behalf during the period 1 April 2019 to 31 March 2020 inclusive.

Following lengthy discussion the Council agreed to note the contents of the report.

### **8 Update on SPSO Reports and Improvement Outcomes**

A report by the Chief Officer Health & Social Care Moray informed the Council of completed action plan for the Scottish Public Services Ombudsman (SPSO) report and subsequent feedback from the SPSO dated 11 December 2020. The report also asked the Council to note the continuing work being undertaken for the SPSO Report

Following lengthy discussion the Council agreed to note:

- i. that the SPSO has confirmed that the work submitted to meet the recommendations, including those relating to management and supervision, has met their expectations and, as far as the SPSO is concerned, this is now closed;
- ii. that the work continues on the action plan for the SPSO report on transitions to adult services and that meeting the extended time-frame for doing so remains challenging, and
- iii. that to provide the council with additional assurance beyond the expectations of the SPSO, improvement work has been commissioned independent of the council with the Care Inspectorate to address any core

cultural and social work issues that need to change to meet the needs of the children of Moray and the recently published ambitions of the Independent Care Review Report, The Promise.

## **9 Best Value Assurance Report Strategic Action Plan - Progress Report**

A report by the Chief Executive informed the Council of progress on the Best Value Assurance Report Strategic Action Plan.

Following consideration the Council agreed to note the progress made on the Best Value Assurance Report Strategic Action Plan.

## **10 Financial Planning**

A report by the Depute Chief Executive (Economy, Environment and Finance) updated the Council's projected financial position for 2021/22 to 2023/24 and requested the Council give early consideration of two potential recurring savings.

Councillor Leadbitter, in referring to the recommendations, stated that whilst the Administration Group were supportive of the recommendation to retain three weekly household recycling collections, he was aware that there was ongoing discussion regarding an outstanding employee relations issue relating to this and if there was a feeling that it would be sensible to defer consideration of this matter until the February meeting, the Administration Group would be agreeable to do so. He further stated that in relation to the proposal increase to the annual charge for green waste, the Administration Group was minded not to agree to this but to retain the charge at the current level and as regards to the remainder of the recommendations, was happy to support these as detailed in the report.

Councillor Alexander stated that the Councillors Open Group would agree with the proposal to retain the annual charge for green waste at the current level.

Councillor Eagle stated that in terms of the views of the Conservative Group, there was agreement to the proposal to retain the annual charge for green waste at the current level, however, in terms of the proposal relating to the retention of three weekly household collections had a different view on this from the Administration Group. He further stated that various issues were raised by people with the proposal and asked whether there was any data available on the environmental impact of the proposal in terms of carbon footprint and in regard to access to larger bins, whether this would prove to be problematic in the long term.

In response the Head of Environmental and Commercial Development advised that he did not have data available in respect of the carbon saving although it would save on a vehicle running costs. He further advised that as these are long term measures it would require looking at post Covid journeys to the recycling centres using the booking system verses pre Covid journeys where there was no booking system. However he would not know what that comparison would be for Elgin or the other recycling centres out with Elgin at this time. In regard to the accessibility to larger bins, this was based on current demand, however should this demand increase in light of a decision being made, a further report would have to be submitted with a view to increasing the capital provision to support additional bins.

Councillor Eagle stated that in terms of the response and the lack of environmental data at this time, he was concerned that this was a short term measure put in place because of the pandemic and that the Council should not rush into making a decision based on savings grounds if not entirely clear of the benefits that may bring and was therefore not happy to support the proposal at this time.

Following further lengthy discussion Councillor Leadbitter, seconded by Councillor A McLean moved that the Council agree to:

- i. defer consideration of retaining three weekly household recycling collections to a future date until the outcome of the ongoing discussion with staff has been concluded;
- ii. retain the annual charge for household green waste permits at £40;
- iii. remit to Moray Leisure Ltd the sum of £73,000, which is the component of the funding the Council has been notified it will receive in respect of lost income for the first six months of 2019/20 which relates to Moray Leisure Centre.
- iv. note the continuing high level of uncertainty regarding key financial planning assumptions;
- v. note the sensitivity of the Council's budget to these uncertainties;
- vi. note the recent pay claim for SJC staff;
- i. note the emerging position regarding financial flexibilities in 2021/22; and
- i. note the projected current budgetary position in the short to medium term.

As an amendment Councillor Eagle, seconded by Councillor Gatt, moved that the Council agree to:

- i. reject the proposal for retaining three weekly household recycling collections;
- ii. retain the annual charge for household green waste permits at £40;
- iii. remit to Moray Leisure Ltd the sum of £73,000, which is the component of the funding the Council has been notified it will receive in respect of lost income for the first six months of 2019/20 which relates to Moray Leisure Centre.
- iv. note the continuing high level of uncertainty regarding key financial planning assumptions;
- v. note the sensitivity of the Council's budget to these uncertainties;
- vi. note the recent pay claim for SJC staff;
- i. note the emerging position regarding financial flexibilities in 2021/22; and
- i. note the projected current budgetary position in the short to medium term.

On a division there voted:

For the Motion (16)

Councillors Leadbitter, A McLean, Alexander, Bremner Coull, Cowe, Cowie, Coy, Creswell, Divers, Edwards, Morrison, Nicol, Ross, Taylor and Warren.

For the Amendment (10)

Councillors Eagle, Gatt, Allan, Brown, Feaver, Macrae, M McLean, R McLean, Powell and Wilson.

Accordingly the Motion became the finding of the meeting and the Council agreed to:

- i. defer consideration of retaining three weekly household recycling collections to a future date until the outcome of the ongoing discussion with staff has been concluded;
- ii. retain the annual charge for household green waste permits at £40;
- iii. remit to Moray Leisure Ltd the sum of £73,000, which is the component of the funding the Council has been notified it will receive in respect of lost income for the first six months of 2019/20 which relates to Moray Leisure Centre.
- iv. note the continuing high level of uncertainty regarding key financial planning assumptions;
- v. note the sensitivity of the Council's budget to these uncertainties;
- vi. note the recent pay claim for SJC staff;
- i. note the emerging position regarding financial flexibilities in 2021/22; and
- i. note the projected current budgetary position in the short to medium term.

Councillor Creswell left the meeting at this juncture.

## **11 Committee Governance Arrangements during Covid-19 Restrictions**

Prior to discussion of this item the Meeting agreed to suspend Standing Order 25 and agreed to continue beyond 12.45 to conclude the remaining business on the Agenda.

Under reference to paragraph 10 of the minute of the Meeting of Moray Council dated 17 June 2020 a report by the Depute Chief Executive (Education, Communities and Organisational Development) asked the Council to review the temporary decision making arrangements put in place due to the Covid-19 response and to progress the Governance Review.

The Head of Governance, Strategy and Performance advised the Council that the bulk of the report was written prior to Christmas when it appeared that in terms of the pandemic things were easing. However, since then restrictions have tightened. Taking account of meetings he has had with Group Leaders, he proposed that the Council should continue with the temporary arrangements for a further temporary period and that meetings continue to be held by video conference and webcast until the covid pandemic situation changes. This would retain the two larger committees and in terms of some of the subsequent issues outlined in the recommendations at 2.4 and 2.5 of the report, the Council was invited to consider whether to ask the Tenant and Religious Representatives to attend the relevant committees now that everyone is more comfortable with the workings of remote meetings.

He further advised that in terms of recommendations 2.7 to 2.9 that these be considered for approval. He further advised that the Council may wish to consider putting a timescale on the continuation of the temporary arrangements and suggested a period of 6 months for consideration but it was for the Council to determine.

Following lengthy discussion the Council agreed:

- i. that meetings continue to be held by video conference and webcast until government guidance changes;
- ii. to continue with the temporary committee structure as agreed at the meeting on 17 June 2020 to be reviewed in June 2021;
- iii. to defer recommendations 2.3, 2.5 (b) and 2.6 for consideration as part of the review in June;
- iv. to reinstate membership of Tenant Representatives on the committee which deals with Housing policy issues.
- v. to reinstate membership of religious representatives on the committee which deals with education policy issues for consideration of education policy items only and to keep the non statutory members (pupil, parent and teacher reps) on this committee for these issues;
- vi. to defer consideration of the entitlement of non-councillor committee members to vote on these items for consideration as part of the review in June 2021;
- vii. to endorse the practice of keeping information and noting reports separate from discussion reports on committee agendas with an opportunity to call these in to a future meeting as detailed in paragraph 4.9 of the report;
- viii. to continue the position where the Chief Executive may exercise the delegation granted to him under para 5(7) of the Council's Scheme of Delegation (to take such executive actions as may be deemed necessary in the discharge of the Authority's functions) without the need for homologation;
- ix. to note that the next step of the Governance Review will be to consolidate and refresh the Council's Second Tier Governance documents and specifically to:

-update guidance on the relationship between Councillors and officers;

- formally adopt a Virtual Meetings Protocol
- clarify the working arrangements of the Group Leaders Forum
- clarify the process for agreeing councillor senior responsibility allowances.

## **12 Question Time \*\*\***

Under reference to paragraph 5 of the minute of the meeting of Moray Council dated 28 October 2020 Councillor Ross stated that he had noted that there had been another opportunity for bids to the Economic Growth and Regeneration Fund and asked whether the Council had been in receipt of any funding from this.

In response the Depute Chief Executive (Economy, Finance and Environment) advised that she did not think that the Council had been able to bid into this and had received an update from the Head of Economic Growth advising that the wider community consultation was still to take place and therefore the team had not had the opportunity to resolve the issues raised during the previous bid largely due to the demands placed on them associated with the pandemic grants and so forth that we have heard about and that the demands on staff time are reflected in some of the prior minutes and could only assume from that that we were not in a position to submit a bid yet as some of the work is still outstanding.

Councillor Ross stated his concerns that once we emerge from the pandemic there are going to be huge pressures on the tourist infrastructure and therefore had thought a bid would have been submitted. He further stated that in his opinion this would have implications in terms of preparing the budget should funding not be forthcoming from the economic growth and regeneration fund.

Under reference to paragraph 9 of the minute of the special meeting of Moray Council dated 16 December 2020 Councillor Cowe stated that during discussion he had asked that a review of the arrangements put in place to replace the polling place at the Lossiemouth community centre which was due to be demolished as part of the development of the new Lossiemouth High School and this had been agreed and asked that this be reflected in the minute.

In response the Democratic Services Manager advised that she would amend the minute to reflect the discussion.

Councillor Eagle asked when the Council would receive an update on progress in relation to the Climate Change Strategy and when this would be reported.

In response Councillor Nicol stated that this had been deferred due to each action requiring a template to be raised and that due to staff being deployed to other duties relating to the pandemic this had been delayed but it should be ready to be reported in March 2021.

Councillor Gatt, in referring to a recent press statement relating to photocopying and phone bill costs being charged against Inveravon Primary School which has been closed for the past 3 years, asked if information to contracts relating to that school can be cancelled, what the costs have been in relation to that school since its closure and what are the future plans for that school.

In response the Chief Executive advised that this question may have been asked previously, but that he believed that the costs related to the school previously being managed through paired headship and therefore this was an accountancy issue in that the budget was spread over two schools and the budget reflected for Inveravon is in fact the budget relating to the other school. He further advised that he would follow this up and advise accordingly.

**Minute of Special Meeting of Moray Council**

**Wednesday, 03 March 2021**

**Various Locations via Video Conference**

**PRESENT**

Councillor George Alexander, Councillor James Allan, Councillor David Bremner, Councillor Frank Brown, Councillor Theresa Coull, Councillor John Cowe, Councillor Gordon Cowie, Councillor Paula Coy, Councillor Lorna Creswell, Councillor John Divers, Councillor Tim Eagle, Councillor Ryan Edwards, Councillor Claire Feaver, Councillor Donald Gatt, Councillor Graham Leadbitter, Councillor Marc Macrae, Councillor Aaron McLean, Councillor Maria McLean, Councillor Ray McLean, Councillor Shona Morrison, Councillor Louise Nicol, Councillor Laura Powell, Councillor Derek Ross, Councillor Amy Taylor, Councillor Sonya Warren, Councillor Walter Wilson

**IN ATTENDANCE**

Chief Executive, Depute Chief Executive (Economy, Environment and Finance), Depute Chief Executive (Education, Communities and Organisational Development), Chief Financial Officer, Head of Environmental and Commercial Services, Head of Governance, Strategy and Performance and Mrs L Rowan, Committee Services Officer as Clerk to the Meeting.

**1 Chair**

Councillor Morrison, being Convener of the Council, chaired the meeting.

**2 Minute Silence**

The Council joined the Chair in a minute silence to remember those who had lost their lives due to the Covid-19 pandemic and those who had lost their loved ones.

**3 Outstanding Business**

Under reference to paragraph 4 of the Minute of Moray Council dated 18 February 2021, the Chair reminded the Council that it had agreed that the Council Leader would write to the Moray Integration Joint Board to ask them to review the charge in relation to closomat toilets and report back to the Council prior to the Budget meeting on 3 March 2021. The Chair stated that an email from Mr Denis Robertson, Chair of the MIJB, had been circulated to the Council in this regard and sought agreement from Members to make a decision regarding closomat toilet charges at the end of item 3 (2021/22 Budget and 2021 to 2024 Financial Plan). This was agreed.

#### **4 Declaration of Group Decisions and Members Interests**

In terms of Standing Order 20 and the Councillors' Code of Conduct, Councillor Leadbitter stated that the Administration Group had discussed the budget proposals in item 3 (2021/22 Budget and 2021 to 2024 Financial Plan) at length in conjunction with the Budget Development Group and had agreed a position as a Group. Councillor Eagle stated that the Conservative Group had also discussed the budget proposals at length and agreed a position as a Group. Councillor Alexander stated that the Councillors Open Group had discussed the budget proposals extensively as a Group. Councillor Ross advised that the Moray Alliance Group had also had extensive discussions surrounding the budget.

Councillors Morrison, Brown, Coull, Divers, and Edwards declared an interest in item 3 (2021/22 Budget and 2021 to 2024 Financial Plan) being members of the Moray Integration Joint Board (MIJB) however stated that they would take part in the debate and decision. Councillors Eagle, Nicol and Warren also declared an interest in item 3 being substitute members on the MIJB however stated that they would take part in the debate and decision.

Councillors Macrae, R McLean and Taylor declared an interest in item 3 (2021/22 Budget and 2021 to 2024 Financial Plan) being Directors of Moray Leisure Centre however stated that they would take part in the debate and decision.

There were no other 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.

#### **5 2021-22 Budget and 2021 to 2024 Financial Plan**

A report by the Depute Chief Executive (Economy, Environment and Finance) asked the Council to set the level of Council Tax for 2021/22, to agree the Council's revenue and capital budgets for 2021/22 and to consider the Council's Financial Plan for 2021 to 2024.

On the invitation of the Chair, Councillor Leadbitter being the Leader of the Council presented the proposed budget. Councillor Leadbitter made reference to the extraordinarily difficult year the Council had faced as a result of the COVID-19 pandemic and the challenges faced by the staff of Moray Council and the people of Moray and paid tribute to everyone in the Council for their dedication to deliver public services in extremely challenging circumstances. Councillor Leadbitter further acknowledged future challenges that the Council will face as it works with Community Planning Partners and national Government to support Moray's recovery from the pandemic.

Councillor Leadbitter took the opportunity to acknowledge and thank other Councillors who had worked with the Administration in the Budget Development Group (BDG) to prepare the proposals being presented.

Councillor Leadbitter made reference to the recent Best Value Audit report which had highlighted particular challenges in relation to attainment and continuing financial pressures however overall identified an improving situation.

In terms of Council Tax, the report proposed that this be frozen at current levels and that additional funding had been received from the Scottish Government to allow this to happen.

With regard to budget pressures, Councillor Leadbitter stated that there had been significant costs associated with responding to the COVID-19 pandemic however much of this had been offset by additional income through additional grants and target funding.

In relation to Investment in Recovery, Councillor Leadbitter stated that the Administration Group, in conjunction with other Councillors on the BDG had focussed on economic recovery, green recovery, social recovery and education recovery. As part of the recovery process for children in Moray, a proposal was made for a one off investment in the summer to make available free taster sessions in sports as part of the Active Schools Summer Programme and the summer Sports Development Programme. Recognising the importance of Essential Skills investment, a further proposal was made to increase the Essential Skills budget by £50k. With regard to climate change, financial provision had been made to support proposals associated with the Strategy at the next meeting of Moray Council.

In terms of Economic Development, Councillor Leadbitter stated that the Conservative Group had proposed bringing forward a small part of the existing, more extensive, bid that is being developed for the Rural Tourism Infrastructure Fund, in conjunction with other partners, including local community groups and the Crown Estate and, in recognising the urgency of this investment, this proposal had been accepted. On the subject of public toilets, Councillor Leadbitter emphasised commitment to retaining the existing toilet network and stated that the BDG had accepted proposals to have portaloo facilities at Fiddich Park in Craigellachie and at Ballindalloch during peak season.

With regard to Education Recovery, Councillor Leadbitter stated that this was a significant challenge due to the impact that the COVID-19 pandemic has had on young people and that over £8M is available to invest in transformation, improvement and modernisation of services with a particular focus on those who are most vulnerable and that this had received broad support from the BDG.

In relation to the Capital Budget, Councillor Leadbitter stated that a 10 year spending programme had been set out costing in the region of half a billion pounds which included £9M investment in school buildings, substantial investment in bridges and roads infrastructure, significant investment in leisure including refurbishment of Buckie Swimming Pool as well as over a million pounds of investment in harbours. Councillor Leadbitter further stated that the replacement of the currently closed Foths Bridge and a 4G pitch for Forres is to be brought forward to this coming year.

Taking all of the above into consideration, Councillor Leadbitter proposed the Moray Council 2021/22 budget as printed within the report with the inclusion of:

- Tourism Infrastructure (additional litter bins, hire of porta-loos) as set out in the Administration and Budget Development Group Supported Amendments relating to the budget pressures listed in Appendix 2;
- Foths Bridge replacement, a 4G pitch in Forres and tourism infrastructure being brought forward to the capital expenditure for 2021/2022 detailed in Appendix 4.

Councillor Alexander seconded Councillor Leadbitter's motion and also commended the Budget Managers for their diligence and financial prudence which had contributed to the Council's current financial position. That being said, Councillor Alexander emphasised the need to maintain this financial prudence. He stated that the Councillors Open Group and worked hard with the Administration to produce the budget proposed by Councillor Leadbitter and urged other Councillors to support Councillor Leadbitter's motion.

Councillor Eagle acknowledged the difficult year as a result of the COVID-19 pandemic and the strain that this has placed on society, the economy and communities and thanked Communities and Moray Council members of staff who had continued to provide support during this challenging time.

Councillor Eagle stated that the amendment he was proposing today had been influenced by the Communities in Moray who had raised concerns in relation to education, additional support for young people, review of the Council's assets, the climate emergency, high quality leisure facilities and ensuring the Council was equipped for the future however acknowledged that many of these concerns had already been included in the Council's Improvement and Modernisation Programme.

Councillor Eagle stated that the Conservative Group had selected a few important areas where targeted investment was needed, one of which was tourism and proposed that stop over points be created in Moray along with waste disposal points in 5 key sites, as well as revenue to support litter picking, staff, toilets and bin emptying. This proposal had already been accepted by the Budget Development Group and included in Councillor Leadbitter's motion.

In relation to public toilets, Councillor Eagle requested, as part of this budget, for an update report on public toilets including those maintained by Communities, what discussions had taken place with Moray Speyside and the current condition of the public toilets owned by the Council.

With regard to the roads network, it was noted that the quality of the Council's roads had deteriorated and that complaints had risen by 50% since 2016 therefore Councillor Eagle proposed an increase of £330k in the roads maintenance budget.

Councillor Eagle welcomed Councillor Leadbitter's proposal to bring forward capital spend on Foths Bridge replacement and a 4G pitch in Forres to this coming year which he considered to be much needed projects.

On the subject of sports and leisure facilities, Councillor Eagle stated that this should receive a higher priority than it currently gets, particularly as sports bring people together, reduces isolation, keeps our body and minds healthy, reduces pressures on the NHS and on social care and, like musical instruction, there are many reports that active engagement in sports and exercise help with academic achievement. Taking this into consideration, Councillor Eagle proposed that the Council invest in an Athletics track which would offer new opportunities for young people, a place to welcome neighbouring authorities for competitions and a place for local communities to train on throughout the year. Councillor Eagle stated that following consultation with the Finance Service and the Sports team, £50k would be required this year to begin research into the proposed Athletics track.

Taking all of the above into consideration, Councillor Eagle moved, as an amendment, that the Council support the proposed budget with the inclusion of an increase of £330k in the roads maintenance budget, commitment to provide an Athletics track in Moray,

the research of which would cost £50k this coming year and an update report on public toilets including those maintained by Communities, what discussion had taken place with Moray Speyside and the current condition of the public toilets owned by the Council. This was seconded by Councillor Gatt.

On a division there voted:

For the Motion (15):	Councillors Leadbitter, Alexander, Bremner, Coull, Cowe, Cowie, Coy, Creswell, Divers, Edwards, A McLean, Morrison, Nicol, Taylor and Warren
For the Amendment (11):	Councillors Eagle, Gatt, Allan, Brown, Feaver, M McLean, R McLean, Macrae, Powell, Ross and Wilson
Abstentions (0):	Nil

Accordingly, the Motion became the finding of the Council and the following was agreed:

- i. no increase on Council Tax for 2021/22;
- ii. provision of £5,108,000 for budget pressures as listed in Appendix 2 of the report subject to the inclusion of Tourism Infrastructure (additional litter bins, hire of portaloos;
- iii. further savings totalling £801,000 as listed in Appendix 3 of the report;
- iv. budgeted expenditure of £215,2727,000 for 2021/22;
- v. indicative budgets for 2022/23 and 2023/24 as set out in Appendix 1 of the report;
- vi. capital expenditure for 2021/2022 as set out in the indicative ten year Capital Plan in Appendix 4 of the report including the Foths Bridge replacement, a 4G pitch in Forres and tourism infrastructure being brought forward to this coming year;
- vii. funding for Moray Integration Joint Board (MIJB) to increase by a minimum of £1,383,000 in 2021/22 compared to 2020/21 per the settlement letter from Scottish Government;
- viii. use of financial flexibilities associated with the cost of the pandemic of £1,166,000 to balance the budget;
- ix. continuation of the Interim Head of Service post for Children's Social Work and Criminal Justice with funding as proposed in paragraph 5.3 of the report;
- x. use of additional funding of £1,337,000 received in 2020/21 which will remain unspent at the year end but for which there are spending plans in 2021/22. This will technically be funded from reserves;
- xi. further use of reserves of £10,000 to fund summer activities in 2021/22;
- xii. remitting to Moray Leisure Ltd £146,000, which is the portion of additional Scottish Government funding given to compensate for loss of income which relates to income lost at Moray Leisure Centre;

- xiii. removing the cap on Devolved School Management funds carried forward into 2021/22 for this one year only;
- xiv. to note the conditions placed on the Council in terms of the settlement letter from the Cabinet Secretary for Finance;
- xv. to note that the budget is based on the Local Government Settlement issued by the Scottish Government on 28 January 2021 and that the Council's budget will be amended to reflect any changes made by the Scottish Parliament when the Scottish budget is approved;
- xvi. to note savings previously approved totalling £389,000 for 2021/22 and £191,000 for 2022/23 as listed in Appendix 3 of the report;
- xvii. to note one-off savings of £143,000 projected for 2021/22 and £24,000 for 2022/23;
- xviii. to note additional funding received for loss of income bringing the projected free general reserves at 31 March 2021 to £15.8 million; and
- xix. to note projected savings requirements of £4 million in 2022/23 and £4.2million in 2023/34.

Councillor Edwards left the meeting at this juncture.

Under reference to paragraph 4 of the Minute of Moray Council dated 18 February 2021, and as previously agreed by the Council earlier in the meeting, the Chair stated that, as agreed at the last meeting of Council, the Leader had written to the Chair of the Integration Joint Board asking for a review of the maintenance charge for closomat toilets, the response of which had been circulated to Members and thereafter opened the meeting to consider the outstanding closomat toilet charge.

Councillor Brown provided a summary of how closomat toilets are used within the Council and stated that neither Highland Council nor Aberdeenshire Council charge for the maintenance of these toilets. He was of the view that this was an unfair charge imposed on vulnerable people who required the use of these toilets therefore moved that the Council remove the closomat maintenance charge. This was seconded by Councillor Eagle.

Councillor Leadbitter stated that, whilst he had sympathy for the points raised by Councillor Brown, he remained of the view that charges should be considered strategically however stated that this charge could be reviewed again in 2-3 months when the Council considers the Contributions Policy and moved that the Council agree the wash/dry toilet maintenance charge as set out in Appendix 1 of the Charging for Services report dated 18 February 2021. This was seconded by Councillor Coy.

On a division there voted:

For the Motion (12):	Councillors Brown, Eagle, Allan, Creswell, Feaver, Gatt, Macrae, M McLean, R McLean, Powell, Ross and Wilson
For the Amendment (13):	Councillors Leadbitter, Coy, Morrison, Alexander, Bremner, Coull, Cowe, Cowie, Divers, A McLean, Nicol, Taylor and Warren
Abstentions (0):	Nil

Accordingly, the Amendment became the finding of the meeting and the Council agreed the wash/dry toilet maintenance charge as set out in Appendix 1 of the Charging for Services report dated 18 February 2021.

## **6 Medium to Long Term Financial Strategy**

Under reference to paragraph 6 of the Minute of the meeting of Moray Council on 3 March 2020, a report by the Depute Chief Executive (Economy, Environment and Finance) asked the Council to consider an updated financial strategy to facilitate medium to long term financial planning.

Following consideration, the Council agreed to:

- i. approve the updated Medium to Long Term Financial Strategy as set out in APPENDIX 1 of the report, recognising that in view of the uncertainties arising from the pandemic that the update is interim in nature; and
- ii. note an improvement in the forecast future funding gap from the position forecast when the Strategy was first reported.

## **7 Treasury Management Strategy Statement and Prudential Indicators**

A report by the Depute Chief Executive (Economy, Environment and Finance) asked the Council to approve the Treasury Management Strategy and the Investment Strategy for 2021/22 and to approve the indicators which will be used to measure the Council's performance in the capital investment decisions.

Following consideration, the Council agreed to:

- i. approve the Treasury Management Strategy Statement for 2021/22;
- ii. approve the Investment Strategy for 2021/22 as set out in Appendix 1 of the report;
- iii. approve the Prudential Indicators and Limits for 2021/22 in Appendix 3 of the report; and
- iv. note the indicative Prudential Indicators and limits for 2022/23 and 2023/24.



**Minute of Meeting of the Moray Council**

**Wednesday, 10 March 2021**

**various locations via video conference,**

**PRESENT**

Councillor James Allan, Councillor David Bremner, Councillor Frank Brown, Councillor Theresa Coull, Councillor John Cowe, Councillor Gordon Cowie, Councillor Paula Coy, Councillor Lorna Creswell, Councillor John Divers, Councillor Tim Eagle, Councillor Ryan Edwards, Councillor Claire Feaver, Councillor Donald Gatt, Councillor Graham Leadbitter, Councillor Marc Macrae, Councillor Aaron McLean, Councillor Maria McLean, Councillor Ray McLean, Councillor Shona Morrison, Councillor Louise Nicol, Councillor Laura Powell, Councillor Derek Ross, Councillor Amy Taylor, Councillor Sonya Warren, Councillor Walter Wilson

**APOLOGIES**

Councillor George Alexander

**IN ATTENDANCE**

Also in attendance at the above meeting were the Chief Executive, Depute Chief Executive (Education, Communities and Organisational Development), Chief Officer, Health and Social Care Moray, Head of Governance, Strategy and Performance, Head of Economic Growth and Development, Head of Financial Services, Energy Officer and Tracey Sutherland, Committee Services Officer.

**1. Chair**

The meeting was chaired by Councillor Shona Morrison.

**2. Change to the Agenda**

The Chair confirmed that Item 15 on the agenda had been withdrawn.

**3. Declaration of Group Decisions and Members Interests \***

In terms of Standing Order 20 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.

**4. Resolution**

Councillor Gatt sought clarification on why it was necessary for Item 14 of the agenda to be discussed in confidence.

In response the Head of Governance, Strategy and Performance confirmed that it was customary when discussing staffing issues for reports to be discussed in confidence so not to unnecessarily worry staff when consultation with staff and unions may still need to take place.

Councillor Gatt, having considered the Head of Governance, Strategy and Performance's advice and having read the report, moved that Item 14 on the agenda should be moved and consideration take place in the open section of the agenda, this was seconded by Councillor Brown.

Councillor Leadbitter, seconded by Councillor A McLean proposed consideration of the report in confidence.

On the division there voted:

For the Motion (12)	Councillors, Gatt, Brown, Allan, Eagle, Edwards, Fever, Macrae, M McLean, R McLean, Powell, Ross and Wilson
---------------------	-------------------------------------------------------------------------------------------------------------

For the Amendment (13)	Councillors Leadbitter, A McLean, Bremner, Coull, Cowe, Cowie, Coy, Creswell, Divers, Morrison, Nicol, Taylor and Warren
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Abstentions (0)

Accordingly the amendment became the finding of the meeting, Item 14 was to be considered in confidence and the resolution was agreed.

## **5. Minutes of meeting of 18 February 2021**

The minute of the Special Meeting of Moray Council on 18 February 2021 was submitted and approved.

## **6. Written Questions \*\***

The Council noted that no written questions had been submitted.

## **7. Use of Capital Receipts Fund Transformation**

A report by the Depute Chief Executive (Economy, Environment and Finance) requested Council's approval to use capital receipts to fund a specified range of transformation or service redesign projects, in terms permitted by Scottish Government Finance Circular No 4/2019.

Following consideration the Council agreed to:

- i) approve the use of capital receipts to fund expenditure estimated at £220,000 in 2020/21 on the Improvement and Modernisation Programme and Digital Services, as set out in section 4 of this report;
- ii) note that annual recurring savings of at least £2,121,000 are projected to be achieved from this and the last two years' investment of capital receipts; and

- iii) note that further reports on the use of capital receipts in 2021/22 will be brought for approval as the details of the Improvement and Modernisation Programme and other proposals for transformation are developed.

## **8. Former Greenbrae Landfill**

A report by the Depute Chief Executive (Economy, Environment and Finance) informed the Council of costs for removal of gas extraction equipment from Greenbrae Landfill.

Following consideration the Council approved a budget of £90k to remove the gas extraction system at the former Greenbrae Landfill, Cummingston.

## **9. Covid Related Pressures and Service Prioritisation**

A report by the Chief Executive provided the Council with an assessment of the impacts of the latest lockdown as a consequence of the national pandemic, including additional Covid-related provisions that are being delivered by Council services, and the affect this is having on staff capacity and service delivery.

Following consideration the Council agreed to:

- i) note the additional Covid related services being delivered, pressures that this puts on service delivery as a consequence; ad the effect on the services in a specific number of areas;
- ii) acknowledge the expectation of a scaled down delivery of the non-statutory services outlined in Section 4 of this report; and
- iii) to review the situation in June 2021.

## **10. Wellbeing Support for Children, Young People and Families - Project Resources**

A report by the Depute Chief Executive (Education, Communities and Organisational Development) and the Chief Officer, Health and Social Care Moray asked the Council to approve the recommendation from the Education Communities and Organisational Development (ECOD) Committee in relation to project management staffing requirements for the revised Children's Services locality planning pilot.

Following consideration the Council approved the recommendation from the ECOD Committee to establish a temporary Project Manager post to facilitate the implementation of the revised locality planning pilot. The pilot will operate for an 18 month period.

## **11. Best Value Assurance Report Action Plan Progress Report**

A report by the Chief Executive informed the Council of progress on the Best Value Assurance Report Strategic Action Plan.

Following consideration the Council noted progress made on the Best Value Assurance Report Strategic Action Plan.

## **12. Procurement Annual Report**

A report by the Depute Chief Executive (Economy, Environment and Finance) provided the Council with an update report on Procurement activity in Moray in particular report on the procurement performance in 2019/20.

Following consideration the Council noted the overall procurement performance for 2019/20 set out in the Annual Report in Appendix 1 and in Section 4.

## **13. Climate Change Strategy Report 2020-2030**

A report by the Depute Chief Executive (Economy, Environment and Finance) sought agreement of the Council to adopt the Climate Change Strategy for 2020-2030.

Councillor Eagle welcomed the Strategy but expressed concern and sought clarification on the funding for achieving the Strategy including whether the Council Leader would write to both Westminster and Scottish Governments regarding funding streams to assist the Council in meeting its target of being carbon neutral by 2030.

In response, the Head of Economic Growth and Development confirmed that climate change is being embedded in all policies across government and although there are specific funds that can be applied to for external funding it is also embedded in some of the major infrastructure funds i.e school estate and any new school buildings the requirement wrapped around that funding will be that their performance and sustainability in carbon terms is excellent.

The Council Leader further added that following agreement of what is proposed in the report he would be happy to write to both Governments and highlight the strategy and that the Council would be keen to access any funding streams available.

He further added that he would write to the Scottish Government regarding Teach for the Future.

Councillor Wilson sought clarification on page 98 of the papers as he indicated there may be a word missing. In response, the Energy Officer confirmed that the word heritage was indeed missing and that he would arrange for the correction to be made to the strategy.

Councillor Feaver requested that the working 'as experienced recently with numerous gorse fires and a very large heather fire near Knockando' on page 97 be removed as she felt it was misleading, as it had subsequently been found that the fires were started deliberately. Councillor Nicol confirmed she was happy to remove the wording.

Following further lengthy debate and consideration the Council agreed to:

- i) approve and adopt the Climate Change Strategy 2020-2030 in Appendix 1; subject to delegation to the Head of Economic Growth and Development to amend and publish the Climate Change Strategy and Action Plan as outlined in Section 5 and in consultation with the Chair of the Climate Change Working Group;
- ii) approve current draft action plan in Appendix 2 noting the further developments proposed in this report and noting the need for further development work for key actions in relation to hydrogen, buildings and transport;
- iii) approve the budget and staffing resources proposals in summary:
  - Revenue Budget of £20,000
  - Staffing budget of £164,746 (subject to job evaluation);
- iv) note a request for a consultancy budget as set out in paragraph 7.8 is to be submitted through the Transformation funding review process;
- v) that the Head of Economic Growth and Development reports progress to the appropriate Council committee on a 6 monthly basis;
- vi) to embed Climate Change and Biodiversity considerations within Council/Committee reports through the inclusion of a dedicated paragraph in the Summary of Implications with effect from August 2021, once staffing is in post;
- vii) that the actions for 2021/22 are added to service performance reports and included in individual service plans at the next review point;
- viii) note the proposed next steps contained within Section 8;
- ix) the Council Leader will write to the Westminster and Scottish Governments highlighting the Council's strategy and seeking funding opportunities and grants; and
- x) the Council Leader will write to the Scottish Government regarding Teach for the Future.

#### **14. Question Time \*\*\***

Under reference to paragraph 4 of the minute of the meeting of 18 February 2021, Councillor Brown sought clarification from Councillor Leadbitter regarding his sympathy expressed for the charges levied to those residents in Moray with wash/dry toilets and his subsequent vote to continue with the maintenance charge.

In response, Councillor Leadbitter said that he continued to have sympathy for those who faced paying the charge but further added that the charge needed to be

considered more holistically and strategically in a wider context as part of the review of the contributions policy.

With reference to an article in the Forres Gazette on 8 March 2021 regarding a pupil in 6<sup>th</sup> Year who is studying advanced highers and the article stated that he is only receiving 3 hours per week of online support to undertake his advanced highers. Councillor Brown sought assurances from the Chief Executive, that he would look into the case, and if the claims were correct that he would take steps to provide a better level of service than the Council appear to be providing.

In response the Chief Executive clarified that he was not in a position to respond as he had not seen the article but confirmed that he would investigate the claims and take any necessary action if required and respond to Councillors accordingly.

#### **15. Re-alignment of Management Responsibility [Para 1]**

A report by the Depute Chief Executive (Education, Communities and Organisational Development) sought approval to transfer management responsibility for Taxation Services from the Head of Governance, Strategy and Performance to the Chief Financial Officer.

Following consideration the Council agreed to approve:

- i) the transfer of management responsibility for Taxation Services from the Head of Governance, Strategy and Performance to the Chief Financial Officer;
- ii) changes to the management structure as outlined in Appendix 1; and
- iii) the re-focus of the Customer Services Manager post as a Customer Development Manager with direct report, along with the Benefits and Money Advice Manager, to the Head of Governance, Strategy and Performance.



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**REPORT TO: MORAY COUNCIL COMMITTEE ON 19 MAY 2021**

**SUBJECT: EXTERNAL AUDIT PLAN FOR THE YEAR 2020/21**

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

**1. REASON FOR REPORT**

- 1.1 To provide Council with a copy of the External Auditor's Annual Plan for the Annual Accounts for 2020/21.
- 1.2 This report is submitted to Committee in terms of Section III H (8) of the Council's Scheme of Administration relating to consideration of reports produced by the Council's External Auditor.

**2. RECOMMENDATION**

- 2.1 **It is recommended that the Council considers and notes the contents of the External Auditor's Annual Plan for the Annual Accounts of the Council and of the Trusts administered by the Council for 2020/21.**

**3. BACKGROUND**

- 3.1 The Annual Audit Plan for the audit of the Annual Accounts of the Council and the Trusts administered by the Council 2020/21 has been received from Audit Scotland and is attached as **APPENDIX 1** to this report. The Plan sets out the audit approach which the Auditor will take, the scope of the audit and includes the findings from the Auditor's assessment of audit risk.
- 3.2 The plan also includes the timeline of the planned audit and audit outputs.
- 3.3 Audit work will include follow up from the Best Value Assurance Report published in August 2020 and the Annual Audit Plan indicates the main areas which will be covered.

**4. SUMMARY OF IMPLICATIONS**

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

Although not directly linked to the Council's 10 Year Strategic Plan, the work undertaken by External Audit provides assurances to the

Committee on the Council's performance management, financial statements and the actions taken by the Council to address key risks.

**(b) Policy and Legal**

The audit is conducted in terms of statutory powers afforded to the appointed External Auditor and in accordance with Audit Scotland's Code of Practice.

**(c) Financial implications**

No financial implications arise directly from this report. The proposed audit fee will be met from within the current budgetary provision.

**(d) Risk Implications**

The management of risks relating to key issues for the year ahead involves all services across the Council.

**(e) Staffing Implications**

Preparation of the Council's annual financial statements requires significant input as part of the scheduled work of the accountancy team within Financial Services and significant contributions from many other Council services.

**(f) Property**

No property implications arise from this report.

**(g) Equalities/Socio Economic Impact**

No implications for equalities or the socio-economic duty arise from this report.

**(h) Consultations**

The content of the Annual Audit Plan has been discussed with the Corporate Management Team and other relevant officers of the Council.

**5. CONCLUSION**

**5.1 The Annual Audit Plan informs members and officers of the Council of the work to be undertaken by Audit Scotland in the audit of the Annual Accounts for the Council and for Trusts administered by the Council for 2020/21.**

Author of Report: Lorraine Paisey, Chief Financial Officer – Ext 3213

Background Papers:

Ref: LP/LJC/

SPMAN- SPMAN-1293228629-526 / SPMAN-1293228629-527

# Moray Council

Annual Audit Plan 2020/21



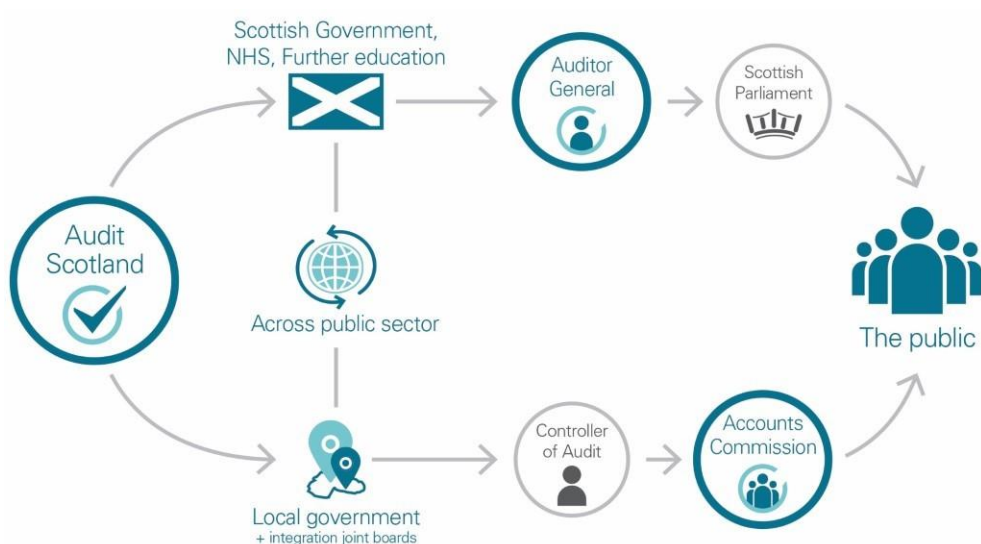
 AUDIT SCOTLAND

Prepared for Moray Council  
April 2021

## Who we are

The Auditor General, the Accounts Commission and Audit Scotland work together to deliver public audit in Scotland:

- the Auditor General is an independent crown appointment, made on the recommendation of the Scottish Parliament, to audit the Scottish Government, NHS and other bodies and report to Parliament on their financial health and performance
- the Accounts Commission is an independent public body appointed by Scottish ministers to hold local government to account. The Controller of Audit is an independent post established by statute, with powers to report directly to the Commission on the audit of local government
- Audit Scotland is governed by a board, consisting of the Auditor General, the chair of the Accounts Commission, a non-executive board chair, and two non-executive members appointed by the Scottish Commission for Public Audit, a commission of the Scottish Parliament.



## About us

Our vision is to be a world-class audit organisation that improves the use of public money.

Through our work for the Auditor General and the Accounts Commission, we provide independent assurance to the people of Scotland that public money is spent properly and provides value. We aim to achieve this by:

- carrying out relevant and timely audits of the way the public sector manages and spends money
- reporting our findings and conclusions in public
- identifying risks, making clear and relevant recommendations.

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# Risks and planned work

## Introduction

1. This annual audit plan contains an overview of the planned scope and timing of our audit which is carried out in accordance with International Standards on Auditing (ISAs), the [Code of Audit Practice](#), and guidance on planning the audit. This plan sets out the work necessary to allow us to provide an independent auditor's report on the annual accounts and meet the wider scope requirements of public sector audit including the audit of Best Value.

2. The wider scope of public audit contributes to assessments and conclusions on financial management, financial sustainability, governance and transparency and value for money.

## Impact of COVID-19

3. The public health crisis caused by the coronavirus disease 2019 (COVID-19) pandemic has had a significant and profound effect on every aspect of Scottish society. Public services have been drastically affected, requiring immediate changes to the way they are provided. The impact on public finances has been unprecedented, which has necessitated both the Scottish and UK governments providing substantial additional funding for public services as well as support for individuals, businesses, and the economy. It is likely that further financial measures will be needed and that the effects will be felt well into the future.

4. Public audit has an important contribution to make to the recovery and renewal of public services. The Auditor General, the Accounts Commission and Audit Scotland are responding to the risks to public services and finances from COVID-19 across the full range of audit work including annual audits and the programme of performance audits. The well-being of audit teams and the delivery of high-quality audits remain paramount. Maintaining a pragmatic and flexible approach will enable change at short notice as new issues emerge, or current risks change in significance. Where this impacts on annual audits, an addendum to this annual audit plan may be necessary.

## Adding value

5. We aim to add value to Moray Council (the council) through our external audit work by being constructive and forward looking, by identifying areas for improvement and by recommending and encouraging good practice. In so doing, we intend to help the council promote improved standards of governance, better management and decision making and more effective use of resources.


## Audit risks


6. Based on our discussions with staff, attendance at committee meetings and a review of supporting information we have identified the following significant risks for the council Moray Council. We have categorised these risks into financial statements risks and wider dimension risks, although the COVID-19 risk has elements of both. The key audit risks, which require specific audit testing, are detailed in [Exhibit 1](#).

## Exhibit 1

### 2020/21 significant audit risks

	Audit Risk	Source of assurance	Planned audit work
<b>Financial statements risks</b>			
1	<p><b>Risk of material misstatement due to fraud caused by management override of controls</b></p> <p>International Auditing Standards require that audits are planned to consider the risk of material misstatement in the financial statements caused by fraud, which is presumed to be a significant risk in any audit. This includes the risk of fraud due to the management override of controls.</p>	<p>Owing to the nature of this risk, assurances from management are not applicable in this instance.</p>	<p>Detailed testing of journal entries.</p> <p>Review of accounting estimates.</p> <p>Focused testing of accruals and prepayments.</p> <p>Identification and evaluation of significant transactions that are outside the normal course of business.</p>
2	<p><b>Risk of error in areas of estimation and judgement</b></p> <p>There is a significant degree of subjectivity in the measurement and valuation of non-current assets and pensions. The extent of judgement involved increases the risk of material misstatement and requires a specific audit focus.</p> <p>A material uncertainty was disclosed in the 2019/20 accounts over non-current asset valuations as a result of the COVID-19 pandemic. The council has a rolling programme of valuations with specific categories revalued each year. For 2020/21 council houses, garages and the council's industrial portfolio are being revalued.</p> <p>Given categories of assets have not been subject to valuation since the impact of COVID-19, there is a risk of material uncertainty over non-current asset valuations in the 2020/21 accounts.</p>	<p>Use of professional actuaries appointed by the Pension Fund to value pension adjustments required by IAS19.</p> <p>Professionally qualified internal valuers prepare non-current asset valuations.</p>	<p>Assess the scope, independence and competence of the professionals engaged in providing estimates for non-current assets and pensions.</p> <p>Review appropriateness of actuarial assumptions and results including comparison with other councils.</p> <p>Walkthrough the process of valuation to understand the basis for significant judgements.</p> <p>Establish officers' arrangements for ensuring the completeness and accuracy of professional estimations for non-current assets and pensions.</p> <p>Establish officers' arrangements for obtaining assurances over the impact of COVID-19 on the accuracy of non-current assets not subject to valuation in year.</p> <p>Review actual experience of significant estimates made in the prior year.</p>

 Audit Risk	Source of assurance	Planned audit work
<b>Wider dimension risks</b>		
<p><b>3 Risks relating to COVID-19</b></p> <p>COVID-19 has had a significant impact on the council in the 2020/21 financial year:</p> <ul style="list-style-type: none"> <li>• <b>Financial management</b> - additional funding and expenditure. CoSLA analysis indicates that councils' income has increased by 9 per cent and that councils are managing an increase of 7 per cent of grant payments made to businesses.</li> <li>• <b>Financial management</b> - the Scottish Government has allowed for flexibility to be applied to certain areas of council funding and accounting practices.</li> <li>• <b>Financial reporting</b> - the council requires to make judgement on the correct accounting treatment in relation to additional funding arrangements – whether the council is acting as agent or principal.</li> <li>• <b>Fraud and controls</b> - there is an increased risk of fraud for some COVID-19 related grants. Due to the nature of the schemes, there may not have been adequate consideration of internal control frameworks and the impact of remote working.</li> <li>• <b>Performance</b> – COVID-19 grants have been disbursed at different rates across councils and there are different experiences of rejection rates.</li> </ul>	<p>Internal Audit have reviewed payments from the Flexible Food Fund and have had involvement in validating applications for a variety of other grant schemes administered on behalf of Scottish Government.</p> <p>Awaiting NFI report of potential matches which will be investigated in usual way.</p> <p>All grants accompanied by guidance from Scottish Government or statement that they are free of conditions.</p> <p>COSLA supporting with a funding tracker.</p> <p>LASAAC guidance and guidance from CIPFA on accounting will be followed when preparing the accounts.</p>	<p>Establish the additional funding streams the council has received in year, what it has been spent on and the impact on outturn and reserves and how this is reported in the financial statements.</p> <p>Review any Scottish Government and CIPFA/LASAAC guidance on accounting.</p> <p>Discussions with management during the year to consider the accounting treatment of significant business grants and use of financial flexibilities.</p> <p>Review disclosures and balances in annual accounts and ensure that this is consistent with any guidance issued.</p> <p>For the most significant grants (by value), establish the conditions attached and the associated controls implemented over these.</p> <p>Confirm existence and operation of these controls by completing a walkthrough.</p> <p>Review potential NFI data matches.</p> <p>Establish the impact on collection rates (council tax, non-domestic rates, sundry debtors) and assess the impact on the bad debt provision.</p> <p>Review any Internal Audit work on COVID-19 grants.</p> <p>Assess any national reporting of business grant performance and discuss any issues with officers.</p>
<p><b>4 Risk to financial sustainability</b></p> <p>The council does not plan to use any reserves to support its 2021/22 budget but will need to deliver savings of £1.3 million and use one-off financial flexibilities (£1.2 million) permitted by the Scottish Government to cover costs</p>	<p>A medium to long term financial strategy has been developed to support the delivery of the priorities set out in the revised Corporate Plan.</p> <p>An Improvement and Modernisation Programme is being</p>	<p>Review the 2021/22 revenue budget setting process and required savings.</p> <p>Review the council's medium to long term financial strategy.</p> <p>Review financial monitoring reports during the year, including the use of reserves</p>

 Audit Risk	Source of assurance	Planned audit work
<p>associated with the COVID-19 pandemic to balance its budget.</p> <p>Further substantial savings will be required for 2022/23 (£4.2 million) and 2023/24 (£4.2 million). In addition, it is likely that there will be further cost pressures to the council on top of the immediate response to the COVID-19 crisis.</p> <p>There is a risk that the council is unable to agree and implement a sustainable financial model for service delivery.</p>	developed to transform the delivery of council services.	and delivery of planned savings.

Source: Audit Scotland

**7.** We have considered the risk of fraud in ISA 240 including over income recognition and over expenditure in accordance with Practice Note 10. We have rebutted the presumption that a material risk exists, with the exception of management override as included above. This is on the basis of the extent of income and expenditure which is received and issued to other parts of the public sector (including Scottish Government funding and expenditure on the IJB, other NHS boards and councils).

**8.** For the areas that are subject to some risk, we have considered the incidence of fraud using National Fraud Initiative and Counter Fraud Service outcomes. We have assessed that the volume of transactions, that would need to be fraudulent to prove a material risk, is implausible. Our audit testing is directed towards testing significant and unusual transactions and towards assessing accounting estimates to address any residual risk, as part of our standard fraud procedures. We review controls over key areas of risk and will review any additional controls required due to COVID-19 additional funding and expenditure.

## Reporting arrangements

**9.** Audit reporting is the visible output for the annual audit. All annual audit plans, the outputs as detailed in [Exhibit 2](#), and any other outputs on matters of public interest will be published on our website: [www.audit-scotland.gov.uk](http://www.audit-scotland.gov.uk).

**10.** Matters arising from our audit will be reported on a timely basis and will include agreed action plans. Draft management reports will be issued to the relevant officer(s) to confirm factual accuracy.

**11.** We will provide an independent auditor's report to Moray Council and the Accounts Commission setting out our opinions on the annual accounts. We will also provide the members of Moray Council and Accounts Commission with an annual report on the audit containing observations and recommendations on significant matters which have arisen during the audit.

**12.** The management of the unique and continuing challenges presented by COVID-19 means that we need to continue to take into consideration that audits are taking longer, and we are starting the current year's audit later. This has an impact on the proposed reporting timescales, based on resources available and prioritisation decisions. This is reflected in the timetables below, which we will endeavour to meet, whilst recognising that greater uncertainty exists during the COVID-19 pandemic.

## Exhibit 2

### 2020/21 Audit outputs

Audit Output	Target date	Committee Date
Annual Audit Plan	31 March 2021	19 May 2021 (Audit & Scrutiny Committee)
Management Report	2 June 2021	16 June 2021 (Audit & Scrutiny Committee)
Annual Audit Report and proposed Independent Auditor's Report	22 November 2021	30 November 2021
Independent Auditor's Report signed	30 November 2021	N/A

Source: Audit Scotland

### The audit of trusts registered as Scottish charities

**13.** The preparation and audit of financial statements of registered charities is regulated by the Charities and Trustee Investment (Scotland) Act 2005 and the Charities Accounts (Scotland) Regulations 2006.

**14.** The Charities Accounts (Scotland) Regulations 2006 require charities to prepare annual accounts and require an accompanying auditor's report where any legislation requires an audit. The Local Government (Scotland) Act 1973 specifies the audit requirements for any trust fund where some or all members of a council are the sole trustees.

**15.** Section 7 (1) of the regulations allows for a single set of accounts to be prepared incorporating all of the registered charities and this approach has been applied to the Moray Council charities. We will perform the audit of the council's charitable trusts in parallel with the audit of Moray Council's financial statements.

**16.** Based on our discussions with staff and initial planning work we have identified the following risk for the audit of the connected charitable trusts: management override of controls. This risk has been included in [Exhibit 1](#).

### Audit fee

**17.** The agreed audit fee for the 2020/21 audit of Moray Council is £246,240 (2019/20: £239,950). In determining the audit fee, we have taken account of the risk exposure of the council, the planned management assurances in place and the level of reliance we plan to take from the work of internal audit. Our audit approach assumes receipt of the unaudited annual accounts with a complete working papers package on 30 June 2021.

**18.** We have also agreed an audit fee of £5,330 (2019/20: £5,200) for the charitable trusts.

**19.** Where our audit cannot proceed as planned through, for example, late receipt of unaudited annual accounts or being unable to take planned reliance from the work of internal audit, a supplementary fee may be levied. An additional fee may also be required in relation to any work or other significant exercises out with our planned audit activity.

## Responsibilities

### Elected members and Chief Financial Officer

**20.** Audited bodies have the primary responsibility for ensuring the proper financial stewardship of public funds, compliance with relevant legislation and establishing effective arrangements for governance, propriety and regularity that enable them to successfully deliver their objectives.

**21.** The audit of the annual accounts does not relieve management or the elected members, as those charged with governance, of their responsibilities.

### Appointed auditor

**22.** Our responsibilities as independent auditors are established by the 1973 Act for local government, and the Code of Audit Practice (including supplementary guidance) and guided by the Financial Reporting Council's Ethical Standard.

**23.** Auditors in the public sector give an independent opinion on the financial statements and other information within the annual accounts. We also review and report on the arrangements within the audited body to manage its performance and use of resources. In doing this, we aim to support improvement and accountability.

# Audit scope and timing

## Annual accounts

**24.** The annual accounts, which include the financial statements, will be the foundation and source for most of the audit work necessary to support our judgements and conclusions. We also consider the wider environment and challenges facing the public sector. Our audit approach includes:

- understanding the business of Moray Council and the associated risks which could impact on the financial statements
- assessing the key systems of internal control, and establishing how weaknesses in these systems could impact on the financial statements
- identifying major transaction streams, balances and areas of estimation and understanding how the council Moray Council will include these in the financial statements
- assessing the risks of material misstatement in the financial statements
- determining the nature, timing, and extent of audit procedures necessary to provide us with sufficient audit evidence as to whether the financial statements are free of material misstatement.

**25.** We will give an opinion on whether the financial statements:

- give a true and fair view of the state of affairs of the council and its group as at 31 March 2021 and of the income and expenditure of the council and its group for the year then ended
- have been properly prepared in accordance with the financial reporting framework.



## Other information in the annual accounts

**26.** We also review and report on statutory other information published within the annual accounts including the management commentary, annual governance statement and the remuneration report. We give an opinion on whether these have been compiled in accordance with the appropriate regulations and frameworks in our independent auditor's report.

**27.** In addition, we review the content of the annual report for consistency with the financial statements and with our knowledge. We report any uncorrected material misstatements in statutory other information.

## Materiality

**28.** We apply the concept of materiality in planning and performing the audit. It is used in evaluating the effect of identified misstatements on the audit, and of any uncorrected misstatements, on the financial statements and in forming our opinions in the independent auditor's report.

**29.** We calculate materiality at different levels as described below. The calculated materiality values for the council are set out in [Exhibit 3](#).

## Exhibit 3

### Materiality values

Materiality	Amount
<b>Planning materiality</b> – this is the figure we calculate to assess the overall impact of audit adjustments on the financial statements. It has been set at 1% of gross expenditure based on the latest audited accounts for the year ended 31 March 2020.	£3.7 million
<b>Performance materiality</b> – this acts as a trigger point. If the aggregate of errors identified during the financial statements audit exceeds performance materiality this would indicate that further audit procedures should be considered. Using our professional judgement, we have calculated performance materiality at 60% of planning materiality.	£2.2 million
<b>Reporting threshold (i.e., clearly trivial)</b> – we are required to report to those charged with governance on all unadjusted misstatements more than the 'reporting threshold' amount. This has been calculated at 4% of planning materiality.	£150,000

Source: Audit Scotland

**30.** We also set separate materiality levels for the charitable trusts as set out in [Exhibit 4](#).

## Exhibit 4

### Materiality values

Materiality	Amount
<b>Planning materiality</b> – set at 2% of gross assets based on the latest audited accounts for the year ended 31 March 2020.	£17,000
<b>Performance materiality</b> – using our professional judgement, we have calculated performance materiality at 60% of planning materiality.	£10,000
<b>Reporting threshold (i.e., clearly trivial)</b> – calculated at 5% of planning materiality.	£1,000


Source: Audit Scotland

## Timetable

**31.** To support the efficient use of resources it is critical that a timetable is agreed with us for the preparation and audit of the annual report and accounts. [Exhibit 5](#) sets out the agreed timetable. We will endeavour to meet the timescales set out below but recognise that this may not be possible due to uncertainty resulting from the COVID-19 pandemic.

## Exhibit 5

### Annual accounts timetable

 Key stage	 Date
Consideration of unaudited annual report and accounts by those charged with governance	30 June 2021
Latest submission date of unaudited annual report and accounts with complete working papers package	30 June 2021
Latest date for final clearance meeting with Chief Financial Officer	15 November 2021
Agreement of audited unsigned annual accounts Issue of Annual Audit Report to those charged with governance	22 November 2021
Council meeting to consider the Annual Audit Report and approve the audited annual accounts for signature	30 November 2021
Independent auditor's report signed	30 November 2021

### Internal audit

**32.** Internal audit is provided by Moray Council's internal audit section. As part of our planning process we carried out an annual assessment of the internal audit function and concluded that it operates in accordance with the main requirements of the Public Sector Internal Audit Standards (PSIAS).

#### Using the work of internal audit

**33.** International Auditing Standards require internal and external auditors to work closely together to make best use of available audit resources. We seek to rely on the work of internal audit wherever possible to avoid duplication. From our initial review of internal audit plans we plan to place formal reliance on internal audit work on housing benefit payments (substantive testing).

### Audit dimensions

**34.** Our audit is based on four audit dimensions that frame the wider scope of public sector audit requirements as shown in [Exhibit 6](#).

## Exhibit 6

### Audit dimensions



Source: Code of Audit Practice

**35.** In the local government sector, the appointed auditor's annual conclusions on these four dimensions will help contribute to an overall assessment and assurance on best value.

#### Financial sustainability

**36.** As auditors we consider the appropriateness of the use of the going concern basis of accounting as part of the annual audit. We will also comment on financial sustainability in the longer term. We define this as medium term (two to five years) and longer term (longer than five years) sustainability. We will carry out work and conclude on:

- the effectiveness of financial planning in identifying and addressing risks to financial sustainability in the short, medium, and long term
- the appropriateness and effectiveness of arrangements in place to address any identified funding gaps
- whether there are arrangements in place to demonstrate the affordability and effectiveness of funding and investment decisions.

#### Financial management

**37.** Financial management is concerned with financial capacity, sound budgetary processes and whether the control environment and internal controls are operating effectively. We will review, conclude, and report on:

- whether arrangements are in place to ensure systems of internal control are operating effectively
- whether the effectiveness of budgetary control systems in communicating accurate and timely financial performance can be demonstrated
- how the council has assured itself that its financial capacity and skills are appropriate
- whether there are appropriate and effective arrangements in place for the prevention and detection of fraud and corruption.

## Governance and transparency

**38.** Governance and transparency is concerned with the effectiveness of scrutiny and governance arrangements, leadership, and decision-making and transparent reporting of financial and performance information. We will review, conclude, and report on:

- whether the council can demonstrate that the governance arrangements in place are appropriate and operating effectively (including services delivered by, or in partnership with, others such as ALEOs)
- whether there is effective scrutiny, challenge, and transparency
- the quality and timeliness of financial and performance reporting.

## Value for money

**39.** Value for money refers to using resources effectively and continually improving services. We will review, conclude, and report on whether the council can demonstrate:

- value for money in the use of resources
- there is a clear link between money spent, output and outcomes delivered
- that outcomes are improving
- there is sufficient focus on improvement and the pace of it.

## Best Value

**40.** The Accounts Commission agreed the overall framework for a new approach to auditing Best Value in June 2016. The introduction of the new approach coincided with the new five-year audit appointments. Auditors started using the framework for their audit work from October 2016.

**41.** A key feature of the new approach is that it integrates Best Value into the wider scope annual audit, which will influence audit planning and reporting. Best Value will be assessed comprehensively over the five-year audit appointment, both through the ongoing annual audit work, and through discrete packages of work to look at specific issues. Conclusions and judgements on Best Value will be reported through:

- the Annual Audit Report for each council that will provide a rounded picture of the council overall.
- an annual assurance and risks report that the Controller of Audit will provide to the Commission that will highlight issues from across all 32 council annual audit reports.
- a Best Value Assurance Report (BVAR) for each council that will be considered by the Accounts Commission at least once in a five-year period.

**42.** The four councils on which a BVAR will be published during the fifth year of the new approach are listed in [Exhibit 7](#). Reports will be considered by the Accounts Commission in the period between March and November 2021.

## Exhibit 7

### 2020/21 Best Value Assurance Reports



Aberdeen City Council

Falkirk Council

South Ayrshire Council

East Dunbartonshire Council

Source: Audit Scotland

### Strategic plan for the six-year appointment

**43.** As part of our responsibility to report on the audit dimensions over the current audit appointment, the areas of audit work we have completed and identified for future years are outlined in [Exhibit 8](#). The work planned in Moray Council this year will focus on the follow up of the Best Value Assurance Report published in August 2020. Our follow up work will cover:

- how has the council reviewed and prioritised the key strategic decisions (e.g. asset management, children's services, leisure services) that need to be implemented? What progress has been made addressing the key strategic decisions since the BVAR report was published?
- how has the council revised and focused efforts on key priorities and the performance measures to evidence this? Are public performance reports timely, accessible, and understandable?
- does Moray Council have a robust short to medium term financial plan? Has Moray Council demonstrated financial sustainability in the context of other councils and COVID-19?
- has the elected member development strategy been implemented through programmed activity and personal development plans?
- has the council revised and streamlined its governance processes?
- what plans are in place to improve educational attainment including the nature and extent of these?
- has the council investigated, and does it better understand the reasons for poorer satisfaction levels in housing?
- has the council and its partners finalised a performance framework for the Community Planning Partnership?
- has the council the required capacity and the change culture to deliver ?

**44.** The results of this year's work will be reported in the Annual Audit Report (for the third bullet above) and a follow up report by the Controller of Audit to the Accounts Commission in February 2022. Work scheduled for future years will be subject to annual review.

## Exhibit 8

### Strategic plan

Dimension	2016/17, 2017/18 & 2018/19	2019/20	2020/21	2021/22
<b>Financial sustainability</b>	Financial planning	Financial planning	Best Value Audit Report follow-up	
<b>Financial management</b>	Financial governance and resource management  Financial reporting	Financial governance and resource management	Best Value Audit Report follow-up	
<b>Governance and transparency</b>	Governance	Vision and leadership  Digitalisation of services  Community engagement / empowerment	Best Value Audit Report follow-up	Equalities
<b>Value for money</b>	Transformation	Performance outcomes  Transformational change  Partnership working	Best Value Audit Report follow-up	

### Independence and objectivity

**45.** Auditors appointed by the Accounts Commission or Auditor General must comply with the Code of Audit Practice and relevant supporting guidance. When auditing the financial statements auditors must also comply with professional standards issued by the Financial Reporting Council and those of the professional accountancy bodies. These standards impose stringent rules to ensure the independence and objectivity of auditors. Audit Scotland has robust arrangements in place to ensure compliance with these standards including an annual “fit and proper” declaration for all members of staff. The arrangements are overseen by the Director of Audit Services, who serves as Audit Scotland’s Ethics Partner.

**46.** The engagement lead (i.e. appointed auditor) for Moray Council is Brian Howarth, Audit Director and for the charitable trusts is Maggie Bruce, Senior Audit Manager. Auditing and ethical standards require the appointed auditor to communicate any relationships that may affect the independence and objectivity of audit staff. We are not aware of any such relationships pertaining to the audit of Moray Council or the charitable trusts.

### Quality control

**47.** International Standard on Quality Control 1 (ISQC1) requires that a system of quality control is established, as part of financial audit procedures, to provide reasonable assurance that professional standards and regulatory and legal requirements are being complied with and that the independent auditor’s report or opinion is appropriate in the circumstances.

**48.** The foundation of our quality framework is our Audit Guide, which incorporates the application of professional auditing, quality and ethical standards and the Code of Audit Practice (and supporting guidance) issued by Audit Scotland and approved by the Auditor General for Scotland. To ensure that we achieve the required quality standards Audit Scotland conducts peer reviews and internal quality reviews. Additionally, the Institute of Chartered Accountants of Scotland (ICAS) have been commissioned to carry out external quality reviews.

**49.** As part of our commitment to quality and continuous improvement, Audit Scotland will periodically seek your views on the quality of our service provision. We welcome feedback at any time, and this may be directed to the engagement lead.

# Moray Council

## Annual Audit Plan 2020/21

If you require this publication in an alternative format and/or language, please contact us to discuss your needs: 0131 625 1500 or [info@audit-scotland.gov.uk](mailto:info@audit-scotland.gov.uk)

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**REPORT TO: MORAY COUNCIL ON 12 MAY 2021**

**SUBJECT: BEST VALUE ASSURANCE REPORT STRATEGIC ACTION PLAN - PROGRESS REPORT**

**BY: CHIEF EXECUTIVE**

**1. REASON FOR REPORT**

- 1.1 To inform the Council of progress on the Best Value Assurance Report Strategic Action Plan.
- 1.2 This report is submitted to Council in terms of Section 103E of the Local Government (Scotland) Act 1973, as amended by the Local Government (Scotland) Act 2003.

**2. RECOMMENDATION**

- 2.1 **The Council is asked to consider and note progress made on the Best Value Assurance Report (BVAR) Strategic Action Plan shown in Appendix 1.**

**3. BACKGROUND**

- 3.1 The areas of improvement recommended in the Controller of Audit's report and endorsed by the Accounts Commission in terms of the Commission's findings were integrated into a plan of strategic actions submitted to a special meeting of Council on 7 October 2020. It was agreed at that meeting a short life member/officer working group be established to further develop the Plan and bring it back to Moray Council for approval (para 3 of Minute refers).
- 3.2 The Action Plan was approved at the meeting on 28 October 2020 (para 18 of Minute refers) and this is the third iteration of a progress report to Council.

**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 findings arising from any Best Value Assurance Reports.

**(c) Financial Implications**

The Council has committed earmarked reserves for transformational change which will require to be drawn upon to develop the capacity to deliver the action plan.

**(d) Risk Implications**

Inspections involve a considerable amount of time and effort diverting attention from the delivery of priorities and day to day services and whilst scrutiny is invaluable in driving improvement, on balance it is in the Council's interest to maintain performance levels such that the number of scrutiny activities can be minimised.

As the Council operates with small teams/specialists there is an ongoing risk associated with workforce issues. Accordingly it will be important that the actions in the Action Plan are resourced properly and/or other work reprioritised given the tight resourcing across current services. Failure to do this is likely to introduce other risks.

There is a considerable risk that delayed progress in some of the significant actions has a substantial impact on the Council's future financial position.

There is also a considerable risk that lack of progress towards making the significant changes in the Council to produce the required improvements in performance and outcomes may result in further intervention.

Returning to responding to the demands of another lockdown has created a range of concurrent risks and responsibilities. These take the form of community testing and the vaccination programme. This is in addition to managing expectations of business as usual; Brexit (in terms of UK Government Levelling Up Fund) improvement and transformation of council services; future levels of additional investment all whilst dealing with the pressure of such an absolute priority. These were the subject of a report on Covid Related Pressures and Service Prioritisation to the meeting of Moray Council on 10 March 2021.

These concurrent risks and responsibilities continue give rise to a concern of things going wrong, and it remains critical this risk is understood by the council. In order to manage these concurrent risks and responsibilities and to mitigate the risk will require practical measures such as changing the ranking of priorities in service plans and reviewing performance indicators amongst others. Audit Scotland are cognisant of this (see the note to Appendix 1)

**(e) Staffing Implications**

There are no implications arising directly from this report. The development of the officer capacity to deliver the required improvements related to the various actions will require to be costed as the actions are

considered and initiated. Management capacity to lead and direct this continues to be compromised at present due to the response to the Covid pandemic and this may impact on progress to planned timescales as indicated in the report. Reference is also made to the report to the meeting of Moray Council 10 March 2021 on the subject of Covid Related Pressures and Service Prioritisation.

**(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) Consultations**

CMT and SMT have been consulted.

**5. CONCLUSION**

- 5.1 This report provides progress to date of the high level strategic objectives of the Action Plan approved at the end of October last year and covers the strategies, plans and projects which have been integrated into the Plan in order to establish and maintain clear focus on delivery of the Plan and to ensure it is sufficiently embedded, if the change and transformation envisaged, is to be delivered.**
- 5.2 The current situation regarding Covid-19 is largely expected to remain from the council's perspective at the current protection levels for the medium term. Significant impact on the council's current strategic and corporate capacity and capability given the level of concurrent risks and responsibility the council is carrying is likely to continue to have a significant impact. This continues to be effectively managed by reviewing and resetting strategic, corporate and tactical priorities with actions to mitigate in the short to medium term.**

Author of Report:	Roddy Burns
Background Papers:	<a href="#">BVAR Action Report 001</a> (20.01.2021) <a href="#">BVAR Action Report 002</a> (10.03.2021) <a href="#">Covid Related Pressures and Service Prioritisation Report</a> and <a href="#">Appendix</a> (10.3.21) Scottish Government published advice and guidance on Coronavirus (COVID-19) protection levels and decision making framework
Ref:	SPMAN-1108985784-611 SPMAN-1108985784-6XX



BVAR Strategic Summary Progress Update	
Committee Report Ref:	MC 003
Report Date:	26/04/21
Committee Date:	12/05/2021

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
	70	May 2021	DCE (ECOD)	1	Increase the pace of Transformational Change  Item 6.	<p><b>Report 002 Update:</b> Work on investment options has advanced and is being framed in the context of the IMP transformation programme to present to council as next stage if IMP with focus on Education which was identified in the original IMP but is now being developed. Main risk is lack of resource for transformation as a result of vacancies. Overall progress has also been impacted and slowed as resources were diverted to Covid response and normal annual budget processes. As a result there are change request for timescales and the position will require ongoing monitoring review while resourcing is resolved. (Note: progress % excludes learning estate which is a major project on its own).</p> <p><b>Report 003 Update:</b> Preparations have progressed to report the updated position on IMP and investment projects to the council. There may be time implications resulting from the pre-election period and consideration is being given to how to progress in this environment.</p>	<b>Report 002 Update:</b> 01.3.21: Change target date to May 2021
	50	July 2021	H/GSP	2	Improve Performance Management reporting/Improve the quality and clarity of Service Performance reporting	<p><b>Report 002 Update:</b> Reasonable progress has been made towards the target dates set and getting a revised structure in place. Restrictions on the time of senior officers and RIO's (due to Covid-19 response) have meant that there has been some slippage in these target dates and the quality of material produced is not as high as it could have been. There has also been slippage in the production of a national Local Government Benchmarking Framework (LGBF). It is anticipated that targets will substantially met although there will still be scope for further ongoing improvements.</p> <p><b>Report 003 Update:</b> Reasonable progress continues to be made towards the target dates set and getting a revised structure in place. Restrictions on the time of senior officers and RIO's (due to Covid-19 response) have meant that there has been some slippage in these target dates. Whilst the quality of material produced is not as high as it ideally could have been, the bulk of improvements have been made and further refinements can take place going forward.</p>	
	35%	Feb 2022	DCE (EEF)	1	Financial Planning	<p><b>Report 002 Update:</b> Interim update drafted for council meeting 3 March 2021. Outline approach to balancing budget included and updated. Budget gap for next two years - medium to long term strategy under development - no firm figures to put against themes yet. Planned use of ear-marked reserves will link to priorities as very little spend to save.</p> <p><b>Report 003 Update:</b> There is a seasonal element to this work and following approval of the budget for 2021/22 and updated MLTFS little progress was planned for the remainder of March. Following discussion at CMT agreed the need to incorporate a budget for service improvements and to include planned use of ear-marked reserves in next iteration of MLTFS, following summer recess.</p>	
	30	Oct 2021	H/HR ICT & OD	3	Implement the Elected Member Development Strategy	<p><b>Report 002 Update:</b> Engagement with elected members well progressed with all offered 1 to 1 session with 70% participation rate. Draft activity plan prepared with a calendar of activity set out. This will be made available to EMs in conjunction with implementation of the development framework.</p> <p><b>Report 003 Update:</b> Full range of development requirements captured and development activity planned. Blended solution for leadership development being developed and draft appraisal process work begun.</p>	
	50	April 2021	H/GSP	4	Continue to progress the Governance Review	<p><b>Report 002 Update:</b> Good progress has been made in the review. All of the issues and options have been identified with the timing of decision making having been interrupted by the wider Covid-19 response. A further workstream, review of second tier governance documents has been identified and can be progressed meantime.</p> <p><b>Report 003 Update:</b> Good progress has been made in the review. All of the issues and options have been identified with the timing of decision making having been interrupted by the wider Covid-19 response. A further workstream, review of second tier governance documents has been identified and can be progressed meantime.</p>	<b>Report 003 Update:</b> 26.4.21: Change target date to September 2021 to reflect ongoing covid situation which has deferred long term decision

	40	June 2023	H/E	2	Improve Educational Attainment	<p><b>Report 002 Update:</b> Progressing in all areas through a Covid lens. Continuation of work within Education in relation to school improvement and improving education attainment, including key priorities, risks, actions and next steps arising from constant response to national guidance and directions on Covid-19 lockdown, recovery and return. Remote Learning continues with e-form survey issued to gather engagement/participation/entitlement information and outcomes to inform next steps in developing strategy. National e-learning offer continues to be developed with planned work for Easter 2021. Scoping for possible Easter 2021 Study Support sessions underway.</p> <p><b>Report 003 Update:</b> Requirement to respond to changing environment re school attendance, testing, and to deal with SQA accreditation process has placed pressure on the system that has left limited scope for progressing normal improvement actions.</p>	
	30	Dec 2021	H/H&P	5	Improving satisfaction levels in Housing	<p><b>Report 002 Update:</b> Good progress being made. Require to amend target date for learning from other councils as all councils busy dealing with impact from current lockdown.</p> <p><b>Report 003 Update:</b> Good progress continues to be made. Feedback from others councils on their approach to tenant surveys has been received earlier than expected and this is being analysed. Stock Condition Survey report received and the investment for the next 30 years will be profiled in the review of the HRA Business Plan.</p>	<b>Report 002 Update:</b> 01.3.21: Maintain overall timescale but extend target date from June to August for learning from other councils.
	60	April 2021	CEx CPP		Continue working with CPP to determine clear outcomes and milestones and Performance reporting	<p><b>Report 002 Update:</b> CPP planning work is difficult to prioritise due to other pressures although effective working is continuing on the ground (e.g. in locality groups). An update report has been provided to the CPB indicating that draft delivery plans have been prepared and presenting the Child Poverty Action plan. The aim is to present final plans to the next CPB in April.</p> <p><b>Report 003 Update:</b> CPB to be held on 28 April 2021.</p>	
	50%	Oct 2021	CEx	1	Accounts Commission Findings: Need for clear committed and decisive leadership	<p><b>Report 002 Update:</b> Following research and benchmarking exercise, leadership development proposals will be drafted and presented for discussion to CMT. Joint Leadership / Members programme drafted with timeline and Finalise sequence and timings of implementation of the joint programme</p> <p><b>Report 003 Update:</b> Leadership development research progressing albeit slowly due to resourcing and other pressures, interim paper and provision being finalised.</p>	

Key	Issues (I)	Major Risks (R)	Change Request (C)				
Issues / Major Risks / Change Requests				Targets for Next Period			
1	(I) Flexible Working project will be informed by the longer term homeworking considerations which will precede the work of the group to some extent.			1	<p><b>Increase the pace of transformational change:</b> Lead officers to continue to define benefits and report via Boards; consideration of Investment Templates. Flexible working group to meet and develop detailed actions for plan; report to council 24/3 on next phase IMP to determine prioritisation of programme of work; Will also consider investment templates and project team. This may be phased over more than one report</p> <p>Resolve resourcing for H/svc post and progress appr for Learning Estate.</p> <p>Research and benchmarking on flexible working approaches started, first meeting held and initial thinking on possible future direction considered.</p>		
2	(R) Increase the pace of transformational change: vacancy for H/Transformation and Inclusion Manager - impact on specific projects and overall programme. Pandemic is adding pressure and requires attention on day to day operation which draws focus from development work			2	<p><b>Improve performance management reporting:</b> Detailed plan finalised and agreed, first development sessions scheduled; finalise format for Q4 (annual) service plan/performance reports; annual corporate plan report format prepared; establish a clear calendar and annual reporting cycle. Annual corporate plan report format agreed and indicators approved.</p>		
3	(R) Continue to progress the governance review: Covid-19 response has delayed a final decision on committee structure.			3	<p><b>Financial Planning:</b> Draft prioritisation of investment templates.</p> <p>Incorporate planned programme of spend from reserves into Medium to Long Term financial strategy ; add budget pressure for service improvements</p>		
4	(R) Impact on Senior Phase attainment through lack of long term clarity on expectations regarding provisional grades and any associated national moderation and appeals processes. Lack of clarity regarding National ACCEL data collection and time available for robust assessment and moderation within the BGE.			4	<p><b>Implement the Elected Member Development Strategy:</b> CMT input to corporate development needs obtained.</p> <p>Final agreement on design of blended solution agreed and methodology for appraisals and psychometric tool activity.</p> <p>Final agreement on EM activity development planner so EMs can access and dates for activity planned.</p>		
5	(R) Wellbeing of all learners, their parents and staff on full return in order to reorientation and engage fully in learning and teaching activities, improving attainment.			5	<p><b>Continue to progress the governance review:</b> Proceed with review of second tier governance documents.</p>		
6	(C) Improve satisfaction levels in Housing: Extend completion date for the "Learn from other Councils with higher satisfaction results" from June 2021 to August 2021. The return to lockdown has restricted the service and other authorities availability to respond to requests for information.			6	<p><b>Continue work with CPP to determine clear outcomes and milestones and performance reporting:</b> Finalise delivery plans for April Board; consult/engage with partners on poverty governance</p>		
7	(C) Streamline processes including reviews of committee structures, Scheme of Delegation and reporting to Committees: Amend target date to Sept 2021 to reflect ongoing covid situation which has deferred long term decision			7	<p><b>Improve satisfaction levels in Housing:</b> Issue tender documentation for the carrying out of the tenant satisfaction survey in 2021. Profile the investment required for the housing stock over the next 30 years for inclusion in the review of the HRA Business Plan.</p>		

8		8	<b>Improve Educational Attainment:</b> Successful return of all pupils on 12 April 2021.
9		9	<b>Accounts Commission Findings:</b> Agreement on blended approach to Leading in Complexity and 3 Horizons so the launch to senior managers can be planned and implemented.
10		10	

Programme Summary

<b>Report 002 Update:</b>	There is progress in all areas but timescales have been revised in a number of workstreams in light of ongoing challenges in relation to the national pandemic. Members' attention is also drawn to the separate report to this meeting of Council on Covid related pressures and the impact on council services.
<b>Report 003 Update:</b>	Progress continues in all areas but timescales have been revised in one workstream in light of the continuing challenges in relation to the national pandemic. Audit Scotland are cognisant of the challenges and impact of covid-19 on the Council and will reflect this in their reporting. Information that would help convey this context will be made available for this purpose.





**REPORT TO: MORAY COUNCIL ON 12 MAY 2021**

**SUBJECT: LEGAL SERVICES STAFF RESOURCES**

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

### **1. REASON FOR REPORT**

- 1.1 To consider staffing resources within Legal Services and seek approval for an additional resources to support delivery of priority work.
- 1.2 This report is submitted to Committee in terms of Section II (25) of the Council's Scheme of Administration relating approval of revenue expenditure.

### **2. RECOMMENDATION**

- 2.1 **It is recommended that the Council approves additional revenue budget within Legal Services of up to £54,000 to establish the post of Solicitor on Grade 9 in order to meet increased service demand.**

### **3. BACKGROUND**

- 3.1 Following the Council's approval of the 2018/2019 budget on 27 February 2019 (para 7 of the minute refers) savings of £109,000 were agreed from within the total legal services budget of £700,000 to be delivered through a staffing restructure.

The aim of the restructure was to reduce the proportion of senior posts within the service whilst maintaining operational effectiveness. This resulted in a total reduction of numbers within the team from 12 fte to 10.5 fte.

<b>Before</b>		<b>After</b>	
Legal Service Mgr	2	Legal Service Mgr	1
Senior Solicitor	4	Senior Solicitor	3
Solicitor	4	Solicitor	4.5
Paralegal	2	Paralegal	2
Total	12 fte	Total	10.5 fte

- 3.2 As part of the re-structure some work areas were identified to be reduced or de-prioritised due to the overall reduction in staffing establishment:
  - Routine comment on every committee report

- Routine officer attendance at Committee
- Work for IJB given the body was set up and all constitutional documents were in place
- Lower value work (for example some lease documentation and roads orders) being pushed back to service departments
- Acceptance of greater legal risk in some areas

3.3 Despite the measures in paragraph 3.2 there has been a marked increase in the volume of work requiring to be dealt with by legal services in other areas:

- Work undertaken by the Head of Service has been pushed down due to expansion of the Head of Service role following a wider management restructure in September 2019.
- Complex community asset transfers through leases and disposals, common good and trust work.
- Support for corporate projects such as ELC expansion, new build schools and Growth Deal.
- Supporting the move of Children's Services into the IJB.
- Covid response and recovery with increase in licensing and support for planning and industrial activity.
- Employment grievance/disciplinary/appeal cases
- Industrial lease work due to increase in industrial estate portfolio.
- Property sales due to asset rationalisation
- Several high profile windfarm Inquiries which the Council is required to participate in.
- High value personal injury/damages claims
- Assisting with Child Abuse Inquiry

3.4 Whilst some of the areas in 3.3 may be transient, and whilst Legal Services would normally manage peaks and troughs in workflow through prioritisation there is a general upward trend in volume and complexity which is causing increased workload pressure on staff. This workload pressure has been exacerbated by a number of staffing issues including high staff turnover (with resulting loss of experience) and absence through illness.

3.5 It is considered that the service structure agreed in February 2019 (one Legal Service Manager with 3 legal teams led by Senior Solicitors) was fit for purpose when implemented. However, the developing work since then has led to issues over the capacity of the service to cope with the increasing volume and complexity of work and of service resilience.

3.6 Legal Services has tried to tackle this workload pressure as follows:

- **Build up knowledge of new staff** so they become more effective
- **Stopping/de-prioritisation.** It has not been feasible to identify any further areas of work which can be stopped. Work has been de-prioritised where possible but this is beginning to create some backlogs. For example progress on the Trust Reorganisation has slowed down and this has been picked up by external audit.
- **An increased amount of work has been outsourced.** It is normally just the more complex areas of work, where there is insufficient internal experience, where outsourcing is used. It is generally cheaper to carry

out work in house and monitoring the outsourcing of work can itself take up time. However more recently work which could have been carried out internally has been outsourced due to the service being unable to handle the volume of work in the required timescales.

In the past 4 years the value of legal work\* carried out externally is:

Year	17/18	18/19	19/20	20/21
Value outsourced	£29,350	£34,200	£53,550	£31,950**

\*The cost of windfarm inquiries has not been included in these figures. These costs tend to be very high and are unavoidable.

\*\*There is unbilled work in progress estimated at around £20,000.

- 3.7 Despite the measures in 3.6 above current staffing levels are insufficient to meet demand. The current position is not sustainable in the longer term and is having a detrimental impact on staff with unsustainably long working hours and increased absence. The effects of absence compound the issue. Staffing capacity is also having a detrimental effect on the ability of Legal Services to support other services where their input to various projects is vital.
- 3.8 Given these pressures it is considered that additional internal staffing resource of 1 fte Solicitor is merited to meet demand and to reduce the value of work being outsourced. An alternative would be to outsource more work but this is not a cost effective or efficient solution for work which could be undertaken by council employees at a lower cost, providing more flexibility and resilience and enabling expertise to be built in house for future work.

#### **4. PROPOSALS**

- 4.1 It is proposed that additional revenue budget is allocated to legal services to enable the appointment of 1fte Solicitor to increase staffing resources at or below solicitor grade to create capacity and to reduce the reliance on outsourcing.
- 4.2 It is proposed to monitor the balance of work carried out internally versus work outsourced as a Performance Indicator (PI) to ensure that the Council continues to be as efficient as possible. In doing this it must be accepted that there will always be an element of specialised legal work that must be outsourced.

#### **5. SUMMARY OF IMPLICATIONS**

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

The Council requires a mixture of statutory, transactional and advice based legal services to deliver its objectives in LOIP and Corporate Plan. The workload of the Legal Services section is prioritised according to the priorities with these plans.

**(b) Policy and Legal**

Decisions on budget require approval of full council. The establishment of posts at the level proposed is delegated to the Head of HR and ICT.

**(c) Financial implications.**

Corporate Management Team Additional Expenditure Warning:

When the Council approved the budget for 2021/22 on 3 March 2021 (paragraph 3 of the Minute refers) it balanced only by using one-off financial flexibilities. The indicative 3 year budget showed a likely requirement to continue to make significant savings in future years. All financial decisions must be made in this context and only essential additional expenditure should be agreed in the course of the year. In making this determination the committee should consider whether the financial risk to the Council of incurring additional expenditure outweighs the risk to the Council of not incurring that expenditure, as set out in the risk section below and whether a decision on funding could reasonably be deferred until the budget for future years is approved.

The cost of additional staffing would require an additional allocation of £54,000 from the Council's revenue budget. Part of this cost will be offset by a reduction in outsourcing costs as more work will be undertaken in house

**(d) Risk Implications**

Workload pressures within Legal Services are having an impact on frontline services leading to critical functions and processes being adversely affected through delay, unacceptable risk and potential for financial and reputational loss.

**(e) Staffing Implications**

Outlined in para 3.6 and 3.7 above. As well as the resultant need to outsource work there is also evidence of an unsustainable impact on existing staff through unsustainable working hours and increased absence due to work related stress.

**(f) Property**

There are no property implications arising directly from this report.

**(g) Equalities/Socio Economic Impact**

None

**(h) Consultations**

The Corporate Management Team, Chief Financial Officer and the Legal Services Manager have all been consulted.

**6. CONCLUSION**

**6.1 Workload pressures within Legal Services are having an impact on frontline services leading to critical functions and processes being**

**adversely affected, unacceptable risk and potential for financial and reputational loss. They are also having an unacceptable impact on the wellbeing of existing staff.**

- 6.2 Given these pressures it is considered that additional internal staffing resource of a full-time Solicitor is merited. An alternative would be to outsource more work but this is not a cost effective or efficient solution for work which could be undertaken by Council employees.**

Author of Report: Alasdair McEachan

Background Papers:

Ref:





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**REPORT TO: MORAY COUNCIL ON 12 MAY 2021**

**SUBJECT: ICT RESOURCING**

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

**1. REASON FOR REPORT**

- 1.1 The Council is asked to note the content of the report and authorise the request for budget for increased staff in order to secure the future resilience of the ICT Service.
- 1.2 This report is submitted to Council in terms of Section III (32) of the Council's Scheme of Administration relating to the provision of central support services including information technology.

**2. RECOMMENDATION**

- 2.1 **It is recommended that the Council agrees the budget of:**
  - i) **the staffing resources proposed in section 7e of the report; and**
  - ii) **£386,000 is allocated, reducing to £293,000 after 12 months and £93,000 thereafter.**

**3. BACKGROUND**

- 3.1 The impact of the COVID-19 pandemic has placed significant additional demands on the ICT Service over the last year to support and facilitate the volume of increased remote working and online learning and teaching required across the Council. This work has and continues to range from infrastructure support for connectivity capacity to distribution of devices for working, teaching and learning across the corporate and school networks. It has also meant increasing the online accessibility to services for the public and at the same time the essential maintenance and upgrade work has continued in order to 'keep the lights on' across council services and systems. Additionally, the increased number of people working remotely has exponentially increased the support requirements both from a technical and user perspective.
- 3.2 The consequence of diverting ICT resources to support the emergency response has also meant that a range of business critical ICT work has not

progressed partly or wholly in areas of planned core ICT work including supporting transformation. In total this creates an overall level of risk that requires to be fully considered so that a strategic and planned response is put in place to ensure the Council's ICT Service is well placed and resourced, safe and secure and has the capacity to stretch appropriately to meet future demands.

- 3.3 The pressures on the service can be categorised into three main headings: current, planned and new demands.
- 3.4 Current operational demands have increased significantly following completion of the roll out of equipment to facilitate increased homeworking and learning and teaching, including the work required to facilitate the expansion of flexible working. For example, planning and readiness for the phased return to the office; increasing the capacity for connectivity; and responding to the support calls generated from this. Reliable connectivity is crucial and work is ongoing, particularly within Education, to monitor, investigate and resolve connectivity issues.
- 3.5 One of the biggest pressures of moving to remote working has been the requirement for video-conferencing platforms as the main method of communication for meeting and talking with colleagues in order to do their jobs. Microsoft Teams is the preferred solution as part of Office 365. While existing solutions are in use and an interim solution is being developed for a more integrated Microsoft Teams option, significant additional work is required to fully investigate, plan, test and implement MS Teams and Office 365 thereafter.
- 3.6 Urgent demands related directly to the pandemic such as setting up connectivity for the mass vaccination centre and community testing support have placed additional demands on the workload of key individuals within the ICT team who are also leading on other crucial work.
- 3.7 The requirement for the public to access Council Services digitally as part of continuing to provide as many services to the public during the pandemic as possible has also placed further pressure on the service e.g. creation of electronic forms for accessing keyworker spaces in the childcare hubs, applications for funds for food, other support, business grants, etc. These continued to emerge throughout the pandemic following national policy decisions and announcements, usually with challenging timescales for delivery. On the whole, the level of digital communication and interaction with the public continues to increase creating additional demands on the ICT service.
- 3.8 The requirement for support to the workforce has consequently increased along with the requirement for technical support for managing devices in terms of upgrades and maintenance.
- 3.9 Planned work contained within the ICT Service and action plans is essential to maintain the ICT services to the council's operations. This includes both infrastructure and development activity. While work has continued behind the

scenes to keep the ICT provision functioning across all services, diverting officers to work on the current demands has meant that large areas of planned work have slowed down or not progressed at all, including business critical work that is less visible but nonetheless vital. A full assessment of this work has been carried out, with a summary of the main points for resourcing in para 5.4 below and covers broad areas including cyber and information security, risk management, system upgrades, strategies (e.g. telephony strategy), and the use of cloud hosted systems.

- 3.10 New demands on the service include key corporate initiatives such as the Moray Growth Deal, the Learning Estate Strategy and community engagement through participatory budgeting as well as significant ICT involvement in much of the Council's transformation work to support modernisation and improvement.
- 3.11 While some of this work is contained within investment proposal templates and is as yet largely unquantified, it is anticipated that the majority of these will be planned in advance and will require ICT resource.
- 3.12 In addition to these factors, there are planned industry led developments and changes which will require significant levels of resource to implement e.g. the Public Switched Telephone Network switch off by December 2025 as part of the final move from analogue systems to digital.
- 3.13 Taking all the above into account, it is evident that there are a large number of significant unavoidable pieces of business critical ICT work presenting as both immediate and longer term. The current ICT resources are not able to meet all of these concurrent demands which leaves the broad options of increasing capacity or reducing demand.

#### **4. RISKS AND ISSUES**

- 4.1 The risks and issues connected with specific areas of work required have been assessed and there are a number of broad risks arising from the current situation:
  - Security – given the constant possibility of cyber-attacks such as ransomware demands, viruses and false identity leading to theft of funds and information, it is important to ensure that security measures do not fall below minimum acceptable standards.
  - Contracts – a number of fundamental ICT contracts are due for review or renewal. The dynamic nature of technology means that contracts require due consideration of whether they continue to reflect and serve the Council's current and future requirements. Failing to do this properly could potentially tie the Council into a product or agreement that ceases to be the best long term choice and could cause additional cost either because a further contract is required to fill any gaps that have emerged, or because there are more efficient options coming on to the market.

- People – the level of demand on the ICT team since March 2020 has been intense and prolonged. The service has responded well to the situation but it is clear that frustrations with the challenges faced by the Council as a whole in moving to unprecedented levels of remote working and learning have sometimes been focused directly on to individuals in ICT which has placed additional, unfair and unpleasant pressure on to the team. The level of stretch that is currently being asked of people is not sustainable.
- Connectivity – the Council operates on a Scotland Wide Area Network (SWAN) as part of a multi-partner approach to connectivity. The current contract is due for renewal in 2023 and partners are already beginning to consider whether this approach continues to best serve the needs of their organisations. Moray Council participate in these discussions and are seeking to gauge current and future requirements and thinking from partners.

## **5. PRIORITISATION AND ASSESSMENT OF DEMAND**

- 5.1 With the increased focus on remote working, teaching and learning, accessibility of a wider range of council services online, continued transformation through improvement and modernisation and the increased risk profile arising from cyber security crime whilst also maintaining the ongoing 'behind the scenes' demands, it is clear that there is too much work to be managed effectively within the existing ICT resource.
- 5.2 There are two main options: re-prioritise and decide which areas of work will be either delayed or halted to bring the work within manageable limits for the current resources or add resources to enable the majority of work to be undertaken while meeting the aspirations of the Council with regard to both security and robustness of ICT infrastructure as well as meeting current and future development demands.
- 5.3 Assessment indicates that demand is such that most areas of work need to continue with delays likely to have a substantial and potentially damaging impact on service delivery and organisational capacity. Table 1 below, illustrates the areas of the service under most pressure, the outcome of additional staffing and the impact of any delay.

#### 5.4 Table 1: Assessment of Demand

Area	Action	Outcome	Impact of any delay
MS Teams * <i>interim integrated approach</i>	Interim implementation of some elements of MS Teams	Improved accessibility to video-conferencing for day to day and business specific communication with colleagues and external counterparts	Inconsistent and patchy communication pathways for staff working remotely Poor inter-agency/organisational communication capacity Duplicate Teams accounts creating additional further work to reconcile
MS Office 365	Implementation of full MS Office suite	Anywhere, anytime access, enhanced communication and collaboration tools, improved sharing of materials, reliability, minimising disruption, automatic updates, robust security, built in compliance and privacy controls, mobile device management, improved compliance	Poor collaborative capacity both internally and with key partner agencies and organisations Improved capacity to share materials/documentation Increased risks as move towards 'end of life' with current operating systems and software – will have to move at some point soon and is on ICT Action Plan.
Schools Connectivity	Investigation and identification of full range of Education connectivity issues, resolutions explored and implemented	Optimum connectivity achieved to support blended learning and teaching	Inconsistent and poor connectivity at individual school level impacting potentially on user experience of pupils and teachers
Information Security/Cyber Security/Risk Assessment and Management	Information and cyber security, risk assessment and management solutions implemented	Robust resilience and future proofing of the council ICT infrastructure and systems	Increased risk of exposure to cyberattacks, particularly in light of the recent attacks targeted towards education establishments and public organisations (e.g. SEPA, UHI) – could lead to complete shutdown of all council systems for considerable period and costs for a ransom plus any recovery work
Support	Resourcing the exponential additional demand on the service desk and remedial technical work required fully supporting the increased flexible workforce Microsoft Endpoint Configuration Manager implemented	Technical solution - maintenance and upgrades centralised and automated	Staff not able to fully use the equipment they are provided with impacting on capacity to do jobs, service delivery. Manual intervention to maintain and upgrade all devices – time consuming and prohibitive for continued service delivery with finite ICT resource to do this work
Transformation and Strategy	Improvement and modernisation initiatives facilitated by ICT input and support	ICT resources to support specific transformation programmes as specified in future	Overall transformation delayed, improvement and modernisation projects dependent on availability of current ICT resource

Area	Action	Outcome	Impact of any delay
	<p>Schools Digital Strategy developed and implemented</p> <p>Digital Services/Culture Developed</p> <p>Flexible working: telephony and desktop strategies reviewed, updated and implemented</p>	Improvement and Modernisation projects	<p>unless specific capacity introduced</p> <p>Public services lag behind provision of other Councils</p> <p>Workforce not digi-savvy and unable to respond effectively to technology demands placed upon them</p> <p>Council approach to flexible working lags behind other Councils and does not enable digital workforce development</p>
Compliance	<p>IT Health Check completed</p> <p>PSN Accreditation achieved</p> <p>Cyber Essentials Plus achieved</p> <p>Licensing Agreements and Group policies agreed</p>	Systems and software contracts and licensing compliant and appropriate for Council requirements	Contracts expire, increased non-compliance with agreements, significant financial and reputational penalties with possible withdrawal of provision e.g. Microsoft.
Maintenance and Upgrades	<p>Systems infrastructure and software maintenance and upgrades completed as required</p> <p>e.g. the Council's current customer management system does not have the capacity to deliver the user experience expected post pandemic and will require significant resource to change</p>	Council systems and infrastructure maintained and upgraded as necessary to appropriate levels and within timescale	Council systems, devices and infrastructure is not adequately maintained with upgrades leaving the Council lagging behind technology requirements from providers, lack of support and incompatibility with future provisions.

Table 1 has set out the main areas of pressure and while it ranges from some very specific elements such as implementation of MS Teams or Office 365 to broad areas such as compliance, the same core group of officers are involved in many of them meaning when they are working on one area, there is reduced or no progress in another. This is impacting negatively on the completion of each area of work and is not sustainable either in terms of progressing critical areas of work, nor the pressure on the service and key individuals.

## 6. **RESOURCES**

6.1 The following resources are considered the minimum required to be able to effectively meet the demands on the service:

6.2 Table 2: Resources

Work	Resources Required	Status	Cost
MS Teams * <i>using alternative Shetland style approach</i>	Absorbed within existing resources for interim solution	Ongoing	n/a
MS Office 365	2 fte  Consultant resource for preliminary infrastructure work and transfer of knowledge to ICT team creating future capacity and resilience.	Immediate – 24 months temporary  As per project timescales dictate	1 x G10 £120,000 1 x G7 £80,000  £5,000 (5 days @ £1,000 per day)
Schools Connectivity	1 fte	Immediate - 12 months temporary	1 x G9 £53,000
Information Security/Risk	1 fte	Immediate – 1 x permanent	1 x G9 £53,000
Support / Web	2 fte	Immediate – 1 x Permanent and 1 x Temporary (12 months)	2 x G7 £80,000
Transformation	ICT resources to support specific transformation programmes as specified in future Improvement and Modernisation projects	As dictated by IMP timetable.	To be confirmed per IMP reports and investment templates.

6.3 This would allow for temporary resource to focus on particular areas of high demand and longer term substantive increases to ensure future capacity and resilience within the service. This is the recommended approach given the exponential increase in demand on the service and to be able to deal with the current pressures, progress with planned work and support transformation work going forward.

## 7. **SUMMARY OF IMPLICATIONS**

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

The proposals in this report support the Council's Corporate Plan priorities to modernise and change so that services are sustainable and contribute towards delivering efficiencies and improvement, supporting transformation of Education, developing Digital service provision.

**(b) Policy and Legal**

The potential policy and legal implications are as noted within the body of the report with regard to compliance.

**(c) Financial implications**

**Corporate Management Team Additional Expenditure Warning**

When the Council approved the budget for 2021/22 on 3 March 2021 (paragraph 3 of the Minute refers) it balanced only by using one-off financial flexibilities. The indicative 3 year budget showed a likely requirement to continue to make significant savings in future years. All financial decisions must be made in this context and only essential additional expenditure should be agreed in the course of the year. In making this determination the committee should consider whether the financial risk to the Council of incurring additional expenditure outweighs the risk to the Council of not incurring that expenditure, as set out in the risk section below and whether a decision on funding could reasonably be deferred until the budget for future years is approved.

If the additional spend recommended in this report is approved, this will increase the savings targets by £93,000 (permanent posts only) with £298,000 (£293,000 staffing and £5,000 consultancy) met from reserves.

**(d) Risk Implications**

The risks of not approving the additional unbudgeted expenditure requested in this report are referred to in the body of the report. In addition it should be noted that the National Cyber Security Centre has identified that there is an increased risk of targeted ransomware attacks on UK education. While this is not solely linked to the increased remote working and learning and teaching activity that has resulted from lockdown, it is nevertheless of significant concern that more and more of the Council's day to day operations are reliant on robust security and protection measures.

Taken with the recent cyberattacks on SEPA and UHI, ensuring adequate staff resource in the information and cyber security and risk management is of paramount importance to be able to maintain and improve appropriate security systems for the Council's ICT infrastructure and systems.

**(e) Staffing Implications**

The staffing implications are as follows:

Permanent	1 x Grade 9	£ 53,000
	1 x Grade 7	£ 40,000
	<u>TOTAL</u>	<u>£ 93,000</u>
Temporary	1 x Grade 10 24 mths	£ 120,000

1 x Grade 9	12 mths	£ 53,000
1 x Grade 7	24 mths	£ 80,000
1 x Grade 7	12 mths	£ 40,000
<u>TOTAL</u>		<u>£ 293,000</u>

**GRAND TOTAL** **£386,000\***

\* Of which £93,000 is recurring

**(f) Property**

There are no property implications.

**(g) Equalities/Socio Economic Impact**

There are no equalities or socio economic impact implications.

**(h) Consultations**

The Corporate Management Team, Chief Financial Officer, Head of Governance, Strategy and Performance, ICT Managers and Lissa Rowan, Committee Services Officer have been consulted on the content of the report and their comments incorporated into the body of the report.

**8. CONCLUSION**

**8.1 The Council's ICT Service is under increasing pressure due to the impact of the pandemic.**

**8.2 Additional resources are required to ensure the Council is equipped to support the increased demands arising from remote working, blended learning and teaching, enhanced digital services and to be able to prepare and respond robustly to increased cyber-security risks and the continued pace of change.**

Author of Report: Frances Garrow  
Background Papers:  
Ref: SPMAN-1656699058-22





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**REPORT TO: MORAY COUNCIL ON 12 MAY 2021**

**SUBJECT: IMPROVEMENT AND MODERNISATION PROGRAMME**

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

**1. REASON FOR REPORT**

- 1.1 To seek direction on the next stage of development of the Council's Improvement and Modernisation programme: Transformation to Achieve based on developing a programme of investment to improve the future efficiency and sustainability of Council services.
- 1.2 To ask the Council to approve a preliminary team of project resources to enable development work to proceed on the projects and themes agreed.
- 1.3 This report is submitted to Committee in terms of Section III A 2 of the Council's Scheme of Administration relating to long term financial plans.

**2. RECOMMENDATION**

**2.1 It is recommended that Council:**

- (i) **considers and notes the progress made against the existing projects within the IMP and agrees the re-prioritisation of the existing projects, as set out in Appendix B.**
- (ii) **agrees to add the design principles of targeting early intervention and prevention and developing the skills, knowledge and capacity of the workforce to deliver better into the Council's transformation programme.**
- (iii) **notes the range of investment opportunities identified (Appendix D) which add a focus on the above new objectives and contribute to improving the long term sustainability of Council services;**

- (iv) agrees to proceed with the development of a programme of investment as the next stage of the Council Improvement and Modernisation Programme, and release £5 million of the reserves ear-marked for transformation and Council priorities to fund the programme of investment, retaining £1.2m (20% of ear marked transformation fund) as a contingency to address emerging issues as projects develop.**

**2.2 In order to develop the investment programme as set out below, it is recommended that that the Council approves a project team to support the delivery of the projects:**

- i) initially the appointment of the preliminary team set out in para 4e; and**
- ii) further project resources to be drawn upon as required as projects develop, up to the level in para 4e with approval for release of resources delegated to CMT in liaison with Transform Boards.**

**2.3 It is recommended that the Council approves a programme of investment as the next stage of development of the Improvement and Modernisation Programme, with detail to be reported further to the Council per 2.4 below as follows and as set out in Appendix C to the report:**

- i) the efficiency projects, which offer cashable efficiency savings, to be funded from capital receipts; (project numbers 7,8,9 on Appendix C);**
- ii) the identified investment projects (project numbers 1,2,5 and 6 on Appendix C);**
- iii) Education projects (project numbers 3 and 4 on Appendix C) to be developed further in two workstreams both aimed at Raising Attainment, as set out in Appendix E:**
  - a) Education Project A: Well-being (comprising of projects 7,11 &15 in Appendix D)**
  - b) Education Project B: Curriculum Breadth and Digital (comprising of projects 8 &10 in Appendix D); and**
- iv) instructs further development of these 2 Education workstreams to clarify the scope, outcomes and level of investment within an indicative funding bracket of up to £3.2m with further detail on these projects to be reported back to a future meeting of the Council for determination of how to proceed.**

**2.4 Further, it is recommended that in relation to the remaining projects, the Council agrees to:**

- (i) defer lower priority projects (project numbers 10-14 on Appendix C) to be re-considered should funds become available for investment; and**
- (ii) put on hold the set of low cost projects (project numbers 16-19 on Appendix C) to be considered as part of the 2022/23 budget setting process, or at such earlier time as funds may become available or circumstances change.**

**2.5 It is also recommended that governance for project management takes place via Transform Boards and that reports are brought back to the Council on the definition of the full programme of investment with further developed specification of projects and costs for projects as they develop.**

### **3. BACKGROUND**

<b>Appendix A</b>	Design Principles for Improvement and Modernisation Programme
<b>Appendix B</b>	IMP Update
<b>Appendix C</b>	Summary of Proposed Investment Programme
<b>Appendix D</b>	Project Descriptions in Rank Order
<b>Appendix E</b>	Education Projects Combined into Two Workstreams

#### **Current IMP**

- 3.1** The Improvement and Modernisation Programme (IMP) contains eight workstreams established to deliver transformational change within the Council with the aim of improving the financial stability of the Council.
- 3.2** The full programme of IMP work was approved by the Council on 12 December 2018 (paragraph 5 of the minute refers). For ease of reference, the introduction to the programme and the design principles are attached as **Appendix A**. The IMP also included descriptions of the workstreams and projects within them.
- 3.3** The design principles set out what the IMP aims to achieve and the results that are expected from it. The IMP aims to deliver:
- Sustainability:
    - Realistic and sustainable revenue budget position
    - Flexibility to meet future change and demand
  - Customer focus
    - Increased community capacity and engagement
    - Improvement outcomes in areas of priority need

- Prioritised resourcing → Deliver evidence based outcomes  
→ Resources re/directed to priorities

- 3.4 The most recent progress report was submitted to Education Communities and Organisational Development Committee on 18 November 2020 (paragraph 34 of the minute refers). A further update is provided in **Appendix B** which summarises the position for each of the original workstreams. The response to COVID-19 continues to impact on progress, and although momentum had started to gather in the last quarter of 2020, this was slowed again by the Covid lockdown at the end of December 2020.
- 3.5 As advised in the last update report, work has been undertaken to identify extended opportunities for change and improvement which has resulted in pilots being progressed using lean process review software. Indications are that this could produce efficiencies within services and so it is proposed to continue to develop this work if the Council agrees to the investment required. This is referred to in Item 6 of the attached programme of investment work (**Appendix D**). In addition where projects have concluded, been merged with others or where more limited scope has emerged than originally envisaged and it is suggested that these are closed or moved into business as usual to release capacity for the projects that will generate greater returns in terms of transformation linked to Council priorities or efficiencies. This position is summarised in **Appendix B** to provide a comprehensive statement of the original and developing areas of work from the IMP to enable prioritisation of this work in the context of the deliverable benefits and the emerging investment projects referred to below.

### **IMP Development: Planning Investment**

- 3.6 The Council has also been setting aside money in ear-marked reserves to fund measures to create efficiencies by transforming service delivery and to assist in achieving Council priorities. The Council on 12 December 2018 agreed to ear-mark £700,000 for expenditure on the IMP. As all expenditure to date has been able to be funded from capital receipts this ear-marked fund remains intact and is still available to support transformation of service delivery. During 2019/20 a further £2,881,000 was ear-marked for Council priorities, with £2,000,000 approved by Policy and Resources Committee on 3 September 2019 (paragraph 8 of the minute refers) on and a further £881,000 approved by Council on 12 February 2020 (paragraph 8 if the minute refers). At a special meeting of Council on 16 December 2020, Council approved that the underspend on Children's Services in 2020/21 is transferred to ear-marked reserves for transforming service delivery, the latest estimate of that underspend is £2.6 million. This comes to a total of £6.2m.

- 3.7 Consideration has been given as to how to make best use of the transformation funds to deliver the next stage of IMP work towards transforming to achieve and establishing the Council of the future. A range of investment options has been identified (**Appendix D**) with the aim of advancing the original IMP design principles. These new proposals focus on the original IMP design principles below (\*). It is proposed to add 2 new principles as noted below of on early intervention and developing the workforce:
- \*Streamlining processes and improving efficiency
  - \*Re-aligning resources to priority areas
  - \*Embracing and exploiting technology – to enhance digital provision and skills
  - \*Improving services and standards
  - Targeting early intervention and prevention to improve outcomes and reduce demand
  - Developing the skills, knowledge and capacity of the workforce to deliver better
- 3.8 The new investment projects can be described broadly as falling into 4 categories. These have been colour coded and grouped numerically in **Appendix C**.
- i) Service improvement, including prevention and early intervention (green items 1,2,5 and 6; and 10-14)
  - ii) Efficiency projects that provide a cashable return on investment, which can therefore, be funded from capital receipts (yellow items 7,8 and 9)
  - iii) Transformational projects involving major change in Education services (purple Items 3 and 4)
  - iv) Small scale service improvements and responses to legislation (peach items 16-19)
- 3.9 The projects shaded in blue and marked as “defer” and those shaded peach are those that fall below the affordability threshold referred to below after the projects have been prioritised.
- 3.10 It should be noted that there are a number of investment projects identified where there could be ongoing budget pressures at the conclusion of the investment period (marked £ in **Appendix D**). For these projects, future funding would require to be considered as part of the development of the project in order to prepare options to continue the improvements delivered after the temporary funding is exhausted. Some projects have already identified options for investigation for longer term financing whereas others will require to address their exit strategy so that realistic affordable options can be brought forward for consideration by the Council. Sustainability considerations for project outcomes will require to be clear for all projects before the go ahead can be given for each investment project.

- 3.11 Projects identified in peach (16-19) are relatively low value, operational service based and these would progress through the normal departmental management and monitoring processes if funding becomes available. There are some projects in this category where there may be pressing service issues that require to be addressed, for example the records store. Therefore, if other options emerge these will be taken forward earlier and addressed separately by services.

### **Prioritising Investment Options**

- 3.12 In order to inform the prioritisation of investment and ensure it is aligned to Council priorities, the intentions of the IMP and to take account of the effort required for the project balanced against the intended impacts, a scoring matrix of effort/impact was used to develop a rank order. For effort, consideration included team resources, timescales, cost, degree of change, innovation and complexity and for impact, statutory requirements, non/cashable benefits, Council priorities and transformation delivered were included with significant weighting towards contribution to the Council's priorities of Our People, Our Place and Our Future. The result is to identify projects on a low/high effort to return matrix and the ranking for this has been taken into account in the order projects are shown in **Appendix D**.
- 3.13 As a second stage of prioritisation, consideration was given to affordability by setting a funding threshold beyond which projects would be deemed to be unaffordable at present. In setting an affordability threshold, an allowance has been included for a Transformation team at an estimated cost of £1.34m over 5 years. This is described in section 4e below and takes account of phasing in/out of resources at the beginning and end of the programme. Appointments to the team would be made on an as required basis when work reaches a stage where additional resource is necessary in liaison with the relevant Transform Board. At this stage only approval to recruit the preliminary team identified below is sought.
- 3.14 In setting an indicative investment budget, account has also been taken of other financial pressures that the Council may have to address: pay awards, living wage as reported to Council on 10 March, balancing revenue budget in coming years, Covid recovery, and poverty and climate responses and to possible funding pressure associated with Moray Growth Deal timescales. Therefore, it is suggested that limiting investment to the £6.2m already earmarked would be a prudent step at present, allowing for other uncertainties.
- 3.15 A provision of 20% has been built in as a contingency factor to take account of the early stage of development of a number of significant projects where costs are largely estimates. This is an entirely indicative figure at this stage and will be refined as projects are developed. A contingency provision is considered prudent for this scale of transformational investment, particularly given the pressures under which many of the proposals have been prepared. A contingency would provide a cushion to take account of heightened risks and unknown factors associated with new areas of work where risks may not be fully comprehended at this early stage and where preliminary estimates and options have been used to form the basis of indicative project budgets for major

work where direction was required before investing resources in more detail. This leaves a balance of £3.64m for investment.

## **Project Readiness**

- 3.16 There is a significant variation in the nature and size of the investment options identified. The projects address known policy gaps; offer efficiencies; advance early intervention; seek to accelerate or enhance planned work or to develop opportunities that have emerged through the Covid pandemic. Some options are more developed than others as work was already planned, or may be relatively simple to action.
- 3.17 In particular the significant investment options for Education, and notably the work based on digital solutions, require further development and consideration of issues, risks and benefits in order to ensure that the investment has been appropriately scoped and options for progress assessed. It will also be important to have clarity on the national investment that may be provided by the Scottish Government for digital devices in schools before determining local investment.
- 3.18 The investment projects in Education have been grouped into 2 broad workstreams (**Appendix E**): Raising Attainment i) Well-being and ii) Curriculum Breadth and Digital Delivery. Agreement in principle is sought at this stage for these broad areas for investment in education to ensure that resources are invested only in areas of priority that the Council would wish to advance to the next stage of development. Further reports will be brought back to the Council to more fully scope these projects taking account of the emerging environment.
- 3.19 The further development for the Education investment workstreams will allow fuller consideration of how these projects align with emerging national funding streams, corporate priorities and existing work in development such as the Schools ICT strategy and the ASN review as well as longer term financial implications. The investment funds are one-off budgets and any recurring financial implications will require to be taken into account as part of the Council's financial planning process. These options represent ambitious and stretching developments to Education services in Moray which have the potential for significant and positive impact on the future of education in Moray, therefore, it will be necessary to ensure that resources are available to undertake the further development of options, benefits, risks and research to support these. It is proposed that approval is given for a Project Manager to be appointed as soon as possible to undertake this work.
- 3.20 Development work will, however, be required across all projects and this will proceed using the Council's accepted processes, with capital projects proceeding through the Asset Management Working Group to provide peer challenge and critical review.

## **Next Steps**

- 3.21 Taking account of the prioritisation, funding and readiness of projects as set out above, it is proposed that the Council proceeds to develop a programme of investment on the following basis:

- i) Approval of a project team to support the delivery of the projects as identified in 4 (e) below, initially with appointment of a preliminary team and with further resources being appointed as the need is identified and agreed in liaison with Transform Boards;
- ii) Approval to proceed with efficiency projects (identified in yellow as project numbers 7,8 and 9 on Appendix C that offer cashable efficiency savings, to be funded from capital receipts;
- iii) Approval of investment projects (identified in green as project numbers 1,2,5 and 6 on Appendix C
- iv) Instruct development of 2 workstreams for Education investment (identified in purple as project numbers 3 and 4 on Appendix C) to be reported back to a future meeting of the Council to determine how to proceed and the level of investment for these significant projects.

3.22 Further, it is also proposed that in relation to the remaining projects, the Council agrees to:

- i) Defer lower priority projects (identified in blue section as project numbers 10-14 on Appendix C to be re-considered should funds become available for investment; and
- ii) Put on hold the set of low cost projects (identified in peach as project numbers 16-19 on Appendix C to be considered as part of the 2022/23 budget setting process, or at such earlier time as funds may become available.

## **Resources and Governance**

3.23 As noted above, the projects set out in **Appendix D** are of varying complexity and stages of development and so it will be possible to progress some more quickly than others. Most of the projects are at the early stage and will require fuller specifications to be developed for approval as the next stage. It is proposed that this work is taken through the Transformation Boards as the first step which will provide the opportunity for members to input to the direction set out before consideration by full Council for approval. This is unlikely to be feasible before the autumn.

3.24 This would mean that once approved by the Council, projects would report progress via the Transformation Boards with formal reporting of service related matters to the relevant committee and overall progress incorporated into update reports to Committee.

## **4. SUMMARY OF IMPLICATIONS**

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

The IMP 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: Financial implications are included in Appendices B, C and D and summarised below:**

		Capital Receipts * £000s	Transformation Reserves £000s
Investment		330	5,061
Contingency			1,200

Account also requires to be taken of financial risks from other pressures and of investments that may emerge in priority areas as the investment programme develops (e.g. climate and poverty) as well as in relation to Covid recovery where the impacts are not yet fully known.

As noted above, and in **Appendix D** there are a number of investment options identified where there may be ongoing revenue pressures at the end of the investment period that are currently unknown. This will require to be considered in the next stage of development to ensure that such investments only proceed where they have a sustainable exit strategy that includes future funding.

\* Available for use in 2021/22 only.

**(d) Risk Implications**

All risks associated with the IMP are being managed by the relevant programme boards.

The programme of work set out in **Appendix C** represents a significant investment in change. The risks associated with change, and the success of transformation are well known: financial, reputational, resourcing, slippage in time, abortive work, etc. Historically, the Council has found it difficult to create capacity for change at scale and pace and recent months have presented significant additional challenges for momentum in IMP work. Therefore, careful consideration is required as to the achievability of the scale and range of the options under consideration, especially in the context of response and recovery to the Covid-19 pandemic.

Added to this is that these investment options were prepared in a short period of time under extreme pressure and as a result they are not developed to a point where all of the issues and options have been explored to a stage equivalent to the Outline Business Case in the Council's Project Management procedures, which would be the normal stage for determining investment. This brings an escalated risk of unknown risks and issues emerging which add to complexity, cost, time, etc. for the projects concerned.

In order to manage these risks as work develops, the Council will be invited to consider at appropriate points:

- (i) The timeframe over which the investment programme should be scheduled in order to manage risk and capacity – up to 5 years is possible and this will be addressed within individual projects as they are developed and in reporting to the Council on the programme of investment;

- (ii) Ensuring that there are adequate resources for the overall programme of work and for individual projects – initial proposals are contained in this report and in project proposals and this should be kept under review;
- (iii) General leadership and management capacity across services in light of the existing IMP and Covid response and recovery – this will require ongoing monitoring to ensure that progress can be maintained and inter-dependencies between projects and Council priorities are adequately addressed.
- (iv) Taking account of the above, the appointment of project resources will be crucial to a phased approach to the development of the investment programme, with Education investment requiring particular attention as set out in this report.

(e) **Staffing Implications:** There are specific staffing considerations related to the various projects and these are being addressed as projects are developed and initiated. Cost implications are built into the business case for each project to ensure an appropriate return on investment.

The projects set out in the attached **Appendix C** represent a significant investment and a considerable programme of transformation. It is essential to ensure that this is adequately resourced as a whole programme of work to ensure there is consistency, robust methodologies, challenge and review built into the development and delivery of all projects. A number of projects contain specification of the resources envisaged as required for delivery, however, it is proposed that a Transformation Team is also created to ensure the corporate management referred to above across the whole programme of work in the 2 phases of the IMP. In addition, the team would have responsibility for delivery of certain specific projects which are corporate in nature or to add capacity in services where there are pressures. It is proposed to create the team below to provide resources to support the delivery of the transformation programme for a period of up to 5 years with resources brought on stream as project progress dictates.

Head of Transformation (continue existing post which is due to end in Sept 2021)	Overall programme management for all relevant Council projects and programmes		CO 30	100
Senior Project Officer	Property Asset Management	Office Review	G10 or 11	60
Project Manager	Educational Transformation	Schools Digital and support for other projects	G13	75
Project Officers x2	Overall programme	Allocated to projects as required	G9	100
Project Assistant			G4	20
Annual Cost				355

An allocation will also be required for the incidental costs of the team such as telephones, printing, travel, IT kit, etc. and will be kept to a minimum.

## PRELIMINARY TEAM

Where further development of projects is required, a fuller proposal will be prepared and brought back to the Council for approval and full resourcing of projects will not be undertaken until after that approval has been given. However, capacity is required to enable initial development and scoping work to be undertaken as existing resources are fully committed to operational services, the pandemic and current improvement projects. Therefore, the following preliminary resources have been drawn from the project proposals as being necessary immediately to instigate more detailed specification of the investment projects:

- Overall Council wide management – Head of Transformation
- Poverty – Senior Project Officer
- Education – Project Manager
- Pama (**Appendix B** para 1) – Senior Project Officer

There is currently a secondment in place to support the delivery of the school business administration review and approval is also sought to continue this for a period of up to 12 months to enable the completion of that project which has been delayed as a result of Covid-10 response. The cost of this would be £14k and the proposal is supported by the Transforming Learning Board.

- (f) **Property:** No direct implications from this report, although property is the subject of one of the work streams and the issues arising from this will be reported in due course.
- (g) **Equalities:** There are no equalities associated with this report and any equalities issues will be addressed within each of the project workstreams such as the ICT for Schools which has digital inclusion as a central theme.
- (h) **Consultations:** The corporate and senior management teams have been consulted in the preparation of this report and comments incorporated to co-ordinate the project updates for their areas of responsibility. There have been a number of discussions with group leaders and with political groups in developing the investment proposals.

The ranking of projects generated from the above assessment (**Appendix D**) was reviewed by group leaders and used to form projects into groupings per **Appendix C**. There were varying views on the order in which projects should fall within the priority ranking, however, there was general agreement on the group of projects at the top of the list. There was political consensus on Education as a priority, the need for a Council wide change management post and for project resource for Education with other resources being deployed as projects become clearer.

## **5. CONCLUSION**

- 5.1 The Council is invited to consider and provide direction on the next stage of development of the Council's Improvement and Modernisation programme: Transformation to Achieve based on a programme of investment to improve the future efficiency and sustainability of Council services.**

Author of Report:	Denise Whitworth
Background Papers:	None
Ref:	SPMAN-1108985784-607

**Appendices:**

- A Design Principles for Improvement and Modernisation Programme
- B IMP Update
- C Summary of Proposed Investment Programme
- D Project Descriptions in Rank Order
- E Education Projects Combined into Two Workstreams

The following **Supporting Documents** can be found on CMIS under Councillor Documents:

- Project Management and Transformation Boards Process/Structure
- Investment Proposal Templates (as noted in Appendix D)
- Income Generation Prioritisation

**Previous Committee Reports:**

- **ECOD** 18 November 2020 – update and noting actual and estimated savings [Report](#) / [Appendix](#)
- **ECOD** 23 September 2020 [Report](#) / [Appendix](#)
- **P&R Committee** 4 June 2019 – progress [Report](#) / Appendix [A](#) / [B](#)
- **Special Council** 12 December 2018 – agreement of content and overall direction of IMP; agreement re 3 areas of work from improvement diagnostic; allocation of funding [Report](#) / [Appendix](#)
- **Council** [26 September](#) 2018 – development of IMP (version 1) in financial planning and i-ESE presentation
- **Council** 28 June 2018 – i-ESE diagnostic approval



## Improvement and Modernisation Programme

### Transformation to Achieve

To deliver savings, a programme of work is being prepared to support our priority of having a financially stable council that provides valued services to our Communities. To this end, possible areas of work aimed at improving the financial sustainability of council services have been identified using the Reform Matrix in the table below. Some projects have started to progress and business mandates will continue to be developed and progressed through the Council's gateway process using our project management procedures in order to assess and prioritise them into a programme of modernisation and improvement work.

#### **Reform Matrix**

<b>Transformation (different service)</b>	Centralise/ amalgamate in-house; Share services; Outsource/ Commission; ALEOs/Trusts
<b>Redesign of services (i.e. efficiency – same service leaner/new approach)</b>	Digital Services; Redesign Jobs; Streamline processes (e.g. contact centre, SharePoint, energy management); Rationalise asset base (including Schools, CATs); Simplify Governance
<b>Redefine Services</b>	Stop; Reduce; Community contribution / provision of services
<b>Income generation and commercialisation</b>	Charges; Sponsorship; Council Tax; Investment Portfolio; New services to compete with private sector; Sale of assets

We will continue to apply the Reform Matrix to identify and develop further opportunities.

Detail will continue to be added to the programme of work as projects develop, including values for financial planning purposes. The projects will report through programme boards that form the project governance arrangements.

A lead officer has been assigned to each project (or set of projects) and will report through the 3 programme boards that form the project governance arrangements.

## **DESIGN PRINCIPLES**

The Design Principles and Guidelines establish direction and boundaries for the formation of this programme of transformation work.

### **What we want to achieve (the council of the future):**



1. Sustainability:           Realistic and sustainable revenue budget position  
Flexibility to meet future change and demand
2. Customer Focus:       Increased community capacity and engagement  
Improved outcomes in areas of priority need
3. Priority Resourcing:   Deliver evidence based outcomes  
Resources re/directed to priorities

### **How we will work to achieve this:**

- Transformation :
  - Be open to alternative delivery models that bring advantage
  - Accept measured risks to support, opportunity and innovation
  - Adopt a more entrepreneurial approach to generating income
- Partnership :
  - Work in partnership and collaborate to secure benefits that may not be possible on our own
  - Develop shared understanding with our communities, workforce and partners
- Efficiency:
  - Streamline our processes and governance
  - Embrace and exploit technology to our advantage
  - Rationalise out asset base aligned to priorities

### **As a result we expect:**

- Balanced budget
- Re-investment in priority areas - money shifting between services
- Less services and different delivery methods
- Reduced service standards in some areas and improved standards in others
- Greater community self-reliance

1. ASSET MANAGEMENT			
Original Proposal	Progress	Proposal	Proposal to Continue
<p>a. Property Asset Management Stage 1 (including area office review)</p> <p>i. Align property assets and their long term management to council priorities to ensure affordable and sustainable asset base</p>	Original review completed however the findings are now being reviewed to consider the impact of COVID on recommendations.	<p>A revised plan will be prepared taking into account the impact of COVID on the original recommendations</p> <p>i. Finalise report and project plan</p> <p>ii. Re-establish project board</p> <p>iii. Implement those proposals that can continue despite ongoing COVID issues</p> <p>A later stage should consider the impact of COVID when restrictions have been lifted</p> <p>iv. Review for COVID related outcomes</p> <p>v. Implement COVID related outcomes</p>	
<p>b. Property Asset Management Stage 2 (Shared community hubs for public/3<sup>rd</sup> sector)</p> <p>i. To provide shared community hubs and services with Community Planning Partners with a view to securing reduced costs through economies of scale</p>	Not progressed at this time.	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	

Continue




Defer / Reconsider

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Stop





<b>2. TRANSFORMING CUSTOMER SERVICE</b>			
<b>Original Proposal</b>	<b>Progress</b>	<b>Proposal</b>	
<p>a. ICT and Digital</p> <p>i. To add value and efficiency to service delivery</p> <ol style="list-style-type: none"> <li>1. by increasing adoption of online, no contact services and implementing an end to end online service delivery model;</li> <li>2. Through data sharing internally with other services and externally with other partners and agencies</li> </ol>	<p><u>Parents Portal</u> – The solution has been implemented and a change management plan is currently being developed. The service has also gone through significant change with the transfer of children’s services impacting on the business support function. The scope of the change management task needs to incorporate this.</p> <p><u>Revs and Bens</u> – Some online services have now been delivered and although the uptake of eBilling has been slow it is being promoted again in advance of the annual billing process. An end of project report has been produced and will be submitted to the board in due course.</p> <p><u>eForms</u> - During COVID a number of eForms were developed as part of service response to the situation</p> <p><u>Bookings</u> - A bookings solution for the recycling centres was implemented to manage the traffic at the centres.</p>	<p>A further iteration of the ICT &amp; Digital work should be introduced and focus on the customer journey to ensure that online services meet customer expectations. This should include a review of the customer journey and the changing needs/attitudes of customers following restrictions imposed as a result of COVID. The outcome should improve</p> <ul style="list-style-type: none"> <li>• Access to online services and promote channel shift to these online services.</li> <li>• The web site to ensure it meets the needs of customers</li> <li>• The potential for introducing chatbots</li> </ul> <p><b>A scoping document should be agreed with the new Customer Services Manager and ICT.</b></p>	







<p>b. Customer Service Redesign</p> <p>i. 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.</p> <p>Encourage customers to choose alternative lower cost, more efficient digital means of accessing services where possible.</p>	<p>Access point transferred from Auchernack to Forres Town House with the introduction of a self service based approach.</p>	<p>It is proposed to continue with the customer service redesign but to focus on specific outcomes of reviewing the remaining access points and implementing a similar model as that implemented in Forres.</p> <p>This requires the appointment of the Customer Services Manager.</p>	
<p><b>3. ALTERNATIVE SERVICE DELIVERY</b></p>			
<p><b>Original Proposal</b></p>	<p><b>Progress</b></p>	<p><b>Proposal</b></p>	
<p>a. Leisure services review</p> <p>i. To explore all avenues to create a sustainable future for the Leisure Estate and identify the strategic priorities for the services within Leisure</p>	<p>Following a period of review a Business Plan was approved in November.</p>	<p>Review completed and progressing implementation of the business plan as a service plan issue. Progress reporting is to Transforming Learning Board</p>	
<p>b. Museums trust</p> <p>i. Explore all avenues to create a sustainable future for the Museums service</p>	<p>Museums trust reviewed and no longer being actively pursued.</p>	<p>Project placed on hold as priority given to covid Economic Recovery Plan. P and R agreed on 10.3.20 a two year transition plan culminating in a business plan for transfer to a trust by 2022/23. Work is deferred for when service capacity allows.</p>	



4. INTERNAL TRANSFORMATION			
Original Proposal	Progress	Proposal	
<p>a. Review and expansion of flexible working</p> <p>i. Reduce reliance on physical buildings and enable the property estate to be reduced in size and to reduce running costs by extending and expanding flexible working.</p>	<p>The approach prior to COVID was to address those service areas that were not fully adopting flexible and mobile working that other services had introduced. This was based on the use of PCs, thin clients and a relatively small number of laptops. COVID has accelerated this programme of work with laptops now key for anyone working from home. This has introduced additional strains on the previous project with new challenges being introduced with the need for video conferencing, improved communication tools and the need for a revised telephony strategy to cater for an increase in the number of homeworkers. The links with the property estate review project is much stronger and has required a further review of the property estate.</p>	<p>The proposal is to continue with this work but expand the scope to address many of the core ICT requirements arising as a result of COVID and the workforce development issues that have been identified as a consequence.</p> <p><b>Investment proposal has been drafted.</b></p>	
<p>b. Organisational design and management structure</p> <p>i. 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</p>	<p>The management review was undertaken by a third party consultant and implemented in October 2019. The subsequent review of 3<sup>rd</sup> and 4<sup>th</sup> tier management structures was to follow. Many services have reviewed their management structures but not all.</p>	<p>The response to COVID is paramount and it is recommended that any further reviews of management structures should wait until the full effects of the situation are known.</p>	







c. Organisational design and governance review			
i. 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	Wider governance arrangements reviewed and emergency COVID-19 governance in place from March 2020. Scheduled to be reported again in summer 2021	Longer term review work to continue as emergence from Covid permits.	
5. <b>INCOME/COMMERCIAL</b> Identify options to increase council income at acceptable level of risk			
<b>Original Proposal</b>	<b>Progress</b>	<b>Proposal</b>	
a. Identifying New Options	Over twenty potential opportunities have been reviewed and, based on consultation with Group Leaders, either deferred as low priority or discounted as not viable at present. Of those which are under development, progress is as follows: i. Proposals progressing at present: campervan facility provision and development of charging framework for public space events ii. Work required to assess Business Case: storage facilities iii. Work to be considered via Climate Change route map development: sponsored tree planting, windfarm investment	i) Continue to progress within the service rather than IMP ii) Deferred to be reconsidered should funds become available for investment iii) Climate change projects will be included in that project and reported as required  The above work will come forward for reconsideration in due course	Re-consider 
b. Charge for staff car parking	This has been implemented November 2019	Complete	
c. Sale of fuel at harbours	Fuel and ice projects were re-scoped as grant bid unsuccessful to allow ice to progress; fuel element was higher risk commercially (SFC 17.12.19)	Stop  Agreed not to proceed due to level of commercial risk	

Continue



Defer / Reconsider  
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Stop






d. Sale of ice at harbours	Chill installed, ice plant under construction	Continue progress	
e. Charges for waste collection	Was implemented for financial year 2019/20	Complete	
f. Sponsorship	Some work undertaken to identify potential opportunities but the impact of COVID puts a question mark on the viability of this approach at the current time.	Progress on this area has been impacted on covid which has affected the economy and requires re-consideration of the approach and the level of priority and investment allocated to this area. Defer at present (covid impact)	
<b>6. SERVICE EFFICIENCY AND TRANSFORMATION</b>			
<b>Original Proposal</b>	<b>Progress</b>	<b>Proposal</b>	
a. Service improvement and efficiency or areas where council delivery of services or parts of them could cease or reduce  i. Reviews in cleaning and facilities ii. Waste (Refuse collection) service review iii. Waste (Street sweeping) - service review iv. Stop employee assistance programme v. Employee Self-Service Automation	These activities were delivered as part of previous budget savings proposals from the relevant Heads of Service in 2019.  Note that employee assistance programme was continued during covid and will be subject to further review	No additional work required but consideration should be given to how IMP savings are reported. While savings may be achieved through budget cuts or other projects, the importance and relevance of IMP as a driver for change may be lost and viewed by external bodies as not delivering. There is a need to avoid double counting but IMP may be an enabling project at many levels.	



<p>b. Service process reviews</p> <p>i. A new entry to review potential for service processes to be reviewed to identify more efficient and streamlined processes</p>	<p>A proof of concept was established in November 2020 with a review of 4 processes. The outcome of the review is very promising and suggests there is scope for streamlining processes within the council. This should target high volume or resource intensive processes particularly where there has been little change in processing in the last few years.</p>	<p>The proposal is to extend the scope of the efficiency review to tackle the top 30-40 processes, by volume or effort, to remove waste and deliver an efficient service.</p> <p>It's difficult to identify specific financial savings but this should be considered as a test of a continuous improvement opportunity with regular reporting to ensure any potential savings are maximised.</p> <p><b>Investment proposal has been drafted.</b></p>	
<p><b>7. TRANSFORMING EDUCATION</b></p>			
<p><b>Original Proposal</b></p>	<p><b>Progress</b></p>	<p><b>Proposal</b></p>	
<p>a. Schools for the future</p> <p>b. Provide the essential infrastructure for the delivery of education in Moray</p>	<p>School estate strategy and funding to research this area of work approved in November.</p>	<p>Proposal is to continue with this area of work</p>	



c. Schools business support - rationalise business support across council and schools	Work to prepare a change management plan incorporating benefits arising from the implementation of the parent's portal is under development and will consider opportunities to rationalise the business support function. A recent meeting considered some issues and the need to complete the review identifying the savings and the additional resourcing requirements.	The proposal is to continue with the change management plan identifying where savings can be made, the barriers to achieving these savings and any emerging issues.	
d. Transport review in education and children's services	This is closely linked to the programme of work to transform ASN which is on hold pending further work within the service to develop a business case. There is a view that savings could be made in the short term against the transportation costs which are not necessarily linked to policy though and this should be given consideration.	The proposal is to link this to the review of ASN but consideration given to a short review to determine if savings can be made against the transportation budget in the short term. Resources to progress require to be identified and are impacted by manager vacancy	
e. ASN	Following the management review in October 2019 this sits under transforming Education and so has been re-aligned to that transformation area. Funding was approved to provide resource to appoint manager in December 2022 to stabilise the service and to develop a business case to transform the service. Small test of change with intervention team was also agreed and has been implemented with some early success.	Given the "people" based aspect to this project, consideration is being given to a more agile project management approach through development of steps towards reform. Progress will continue to be reported via Transforming Education board and a report is due to ECOD committee in May.	



8. <b>TRANSFORMATION OF CHILDREN'S SERVICES</b>			
a. Service review	A draft business case prepared and resource identified within the service to take forward this project.		✓
b. Commissioning	A commissioning officer has been appointed but this also links with the service efficiency review work. While there may be savings within the commissioning strategy there it is expected that lean process reviews of the underlying processes will also deliver efficiencies.		✓
c. Out of Area	Out of Area placement impacts the children's service review, ASN and transport costs.	Rather than a project sitting on its own it is proposed this is a key component of the children's services review (8a) and that representatives of ASN sit on the project board.	—





		One off costs		Recurring annual costs			
	Project	Revenue	Capital	Revenue	Capital	Cashable savings	
	Contingency	1200					Potentially reducing over time, freeing up resource for expanding transformation plans
	Transformation Team	1340					
1	Poverty: Reducing Inequalities	264	0	0	0	0	
2	Participatory budgeting	0	0	107	0	0	
3	Education Project A: Raising Attainment - Well-being (incorporating Projects 7,11 &15 from Appx D)	3200	0	0	0	0	3200 is total indicative budget for both education projects
4	Education Project B: Raising Attainment - Curriculum Breadth and Digital Delivery (incorporating Projects 8 & 10 from Appx D)	3200		0	0	0	3200 is total indicative budget for both education projects
5	Climate Change Consultancy	130	0	0	0	0	
6	Building Information Model (BIM)	20	0	0	0	0	
		6154	0	107	0	0	
	Fund from capital receipts						
7	Internal Transformation	145	10	0	0	0	
8	Service Efficiency	121	0	0	0	250	
9	Sports & Leisure - Les Mills	4	50	23	0	24	
		270	60	23	0	274	
	DEFER						
10	H&P Commercial Storage	0	371	18	0	74	
11	Apprenticeships	436	0	0	0	0	
12	Sports & Leisure - Improving Health through Leisure	155	0	0	0	0	
13	Digital Youth Work	18	0	0	0	0	
14	Absence - Maximising Staff Attendance at Work	175	0	0	0	0	
		784	371	18	0	74	
	Consider alternatives as low cost - total						
16	Digitising the Title Deed Safe	66	0	0	0	0	
17	Financial Services - Fixed Asset Register	11	0	2	0	0	
18	Closed Records Store (CRS) Management Database	29	0	0	0	0	
19	i-Trent Development	85	0	0	0	0	
		191	0	2	0	0	



## Improvement and Modernisation Programme: Transformation to Achieve

## Summary of Investment Projects

## Key

\$ - service based project

£- possible post-project revenue pressure

						One Off Costs		Recurring Annual Costs			
	Investment Proposal	Purpose	Impact/Outcomes	rank	Scoring Assessment	Revenue	Capital	Revenue	Capital	Cashable savings	Project Workforce
1	Contingency				Note: may be partially recycled for projects as project costs are refined	1200					
2	Transformation Team					1340					
3	Poverty: Reducing Inequalities £	<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</p> <p>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>	1	High effort, medium impact but scores highly against council priorities	264					<p>Central team project mgt</p> <p>Senior Policy Officer G10</p> <p>Policy &amp; Research Officer G8 Apprentice/ Researcher G4</p>
4	Internal Transformation	<p>Consolidate and develop flexible working that emerged during covid pandemic</p> <p>Review emerging requirements including the core ICT infrastructure provision and the workforce development issues.</p> <p>This proposal covers the following areas:</p> <ul style="list-style-type: none"> <li>Core ICT</li> <li>Workforce Development</li> </ul> <p>Develop and support e-learning to support the transformation programme and transfer face to face training to online, e-learning platform.</p>	<ul style="list-style-type: none"> <li>General efficiencies from staff skilled in the use of technology with less reliance on individuals</li> <li>Cashable savings arising from use of communications solutions avoiding travel and other related costs</li> <li>More time available to staff by avoiding unnecessary travel both within Moray and out with</li> <li>Potential savings against the number of pooled cars required</li> <li>Contribution to the climate change strategy through reduction in travel</li> </ul>	2	Medium to high effort but high impact (transformational rather than council priorities)	145	10				<p>Central team project mgt</p> <p>Digital content creator G9</p> <p>Senior ICT Officer G9</p> <p>ICT Officer G7</p>

						One Off Costs		Recurring Annual Costs			
	Investment Proposal	Purpose	Impact/Outcomes	rank	Scoring Assessment	Revenue	Capital	Revenue	Capital	Cashable savings	Project Workforce
5	<b>Mainstreaming Participatory Budgeting in Moray £</b>	<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 additional tools and functionality for public engagement and consultation including participatory budgeting.</p> <p>Provide resources, expertise and tools to assist in meeting 1% of council budget via PB by 21/22</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"> <li>• Effective consistent platform in place to gather ideas, consultation, debates and voting</li> <li>• Communities will have an increased understanding of Council budgets and how they are allocated</li> <li>• Communities will be empowered to participate in decisions that affect their lives and their communities.</li> <li>• a greater reach into the community using effective suite of consultation tools</li> <li>• Addresses potential equality issues to ensure more can contribute.</li> </ul>	3	Medium to high effort, medium to high impact	0	0	107	0	0	PB Officer post (Grade 9) IT/Admin post. (Grade 7)
6	<b>Service Efficiency</b>	<p>Undertake lean reviews of a further 30-40 processes using specialist software</p> <p>Focus on high volume, common cross service or resource intensive processes particularly within Educational Services, Children's Social Work</p>	<ul style="list-style-type: none"> <li>• Remove waste from processes leading to more efficient processes</li> <li>• Benefit public through reduced lead times for services</li> <li>• Deliver cashable savings</li> <li>• Build back capacity within services</li> </ul>	4	Medium to high effort but high impact (transformational rather than council priorities)	106	0	0	0	250	<p>Central team project mgt</p> <p>Project Officer G9 Senior ICT Officer G9</p>
7	<p><b>Education Project A: Raising Attainment for All Learners £</b></p> <p><i>Note: Appx E shows a compilation of Education Projects into 2 Themes. This project is included in EDUCATION PROJECT A: Well-being</i></p>	<p>Enhance support and resources for all learners and impact positively on the delivery of consistently high quality learning and teaching experiences</p> <p>Focus on GIRFEC and wellbeing of every child to ensure they are safe, healthy, achieving, nurtured, active, respected, responsible and included.</p> <p>Provide support that is equitable, inclusive and timely to raise the</p>	<p>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.</p> <p>Where intervention/intensive support is required it can be offered in a timely manner using expert resources.</p>	5	Medium to high effort, medium to high impact						<p>Central team project mgt</p> <p>ASN Teachers Pupil Support Workers Training Officer</p>

						One Off Costs		Recurring Annual Costs			
	Investment Proposal	Purpose	Impact/Outcomes	rank	Scoring Assessment	Revenue	Capital	Revenue	Capital	Cashable savings	Project Workforce
		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 Flexible Package to Support Unmet Need	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.								
8	<b>Education Project B: Raising Attainment - Curriculum breadth Moray Virtual Innovation Academy</b> <b>£</b>  <i>Note: Appx E shows a compilation of Education Projects into 2 Themes. This project is included in EDUCATION PROJECT B: Curriculum breadth and Digital Delivery</i>	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  (Note: Overlap with Digital Devices – capital investment; training £50k; recurring £135k staffing for ICT/technicians and £14.7k breakages)	<ul style="list-style-type: none"> <li>• Raise attainment across BGE and Senior Phase</li> <li>• Broaden an accessible curriculum offer</li> <li>• Improve the quality of learning and teaching, integrating digital technologies to enhance and support pedagogy</li> <li>• Provide opportunities for school leavers to gain employment in a growing sector</li> <li>• Workforce development and career progression and additional capacity for digital use</li> <li>• Equitable digital access for learning</li> </ul>	6	Very high effort, medium to high impact						Central team project mgt  HT 2 x DHT 10 x PTs ICT Officer/Techs
9	<b>Climate Change Consultancy</b>	To manage and co-ordinate the delivery of the 10-yr strategy and to monitor and report on progress.  : <ul style="list-style-type: none"> <li>• develop and manage Councils activities on Climate Change,</li> <li>• provide research, analysis, expertise on Climate Change and related subjects including</li> </ul>	resource would support delivery of specialist aspects of the initiatives and actions as detailed within the Climate Change Strategy.	7	Medium effort, medium impact but scores highly against council priorities	130					

						One Off Costs		Recurring Annual Costs			
	Investment Proposal	Purpose	Impact/Outcomes	rank	Scoring Assessment	Revenue	Capital	Revenue	Capital	Cashable savings	Project Workforce
		input to the commissioning and contract management <ul style="list-style-type: none"> <li>co-ordinate data management and reporting and co-ordinate awareness campaigns and training</li> </ul>									
10	<b>Schools Digital (Devices/Curriculum) (All Groups) £</b>  <i>Note: Appx E shows a compilation of Education Projects into 2 Themes. This project is included in EDUCATION PROJECT B: Curriculum breadth and Digital Delivery</i>	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)  Ongoing Recurring Annual Costs (4 year replacement and staffing)	<ul style="list-style-type: none"> <li>Increase skills of staff</li> <li>Increase the use of digital learning and innovation</li> <li>Maximise use of technology in the classrooms</li> <li>Increase opportunities for collaboration, extending access to learning and breadth of subject choices</li> <li>A consistent experience for learners use of technology in Moray schools</li> </ul>	8	Medium to high effort; medium impact						Central team project mgt  Learn Techs x 2 G9 ICT Techs x 4 G6 ICT Officers x 3 G5-7
11	<b>ASN Review £</b> <i>Note: Appx E shows a compilation of Education Projects into 2 Themes. This project is included in EDUCATION PROJECT A: Well-being</i>	Research Support for ASN Review. 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.  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).	Enhancing ASN Review resources <ul style="list-style-type: none"> <li>An ASN review business case that is supported by robust evidence</li> <li>A clear structure/measurement plan for evaluating the impact of any changes,</li> <li>Well trained staff teams able to respond to behaviours that relate to ASN and supported to better support children and young people</li> <li>The establishment of a Moray Standard for the delivery of ASN services in all settings through comprehensive ASN induction and training</li> <li>A reduction in the number of Violent and Aggressive Incidents in schools</li> <li>A reduction in school exclusions</li> </ul>	8	Medium to high effort; medium impact						Project Officer (research) G9  Training Officer G9

						One Off Costs		Recurring Annual Costs			
	Investment Proposal	Purpose	Impact/Outcomes	rank	Scoring Assessment	Revenue	Capital	Revenue	Capital	Cashable savings	Project Workforce
			<ul style="list-style-type: none"> <li>An increase in school inspection gradings of 'very good' and above for HGIOS 4 QI 3.1</li> <li>Better targeting of ASN budgets to achieve the best possible outcomes</li> </ul>								
12	<b>Sports &amp; Leisure: Les Mills</b>	<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"> <li>Expansion and development of sustainable services</li> <li>Create an environment where health and wellbeing is at the core of our service</li> <li>Optimising income and growth</li> <li>Develop facilities to align with customer service needs</li> <li>Successful partnerships</li> <li>A professional, informed and empowered workforce</li> <li>More people participating in physical activity</li> <li>Equality of access to programmes offered by MLC and MC for all Fit Life members</li> <li>Improved range of services and activities appropriate to the market and community needs</li> <li>Increased use of leisure services</li> </ul>	9	Low effort, low impact but cashable savings	4	50	23		24	
13	<b>Building Information Model (BIM)</b>	<p>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.</p> <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-</p>	<p>Current digital data in the construction industry has shown savings of <b>15% to 20%</b> can be generated. Improve information sharing and reduce abortive time and costs on built assets.</p> <p>Improve capturing and measurement of intended outcomes to be set out and measured through procurement and operation for</p>	9	High effort, medium impact	20					N/A Note: initial investment only

						One Off Costs		Recurring Annual Costs			
	Investment Proposal	Purpose	Impact/Outcomes	rank	Scoring Assessment	Revenue	Capital	Revenue	Capital	Cashable savings	Project Workforce
		operation and integration of systems and procedures  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.	individual projects and programmes of work								
14	H&P Commercial Storage	It is proposed that the Council considers utilising/investing in land in its ownership to provide such facilities on a commercial basis, with the intention of generating net revenue income.	Provision of storage facilities for the public and small businesses, which would generate rental income to the Council.	9	Medium effort, low to medium impact		371	18		74	Estates Surveyor G9
15	<b>Pastoral Care in Primary: Improving Outcomes for Learners and Early Years Intervention (All Groups) £</b>  <i>Note: Appx E shows a compilation of Education Projects into 2 Themes. This project is included in EDUCATION PROJECT A: Well-being</i>	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.  Key contribution to closing the attainment gap by monitoring attainment, attendance, inclusion, participation and engagement.  Release school leadership time for strategic planning, school improvement, attainment and other outcomes	Links to ASN and Raising Attainment for All projects Links to new Locality Management operating model  <ul style="list-style-type: none"> <li>Increased attendance at school for some children</li> <li>Reduction in exclusions</li> <li>Reduction in violence and aggressive incidents</li> <li>Increased attainment and achievement</li> </ul>	10	Medium to high effort; medium impact but lower score for transformation						Central team project mgt  7.5 fte Principal Teachers 4 fte G6 e.g. support workers
AFFORDABILITY THRESHOLD WILL BE IMPACTED BY VALUE OF EDUCATION PROJECTS – THIS LEVEL IS BASED ON MAXIMUM TOTAL INVESTMENT OF UP TO £3.2M FOR EDUCATION											
16	Apprenticeships	To introduce a corporate apprenticeship programme that would increase the opportunities for apprenticeships at both Modern Apprentice and Graduate Apprentice level, designed to	To support the employment and skill/experience development of young people in Moray who have been impacted by the pandemic, and to increase the capacity of	10	High effort, low impact	436					Central team project mgt  1 x Co-ordinator G9 6 x Apprentices SLGLW

						One Off Costs		Recurring Annual Costs			
	Investment Proposal	Purpose	Impact/Outcomes	rank	Scoring Assessment	Revenue	Capital	Revenue	Capital	Cashable savings	Project Workforce
		support transformation or priority projects across the Council and maximising the use of Scottish Government funding.	the council to resource and progress with projects and pieces of work that support transformation or key corporate priorities. increased number of apprenticeships across a wider range of services								
17	<b>Sports &amp; Leisure: Improving Health through Leisure &amp; Libraries</b>	<p>Develop pre-habilitation /rehabilitation physical activity programmes for individuals requiring surgery/treatment for chronic long term medical conditions and enhance resources to enable the delivery of exercise referral programmes within sport and leisure settings</p> <p>Develop the offer of physical activity to prevent, improve and reverse a wide range of long term medical conditions and help improve quality of life by funding staff training and additional resource.</p> <p>Enhancement of project funded via NHS between Jan-Mar 2021 for respiratory patients to provide a wider test of concept and develop new area of business for sport and leisure services</p> <p>Also, update and injection of new Library stock within health and wellbeing collections to help increase awareness of health condition and support overall wellbeing.</p>	<ul style="list-style-type: none"> <li>Expansion and development of sustainable services</li> <li>Create an environment where health and wellbeing is at the core of our service</li> <li>Optimising income and growth</li> <li>Develop facilities to align with customer service needs</li> <li>Improvement in individual health outcomes</li> <li>Increased use of leisure and libraries services</li> </ul>	11	Medium effort low impact	155					1 x FT Co-ordinator G6 6 x PT Instructors G3
18	<b>Digitising the Title Deed Safe \$</b>	<p>To scan and index all the records within the Council's Title Deeds Safe to enable remote access.</p> <p>Currently a standalone system but possible links with wider council records management systems</p>	Easier access for officers – will allow remote access without physical visits to the building. Will make public requests for titles more cost effective.	12	Low effort but very low impact as no link to corporate priorities.	66					Central team project mgt

						One Off Costs		Recurring Annual Costs			
	Investment Proposal	Purpose	Impact/Outcomes	rank	Scoring Assessment	Revenue	Capital	Revenue	Capital	Cashable savings	Project Workforce
		such as GIS digital mapping and corporate property database could be considered.	Will speed up transactions which will assist local businesses. Will help with the task of moving Council titles from the Sasine Register to the Land Register.								
19	<b>Fixed Asset Register (FAR)</b>	To replace the Council's Fixed Asset Register (FAR), which is no longer supported by the supplier and is cumbersome to operate.  The proposal is to carry out a project to cleanse the data, reconciling to the annual accounts, and to use the cleansed data to populate a replacement FAR. Going forward it is anticipated that there are time efficiencies to be generated from a replacement FAR.	Increased time efficiencies from less cumbersome system. System supported by provider. IFRS 16 compliance.	12	Low effort, low impact	11		2			Accountancy backfill
20	<b>Digital Youth Work</b>	Support a group of young adults with confidence and skills in creative digital media to work with the Senior Youth Worker (Digital Youth Work) to develop the digital offer by: <ul style="list-style-type: none"> <li>• Designing a suite of creative means of engaging with young people digitally e.g. podcasts, production of short films etc.</li> <li>• Developing and trialling the Digiknow? Champions Award for young people in Moray (a wider achievement award launched in 2018 which supports young people to develop cyber resilience skills, safe online habits and feel better equipped to deal with the changing landscape of digital technology)</li> <li>• Supporting the work being undertaken on an ongoing basis to upskill the existing Youth Work Team.</li> </ul>	<ul style="list-style-type: none"> <li>• A home grown supply of youth workers, with specific expertise in Digital Youth Work.</li> <li>• Young people have their achievements recognised and rewarded</li> <li>• Improved levels of health &amp; wellbeing in young people</li> <li>• Decrease in reported social isolation for young people;</li> <li>• Responsibilities and priorities as outlined in the LOIP, Children's Services Plan and Corporate Plan are met</li> </ul>	13	Low to medium effort and low impact	21					1000 hours of Youth Worker posts

						One Off Costs		Recurring Annual Costs			
	Investment Proposal	Purpose	Impact/Outcomes	rank	Scoring Assessment	Revenue	Capital	Revenue	Capital	Cashable savings	Project Workforce
21	<b>Closed Records Store (CRS) Management Database</b>	Determine how best to store and manage the Council's records. Investigate options including a system to better manage the paper information, and the digitisation of records. Improve storage of paper records to ensure stored in an appropriate facility. Ensure that relevant information is retained securely, and retrievals, reviews and the destruction of records is effectively managed. Ensure that records that are identified as being worthy of permanent preservation can be selected and transferred to the Council's Archives.	Link to Digitising the Title Deed Safe Investment proposal  More secure retrievals (greater control/authorisation) Mitigates data breach risks Greater compliance with Records Management legislation and practices. Smoother transition of record information from the CRS to the Archives.	14	Low effort but very low impact as no link to corporate priorities.	30					Central team project mgt
22	<b>Absence: Maximising Staff Attendance at Work</b>	Develop a package of measures to assist in maximising staff attendance at work, particularly concentrating on those areas where there is front line delivery and a consequent replacement cost to any absence e.g. teaching and care at home.	To improve the wellbeing of staff Improve sickness absence rates Reduce workforce costs through a particular focus on areas of the council where there is a direct replacement cost to cover sickness absence.	15	Medium effort, low impact as no link to council priorities	175					Central team project mgt  HR Project Officer G7 HR Adviser G7 -9
23	<b>i-Trent Development</b>	Explore further development of i-Trent both in terms of core functionality and additional modules to achieve a more streamlined and integrated use of hr, payroll and management processes and information, specifically in relation to core employment processes e.g. NOAs, terminations, recruitment and of the learning and development and health and safety modules.	reduce duplication, maximisation of streamlined automation and workflow, increased provision of management information (e.g. dashboards, self service). reduction in human error, improved timescales leading to release of time for other value adding tasks	16	Medium to high effort, low impact as no link to council priorities	85					Central team project mgt  Payroll backfill – 0.5 fte at G8 HR backfill – 0.5 fte at G9 and 0.5 fte at G5



**Appendix E****Improvement and Modernisation Programme: Transformation to Achieve****EDUCATION IMPROVEMENT AND TRANSFORMATION**

The Council's Corporate plan sets a clear direction for providing a sustainable education service aiming for excellence under the Our People priority: provide opportunities where young people can achieve their potential to be the best they can be.

It commits to improvement work focused on the areas of:

- ✓ Reducing the impact of poverty
- ✓ Improvement in attainment, particularly literacy and numeracy
- ✓ Improvement in employability skills and sustained, positive school leaver destinations for all
- ✓ Reviewing and transforming the learning environment
- ✓ Improvement in children and young people's health and well-being

And indicates we will know we have made progress when:

- ❖ The attainment gap between most and least disadvantaged children will reduce
- ❖ Improved attainment at both the Broad General Education and Senior Phase
- ❖ Young people are better prepared for life beyond school and for the workplace
- ❖ A plan will be in place for an affordable, sustainable school estate
- ❖ Improved outcomes for our most vulnerable young people and families

This investment programme for Education has been developed to advance and accelerate the priorities set out in the corporate plan supported by the strategic education priorities of providing services that are fair, ambitious, improving and responsive in line with Council's values. In particular the investment proposals are targeted towards an overall strategic focus on improving attainment by:

- Early intervention and targeted resources to improve outcomes for all children, young people and their families
- Providing and enabling a digital learning environment to improve equity and access to curriculum
- Developing staff skills to improve learning and teaching, including digital
- Quality focus on improving learning and teaching
- Releasing and enabling leadership capacity

The Programme has been structured into 2 workstreams to reflect the main thematic areas of work: Raising Attainment for All Learners and Raising Attainment - Curriculum breadth.

Investment/New Proposal		Impact/Outcomes
<b>Raising Attainment for All Learners (Well-being):</b> Early intervention and targeted resources to improve outcomes for all children, young people and their families		<ul style="list-style-type: none"> <li>✓ Reducing the impact of poverty</li> <li>✓ Improvement in attainment</li> <li>✓ Improvement in health and well-being</li> <li>❖ Attainment gap between most/least disadvantaged children will reduce</li> <li>❖ Improved attainment at Broad General Education</li> <li>❖ Young people better prepared for life beyond school</li> <li>❖ Improved outcomes for our most vulnerable</li> <li>➤ Developing staff skills to improve learning and teaching</li> <li>➤ Quality focus on improving learning and teaching</li> <li>➤ Releasing and enabling leadership capacity</li> </ul>
<b>Raising Attainment for All Learners</b>	<p>Getting it right for every child (GIRFEC) by focusing on the wellbeing of every child to ensure they are safe, healthy, achieving, nurtured, active, respected, responsible and included. Providing support that is equitable, inclusive and timely will raise the attainment and achievements of all children and young people and impact positively on the delivery of consistently high quality learning and teaching experiences as outlined in "Our Moray Standard - Learning and Teaching Strategy." Research shows that achieving better outcomes for children and young people in health and wellbeing contributes to improvements in literacy, numeracy, and behaviour</p> <p>Support for targeted intervention Enhancing and developing staff skills ASN teachers Flexible Package to Support Unmet Need</p>	<p>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.</p> <p>Where intervention/intensive support is required it can be offered in a timely manner using expert resources.</p> <p>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.</p>

Investment/New Proposal		Impact/Outcomes
<b>ASN</b>	<p>Research Support for ASN Review. 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 &amp; Safety Working Group in response to increasing numbers of violent and aggressive incidents in schools (an outstanding action in the Health &amp; Safety Annual Report).</p>	<p>Enhancing ASN Review resources</p> <ul style="list-style-type: none"> <li>• An ASN review business case that is supported by robust evidence</li> <li>• A clear structure/measurement plan for evaluating the impact of any changes,</li> <li>• Well trained staff teams able to respond to behaviours that relate to ASN and supported to better support children and young people</li> <li>• The establishment of a Moray Standard for the delivery of ASN services in all settings through comprehensive ASN induction and training</li> <li>• A reduction in the number of Violent and Aggressive Incidents in schools</li> <li>• A reduction in school exclusions</li> <li>• An increase in school inspection gradings of 'very good' and above for HGIOS 4 QI 3.1</li> </ul> <p>Better targeting of ASN budgets to achieve the best possible outcomes</p>
<b>Pastoral Care in Primary: Improving Outcomes for Learners and Early Years Intervention (All Groups)</b>	<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, attendance, inclusion, participation and engagement.</p> <p>Release school leadership time for strategic planning, school improvement, attainment and other outcomes</p> <p>This project could work in tandem with the All Learners project on a targeted basis to support the impact of both – reduced investment based on that approach</p>	<p>Links to All Learners; ASN and new Locality Management operating model</p> <ul style="list-style-type: none"> <li>• Increased attendance at school for some children</li> <li>• Reduction in exclusions</li> <li>• Reduction in violence and aggressive incidents</li> <li>• Increased attainment and achievement</li> </ul>

Investment/New Proposal		Impact/Outcomes
<b>Raising Attainment - Curriculum breadth and Digital Delivery</b> - Providing and enabling a digital learning environment to improve equity and access to curriculum		<ul style="list-style-type: none"> <li>✓ Improvement in attainment,</li> <li>✓ Improvement in employability skills and sustained, positive destinations</li> <li>✓ Reviewing and transforming the learning environment</li> <li>❖ Improved attainment at both the Broad General Education and Senior Phase</li> <li>❖ Young people are better prepared for life beyond school and for the workplace</li> <li>➤ Providing and enabling a digital learning environment to improve equity and access to curriculum</li> <li>➤ Developing staff skills to improve learning and teaching, including digital</li> <li>➤ Quality focus on improving learning and teaching</li> <li>➤ Releasing and enabling leadership capacity</li> </ul>
<b>Raising Attainment - Curriculum breadth</b>	<p>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</p> <p>invest in devices and technology to support and embed digital innovation and strengthen digital literacy for all</p> <p>increase the number of subjects available across Moray as well as increasing attainment</p> <p>(Note: Overlap with Digital Devices)</p>	<ul style="list-style-type: none"> <li>• Raise attainment across BGE and Senior Phase</li> <li>• Broaden an accessible curriculum offer</li> <li>• Improve the quality of learning and teaching, integrating digital technologies to enhance and support pedagogy</li> <li>• Provide opportunities for school leavers to gain employment in a growing sector</li> <li>• Workforce development and career progression and additional capacity for digital use</li> <li>• Equitable digital access for learning</li> </ul>

Investment/New Proposal		Impact/Outcomes
<b>Schools Digital (Devices/Curriculum)</b>  <i>(overlap with VIA to be addressed)</i>	<p>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.</p> <p>Roll out of devices to staff and pupils P6+ with a 4 year refresh (2100 devices per year)</p> <p>Ongoing Recurring Annual Costs for replacement of devices and staffing costs</p>	<ul style="list-style-type: none"> <li>• Increase skills of staff</li> <li>• Increase the use of digital learning and innovation</li> <li>• Maximise use of technology in the classrooms</li> <li>• Increase opportunities for collaboration, extending access to learning and breadth of subject choices</li> <li>• A consistent experience for learners use of technology in Moray schools</li> </ul>





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**REPORT TO: MORAY COUNCIL ON 12 MAY 2021**

**SUBJECT: LIVING WAGE CONSOLIDATION**

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

**1. REASON FOR REPORT**

- 1.1 The Council is asked to approve the recommendation from the Education Communities and Organisational Development (ECOD) Committee on 31 March 2021 to establish budget provision to secure expert consultancy to undertake the specialist work required for consolidation of the Living Wage.
- 1.2 This report is submitted to Committee in terms of Section III (B) (27) of the Council's Scheme of Administration relating to the remuneration, conditions of service and allowances for all posts.

**2. RECOMMENDATION**

**2.1 The Council is asked to:**

- i) **approve the recommendation from the Education Communities and Organisational Development Committee to establish budget provision budget of £30,000 to engage external expertise on pay and grading design and equal pay to be funded from free general reserves; and**
- ii) **note that the financial implications of the consolidation of the Living Wage will be reported in due course as the specialist work is progressed.**

**3 BACKGROUND**

- 3.1 Reference is made to the report on the Living Wage to the ECOD Committee on 31 March 2021 that set out the current position in relation to the consolidation of the Living Wage into the Council's pay and grading structure, which is required under the terms agreed as part of the Scottish Joint Councils (SJC) Salaries Agreement 2018 – 2021 whereby Councils should aim to achieve consolidation with a final implementation date of March 2022.

- 3.2 Consolidation is not defined in detail but is accepted as meaning payment of the Scottish Local Government Living Wage (SLGLW) rate fully incorporated into all elements of pay and conditions and removal of the spinal column points (scp) in a pay structure that fall below this rate.
- 3.3 The SLGLW is set by the SJC and was introduced in 2013 as part of the national salaries agreement. There is an understanding by the SJC that the rate will rise each year in line with the real living wage, therefore the rate is likely to increase as part of the current round of national pay negotiations, effective from, or backdated to, April 2021.
- 3.4 The national trade union position has consistently been that Councils should consolidate the living wage rate into their pay structures and remove any spinal column points below that rate.
- 3.5 National level narrative from the SJC trade unions has also been to link consolidation to a broader review of the pay and grading structure and a joint Reference Group drew up a set of best practice principles and a checklist to assist with this.
- 3.6 Moray Council has paid the Living Wage since 2012, consolidated in terms of inclusion in overtime and enhanced rates, pension, etc. However, no changes have been made to the salary structure and it is not therefore deemed to be technically 'fully consolidated' in terms of the requirement to remove spinal column points below the SLGLW. This means that Moray Council now has to integrate the SLGLW into its pay and grading structure and remove spinal column points below this rate. The method and mechanics of consolidation varies across Scottish local authorities and the Council must decide on how to consolidate.
- 3.7 A full review of pay structures to take account of the impact of successive increases in the SLGLW, align with the nationally agreed best practice principles and incorporate long term solutions into the council's pay structure will be complex and will have considerable risks and costs associated with it. These are set out in more detail in the Living Wage Consolidation report to ECOD Committee on 31 March 2021.
- 3.8 In order to develop proposals to address the best practice principles and ensure revisions that provide a long term equal pay compliant pay structure that is also suited to longer term service requirements, external expertise is required if completion is to be achieved within the timescale of March 2022 set out in the circular.
- 3.9 Pay design and equalities are a niche area of expertise and there would be a lead in time for council officers to be trained in these and issues around quality assurance and equalities impacts would also require to be addressed. Therefore, it was considered that a more effective solution that takes account of the expertise required and timescales for delivery would be to engage consultancy support with existing expertise in local government pay design. This approach was agreed at Education, Communities and Organisational Development Committee on 31 March 2021 (paragraph 11 of the draft minute refers). This report seeks approval for the funding of budget estimated at £30,000 to secure the external expertise required to progress this work.

## **4 SUMMARY OF IMPLICATIONS**

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

The contents of this report underpin the priorities set out in the Corporate Plan in relation to the Council's financial strategy and workforce strategy.

### **(b) Policy and Legal**

The content of the report is in accordance with the Scottish Joint Council Salaries Agreement 2018-21 and as part of the council's normal collective bargaining framework.

### **(c) Financial implications**

#### **Corporate Management Team Additional Expenditure Warning**

When the Council approved the budget for 2021/22 on 3 March 2021 (paragraph 3 of the Minute refers) it balanced only by using one-off financial flexibilities. The indicative 3 year budget showed a likely requirement to continue to make significant savings in future years. All financial decisions must be made in this context and only essential additional expenditure should be agreed in the course of the year. In making this determination the committee should consider whether the financial risk to the Council of incurring additional expenditure outweighs the risk to the Council of not incurring that expenditure, as set out in the risk section below and whether a decision on funding could reasonably be deferred until the budget for future years is approved.

As set out in the report to ECOD, the financial implications of the future implementation options will be brought forward to Council in due course as there are likely to be additional costs associated with a review of the grade structure depending on the model approved. The issue of retrospection will also require consideration and further detail on this will be included in any future reports as required.

There is no budget to accommodate the financial implications arising from the proposed development of a pay model. It is requested that a budget of £30,000 is allocated in the first instance to engage external expertise on pay and grading design and equal pay over a period of the next 12 months. This time frame is indicative only at this stage and may be more or less depending on the complexity of the pay modelling work and associated risk and equality impact assessments with the consequent impact on costs arising from any new pay model adopted.

### **(d) Risk Implications**

The risks of not agreeing the budget for this work are that the Council would be unlikely to be able to resource the specialist work required to ensure consolidation of the Living Wage. As the expertise is not currently available in-house and training would be required, there would be a lead in for any internal solution which would mean that it would be unlikely that work could be completed within the nationally and jointly

agreed timescales. Pay and grading design and equal pay is a particular niche area where there have in the past been novel legal challenges and seeking expert input would provide greater reassurance around the management of these issues and risks. An alternative option could increase the risk of equal pay challenge and potential industrial dispute and weaken the prospect of defending these.

**(e) Staffing Implications**

While there are no direct staffing implications arising from this report, the work required to fully research, develop and implement a model that consolidates the SLGLW into the Council's pay and grading structure is significant and will be required to provide support to the external specialist resource.

**(f) Property**

None.

**(g) Equalities/Socio Economic Impact**

The Scottish Local Government Living Wage and Real Living Wages both contribute towards ensuring an acceptable standard of living as defined by the Living Wage Foundation.

Any future modelling work on consolidation would include assessment of equality impacts, with any preferred model having a full Equality Impact Assessment.

**(h) Consultations**

The Chief Financial Officer, Head of Governance, Strategy and Performance and Corporate Management Team, contributed to the report to ECOD committee on which this report is based.

## **5 CONCLUSION**

**5.1 The Council is required to fully consolidate the Scottish Local Government Living Wage into the pay structure and remove unused spinal column points that have been overtaken in recent years by SLGLW increases.**

**5.2 Specialist technical resource is required to do this work and budget is required to enable this to progress.**

**5.3 Further reports will be provided on future options arising from the work on consolidation.**

Author of Report:	Frances Garrow
Background Papers:	Living Wage Report – ECOD Committee – 31 March 2021
Ref:	SJC 2018-21 Salaries Agreement SPMAN-1656699058-21



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**REPORT TO: MORAY COUNCIL ON 12 MAY 2021**

**SUBJECT: REGULATION OF INVESTIGATORY POWERS (SCOTLAND) ACT 2000 AND REGULATION OF INVESTIGATORY POWERS ACT 2000**

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

**1. REASON FOR REPORT**

- 1.1 To invite Council to note the use made of covert surveillance by Council employees in the course of their duties for the years 1 April 2018 to 31 March 2019, 1 April 2019 to 31 March 2020 and 1 April 2020 to 31 March 2021 and the acquisition of communications data by Council employees in the course of their duties for the years 2018 to 2021.
- 1.2 This report is submitted to Council in terms of Section I (3) of the Council's Scheme of Administration as this matter would previously have been considered at the Policy and Resources Committee.

**2. RECOMMENDATION**

- 2.1 **It is recommended that the Council consider and note the use of covert surveillance by Council employees in the course of their duties for the 3 years to 31 March 2019 and to 31 March 2020 and to 31 March 2021 and the acquisition of communications data by Council employees in the course of their duties for the years to 31 December 2019 and 2020 and 2021 for information purposes only.**

**3. BACKGROUND**

**Covert Surveillance**

- 3.1 A report was submitted to the Policy and Resources Committee on 27 April 2010 (para 7 of the Minute refers) regarding a revised policy for the Regulation of Investigatory Powers (Scotland) Act 2000 (RIPSA). The Committee approved the revised policy and decided, as surveillance is such a sensitive issue, that an annual report on the use of surveillance by Council employees in the course of their duties be submitted. Annual reports provide information to 31 March in any given year to tie in with the statistical return period used by

the Office of the Surveillance Commissioner. This report covers the period from 1 April 2018 to 31 March 2021 to cover the period for the last three years.

- 3.2 As regards directed surveillance - 2 authorisations were granted during the year to 31 March 2019 and none were in force at the end of the year. These related to investigations into the sale of possible counterfeit goods online and monitoring the sale of tobacco and related products. Between 1 April 2019 and 31 March 2020 there was 1 authorisation granted for monitoring the sale of tobacco and related products. Between 1 April 2020 and 31 March 2021 there were 2 authorisations granted related to investigations into the sale of possible counterfeit goods online and there are currently no live authorisations.
- 3.3 In relation to the use of covert human intelligence sources (CHIS) 2 authorisations were granted during the year to 31 March 2019 and none were in force at the end of the year. These related to investigations into the sale of possible counterfeit goods online and the possible sale of vehicles by an unlicensed dealer. Between 1 April 2019 and 31 March 2020 there were 2 CHIS authorisations granted and these related to investigations into the sale of possible counterfeit goods online and the possible sale of vehicles by an unlicensed dealer. Between 1 April 2020 and 31 March 2021 there were 2 CHIS authorisations granted related to investigations into the sale of possible counterfeit goods online and there are currently no live authorisations.
- 3.4 Although 11 authorisations in total were granted over the course of the last three financial years, a single investigation may require to seek two or more authorisations for directed surveillance and use of CHIS.
- 3.5 In relation to breaches in procedures, there were no material breaches in procedure and minor breaches were addressed by addressing the issue with the authorising officer.

### **Communications Data**

- 3.6 A report was submitted to the Policy and Resources Committee on 12 March 2013 (para 9 of the Minute refers) regarding a revised policy for accessing communication data in terms of the Regulation of Investigatory Powers Act 2000 (RIPA). The Committee approved the revised policy and decided that an annual report on the acquisition of communications data by Council employees in the course of their duties be combined with the report on the use of surveillance under the Regulation of Investigatory Powers (Scotland) Act 2000. Annual reports provide information to 31 December in any given year to tie in with the statistical return period used by the Interception of Communications Commissioner Office.
- 3.7 In the calendar years 2018, 2019 and 2020 there were no notices requiring disclosure of communications data; there were no authorisations of conduct to acquire communications data; no applications submitted to a Designated Person were rejected; and no authorisations or notices were processed via the National Anti-Fraud Network.

### **Inspection**

- 3.8 The Council is inspected every 3 years for compliance with the legislation, due to COVID restrictions this years inspection is being done through interview over video conferencing and examination of authorisations and records. Once received the findings of the inspection and any recommendations will be reported to Committee. The recommendations from the previous inspection related to maintain a training record and amending the policy and procedures to ensure the Senior responsible Officer was not also an authorising officer and this has been done.

#### **4. SUMMARY OF IMPLICATIONS**

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

The use of investigatory powers, where appropriate, contribute towards National Outcome 9 – we live our lives safe from crime, disorder and danger. There are no implications.

**(b) Policy and Legal**

The policies enables the Council to ensure appropriate checks and balances in terms of RIPSAs and RIPA are in place within Moray thereby ensuring that covert surveillance activities and acquisition of communications data is conducted in an efficient and proportionate manner and in accordance with the legislation.

**(c) Financial implications**

There are no direct financial implications arising from this report.

**(d) Risk Implications**

There are no risks arising from this report, even though the council has limited use of its powers it is important that staff remain aware of the requirements to ensure compliance.

**(e) Staffing Implications**

None.

**(f) Property**

None.

**(g) Equalities/Socio Economic Impact**

There are no equalities issues arising from this report, compliance with legislation ensures that equalities impacts are considered.

**(h) Consultations**

Consultation has taken place with the Depute Chief Executive Economy, Environment and Finance, the Legal Services Manager, the Head of Legal and Democratic Services, the Equal Opportunities Officer, Lissa Rowan (Committee Services Officer) and their comments incorporated into the report.

## **5. CONCLUSION**

- 5.1 The report details the use made of covert surveillance by Council employees in the course of their duties for the last 3 years and the acquisition of communications data by Council employees in the course of their duties for the year to 31 March 2021 and invites the Committee to consider and note the report.**

Author of Report: Jim Grant (Head of Economic Growth and Development)

Background Papers:

Ref: SPMAN-813460984-104



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**REPORT TO: MORAY COUNCIL ON 12 MAY 2021**

**SUBJECT: CONCESSIONARY RENTALS**

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

**1. REASON FOR REPORT**

- 1.1 To request that Council approve a simplified process for dealing with requests for concessionary rental of low value and short duration.
- 1.2 This report is submitted to Committee in terms of Section III (B) (29) of the Council's Scheme of Administration relating to the policies and practice of the Council relating to asset management.

**2. RECOMMENDATION**

**2.1 It is recommended that the Council:-**

- i) **approves the process for dealing with requests for concessionary rentals of low value and short duration as set out in paragraphs 3.4 to 3.7 of this report; and**
- ii) **grants delegated authority to the Chief Financial Officer accordingly.**

**3. BACKGROUND**

- 3.1 The Council has an established process for dealing with requests for Community Asset Transfer (CAT). At its meeting on 25 May 2016 (paragraph 22 of the Minute refers) the Council agreed that all requests for leases of Council land or buildings at less than market rental would be dealt with through the CAT process. This requires committee approval before a concessionary rental can be agreed.
- 3.2 Although the CAT process makes it clear that the level of justification for a CAT request should be proportionate to the level of discount sought, it is evident that this is not well understood by community groups seeking concessionary rentals. Use of the same documentation for short term concessionary rentals and transfer of ownership can lead to confusion in this regard.

- 3.3 Community response to the pandemic has led to an increase in requests from community groups seeking short-term arrangements for use of temporarily unoccupied Council property. Given the nature of the requests a swift turnaround is often necessary and adherence to committee timescales does not facilitate an agile response.
- 3.4 In order to facilitate a light touch application for concessionary rentals and to facilitate a quick response for short-term low value concessionary arrangements it is proposed that delegation for approving concessionary rentals is delegated to the Chief Financial Officer, acting in conjunction with the Head of Housing and Property Services and other officers as necessary, if the following circumstances pertain:
- Where the annual value of the lease is £1,000 or less, a lease or licence to occupy may be granted and renewed until that threshold is reached; or
  - Where the annual value of the rent forgone is between £1,000 and £6,000 and the length of the requested lease or licence to occupy is for no more than 6 months, with any request for extension subject to committee approval
- and in all cases
- The service whose property is requested for use supports the request;
  - Ward members support the request.
- 3.5 If the above process is approved a simple application form will be drafted and made available on the Council's website through the CAT portal.
- 3.6 The Council expects that community groups occupying Council properties under concessionary rentals should be responsible for meeting the cost of utilities and insurance for the buildings. Insurance will be arranged by the Council and recharged to the community group, unless the group can demonstrate to the satisfaction of the Chief Financial Officer that it cannot meet the cost of insurance. No such exception should be made for the cost of utilities. The repair to any damage to the property incidental to the occupation by the community group should be paid for by the community group. The community group would be responsible for paying Non Domestic Rates (NDR), though NDR relief may be available.
- 3.7 The Council would generally charge fees for work carried out by its Legal and Estates staff in arranging for occupation of Council premises. If a community group requesting a short term use of Council premises can demonstrate to the satisfaction of the Chief Financial Officer that it is unable to pay such fees then the Chief Financial Officer can waive the fees providing the work involved in arranging for occupation does not incur additional expenditure to the Council (ie staff time only involved) and the cost of staff time does not exceed £500. Any additional expenditure such as registration dues should be met by the group.

#### **4. SUMMARY OF IMPLICATIONS**

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

The proposed process is to facilitate support to community groups and accords with the corporate priority of Our Place.

**(b) Policy and Legal**

Granting concessionary rental is support for another organisation in terms of Following the Public Pound and should be monitored as such. The Council fulfils this duty by reporting on concessionary rentals to committee on an annual basis.

**(c) Financial implications**

No financial implications follow directly from this report. Granting a concessionary rent in most – but not all - circumstances gives rise to a loss of potential rental income to the Council.

**(d) Risk Implications**

There are no risks to the Council arising directly from this report.

**(e) Staffing Implications**

There are no staffing implications arising directly from this report.

**(f) Property**

There are no property implications arising directly from this report.

**(g) Equalities/Socio Economic Impact**

There are no equalities issues arising directly from this report.

**(h) Consultations**

CMT, the Acting Head of Housing and Property Services, the Estates Manager, the Head of Governance, Strategy and Performance, the Legal Services Manager, the Community Support Manager, the Asset Management Co-ordinator and Tracey Sutherland, Committee Services Officer have been consulted in the preparation of this report and comments included.

#### **5. CONCLUSION**

**5.1 A simplified process is recommended for short term concessionary lets of low value, with authority delegated to Officers to implement.**

Author of Report: Lorraine Paisey, Chief Financial Officer  
Background Papers:  
Ref:





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**REPORT TO: MORAY COUNCIL ON 12 MAY 2021**

**SUBJECT: LOSSIEMOUTH EAST BEACH FOOTBRIDGE REPLACEMENT**

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

**1. REASON FOR REPORT**

- 1.1 To inform the Council of the outcome of the Option Appraisal to replace the footbridge from Lossiemouth to East Beach and Scottish Government's decision with regard to funding the design and construction of the new bridge.
- 1.2 This report is submitted to the Council in terms of Section II (20) of the Council's Scheme of Administration relating to matters which currently do not fall within the terms of reference of any Committee.

**2. RECOMMENDATION**

**2.1 It is recommended that the Council:**

- (i) note that Scottish Government has agreed to fund the preferred option to construct a new footbridge from the esplanade in Lossiemouth to East Beach;
- (ii) agree to providing staff resources to progress delivery of the design and construction of the replacement footbridge from Lossiemouth to East Beach. Costs included in Scottish Government funding package, see paragraph 3.7;
- (iii) give delegated authority to the Legal Services Manager to prepare and sign all Compulsory Purchase Order documentation and to take all necessary steps, including publication of all statutory notices, to secure conformation of the Order by Scottish Ministers and the vesting of the land in the Council, if required;
- (iv) agree that the Council take ownership of the new bridge on completion of construction; and
- (v) agree to use section 20 of the Local Government in Scotland Act 2003 to demolish the old bridge at the same time as building the new one at a cost of £69k with the cost to be met from reserves.

Or

- (vi) agree to the ongoing inspection and maintenance of the bridge to remove defective parts, and ultimately at some point in the future the demolition of the bridge under the Building Standards (Scotland) Act 2003 at a point when it is considered “dangerous” to protect public safety.

### 3. **BACKGROUND**

- 3.1 On 17 December 2019, the Council agreed in principle to take ownership of the new bridge on completion of construction; commit staff resources to progress the Option Appraisal for a replacement bridge; and submit a report to Council on the outcome of the Option Appraisal (paragraph 4 of the minute refers).
- 3.2 A two stage contract for this work was tendered in April 2020. Stage 1 is the development of an Option Appraisal to inform the business case required to secure funding for the design and construction of the bridge. Stage 2 is the design and construction of the bridge. The Contract includes a clause that if funding is not secured at the end of Stage 1, the works will not be progressed. This Contract was awarded to Beaver Bridges in September 2020. The tender process was longer than originally anticipated due to COVID related working restrictions.
- 3.3 The five options assessed as part of the Option Appraisal are listed below and the location of options 3, 4 and 5 are provided in the Appendix.
1. Do Nothing
  2. Do Minimum
  3. New Footbridge Local to the Existing
  4. New Footbridge at the Esplanade
  5. New Footbridge at Seatown Road
- 3.4 Each option was assessed on cost, environmental impact, flood risk and ground conditions. The environmental impact, flood risk and ground conditions were very similar for all of the options, however, the costs for each option were significantly different. The cost of each option is provided in the table below.

Options	Capital Cost	Maintenance	Whole Life Cost
Do Nothing	£0	£0	£0
Do Minimum	£900,000	£1,800,000	£2,700,000
Option 3 – New bridge local to existing	£2,225,000.	£550,000	£2,775,000
Option 4 – New bridge at the Esplanade	£1,375,000.	£165,000	£1,540,000
Option 5 – New bridge at Seatown Road	£1,750,000.	£400,000	£2,150,000

The Option Appraisal identified Option 4, a New Footbridge at the Esplanade as the preferred option as this has the lowest cost and as such provides best

value. Full details of the Option Appraisal have been uploaded to CMIS as additional meeting documents along with the agenda.

- 3.5 In November 2020 the Lossiemoth Community Development Trust appointed an economist to undertake an Economic Impact Assessment (EIA). This assessment looked at the impact on the local economy with and without direct access to East Beach. The EIA found that since the East Beach bridge closure, 72% of local businesses have experienced a negative impact on trade. 76% of local businesses advised that a high quality bridge replacement would influence their plans for future investment or expansion. Based on bridge count data from early summer in 2019, it is estimated that 200,000 users would cross the bridge in a typical year. Anecdotal evidence indicates that of the 200,000 users 50,000 are local and the remaining 150,000 are visitors. Based on this data the EIA found that with direct access to East Beach the town would benefit from an additional £1,500,000 in visitor spend and 30 FTE jobs. In addition to the economic benefits direct access to East Beach would provide health and wellbeing benefits, including: walking or running along the beach, dog walking, water sports, and wildlife and birdwatching from the beach and the dunes behind the beach. The benefits achieved are the same for all of the options to replace the bridge. Full details of the EIA have been uploaded to CMIS as additional meeting documents along with the agenda.
- 3.6 Information from each of these documents was used to draft the business case required to secure funding to design and construct the bridge. The business case was drafted in line with government guidance, which requires any bid for funding to demonstrate best social value for money. This is achieved by assessing the costs and benefits that apply to each option. The Option Appraisal identified that the preferred option was Option 4, a new bridge at the esplanade, as this has the lowest cost. The benefits for each option are generally the same, as each option for reinstating the bridge is within 250m of the original bridge starting point and all have the same landing point. The table below sets out the costs and benefits for each option.

Options	Costs					Benefits	
	Capital	Maint	Risk	Construction Supervision	Net Present Value	Economic	Social
Option 1 – Do Nothing	£0	£0	£0	£0	£0	There are no economic benefits associated with this option.	There are no social benefits associated with this option.
Option 2 – Do Minimum	£0.9m	£1.8m	£1.115m	£60,000	£3.875m	-£1.5m increase in visitor spend each year. -30 FTE jobs.	-Access to activities that improve health and wellbeing including:  Walking and running Dog walking Watersports

							Wildlife and bird watching. -Safe and reliable access to the beach.
Option 3 – New bridge local to existing	£2.225 m	£0.55m	£0.365m	£60,000	<b>£3.2m</b>	-£1.5m increase in visitor spend each year. -30 FTE jobs.	-Access to activities that improve health and wellbeing including:  Walking and running Dog walking Watersports Wildlife and bird watching. -Safe and reliable access to the beach. -Fully compliant bridge will access for all including wheelchair users.
Option 4 – New bridge at the Esplanade	£1.375	£0.165m	£0.365m	£60,000	<b>£1.965m</b>	-£1.5m increase in visitor spend each year. -30 FTE jobs.	-Access to activities that improve health and wellbeing including:  Walking and running Dog walking Watersports Wildlife and bird watching. -Safe and reliable access to the beach. -Fully compliant bridge will access for all including wheelchair users.
Option 5 – New bridge at Seatown Road	£1.75m	£0.4m	£0.365m	£60,000	<b>£2,575m</b>	-£1.5m increase in visitor spend each year. -30 FTE jobs.	-Access to activities that improve health and wellbeing including:

							Walking and running Dog walking Watersports Wildlife and bird watching. -Safe and reliable access to the beach. -Fully compliant bridge will access for all including wheelchair users.
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The option that provides best social value for money is to construct a new footbridge at the esplanade and this was identified as the preferred option in the business case. It is noted that some members of the local community expressed a preference for a replacement bridge at the same location as the existing bridge. However, as the benefits identified in the Economic Impact Assessment are the same for each option, the only differing factor between each option is cost and this was used in selecting the preferred option that was presented, for agreement with Scottish Government, in the business case. The business case was submitted to Scottish Government on 11 March 2021. Full details of the business case have been uploaded to CMIS as additional meeting documents along with the agenda.

- 3.7 The funding required to design and construct the bridge is £1,800,000, which includes £1,375,000 capital cost, £365,000 risk allowance and £60,000 site supervision costs.
- 3.8 Scottish Government agreed the preferred option to construct a new bridge at the esplanade and on 24 March 2021 announced that it would fund the replacement bridge.
- 3.9 Subject to agreement at this meeting, the Council will award Stage 2 of the contract to design and build a new footbridge at the esplanade. A full programme will be submitted by the contractor when Stage 2 of the contract is awarded. An indicative timeline is provided below but this may be subject to change.
  - May - submit applications for statutory consents.
  - May – start detailed design.
  - September – bridge fabrication (subject to obtaining statutory consents).
  - January – start construction.
  - March / April – open bridge.
- 3.10 The Council's Legal Services Section is investigating land acquisition required to construct the new bridge. This involves negotiation on land purchase and/or progress of Compulsory Purchase Orders as appropriate. If Compulsory Purchase Orders are required members are asked to provide delegated

authority to the Legal Services Manager to prepare and sign all Compulsory Purchase Order documentation and to take all necessary steps, including publication of all statutory notices, to secure conformation of the Order by Scottish Ministers and the vesting of the land in the Council.

#### Existing Bridge

- 3.11 Funding for the replacement bridge does not include an allowance for demolition of the existing bridge. Although the existing bridge has no owner the Council has a duty to ensure public safety and so will ultimately have to remove the structure at its own cost. The bridge will continue to deteriorate and will become an increasing risk to public safety that will require the Council to take action. If in the future the Council decides to demolish this bridge in the interest of public safety it would cost in the region of £77,000.
- 3.12 At this point in time the Bridge is considered safe because we have prevented public access to it, however, there will come a point when the risk of items falling from the bridge will become a risk to river users.
- 3.13 Until the point when the structure can no longer be classed as safe the Council could not use its powers under the Building (Scotland) Act 2003 to progress with demolition. In complying with our duties we will have to carry out annual inspections of the old bridge and will have to maintain or remove dangerous parts of the bridge as they become unsafe or present a risk to river users. The process would be one of direct action under the legislation as there is no owner and the cost of inspection and any maintenance or demolition would fall to the Council. The annual costs associated with inspection and essential maintenance of the bridge are approximately £1,500.
- 3.14 In the absence of any other legislative powers, and in the knowledge that demolition or partial demolition is inevitable and the associated ongoing costs to inspect and maintain the bridge, the Council could use section 20 of the Local Government in Scotland Act 2003, which enables a local authority to do anything it considers likely to promote or improve the well-being of its area.
- 3.15 Although the community has a fond connection to the old bridge, the building of a new bridge, means it has served its function and will continue to deteriorate to the point where it becomes an eyesore and a danger to public safety. The option of using the power of wellbeing to remove the bridge as part of the contract to build the new one provides better value for money and removes risk to the public.
- 3.16 As part of enacting the power of well-being it would be appropriate to consult with neighbouring land owners.

#### **4. SUMMARY OF IMPLICATIONS**

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

A thriving and well connected place, where more people live well in their communities.

**(b) Policy and Legal**

The land required to construct the bridge will be acquired by the Council and we may have to use Compulsory Purchase powers, however, the land will be acquired through negotiation where possible, subject to agreement of the recommendations in this report.

The Council has a duty to protect public safety from dangerous buildings and structures under the Building (Scotland) Act 2003. At present the old bridge is viewed as safe because of restricted access.

The Council can use section 20 of the Local Government in Scotland Act 2003 for the purpose of removing the old bridge.

**(c) Financial implications**

Funding for the design and build of the new bridge will be provided by Scottish Government. The future maintenance of the bridge will be the responsibility of Moray Council at an estimated cost of £165,000 for the whole life of the bridge. The bridge has a design life of 100 years. Routine maintenance such as sweeping and vegetation clearance can be accommodated within the existing bridge maintenance budget, however, major maintenance works will require capital funding. As the bridge is new and will have a Fluoropolymer paint system, which has a design life of 60 years, major maintenance works should not be required within 40 to 60 years. This estimate does not allow for repairs to damage caused by vandalism.

Members should note that responsibility for the cost of demolition or making the old bridge safe will remain with the Council. At present the bridge is not at a point where demolition is justified under the Building (Scotland) act 2003, however, it will require annual surveys which will be carried out by the Council's consultancy team in discussion with Building Standards and ongoing costs associated with removing or making good parts of the bridge until it is ultimately demolished.

The Council can use the power of wellbeing to take action now to remove the old bridge by included it in the contract for the new build at of cost estimate of £69k saving £8k and would need to be funded from reserves.

**(d) Risk Implications**

A risk register has been developed and the risks quantified and included in the funding secured from Scottish Government.

Planning permission is required for the new bridge. Some members of the community have expressed disappointment that the new bridge will not be located at Seatown and may object to the planning application. Consultation with statutory consultees is underway to identify any material considerations and potential mitigation required to address this.

Removal of the old bridge may not be popular due to the iconic status of the bridge, however demolition will be the only option that will ensure public safety in the long term.

The Compulsory Purchase process will be progressed in parallel with landowner negotiations, to ensure the Council can acquire the land required to start construction of the new bridge by January 2022. There is a risk that this process could take longer than seven months but starting the process early will reduce this risk.

**(e) Staffing Implications**

The cost of supervising the works on site has been included in the funding secured from Scottish Government. There will be a requirement for additional staff time for Project Management but this can be accommodated within available staff resources.

**(f) Property**

Land required to construct the bridge will be acquired subject to agreement of the recommendations in this report. An allowance has been made in the risk register for the cost of any land acquisition required.

**(g) Equalities/Socio Economic Impact**

An equality impact assessment will be carried out as part of the design phase in order to ensure that the impact on groups protected under the Equality Act 2012 are minimal and where feasible can be mitigated..

**(h) Consultations**

Depute Chief Executive (Economy Environment and Finance), Head of Environmental and Commercial Services; Head of Economic Growth and Development, Chief Financial Officer, Legal Services Manager, Equalities Officer and Lissa Rowan, Committee Services Officer have been consulted and their comments incorporated into the report.

**5. CONCLUSION**

**5.1 An Option Appraisal and Economic Impact Assessment have been undertaken and the findings used to inform the business case required to support the request for funding to design and build a replacement footbridge from Lossiemouth to East Beach.**

**5.2 The preferred option identified in the Option Appraisal is to construct a new footbridge located at the esplanade.**

**5.3 Scottish Government has agreed the preferred option to construct a new bridge at the esplanade and will fund the design and construction of the bridge.**

**5.4 Moray Council will need to acquire the land on which the bridge will be constructed, either by negotiation or through Compulsory Purchase.**

**5.5 Following on the previous, agreement in principle, Moray Council is asked to take ownership of the bridge on completion of construction to avoid any repetition of the previous issues.**

**5.6 The old bridge will continue to deteriorate and it is a duty of the Council to ensure public safety. While this does not yet require its demolition, this will ultimately be necessary and the Council can use the Power of Wellbeing to remove it at the same time the new bridge is built.**

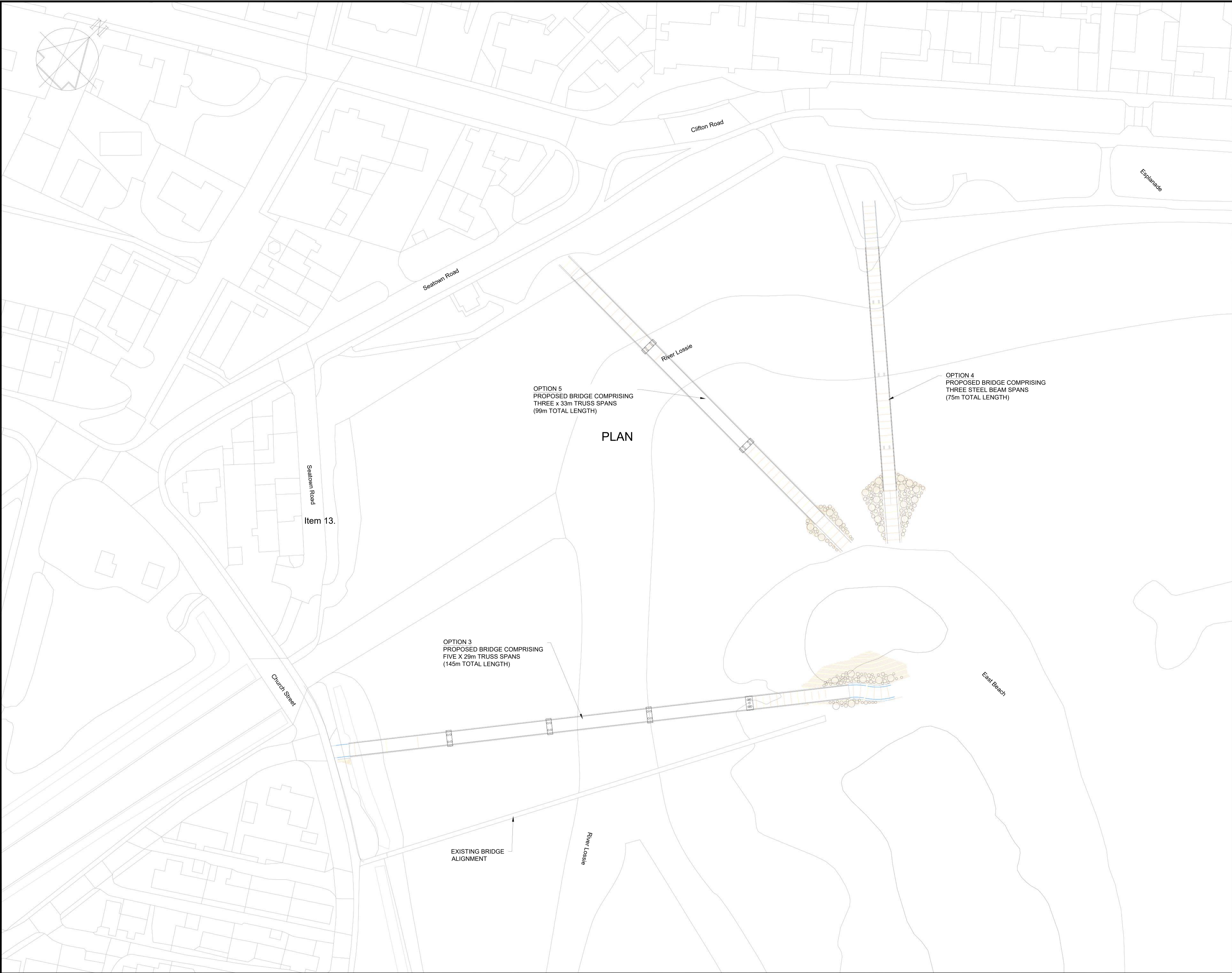
Author of Report: Debbie Halliday – Consultancy Manager

Background Papers:

1. Report to Special Meeting of Moray Council on 17 December 2019 – Replacement of the bridge from Lossiemouth to East Beach
2. Lossiemouth East Beach Bridge Replacement Options Report
3. Lossiemouth East Beach Bridge Replacement Economic Impact Assessment
4. Lossiemouth East Beach Bridge Replacement Business Case


Ref: SPMAN-524642768-347





NOTES

- 1. All dimensions in millimeters. All levels in meters.
- 2. This drawing to be read in conjunction with other scheme drawings if applicable
- 3. This is a CAD produced drawing and should not be amended by hand
- 4. Do not scale from this drawing, work to stated dimension only. If in doubt ASK.

Rev	Description	Chkd	By	Date
Beaver Bridges Ltd 5 Knights Court, Archers Way, Battlefield Enterprise Park, Shrewsbury SY1 3GA Tel: 01743 811 811				
Client				
MORAY COUNCIL				
Project Name				
LOSSIEMOUTH FOOTBRIDGE REPLACEMENT				
Drawing Title				
COMBINED OPTIONS				
Start Date 28/04/2021	Drawn BS	Designed xx	Checked LJ	Scale 1:500
Drawing Status PRELIMINARY			Page Size A1 L	
Drawing No BB2020-GA-004				Rev 0





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**REPORT TO: MORAY COUNCIL ON 12 MAY 2021**

**SUBJECT: STAYCATION READY PROJECT**

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

**1. REASON FOR REPORT**

1.1 To inform the Committee of the overall project details, proposals to seek additional funding and request to use the Scottish Crown Estate net revenue allocations for 2020-2021 and 2021-2022 to coastal local authorities for the coastal areas of this project.

1.2 This report is submitted to Council in terms of Section III A (2) of the Scheme of Administration relating to long-term financial plans.

**2. RECOMMENDATION**

**2.1 The Council is asked to:**

- (i) give delegated authority to the Head of Environmental and Commercial Services in consultation with local ward members to install Phase 1 and 2 of the projects as outlined in paragraphs 3.4 and 3.5 subject to agreement with local community councils on a suitable location, which may differ from those identified in the report;
- (ii) approve proposed waste disposal points charges of £6.82 per use, as outlined in paragraph 3.4;
- (iii) approve the submission of an Expression of Interest and if successful submission of a stage 2 application to the Rural Tourism Infrastructure Fund, as outlined in paragraph 3.7;
- (iv) approve the Coastal Communities fund allocation for 20/21 and 21/22 for funding phase 3, as match funding for the application to the Rural Tourism Infrastructure Fund phase 4 and any elements, which are not eligible in the coastal areas, as outlined in paragraph 3.6; and
- (v) approve the submission of an application to NatureScot Better Places Fund, as outlined in paragraph 3.8.

### 3. **BACKGROUND**

- 3.1 On 2 September 2020, the Council (paragraph 8 of the minute refers) approved the submission of an Expression of Interest to the Rural Tourism Infrastructure Fund (RTIF) with match funding from the 2020/2021 Coastal Community Fund allocation as match funding - for the works in the coastal areas to create a strategic network of facilities across Moray that will contribute to tourism and relieve pressure on local beauty spots, by utilising the revised model standards and innovative approach to planning for such facilities approved at the Planning and Regulatory Services Committee on 8 October 2019 (paragraph 22 of the minute refers). The project is a Moray-wide partnership between the Council, Visit Moray, Speyside Tourism, BID, HIE and various community trusts and associations. A further information report was submitted on 6 October 2020 advising the Council that it proved to be unrealistic to have the full details for all the elements in place by the deadline for the Expression of Interest on 18 September 2020 and if successful to have all applications for any permissions submitted by the stage II deadline of 14 October 2020, which is an essential requirement by the RTIF and so no first round application was ultimately submitted.
- 3.2 At the budget setting meeting of Moray Council on 3 March, 2021 (paragraph 5 of the draft minute refers) it was agreed to allocate £170,000 from the Capital Plan with £85,016 maintenance budget, both for 2021/22 to address the increasing issues at various tourism spots with car/mobile homes parking and disposal of waste. This money was to address the issues for this year.
- 3.3 The Staycation Ready Project consists of 6 phases for 10 sites as outlined below:
- 3.4 **Phase 1- Installation of Waste Disposal Points.** Chemical waste disposal points across Moray for caravans and mobile homes – initial survey completed for 5 sites at Burghead, Craigellachie, Portknockie, Portgordon and Ballindalloch. The waste disposal points will contain; a drinking water tap, a point to empty toilet waste and grey water waste point. These facilities will be designed with a locking system in place to allow charges to be made to use them. The proposed charges will be made via a web portal. The charge will only be for those enhancements that increased the revenue burden on the Council and partners. The proposal is to introduce a charge for the use of the waste facilities rather than charging for parking, which will ensure that the overall project is not in direct competition with any local caravan and camping sites.
- 3.5 Maintenance of waste disposal points and upgraded car parks (phase 2 and beyond), will be from revenue budget, agreed when the budget for 2021/22 was set on 3 March 2021 and includes the appointment of staff to service waste disposal points, litter picking at hot spots, the hire of vehicles and temporary toilets along with the purchase of Sea Gull Proof Bins.

- 3.6 To administer this, Officers are working with partners to define a single code that is given to a user to access the facilities once payment has been received. The system is a combination of the household waste sites and current payment systems. It will be a fully automated system. The cost per use will £6.82. Details of how this has been derived as follows based on data from Sottish Water:-

Item	Cost Per Use
Freshwater based on 0.3p/l and a 50l Aqua Roll being used	£0.15
Standing Charge per use	£0.04
Waste Water Disposal based on Septic Tank at 5000l capacity	£1.33
Staffing Cost Based on the assumption that 1 FTE with van for 6 months would clean each site and that each site would have 5 uses a day and maintenance	£5.30
<b>Total</b>	<b>£6.82</b>

- 3.7 The longer term aspiration is for the same system/platform to be rolled out for use with our community partners on projects in Findhorn and Cullen. Tenders were issued on 21 April 2021 and are currently in the process of being assessed and awarded. Anticipated completion of phase 1 work is by the end of May 2021. The budget allocation of £20,000 is from Moray Capital Plan. The works required at the proposed site locations have been classed as permitted development and building warrants have been applied for.
- 3.8 **Phase 2 - Tourism Enhancements** at current sites where **increased** Tourism is adversely affecting rural communities, the purpose of the upgrades is to improve the infrastructure to cope with increased use. Overnight stops are not encouraged but signage will advise on safe use of the car parks.
- 3.9 **Element 1:** Fiddich Park- The entrance between the Access Road and carpark will be improved. The edging bollards will be replaced. The carpark parking areas designed with signage added to highlight the rules for informal camping Ducting will be installed under new surface where applicable.
- 3.10 **Element 2:** Ballindalloch – The car park will be resurfaced with defined edging between road and carpark. Marking out will be installed for vehicle parking spaces. This will be vertical posts rather than ground marking. Signage will be added with regards to guidance for informal camping. Repair and replace the edge fencing to prevent unauthorised access.
- 3.11 **Element 3:** Portknockie – A new parking area is proposed to be at the back of the Harbour by the west side. The works will include a new gravel surface with appropriate drainage, fencing around the edge to keep use away from cliff edges and also provide edge protection to coastal area. The fencing will be marked out with informal marking for spacing. A new bin compound will be installed, with a fresh water point installed at the harbour toilets. An access gate will also be installed.

- 3.12 **Element 4:** Burghead – Works at Burghead are proposed to be along the seafront where the old railway line came in to the harbour and station. The works will involve repairs to the access road with increased traffic calming. Work to the grassed area to reinforce it to prevent damage to the space. Increased signage to point visitors to rules for informal camping and tourist activities.
- 3.13 **Element 5:** Lossiemouth - Installation of Waste point and water point. This is to be mains connected with fresh water supply. There will also be option of washing down of equipment. The current proposed site is East Beach Carpark but is currently subject to consultation with local community council lead group.
- 3.14 Planned completion of phase 2 works is by April 2022. The budget allocation of £150,000 is from Moray Capital Plan. It should be noted that £30K was to allow for the potential of additional sites to be included other the 5 listed in phase 1. The above sites are subject to consultation with local community councils and ward members in line with recommendation 2.1(i).
- 3.15 **Phase 3 - Coastal Communities Staycation Enhancements** This phase is to enhance the current provision for overnight staycation within Moray with emphasis on Community maintained locations. The sites are Cullen, Findhorn, Lossiemouth and the proposals include:
- Cullen – Repairs to Road, Chemical Waste Point, Temporary surfacing to stopover area (this will form subbase for main stay action project under RTIF. £50,000. The Council are supporting Cullen Community on delivering this project. Planning permission and other statutory consents are required for elements of this project.
  - Findhorn - Remove blind corner to North West of car park, to improve visibility and increase number of car parking spaces, resurface and level off North East Area of car park to increase parking spaces, 3 Barriers £20,000
  - Lossiemouth -  
Signage & sensors as this location is not eligible for RTIF £10,000 Moray Council will be delivering this project
- 3.16 This Project would require an allocation of £80k from the Coastal Communities fund 20/21. If the proposal is approved the planned completion of phase 3 is by mid-August 2021. The above projects are subject to consultation and where applicable statutory consent.
- 3.17 **Phase 4 - Creation of New Carparks and Overnight Stopover Points** is a partnership proposal for submission to the Rural Tourism Infrastructure Fund (RTIF). The Scottish Governments RTIF has recently opened the next round for applications for proposals inaccessible and remote rural areas - excluding settlements above 3000 people - to alleviate existing visitor pressure points or where there is an expectation of a future pressure point from additional visitor numbers due to COVID19, growth initiatives such as route development etc. It can provide for Local Authorities or National Park Authority in Scotland grants from £75,000 to a maximum of £375,000 at an intervention rate of up to 70% for capital expenditure only. However priorities are given to projects which are part of a strategic development plan for a location or sector; are sustainable, innovative, integrated and resolve both an immediate visitor pressure point but

take account of wider area pressures; have strong community support and have a higher level of match funding. Expression of Interest can be submitted anytime but no later than 13 August 2021. If successful stage 2 application deadline is 10 September 2021 with the outcome known by 29 October 2021.

3.18 The RTIF proposal will include the following:

- Surface access road dunes road at Findhorn. This project will be delivered by the community group
- Create Stopover Points with the Cullen Community Group. This will include spaces for over 15 campervans, water point as well as a small community hut for village maintenance. The Community Group will maintain and manage the site. The site is on land rented to the Community Group by Seafeld Estates. This project will be delivered by Moray Council with the support of the community groups and will require planning permission and a caravan site licence.
- Bow Fiddle Rock Carpark. This is a creation of a new car park at Bow Fiddle Rock will be for cars only. It will also include enhanced footpaths. This element is on land owned by Seafeld Estates who are in support of the project. Moray Council will be required to maintain the carpark. This project will be delivered by Moray Council. Planning permission for the creation of the car park will be required.
- Ben Rinnes car park extension. This is a community led project, which is to extend the existing parking to allow more access to the site. The land has been gifted to the community group. On completion of the works the community group will take the car park maintenance over. This project will be delivered by Moray Council on behalf of the community group. Planning permission for the extension of the car park will be required.
- Hopeman - this element is to increase parking in Hopeman. It includes an extra 15 spaces near the playing field. This is a community led project and will require the Council to maintain the carpark going forward. Planning permission for the extension of the car park will be required.
- Ballindalloch Toilet upgrade. This project will be delivered by Moray Council
- Electric car charger at Craigellachie - Fiddich Park This project will be delivered by Moray Council
- Signage and sensors for 9 sites. This project will be delivered by Moray council

3.19 The total project cost is £510,000 with a request from RTIF for £278,616 with proposed match funding from the Coastal Community Fund of £191,384 and request for £40,000 from HIE. Community partners provide in kind contribution ranging from volunteers to value of land. If the proposal is approved to submit stage 1 & stage 2 applications to RTIF with Coastal Community Fund as match funding is successful, the planned completion of this phase is end of March 2022.

3.20 **NatureScot Better Places Fund** - NatureScot have launched a second round of the Better Places Fund to help ensure services and infrastructure are in place to manage visitor numbers and behaviours during the 2021 tourist

season. In this round constituted organisations, including local authorities, registered charities, trusts and community groups can apply.

3.21 The fund will support the following:

- Visitor management operational services: Funding for new and additional seasonal ranger and visitor management posts.
- Visitor infrastructure: Funding for projects that can be delivered quickly and help address visitor pressures at busy hot spot locations, including temporary or permanent infrastructure
- The funding of staff posts is for the 2021 season only, and will extend as a maximum to end October 2021. The fund is looking to provide up to a maximum of £75K towards temporary or permanent visitor management related infrastructure projects.

3.22 The opportunity to further enhance the overall project is being explored and the proposal is to submit a funding application which includes the cost for two seasonal rangers and the revenue costs associated with the maintenance of the tourism enhancements and litter hot spots for 14 May 2021 deadline. Whilst no specific match funding is required it is planned to use some of the maintenance budget allocation for temporary toilets as match funding element. It is anticipated that the outcome of any applications will be known by 28 May 2021.

3.23 **Consultation** – The placement of waste disposal units has been discussed at the Joint Community Councils Meeting and affected community councils and local councillors have been advised of the locations. The Council's Senior Engineer supported by the Community Support Unit has been in discussions with the local communities and where concerns have been raised alternative locations have been considered to assess if they meet the criteria which includes, disabled access, access to services, owned by the Council, and adjacent parking and therefore the locations listed in paragraph 3.4 and 3.5 may be subject to change.

3.24 Whilst the various project elements involved from the outset relevant community partners, however public consultation is scheduled before submitting the Expression of Interest form for the RTIF project (phase 4). For each site, site illustrations are being prepared to show the details of the proposed work. An example is attached as **APPENDIX 2**

#### 4. **SUMMARY OF IMPLICATIONS**

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

The proposal will contribute to achieve the corporate plan priority to promote economic development and growth, also the LOIP priority of a growing and sustainable economy.

(b) **Policy and Legal**

The Council considers support for economic development issues on their merits, against the objective to facilitate sustainable economic growth and the desired outcomes of the Ten Year Plan and Corporate Plan. For any partnership agreement and lease arrangements Legal will be consulted

The legal position in relation to overnight stopping is complex, the Highway Code has provision for drivers to pull off the road if they are feeling tired and this could include sleeping overnight in the vehicle. Wild Camping under the Land Reform (Scotland) Act only applies to tents, not vehicles.

Provision of overnight stops in the form of caravan/motorhomes for more than 28 days in a year is likely to require planning permission for a change of use of a site, and once given planning permission the site would require a site licence under the Caravan Sites Act 1968 which would apply spacing standards and other provisions. The application of this legislation is not suitable to control sites that are primarily provided as car parks rather than formal stop over sites, as the spacing standards for the site licence would significantly reduce the capacity and safe operation of the car park.

For this reason, with the exception of Cullen the provision of car parks and upgrades of car park noted in the report are being provided specifically to alleviate the impacts of increased tourism, informal camping will not be encouraged but guidance on the safe use of the car park will be provided.

Provision of waste disposal points by the Council is permitted development and does not require planning permission and the use of these facilities is not tied to the occupation of any specific site in Moray.

**(c) Financial implications**

The overall project cost for all 10 sites is £850,000 with Council commitment of £255,000 in place. See Appendix 1 for funding of projects. In response to the Covid-19 pandemic, Scottish Ministers' arrangements for Scottish Crown Estate net revenue allocations to coastal local authorities confirmed that it can be used for a range of support measures as long they are aligned with coastal community benefit. It is proposed to use previously approved Coastal Community Fund 2020/2021 allocation of £138,192 and request that the 2021/2022 allocation, which will be at least the same amount or slightly more as match funding for the RTIF application and also to fund elements which are out with the RTIF criteria in the coastal areas. For proposals in the country area, HIE indicated that they are considering providing the necessary match funding.

Subject to Committee approval the project funding stream and drawdowns are shown below for 2021/22 & 2021/22 excluding any potential Nature Scot Better Places Fund grant.

**(d) Risk Implications**

To mitigate any risks, a partnership agreement will be drawn up at full application stage outlining all partner's contribution and commitment to the project.

A number of projects are still subject to statutory consent including Planning and Building warrant

**(e) Staffing Implications**

The overall project management for the works will be undertaken by a Senior Engineers from the Consultancy section.

Staff from the Economic Growth & Regeneration section will provide support for submitting the applications, interim and final claims to the Funders and make arrangements for claimed funds for works carried out at Findhorn to be transferred to the Findhorn Village Conservation Company.

Three seasonal staff will be recruited to service the stopover points, empty bins and litter pick litter hot spots across Moray. A funding application for two seasonal rangers from the NatureScot Better Places Fund will be submitted should approval to apply for funding be granted by Council.

**(f) Property**

The works will create new and upgrade or extend some of the parking areas to deal with some of the visitor pressure points and provide additional infrastructure at the various sites.

**(g) Equalities/Socio Economic Impact**

The fund will bring economic investment into Moray's coastal and country areas of which some are characterised by low wages, low rates of full-time employment, wealth deprivation and child poverty.

**(h) Consultations**

The Depute Chief Executive (Economy, Environment and Finance), the Head of Economic Growth and Development, the Head of Environment and Commercial Services, Environmental Protection Manager, Consultancy Manager, the Head of Financial Services, the Legal Services Manager, the Equalities Officer and the Democratic Services Manager have been consulted and comments incorporated into this report.

**5. CONCLUSION**

- 5.1 The work being carried out this year and the proposals are a collaborative approach that focusses on improving the visitor experience in Moray in areas that have faced pressure on the infrastructure or had negative impacts on communities due to significant increases in visitor numbers. In particular the growth in the motorhome sector within the context of the changes in behaviour of visitors, communities and any requirements resulting from the COVID-19 crisis.**
- 5.2 If the funding applications are successful it will allow opportunities to further alleviate some of the problems through investment in the infrastructure and maximise existing funding allocations.**

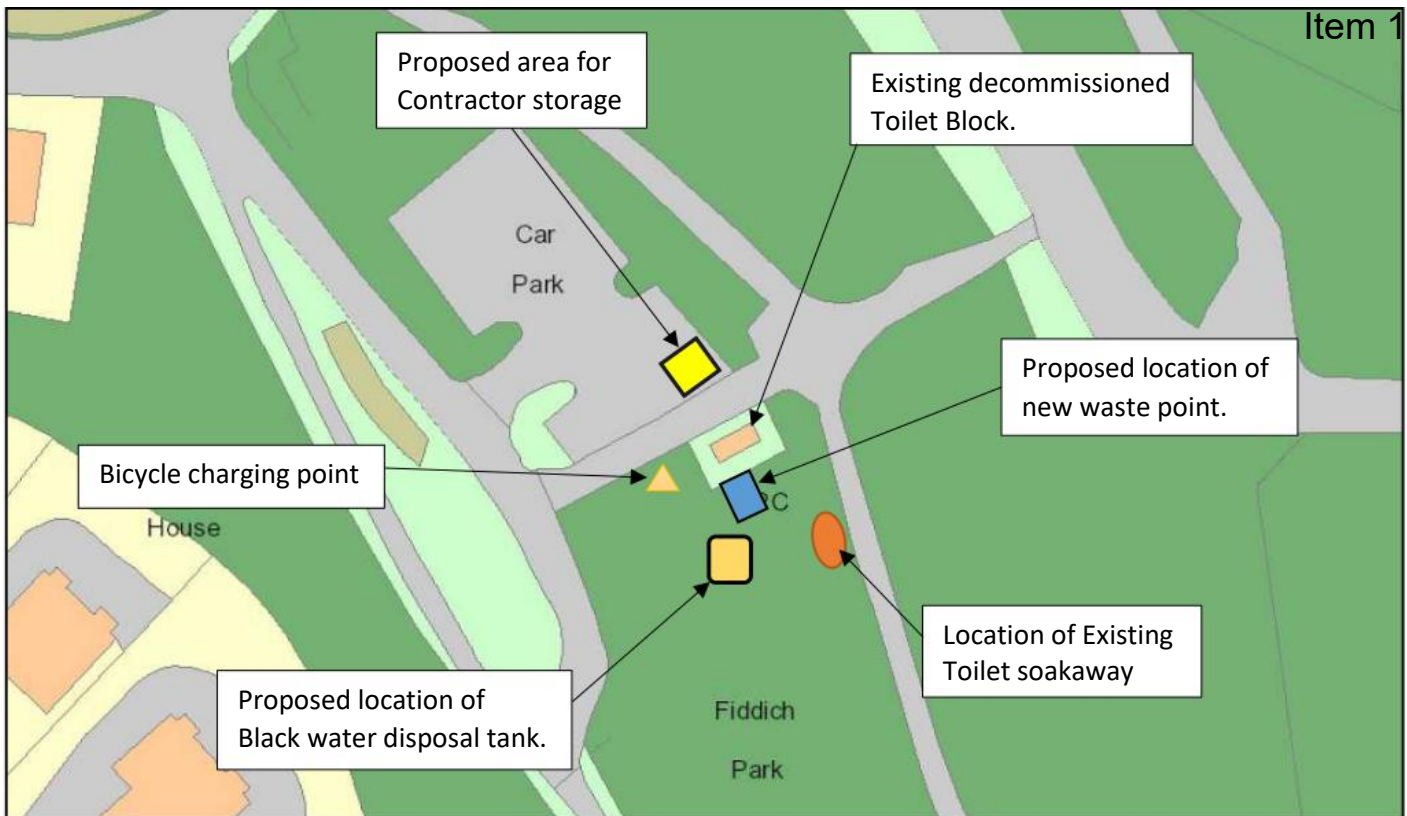
Background Papers: Documents on file in Economic Growth & Regeneration section  
Ref: SPMAN-524642768-376



## Appendix 1

Funding Stream	Sites Being enhanced	Quarter 1 2021/22	Quarter 2 2021/22	Quarter 3 2021/22	Quarter 4 2021/22	Quarter 1 2022/23	Quarter 2 2022/23	Quarter 3 2022/23	Total
Moray Council Capital Waste points	Burghead Harbour Portknockie Harbour Fiddich Park Ballandaloch Portgordan Harbour	£20,000							£20,000
Moray Council Capital Enhanced Staycation	Burghead: Tourist improvements Portknockie: Tourist improvements Fiddich Park: Tourist improvements Ballandaloch: Tourist improvements Lossiemouth :Waste Pint		£25,000	£50,000	£75,000				£150,000
Moray Council Revenue	Moray Wide, including enhanced litter picking at key points, Temporary toilets at Fiddich Park and Ballandalloch, Cleaning of waste points	£42,500	£42,500						£85,000
Coastal Communities 2020/21	Cullen: Access road repairs, Chemical waste point Findhorn: Car park and access road improvements		£85,000						£85,000
Coastal Communities 2020/21 & 2021/22	Match funding or RTIF project. See below				£53,000	£138,384			£191,384
HIE Grant Funding	Match funding or RTIF project. See below				£40,000				£40,000
RTIF Funding	Findhorn: Surface access road dunes road at Cullen: Create Stopover Points at Bow Fiddle Rock Carpark.. Ben Rinnes car park extension. Hopeman - increase parking capacity. Ballindalloch Toilet upgrade. Electric car charge at Fiddich Park Signage and sensors for 9 sites				£50,000	£100,000	£72,893	£55,723	£278,616
<b>Total</b>		£62,500	£152,500	£50,000	£218,000	£238,384	£72,893	£55,723	£850,000





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# FIDDICH PARK

We're installing a chargeable campervan waste disposal unit at Fiddich Park in Craigellachie. This is part of a wider network of waste disposal units we're installing at Ballindalloch, Portgordon, Craigellachie, and BURGHEAD.

Specifically at this site, we're constructing an enclosure on a concrete slab to house:

- 1 x Elson 940mmx690mm size black water waste disposal unit
- 2 x cold water tap
- A new 6,000 litre minimum black water tank

The waste from the sink and floor gully (grey water) will be connected to the existing on-site septic tank.

The waste from the Elson black water waste unit will be routed to a new standalone waste water storage tank with a manhole for emptying. The standalone waste tank will have a level indicator to indicate when it needs emptying.

We're installing a code lock, and users will be charged for the service.

## PHASE ONE WORKS

Operational enhancements

We know there's a busy season of staycations ahead.

So we've committed to:

- install temporary toilets
- inspect and clean the site daily (7 days a week)
- enhanced rubbish collections
- increased litter picking in and around the site



