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## Moray Council

Wednesday, 31 October 2018

**NOTICE IS HEREBY GIVEN** that a Meeting of the **Moray Council** is to be held at **Council Chambers, Council Office, High Street, Elgin, IV30 1BX** on **Wednesday, 31 October 2018** at **09:30**.

### BUSINESS

- 1 **Sederunt**
- 2 **Declaration of Group Decisions and Members Interests**  
\*
- 3 **Minutes**
  - 3(a) **Minute of Meeting dated 5 September 2018** 5 - 16
  - 3(b) **Minute of Special Meeting dated 26 September 2018** 17 - 24
- 4 **Written Questions \*\***
- 5 **Financial Reserves Policy** 25 - 36  
Report by Corporate Director (Corporate Services)
- 6 **Annual Report of the Chief Social Work Officer 2017-2018** 37 - 74  
Report by Chief Social Work Officer
- 7 **Short Breaks Services Statement.doc JG** 75 - 94  
Report by Acting Corporate Director (Education and Social Care)

- |           |  |                      |
|-----------|--|----------------------|
| <b>8</b>  | <b>British Sign Language (BSL) Plan</b>  | <b>95 -<br/>108</b>  |
|           | Report by Chief Executive  |                      |
| <b>9</b>  | <b>Rural Tourism Infrastructure Fund – Pluscarden Abbey</b>  | <b>109 -<br/>120</b> |
|           | Report by Corporate Director (Economic Development, Planning & Infrastructure)                                       |                      |
| <b>10</b> | <b>Transforming Boards - Membership</b>  | <b>121 -<br/>124</b> |
|           | Report by Chief Executive  |                      |
| <b>11</b> | <b>Question Time ***</b>   |                      |
|           | Consider any oral question on matters delegated to the Committee in terms of the Council's Scheme of Administration. |                      |

**Any person attending the meeting who requires access assistance should contact customer services on 01343 563217 in advance of the meeting.**

## GUIDANCE NOTES

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

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

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

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

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

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# 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 Louise Laing (Member)  
Councillor Marc Macrae (Member)  
Councillor Aaron McLean (Member)  
Councillor Maria McLean (Member)  
Councillor Ray McLean (Member)  
Councillor Amy Patience (Member)  
Councillor Derek Ross (Member)  
Councillor Ron Shepherd (Member)  
Councillor Sonya Warren (Member)  
Councillor Walter Wilson (Member)

Clerk Name: Moira Patrick  
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**Minute of Meeting of the Moray Council**

**Wednesday, 05 September 2018**

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

**PRESENT**

Councillor George Alexander, 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 Claire Feaver, Councillor Donald Gatt, Councillor Louise Laing, Councillor Graham Leadbitter, Councillor Marc Macrae, Councillor Aaron McLean, Councillor Maria McLean, Councillor Ray McLean, Councillor Shona Morrison, Councillor Amy Patience, Councillor Ron Shepherd, Councillor Sonya Warren

**APOLOGIES**

Councillor James Allan, Councillor Ryan Edwards, Councillor Derek Ross, Councillor Walter Wilson

**IN ATTENDANCE**

The Chief Executive, the Acting Corporate Director (Education and Social Care), the Corporate Director (Economic Development, Planning & Infrastructure), the Head of Legal and Democratic Services, the Head of Financial Services, the internal Audit Manager, the Educational Resources Manager 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, all Group Leaders advised that their respective groups had discussed Item 14 on the agenda 'Appointments to Committees and Outside Bodies'. Councillor Patience declared an interest in Items 12 and 16 on the agenda as a Board Member and advised that she would leave the meeting during the discussion of those items. Councillors Brown and Macrae also declared an interest in these items as Board Members but advised that they did not consider the content of the reports merit them having to leave the meeting during discussion of them. Thereafter 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 Resolution**

The Council resolved that, in terms of Section 50A (4) and (5) of the Local Government (Scotland) Act 1973, as amended, the public and media representatives

be excluded from the meeting during consideration of the items of business appearing at the relevant paragraphs of this minute as specified below, so as to avoid disclosure of exempt information of the class described in the appropriate paragraphs of Part 1 of Schedule 7A of the Act.

Paragraph Number of Minute	Paragraph Number of Schedule 7A
16	1
17	6&9

### **3 Economic Development and Infrastructure Services Committee - Change of Date**

In response to a request from Councillor Leadbitter in his capacity as Chair of the Economic Development and Infrastructure Services Committee the meeting agreed to amend the date of the next scheduled meeting of the ED&I Committee to a date to be decided during the week commencing 15 October 2018 and that the date be advised to Committee Services accordingly.

### **4 Minutes**

#### **(a) MORAY COUNCIL - MINUTE OF SPECIAL MEETING DATED 28 JUNE 2018**

The Minute of the special meeting of the Moray Council dated 28 June 2018 was submitted and approved.

#### **(b) MORAY COUNCIL - MINUTE OF SPECIAL MEETING DATED 2 JULY 2018**

The Minute of the special meeting of the Moray Council dated 2 July 2018 was submitted and approved.

#### **(c) POLICY AND RESOURCES COMMITTEE - MINUTE OF MEETING DATED 7 AUGUST 2018**

The Minute of the meeting of the Policy and Resources Committee dated 7 August 2018 was submitted and approved.

### **5 Written Questions \*\***

The Council noted the following written question submitted by Councillor Eagle and the responses thereto:-

#### **Question Submitted By Councillor Eagle**

In light of the financial uncertainty facing the council three programme boards were set up to look at both ongoing projects but also reform and transformation. The setup of these boards was approved at the meeting of the full council meeting on 28<sup>th</sup> February 2018. To date the programme boards have covered current projects in the council. When will the boards look at reform and transformation as originally agreed?

## **Response**

A number of transformational projects are already being reported through the boards including the Joint Energy from Waste Project with Aberdeen City and Aberdeenshire, Moray Growth Deal, the Leisure Services Review and Digital Services. Mandates have been prepared setting out the briefs for the remaining projects that make up the Modernisation and Improvement Programme and these will be fed into the next cycle of board meetings. There will also be the opportunity to review and refine the agendas for the transformation boards in light of the new projects coming forward.

### **6 Revenue Budget Monitoring to 30 June 2018**

A report was submitted by the Corporate Director (Corporate Services) advising the Council of the revenue budget monitoring position to 30 June 2018.

Following lengthy discussion the Council agreed to note:

- i. the budget monitoring position of £156,000 under budget for 2018/19 as at 30 June 2018;
- ii. that this position consists of an underspend on Devolved School budgets of £186,000, an overspend on Social Care services delivered on behalf of the Moray Integration Joint Board (MIJB) of £478,000 and an underspend on other services of £448,000;
- iii. movement of £678,000 in the General Revenue Grant, as detailed in paragraph 3.4 of the report;
- iv. emerging budget pressures as summarised in paragraph 6.2 of the report;
- v. the position regarding the MIJB as described in paragraph 6.10 of the report, with cost implications of £1.3 million for the Council, and
- vi. further commitments of £5.11 million against reserves as summarised in Section 8 of the report.

### **7 Capital Plan 2018-19**

A report was submitted by the Corporate Director (Corporate Services) advising the Council of the expenditure to 30 June 2018 under the capital plan for financial year 2018/19 and of the estimates of projected expenditure profiled into quarters.

Following consideration the Council agreed to:

- i. note expenditure to 30 June 2018 of £3,015,000;
- ii. note the current projected expenditure of £44,246,000 for 2018/19 profiled into quarters;
- iii. note the projected overall expenditure for projects spanning more than one

financial year, as set out in Appendix 2 of the report;

- iv. approve proposed budget deferments of £14,389,000 arising from slippage and expenditure reprofiling from 2018/19 to 2019/20 as detailed in paragraph 5.9 of the report;
- v. approved proposed budget advancement of £250,000 from future years to 2018/19 as detailed in paragraph 5.10 of the report, and
- vi. note that in light of the very serious financial position, capital commitments for 2018/19 and 2019/20 are being reviewed to assess options to reduce spend in uncommitted areas.

## **8 Proposed Response to the Scottish Government Consultation on Implementation of the Barclay Review of Non Domestic Rates in Scotland**

A report was submitted by the Corporate Director (Corporate Services) asking the Council to consider a response to the Scottish Government's consultation on the implementation of the provisions of the Barclay Review of non-domestic rates in Scotland.

Following consideration the Council agreed that the content of the Appendix represented a reasonable response to the consultation subject to:

- i. the inclusion of an additional comment to the response that the Scottish Government consider whether there would be a wider benefit to the public purse by preventing appeals by the public sector; and
- ii. the regard to the response to Question 21 in relation to the exceptional circumstances to extend this to include exceptional circumstances in which it may not be possible for the ratepayer to lease the property for 70 days per annum.

It was further agreed that copies of the additions to the response be circulated to all members.

## **9 Monitoring Officer report**

A report was submitted by the Monitoring Officer advising the Council on the range of activities undertaken by the Monitoring Officer from 1 June 2017 to 31 July 2018.

Following consideration the Council agreed to note the activities of the Monitoring Officer over the period 1 June 2017 to 31 July 2018 as outlined in the report.

## **10 Review of Moray's Leisure Estate**

A report was submitted by the Acting Corporate Director (Education and Social Care)

informing the Council of the progress made in relation to the Review of Moray's Leisure Estate and asking the Council to agree that the Leisure Estate Project Board continues to identify the relative strategic importance of the Leisure Estate, investigate governance options and report back to Council in early 2019.

Following consideration the Council agreed:

- i. to note the progress made in relation to the Review of Moray's Leisure Estate;
- ii. that the Leisure Estate Project Board identify the relative strategic importance of the Council's various leisure facilities and services;
- iii. that the Leisure Estate Project Board continue to investigate governance options for the Leisure Estate in the order as indicated at paragraph 3.10 of the report; and
- iv. that the Leisure Estate Project Board report back to Council in early 2019 on the outcome of investigations into (ii) and (iii) above.

## **11 Moray Leisure Centre - Internal Audit Overview**

Under reference to paragraph 3 of the Minute of the Meeting of the Council dated 16 May 2018, a report was submitted by the Chief Executive providing the Council with a commentary prepared by the Internal Audit Manager in respect of the Council's relationship with Moray Leisure Centre, following a request for an independent report at the meeting of the Council on 16 May 2018.

Following consideration the Council agreed:

- i. to note the findings from the overview of the Moray Leisure Centre's operation over its initial 25 year period and the subsequent interim arrangements agreed with the current Board;
- ii. to acknowledge that, with hindsight, 25 years was too long a period to expect the initial funding agreement to operate in a manner acceptable to all parties, all the more so when reflecting on societal changes and the financial downturn and its impact on the public sector during that time;
- iii. to give impetus to the wider leisure services review, which has been under consideration for some time, to provide greater certainty and enable planning for an investment in those services that are to remain part of the leisure estate;
- iv. that, should the Leisure Centre be retained and operate as an Arms' Length External Organisation, any agreement entered into will need to reflect current circumstances; securing continuity of service while supporting the council's obligations to achieve best value.

## **12 Relocation of Polling Place - Cullen and Rathven Rural**

A report was submitted by the Corporate Director (Corporate Services) seeking

approval of a proposed change of polling place in Ward 2 - Keith and Cullen for polling district BM0202 - Cullen and Rathven due to uncertainty of the availability of the existing venue.

Following consideration the Council approved the relocation of the polling place for Polling District BM0202 Cullen and Rathven Rural to the Cullen and District Bowling and Tennis Club, Reidhaven Place, Cullen.

### **13 Appointments to Committees and Outside Bodies**

A report was submitted by the Corporate Director (Corporate Services) inviting the Council to consider making appointments to the committees and outside bodies as detailed in sections 4 and 5 of the report.

The meeting also noted that under reference to paragraph 17 of the minute of this Council dated 7 December 2016, it was agreed the Social Work Complaints Review Committee would cease to have statutory functions from 1 April 2017 save for dealing with any outstanding referrals. Since that time an outstanding case has been referred by the Scottish Public Services Ombudsman which therefore requires the temporary re-instatement of the Social Work Complaints Review Committee.

Following consideration the Council approved the undernoted appointments to committees as follows:

- i. Social Work Complaints Review Committee – Councillors Brown and Warren
- ii. Transforming Boards – agreed that the membership be deferred for consideration in order for further discussion at a Group Leaders’s meeting due to be held later that afternoon and brought back to the special meeting on 26 September 2018.
- iii. Leisure Estate Review Project Board – agreed that Councillor Warren be included as a member of this Board.

Following further consideration the Council noted the previously agreed changes to the outside bodies which had been circulated to all members and that consideration would require to be given separately to those where agreement had not been reached. Thereafter the undernoted appointments were agreed as follows:

#### **ARMED FORCES AND VETERANS CHAMPION**

Councillor D Gatt

#### **AUCHERNACK TRUST**

Councillors G Alexander, L Creswell, C Feaver and A McLean

#### **BANFFSHIRE EDUCATIONAL TRUST JOINT BOARD OF GOVERNORS**

Councillors T Coull, D Ross and S Warren

#### **BOARD OF BUSINESS LOANS SCOTLAND**

Councillor T Coull

#### **BUSINESS GATEWAY**

Councillor J Cowe

## **CAIRNGORMS NATIONAL PARK**

Councillor Coull seconded by Councillor Warren moved that Councillor Laing be appointed to the Board

As an amendment Councillor Divers , seconded by Councillor Macrae moved that Councillor Ross be appointed

On a division there voted:

For the Motion (9): Councillors Coull, Warren, Bremner, Coy, Laing, Leadbitter, A McLean, Morrison and Patience

For the Amendment (13): Councillors Diver, Macrae, Alexander, Brown, Cowe, Cowie, Creswell, Eagle, Feaver, Gatt, M McLean, R McLean and Shepherd

Abstentions (0)

Accordingly the amendment became the finding of the meeting and Councillor Ross was appointed.

## **CASTLE TO CATHEDRAL**

Councillor R McLean

## **CITIZENS ADVICE BUREAU (CAB) BOARD OF DIRECTORS (ADVISERS)**

Councillors J Divers and S Morrison

## **CITY OF ELGIN BUSINESS IMPROVEMENT DISTRICT (BID)**

Councillor J Divers

Councillor Coy (Observer)

## **CONVENTION OF SCOTTISH LOCAL AUTHORITIES (COSLA)**

Councillors G Leadbitter, S Morrison and T Eagle

## **COSLA LEADERS MEETING**

Councillor G Leadbitter

## **COSLA BOARDS**

<b>Children and Young people</b>	-	Councillor S Warren
<b>Community and Wellbeing</b>	-	Councillor L Laing
<b>Environment and Economy</b>	-	Councillor G Leadbitter
<b>Health and Social Care</b>	-	Councillor S Morrison

## **CONVENTION OF THE HIGHLANDS & ISLANDS**

Councillor G Leadbitter

## **COUNTY OF BANFF BURSARY FUND: BOARD OF GOVERNORS**

Councillor Shepherd

## **DICK BEQUEST TRUST SCHEME**

Councillor D Ross

## **EQUALITIES CHAMPION**

Councillor S Morrison

## **FINDHORN BAY LOCAL NATURE RESERVE MANAGEMENT COMMITTEE**

Councillor C Feaver

## **FINDHORN, NAIRN, SPEYSIDE LOCAL PLAN DISTRICT STRATEGIC STEERING GROUP**

Councillor Coy seconded by Councillor Bremner moved that Councillor A McLean be appointed to the Group.

As an amendment Councillor Eagle seconded by Councillor M McLean moved that Councillor Feaver be appointed

On a division there voted:

For the Motion (12): Councillors Coy, Bremner, Coull, Cowe, Cowie, Laing, Leadbitter, A McLean, Morrison, Patience, Shepherd and Warren.

For the Amendment (7): Councillors Eagle, M McLean, Brown, Feaver, Gatt, Macrae and R McLean.

Abstentions (3): Councillors Alexander, Creswell and Divers.

Accordingly the motion became the finding of the meeting and Councillor A McLean was appointed.

## **FORRES GOLF COURSE: BOARD OF TRUSTEES**

Councillors L Creswell and A McLean

## **FOUNDATION OF THE UNIVERSITY OF THE HIGHLANDS & ISLANDS (UHI)**

Councillors C Feaver and A Patience

## **GRAMPIAN NHS BOARD**

Under reference to paragraph 12 of the Minute of the meeting of Moray Council dated 22 May 2013 Councillor A McLean moved that Councillor S Morrison be nominated as the Council's nominated representative on the Grampian NHS Board stating that previous guidance as minuted at that meeting stated that appointment to this Board is restricted to the Council Leader, Depute Leader (Convener), or Chairperson of the Health and Social Care Services Committee which has since been overtaken by the Moray Integration Joint Board (MIJB). He was of the opinion that, as this guidance still stands and stressed the strong link needed between the Council's Administration, the MIJB and the NHS Board, and as the Convener currently holds two of those roles, she would be the ideal person to go forward in this role.

For clarification Councillor Leadbitter stated that as this was a Ministerial appointment, the Administration Group were not proposing the appointment of Councillor Morrison, they were proposing that a request be made to the Scottish Government Minister to change the appointment to the Board.

The Head of Legal and Democratic Services confirmed that it was competent for the

Council to write to the Chairman of the NHS Board expressing its preference in regard to its nominated representative and that the Board make that onward recommendation to the Scottish Minister.

Councillor Brown stated that he would not resign nor had any intention of so doing for the following reasons. In terms of the information the Council had in relation to the time commitment to NHS Grampian Board of one day per month, this was not accurate, with the real time commitment necessary to properly fulfil the role was approximately 30 days per year which included attendance at other NHS Board committees, development days and ad hoc meetings. He stated that he would question whether a Senior Member of this minority Administration is in a position to dedicate that amount of time to the role. He further stated that whilst he had previously thought that this appointment and the role of the Chair of the MIJB had congruency but the reality of the last year had confirmed the reverse as in his opinion there are inherent conflicts in these roles driven by the financial difficulties of all of the parties resulting in conflicts in relation to the roles of governance which he advised have been identified by NHS Boards across Scotland. He further referred to the difference between the role of a Board member and that of a Councillor, stating that an NHS Board functions as a team and not a committee and he has made it his mission to be a full member of the team and to gain the trust and respect of the other Board Members which is an essential element to successfully influence policy. He further referred to the investment made by the NHS Board in his personal development. He also referred to the speculation in regard to the stability of the NHS Board following the retirement of the NHS Grampian Chief Executive, the current Board chair not seeking to renew his term of office which expires in the new year and the term of office of the Vice Chair ending this month and was of the opinion that it was not right at this point to add to the number of Board changes in NHS Grampian and therefore would not be resigning. Whilst it was clearly the Council's choice to write to the Minister to remove him from office, he would also be in a position to make his own representation to the Minister.

Thereafter Councillor A McLean, seconded by Councillor Alexander moved that the Council write to the Chairman of the NHS Board expressing its preference that Councillor S Morrison be the Council's nominated representative on the Grampian NHS Board and that the Chairman make representation to the Scottish Minister to appoint her in preference to the current appointee Councillor Brown.

As an amendment Councillor Gatt, seconded by Councillor Eagle moved that Councillor Brown remain as the Council's nominated representative on the Grampian NHS Board.

On a division there voted:

For the Motion: (14) Councillors A McLean, Alexander, Bremner, Coull, Cowe, Cowie, Coy, Creswell, Laing, Leadbitter, Morrison, Patience, Shepherd and Warren.

For the Amendment: (7) Councillors Gatt, Eagle, Brown, Feaver, M McLean, Macrae and R McLean

Abstentions: (1) Councillor Divers.

Accordingly the Motion became the finding of the meeting and it was agreed that the Council write to the Chairman of the NHS Board expressing its preference that Councillor S Morrison be the Council's nominated representative on the Grampian

NHS Board and that the Chairman make representation to the Scottish Minister to appoint her in preference to the current appointee Councillor Brown.

**GRAMPIAN VENTURE CAPITAL FUND LIMITED**

Councillors J. Cowe and D Bremner – no further meetings but both required to sign off final accounts.

**HIGHLAND AND MORAY AREA SUPPORT TEAM**

Councillor F Brown and S Warren

**HIGHLAND RESERVE FORCES & CADETS ASSOCIATION – NORTHERN AREA COMMITTEE**

Councillor F Brown

**HIGHLANDS AND ISLANDS EUROPEAN PARTNERSHIP**

Councillor G Leadbitter

**HIGHLANDS AND ISLANDS STRATEGIC TRANSPORT PARTNERHSIP (HITRANS)**

Councillor J Cowe

Substitute - Councillor G Leadbitter

**HIGHLANDS AND ISLANDS TERRITORIAL COMMITTEE**

Councillor G Leadbitter

**JOINT ENERGY FROM WASTE PROJECT - ELECTED MEMBERS ENGAGEMENT GROUP**

Councillors G Cowie, J Divers and G Leadbitter

Substitute – Councillor D Bremner

**KNOCKANDO WOOLMILL TRUST**

Councillor D Ross

**MORAY CHAMBER OF COMMERCE**

Councillor G Leadbitter

**MORAY COMMUNITY JUSTICE**

Councillor Coull seconded by Councillor Warren moved that Councillor Coy be appointed to Moray Community Justice.

Councillor Macrae, seconded by Councillor Leadbitter moved that Councillor Divers be appointed to Moray Community Justice.

Councillor Alexander, seconded by Councillor Shepherd moved that Councillor Creswell be appointed to Moray Community Justice.

In noting that there were 3 nominations for 2 appointments, and in terms of Standing Order 63(b) a secret ballot was held between the 3 nominations from which those candidates with the highest number of votes were appointed.

Councillor Creswell – 12 votes

Councillor Coy – 10 votes

Councillor Divers – 22 votes

Accordingly Councillors J Divers and L Creswell were appointed to Moray Community Justice.

**MORAY ECONOMIC PARTNERSHIP**

Councillor G Leadbitter

**MORAY LEISURE CENTRE BOAD OF DIRECTORS**

Councillors F Brown, M Macrae and A Patience

**MORAY LOCAL OUTDOOR ACCESS FORUM (LOAF)**

Councillor L Laing

**MORAY TWINNING ASSOCIATION**

Councillor J Allan

**MORAY WOMEN'S AID - BOARD OF DIRECTORS**

Councillors G Leadbitter  
Substitute: Councillor P Coy

**NORTH EAST SCOTLAND AGRICULTURAL ADVISORY GROUP**

Councillors D Bremner and T Eagle

**NORTH EAST LOCAL PLAN DISTRICT STEERING GROUP**

Councillor D Bremner

**NORTH EAST SCOTLAND FISHERIES DEVELOPMENT PARTNERSHIP STRATEGY GROUP**

Councillors M Macrae and S Warren

**NORTH EAST SCOTLAND PENSION FUND – PENSIONS BOARD**

Councillor J Cowe

**NORTH EAST SENSORY SERVICES (OBSERVER)**

Councillor T Coull

**NORTHERN ROADS COLLABORATION COMMITTEE**

Councillors Cowie and G Leadbitter

**SCOTLAND EXCEL JOINT COMMITTEE**

Councillor A McLean

**SCOTTISH JOINT COUNCIL FOR LOCAL GOVERNMENT EMPLOYEES**

Councillor J Divers

**SCOTTISH NATIONAL WAR MEMORIAL**

Councillor D Gatt

**VICTIM SUPPORT**

Councillor P Coy

A report was submitted by the Acting Corporate Director (Education and Social Care) asking the Council to approve a change to the Scheme of Delegation to reflect the change of appointment of the Chief Social Work Officer post.

Following consideration the Council approved a change to the Scheme of Delegation to reflect the change of appointment of the Chief Social Work Officer post from the Head of Integrated Children's Services to the Head of Adult Services.

## **15 Question Time \*\*\***

No questions were raised.

## **16 Moray Leisure Centre - Governance and Staffing**

### **[Para 1]**

A report was submitted by the Chief Executive on specific issues relative to management and staffing of the Moray Leisure Centre.

Following consideration the Council agreed to note the interim management and staffing arrangements now in place which, it is expected, will continue in present form until the council's leisure service review is concluded.

## **17 Cullen Town Hall - Proposed Sale**

### **[Paras 6 & 9]**

A report was submitted by the Acting Corporate Director (Education and Social Care) inviting the Council to consider the results of the consultation exercise in relation to the proposal to sell Cullen Town Hall.

Following consideration the Council agreed to:

- i. Note the results of the consultation exercise in relation to the proposal to sell Cullen Town Hall;
- ii. confirm the decision of the Policy and Resources Committee on 13 March 2018 to sell Cullen Town Hall subject to court approval as detailed in paragraphs 5.1 and 5.2 of the report;
- iii. authorise the Legal Services Manager (Litigation & Licensing) to apply to Elgin Sheriff Court for permission to proceed with the sale of Cullen Town Hall, and
- iv. authorise the Estates Manager and the Legal Services Manager (Property & Contracts) to finalise the detailed terms and conclude the conveyancing.

**Minute of Meeting of the Moray Council**

**Wednesday, 26 September 2018**

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

**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 Claire Feaver, Councillor Donald Gatt, Councillor Louise Laing, Councillor Graham Leadbitter, Councillor Marc Macrae, Councillor Aaron McLean, Councillor Maria McLean, Councillor Ray McLean, Councillor Shona Morrison, Councillor Amy Patience, Councillor Ron Shepherd, Councillor Sonya Warren

**APOLOGIES**

Councillor Ryan Edwards, Councillor Derek Ross, Councillor Walter Wilson

**IN ATTENDANCE**

Also in attendance at the above meeting were: Chief Executive, the Corporate Director (Corporate Services), the Corporate Director (Economic Development, Planning and Infrastructure), the Acting Corporate Director (Education and Social Care), the Head of Legal and Democratic Services, the Head of Financial Services and the Democratic Services Manager as Clerk to the Meeting.

Also in attendance: Maggie Bruce, External Audit

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

In terms of Standing Order 20 and the Councillors' Code of Conduct, Councillor Leadbitter on behalf of the SNP Group declared that the SNP Group had discussed Item 7 - "Financial Planning 2019/20" on the agenda. Councillors Eagle and Alexander on behalf of the Conservative and Councillors Open Groups respectively also declared that their respective Groups had discussed Item 7. The Meeting noted that there were no further declarations from Group Leaders or Spokespersons in regard to any prior decisions taken on how Members will vote on any item on the agenda or any declarations of Member's interests in respect of any item on the agenda.

**Resolution**

The Council resolved that, in terms of Section 50A (4) and (5) of the Local Government (Scotland) Act 1973, as amended, the public and media representatives

be excluded from the meeting during consideration of the item of business appearing at the relevant paragraph of this minute as specified below, so as to avoid disclosure of exempt information of the class described in the appropriate paragraphs of Part 1 of Schedule 7A of the Act.

**Paragraph Number of Minute**

7

**Paragraph Number of Schedule 7A**

1

The Chair stated that given the sensitivities around the budget proposals and the implications of these on the workforce, any decisions taken would need to be communicated with staff before announcing to the public, especially those which the proposals have a direct impact on. She further stated that any such decisions would be communicated to staff as a matter of priority following the meeting.

Meantime it was respectfully requested that any press releases issued by any member or group follow after the Council press release in order that time is given to communicate to staff the decisions taken through the appropriate channels rather than reading them through the press.

**External Audit - Annual Report to Council on 2017/18 Audit**

A report was submitted by the Corporate Director (Corporate Services) providing the Council with a copy of the External Auditor's report to Council on the 2017/18 Audit.

On the invitation of the Chair, Maggie Bruce, External Auditor provided the meeting with a summary of the main elements of the audit work undertaken which included an audit of the key controls operating within the main financial systems and review of governance arrangements; audit work covering the arrangements for securing Best Value relating to financial management, financial sustainability and vision and leadership and an audit of the 2017/18 annual accounts, the section 106 charities it administers. She further outlined the key messages relating to the 2017/18 annual accounts, financial management and financial sustainability, governance and transparency and value for money and summarised the recommendations for improvement as outlined in the Action Plan at Appendix 1 of the External Auditor's report.

Following discussion the Council agreed to note the External Auditor's report.

**Moray Council's Audited Annual Accounts for the period 1 April 2017 to 31 March 2018**

A report was submitted by the Corporate Director (Corporate Services) submitting to the Council the Audited Annual Accounts for the Moray Council for the year ended 31 March 2018 and asking the Council to approve the sign off of the Annual Accounts.

Following consideration the Council agreed to approve the Annual Accounts, having regard to the Annual Report from the external auditor considered earlier at the meeting.

## **Moray Council's Connected Charities' Audited Annual Accounts for the period 1 April 2017 to 31 March 2018**

A report was submitted by the Corporate Director (Corporate Services) submitting to the Council for approval the audited Annual Accounts for Moray Council's Connected Charities for the year ended 31 March 2018.

Following consideration the Council agreed to approve the audited Annual Accounts for the Connected Charities for the financial year 2017/18.

### **Financial Planning 2019/20 Onwards [Para 1]**

A report by the Chief Executive was submitted providing the Council with the progress on the development of a medium to long term financial plan that will work towards ensuring financial stability for the council and asking the Council to consider and approve for development and communication as appropriate a range of measures aimed at reducing the predicted budget gap for 2019/20 and 2020/21 in order to balance the council budget pending the realisation of the savings from a longer term financial plan.

Councillor Leadbitter stated that it had been challenging for his Group to reach this point in the budget process and thanked his colleagues within the Group for the work they had undertaken in getting to this point. He further stated that there was still much work to be done with this being the first step in balancing the 2019/20 budget, there was a lot of further information and items to be discussed and debated before February 2019 not least of which was understanding what the settlement would be from the Scottish Government which would not be known until December. He also thanked the Group Leaders and those who had accompanied them to meetings where useful discussions had taken place and whilst not always agreeing consensus had been reached on some of the proposed savings presented.

He stated that further work on the medium to long term financial plan will continue and the results of that will be brought to the Council in due course in time for the February budget.

He thanked the Officers for the work they had undertaken with Members during which had been a particularly challenging time for the Council. In referring to Appendix 2 of the report he outlined the undernoted minor changes:

- D7 4 – Roads Maintenance Revenue Budget – Reduce to £21,000
- A5 c - Remove Forres Community Centre to allow further work on this to be brought back in December

Following lengthy discussion there was circulated to the meeting a list of alternative recommendations proposed by the Conservative Group. In order to allow all members time to study the alternative recommendations, the meeting agreed to a short adjournment.

On reconvening the meeting the Chair advised that each recommendation would be moved in turn.

Following discussion Councillor Brown asked the Chair for a degree of latitude on the basis that the proposed amendments put forward by the Conservative Group were all interlinked and that he wished to set out why he considered it was important to to

reflect the intentions of the Conservative Group in bringing forward these amendments to the existing motions. He further stated that the basis for the amendments was to mitigate as much as possible the impact of these severe financial reductions over the next two years on the people of Moray, the services they get and the resources that are available to them whilst at the same time seeking to mitigate the number of job losses that will be a consequence of these restrictions.

The Convener stated that as the meeting had moved to the consideration of the recommendations and that the purpose of the short adjournment had been to allow that discussion to take place and that there would be opportunity for the Conservative Group to provide explanations as the meeting considers each of the recommendations.

Councillor Brown stated that he was unhappy and wished it to be recorded that in his opinion the Conservative Group had not been given the opportunity to set out the reasoning behind the amendments nor the opportunity to explain them within the overall context which was in his opinion unhelpful.

Thereafter the meeting considered each recommendation as follows:

#### Medium to Long Term Financial Planning

- (i) Councillor Leadbitter, seconded by Councillor A McLean, moved that the Council direct that financial plans are being developed to address the council's funding gap based on the assumptions in para 4.19 of the report and the mid-point financial forecast in Appendix 1 and an update on progress be reported to the Council in December 2018.

As an amendment Councillor Eagle, seconded by Councillor Macrae, moved that the Council directs that financial plans are developed to address the Council's funding gap based on the assumptions in para 4.19 in the report and the mid-point financial forecast in Appendix 1 and reported to the December 2018 Council meeting.

On a division there voted:

For the Motion (13)	Councillors Leadbitter, A McLean, Alexander, Allan, Bremner, Coull, Cowe, Cowie, Coy, Laing, Morrison, Patience and Warren
For the Amendment (7)	Councillors Eagle, Macrae, Brown, Feaver, Gatt, M McLean and R McLean
Abstentions (2)	Councillors Divers and Shepherd

Accordingly the Motion became the finding of the Meeting and the Council agreed to direct that financial plans are being developed to address the council's funding gap based on the assumptions in para 4.19 of the report and the mid-point financial forecast in Appendix 1 and updated on progress is reported to the Council in December 2018.

- (ii) Councillor Leadbitter, seconded by Councillor Alexander, moved that an Improvement and Modernisation Programme (as detailed in Appendix 4 of

the report) is being developed to provide the basis for a medium to long term financial plan to enable the financial sustainability of the council and that this will continue to be refined until the council budget is set for 2019/20 is set in February 2019;

As an Amendment Councillor Eagle, seconded by Councillor Brown, moved that the next version of the Improvement and Modernisation Programme (Appendix 4) is developed with a greater level of detail including dates, costs and potential return on investment and brought to the December 2018 Council meeting in the form of a 3 year recovery plan.

On a division there voted:

For the Motion (15) Councillors Leadbitter, Alexander, A McLean, Allan, Bremner, Coull, Cowe, Cowie, Coy, Creswell, Divers, Laing, Morrison, Patience and Warren

For the Amendment (7) Councillors Eagle, Brown, Feaver, Gatt, Macrae, M McLean and R McLean

Abstentions (1) Councillor Shepherd

Accordingly the Motion became the finding of the Meeting and the Council agreed that an Improvement and Modernisation Programme (as detailed in Appendix 4 of the report) is being developed to provide the basis for a medium to long term financial plan to enable the financial sustainability of the council and that this will continue to be refined until the council budget is set for 2019/20 is set in February 2019;

### Short Term Financial Planning

- (iii) Councillor Leadbitter, seconded by Councillor A McLean moved, subject to the changes highlighted in relation to D7 4 and A5 c in Appendix 2, that the Council agree, pending the identification and realisation of long term savings based on transformation, a short term financial plan by approving the greatest level possible of the savings in Appendix 2 for implementation, development and communication in order to assist in addressing the council's budget gap. In this respect the Council is asked to approve savings falling into a number of categories as indicated on Appendix 2 (list of savings options).

As an Amendment Councillor Eagle, seconded by Councillor Feaver, moved that the council proceed to consultation with those savings identified in Appendix 2 as iii or v and delay implementation of those savings which could be taken now (i and ii) until the return of the financial plans to address the council's funding gap and the return of the next version of the Improvement and Modernisation Programme as outlined in recommendation 3.1.ii

On a division there voted:

For the Motion (14) Councillors Leadbitter, A McLean, Alexander, Allan, Bremner, Coull, Cowe, Cowie, Coy,

For the Amendment (8) Councillors Eagle, Feaver, Brown, Gatt, Macrae, M McLean, R McLean and Shepherd

Abstentions (1) Councillor Divers

Accordingly the Motion became the finding of the Meeting and the Council agreed subject to the changes highlighted in relation to D7 4 and A5 c in Appendix 2, that the pending the identification and realisation of long term savings based on transformation, a short term financial plan by approving the greatest level possible of the savings in Appendix 2 for implementation, development and communication in order to assist in addressing the council's budget gap. In this respect the Council is asked to approve savings falling into a number of categories as indicated on Appendix 2 (list of savings options).

- (iv) Councillor Leadbitter, seconded by Councillor A McLean, moved that the council approve commencement of the process to amend the Car Park Order in relation to any approved car parking charges.

Councillor Divers stated that in his opinion the proposal did not take into consideration the Council's Car Parking Strategy and would create problems in the streets around the council and moved as an amendment , that the council do not approve to commence the process to amend the Car Park Order in relation to any approved car parking charges. Councillor Eagle seconded the amendment.

On a division there voted:

For the Motion (17) Councillors Leadbitter, A McLean, Alexander, Allan, Bremner, Coull, Cowe, Cowie, Coy, Creswell, Laing, M McLean, R McLean Morrison, Patience, Shepherd and Warren

For the Amendment (4) Councillors Divers, Eagle, Feaver and Macrae

Abstentions (2) Councillors Brown and Gatt

Accordingly the Motion became the finding of the Meeting the council approved commencement of the process to amend the Car Park Order in relation to any approved car parking charges.

- (v) The Council agreed to endorse the action taken by the Chief Executive to instigate short term in year savings for 2018/19 to ensure that only essential expenditure is incurred in this financial year.

#### Implementation of Short Term Financial Plan

- (vi) In relation to the implementation of the savings agreed to form the short term financial plans, although strongly advised against by the Corporate

Management Team and the Chief Financial Officer due to the impact which this is likely to have on the ability of the Council to set a balanced budget in February 2019, Councillor Leadbitter, seconded by Councillor A McLean, moved if the Council is minded to agree a policy of no compulsory redundancies, to recommend that this is noted meantime, but that formal agreement of this position is deferred until an assessment of the achievability of savings within this policy in place is completed, and that this position is reviewed at a special meeting of the Council in December 2018. In the meantime, consultation would proceed including compulsory redundancies as a last resort in order to ensure that option is available to the council if required in December.

As an amendment Councillor Alexander, seconded by Councillor Cowe moved that the council agree to manage workforce change using the Council's Transform procedures to manage and mitigate the need for redundancies, with earlier inclusion of voluntary exits and retaining compulsory redundancies as the last resort if it is not possible to manage all of the workforce implications and implement savings in full by 1 April 2019 by any other means.

On a division there voted:

For the Motion (10)	Councillors Leadbitter, A McLean, Bremner, Coull, Coy, Divers, Laing, Morrison, Patience and Warren
For the Amendment (12)	Councillors Alexander, Cowe, Eagle, Allan, Brown, Cowie, Creswell, Gatt, Macrae, M McLean, R McLean and Shepherd
Abstentions (1)	Councillor Feaver

- (vii) The Council agreed to proceed with communications, providing information and engagement as set out in Appendix 2 of the report in relation to each saving option approved.

#### Next Stage Financial Planning

- (viii) Given that even the full savings identified in Appendix 2 fall short of the anticipated funding gap for 2019/20, in order that the council is positioned to be able to meet its statutory responsibilities under the Local Government Finance Act 1992 (section 93) in relation to setting a balanced budget and the Local Government (Scotland) Act 2003 (section 35) in terms of the duty on local authorities to manage their capital expenditure the Council agreed:
- to reconsider any savings not accepted in Appendix 2 at a later date if the funding gap remains;
  - that work will continue to try to identify any further savings that could be implemented for 2019/20; and
  - medium term financial plans be developed over the coming months in order to identify savings that can be realised during the course of

2019/20.

Monitoring and Reporting

- (ix) the Council further agreed:
  - a) that monitoring reports on developing medium and long term financial plans are provided to future meetings of the council in order to ensure progress is made towards enabling the setting of a balanced budget in 2019/20 and future years;
  - b) to instruct a further report to be submitted to the Council in December 2018 on the outcome of the further work and consultation requirements against the relevant savings that the council identifies to be progressed as part of the short term financial plan.



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**REPORT TO: MORAY COUNCIL ON 31 OCTOBER 2018**

**SUBJECT: FINANCIAL RESERVES POLICY**

**BY: CORPORATE DIRECTOR (CORPORATE SERVICES)**

**1. REASON FOR REPORT**

- 1.1 The purpose of this report is to seek Council approval for the Council's revised Reserves Policy.
- 1.2 This report is submitted to Council in terms of Section III (A) (2) of the Council's Scheme of Administration relating to regulating and managing the finances of the Council in accordance with the policies determined by the Council and preparing and reviewing from time to time such rules as may be necessary for the proper administration of the Council's financial affairs.

**2. RECOMMENDATION**

**2.1 It is recommended that Council:**

- (i) **approves the attached Reserves Policy as detailed in the APPENDIX to this report; and**
- (ii) **agrees that the next review will be no later than October 2021.**

**3. BACKGROUND**

- 3.1 Members consider the purpose and use of reserves as part of the financial planning process for the preparation of the Revenue Budget. The Policy and Resources Committee on 7 June 2016 (paragraph 8 of the minute refers) approved the current Reserves Policy, and agreed that it would be reviewed no later than October 2018.
- 3.2 The Reserves Policy covers four main areas:
- The types of reserves operated by the Council
  - The statutory and governance requirements
  - The arrangements for reporting and review
  - The minimum level of free reserve

- 3.3 The approach to setting the minimum level for reserves has been to follow CIPFA advice on the setting of a minimum reserves position, which is to take into account the strategic, operational and financial risks facing the council. In light of the reducing balance of reserves and the pressure on the council's budget, it is particularly important that consideration is given to the specific risks the council may face and the financial implications of these. Therefore, consideration has been given to the major risks set out in the corporate risk register (reported to council on 6 June 2018) and as set out in section 6 of the appendix. Taking this approach confirmed the current view that a free general fund reserves balance of £5m or 2.5% is necessary.

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

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

The Reserves Policy supports the Financial Planning Strategy which is aligned to the Corporate Plan.

**(b) Policy and Legal**

This policy is in accordance with CIPFA and LASAAC guidance on Local Authority Reserves and Balances published July 2014.

**(c) Financial implications**

There are no financial implications arising directly from this report. The report recommends continuation of the Council's current policy of maintaining free reserves of £5 million.

**(d) Risk Implications**

The management of financial risk is one of the key strategic risks facing the Council and this policy will assist the Council in managing that risk.

**(e) Staffing Implications**

There are no staffing implications arising from this report.

**(f) Property**

There are no property implications arising from this report.

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

This report is not proposing new services, or strategies, or plans (or significant changes to or reviews of them). This report therefore has not been assessed for equalities impacts.

**(h) Consultations**

Corporate Management Team and the Audit Manager have been consulted and their comments incorporated into this report.

**5. CONCLUSION**

**5.1 Best Practice requires the Council to have a Reserves Policy which is regularly reviewed and which specifies the guidance which influences the financial strategy during the budget preparation process.**

Author of Report: Lorraine Paisey, Head of Financial Services  
Background Papers:  
Ref: LP/LJC/239-2545/213-3169



## APPENDIX

### THE RESERVES POLICY

#### 1. Introduction

- 1.1 It is good financial practice that the Council has a documented and approved Financial Reserve Policy.
- 1.2 Local Authority Accounting Practice (LAAP) Bulletin 99 published in July 2014 provides advice from CIPFA in respect of Local Authority Reserves and Balances.
- 1.3 The following Policy reflects the key messages from the LAAP Bulletin and also outlines the practical application for the Council.

#### 2. Types of Useable Reserves Operated by the Council

- 2.1 Useable reserves are those that can be applied to fund expenditure whereas Unusable Reserves are restricted to accounting entries.
- 2.2 General Fund Reserve  
The General Fund Reserve is split into a non-Earmarked portion and Earmarked Reserve. The former is often referred to as the “Free Reserve” and it is held for unforeseen emergencies and contingencies. The current Council policy is that the Free Reserve should not be lower than £5 million or 2.5% of annual turnover where turnover is defined as General Government Revenue Grant Income and Council Tax Budgeted Income. 2.5% of the current General Services Revenue Budget for 2018/19 is £5.04 million.
  - 2.2.1 Earmarked Reserves are sums of money retained for future use for a specific purpose or commitments made which cannot be accrued at year-end due to not being in receipt of the service or goods.
  - 2.2.2 Within the General Fund Reserve the most significant earmarked balance is for the Devolved School Management (DSM) scheme which facilitates balances being carried forward from year to year by individual schools.
  - 2.2.3 Funds which are not earmarked for specific purposes are set aside to deal with unexpected events or emergencies or at the discretion of Members.
- 2.3 Housing Revenue Account (HRA)  
These are funds which are for use by the Council’s Housing Service to smooth expenditure or to fund emergencies. The funds are ring-fenced for the Council’s Housing Service.

#### 2.4 Statutory Funds

There are also amounts set aside from the General Fund and HRA balances in Statutory Funds to provide for future expenditure. These are the Repairs and Renewals Fund, which is to assist with uninsured losses to council properties arising from flooding incidents, and the Insurance Fund, which is set aside to pay any uninsured losses regarding school buildings.

#### 2.5 Capital Fund

The Capital Fund is used to directly finance future capital expenditure.

#### 2.6 Capital Grants Unapplied

Holds grants and contributions received towards capital projects. The balance represents funds which have yet to be applied to meet expenditure and would otherwise require repayment.

#### 2.7 Capital Receipts Reserve

Holds the proceeds from the disposal of land or other assets and its use can only be for capital purposes.

### **3. Governance of Reserves**

3.1 The governance arrangements are as follows for each reserve:

#### 3.1.1 General Fund Reserve

- Level of Free Reserves agreed as part of the Reserve Policy and reviewed no less frequently than 3 yearly by the Policy and Resources Committee.
- Projected Balance reported to the Policy and Resources Committee when expenditure for the year is forecast.
- Reported annually to the full Council as part of the review of the Financial Strategy.

#### 3.1.2 Earmarked Reserves

- Creation of Earmarked Reserves approved by the Policy and Resources Committee.
- Update in respect of Earmarked Reserves reported monthly to the Corporate Management Team.

#### 3.1.3 Repairs and Renewal Fund

- Additions to the Repairs and Renewal Fund require Policy and Resources Committee approval.

### 3.1.4 Capital Receipts Reserve

- All receipts from sales of assets are paid into the Capital Receipts Fund unless otherwise approved by the Policy and Resources Committee.
- Capital Receipts Reserve update reported as part of the quarterly monitoring of the Capital Plan to Policy and Resources Committee.
- Decisions to utilise the Capital Receipts Fund approved by the Moray Council.

### 3.1.5 Insurance Fund

- Insurance Fund Balance reviewed and reported as part of the Annual Accounts to the Moray Council.

## 3.2 Earmarked Reserves Process

3.2.1 An earmarked reserve cannot be established without the approval of the Head of Financial Services and the Policy and Resources Committee.

3.2.2 For each earmarked reserve there needs to be a clear documented understanding of the purpose of the reserve, the timescale for which the reserve is required and anticipated phasing.

3.2.3 For earmarked reserves projecting over £50,000 of spend during the year then the annual spend requires monthly phasing.

3.2.4 As part of the year end accounts the remaining balance and continuing purpose of the earmarked reserve requires reviewing by the budget holder and approving by Finance.

3.2.5 Any earmarked reserve not required is to be written back to the General Fund reserves.

## 4. Role of the Head of Financial Services

4.1 The Head of Financial Services is responsible for advising on the targeted optimum levels of reserves the Council aims to hold. The Council based on that advice should then approve the appropriate reserve strategy as part of the budget process.

## **5. Reporting and Review**

- 5.1 The Reserves Policy requires to be reviewed and approved no less frequently than three yearly and reported to the Policy and Resources Committee.
- 5.2 In the event that it is projected that the Council's Non-Earmarked General Fund Reserve ('Free Reserve') will fall below the approved limit, then the Head of Financial Services should report no later than to the next meeting of the Policy and Resources Committee explaining the reasons for this shortfall and the options available to rectify the situation.

## **6. Level of Free Reserves**

- 6.1 The level of free reserves held by the Council is a key component in risk management for the Council and so it is considered appropriate that in determining the minimum level of reserves to be held by the Council that explicit recognition of the risks likely to impact on that balance are recognised.
- 6.2 An update to the Council's corporate risk register was approved by Council at its meeting on 6 June 2018 and includes the following risks with potential financial impact:
  - 1. Demand for services outstrips available budget
  - 2. Savings required to be made to create a sustainable financial operating environment
  - 3. MIJB – no council control but liability for 40% overspend, (if any).
  - 4. Health and Safety incidents
  - 5. Impact of climate change and severe weather events
  - 6. Data protection breaches

The mitigations in place for these risks are set out in the risk register.

- 6.3 The following points of detail should be considered:
  - 6.3.1 There is anticipated to be increasing demand for council services arising from demographic growth. There is an element of the council's allocation of General Revenue Grant which is based on population numbers. This is based on statistical projections of population numbers from the National Records of Scotland (NRS). Historically these projections have lagged behind the actual growth of Moray's population, which means that existing budgets are under pressure to accommodate population based service growth
  - 6.3.2 The Council is seeing growth of demand for care placements for children and the value of a single case can be a significant unplanned pressure. This would appear to be a national trend.

- 6.3.3 The Council requires to make significant savings and as yet there is no defined plan to meet the whole funding gap. There is an underlying overspend which had previously been funded from reserves – such funding will no longer be possible.
- 6.3.4 Savings arising from transformation programmes generally (i) take time and (ii) require upfront funding. A cushion of reserves is likely to be needed for this process. As an illustration the Designing Better Services programme achieved savings of £3 million over an 8 year time frame. There were no savings in year 1.
- 6.3.5 The Council has been making significant savings since 2008. As time progresses savings are more difficult to find and there is a risk that savings offered are more difficult to achieve. Savings which rely on increased income from charging for services are particularly at risk as the initial impact of increased charges is usually decreased uptake of service.
- 6.3.6 Part of the council's suite of short term savings measures is the Make Do and Mend approach to asset management and capital spend. This approach carries with it an increased risk of major element failure. This is a particular risk regarding the school estate.
- 6.3.7 The MIJB budget is also in excess of agreed funding.

On top of this underlying overspend there is currently an overspend against budget. The Chief Officer is committed to providing a recovery plan that will secure a balanced budget position for 2019/20.

- 6.3.8 The Council's insurers increased premiums in 2018/19 because of the level of employer's liability claims in recent years. Future risks regarding insurance claims arise from the reduction in roads maintenance budgets. The council has a good record in regard to claims for damage caused by pot-holes but may find it less easy to defend claims in the light of cuts in service. In addition, a saving proposal to increase the level of insurance excess may incur greater expenditure than forecast.
- 6.3.9 In recent years there have been incidents of road subsidence, requiring repair at costs between £300,000 and £500,000; landslips at Portknockie, and harbour wall breaches at both Lossiemouth and Cullen harbour, again incurring significant cost to repair. This pattern of ongoing weather damage seems unlikely to abate, particularly given the reduction in expenditure on the council's road asset.
- 6.3.10 The Bellwin scheme, which is designed to assist councils in dealing with major emergencies, does not cover all expenditure incurred by a council and in particular assumes that the council will meet all costs up to the threshold (currently 0.2% of the council's net budget).

- 6.3.11 The winter maintenance budget is set for a mild winter. Unlike many other councils, Moray does not hold a specific ear-marked winter maintenance reserve for bad winters.
- 6.3.12 The introduction of the General Data Protection Regulation (GDPR) has brought new and increased, potentially swingeing penalties into play.
- 6.4 In addition to those risks specifically included in the Corporate Risk Register it should be noted that as the council has reduced its levels of reserves over the last few years. It has also increased the exposure to risk which the council has from budget assumptions used in the financial planning process, as there is less leeway to manage unexpected calls arising from funding being less than expected or expenditure more. Increased demand has been recognised in the risk register, but risk arises also from pay awards and other inflation based increases. Potential unknowns are:
- Pay awards – the pay offer for 2018/19 is not agreed
  - The council pay award tends to have a (delayed) effect on pay for organisations delivering services to the council, particularly in the areas of care services, where the council and private or third sector employers are competing to recruit and retain from the same pool of people
  - The impact of Brexit on sterling and thence on (particularly) ICT contract prices
  - Energy prices, with suggestions that there may be significant price increase
  - Inflation is running above the government's target rate. The council does not allow for general inflation but this may influence the likelihood of overspend in an increasingly constrained environment.
  - Income available to Scottish Government – with more money generated directly or indirectly from a share of national taxes the income available for Holyrood to distribute is less certain than under the Block Grant system.
- 6.5 Another factor of note is the extension of time for insurance claims for historic child abuse claims. Claims can now be made for any time after 1964 (previously restricted to 3 years).
- 6.6 CIPFA in the draft suite of Financial Resilience Indicators (for use in England and Wales) include reference to the availability of council reserves as a test of resilience. In essence the lower the level of council reserves the less resilient that council is in regard to the ability to cope with unplanned events. Benchmarking against other Scottish local authorities shows Moray to have a fairly typical minimum approved level, with 1.5% - 4% of annual turnover being roughly the range reported and 2% the most common. The table in para 6.7 below provides an assessment of financial risks that informs the council's 2.5% position.

6.7 As a test of the reasonableness of that level the following table gives some guidance:

<b>Risk</b>	<b>Proposed measure</b>	<b>£000s</b>
Rise in demand	Average growth in out of area placements for the last 2 years	600
Pay award	Increase from government target to current rate of inflation (2019/20 budget provision)	500
MIJB	Level of budget above funding (council share)	1,300
	Overspend / demographic growth	1,000
Insurance claims – employer’s liability	Average claims over last four years	250
Insurance claims – pot holes	Based on previous numbers of claims in a bad winter	100
Infrastructure failure	Average over last 2 years	600
Emergency event	Bellwin threshold	400
Winter maintenance	Average spend above budget for last two years	350
Budget variance	Based on average of last 2 years Directors of Finance PIs (1% variance)	2,000
Government grant less than forecast	Sensitivity 1%	1,500
Interest rates	Increase in loans pool rate from higher borrowing charges (2015/16 rate)	1,350
<b>Total</b>		<b>9,950</b>

A free reserve of £5 million gives 50% coverage of the quantified risks above. It is unlikely that all of these scenarios would arise and so 50% coverage is considered reasonable. It is not considered prudent to reduce the level of free reserve below £5 million. This currently represents 2.47% of the Council’s General Services revenue budget.





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**REPORT TO: THE MORAY COUNCIL ON 31 OCTOBER 2018**

**SUBJECT: ANNUAL REPORT OF THE CHIEF SOCIAL WORK OFFICER  
2017-2018**

**BY: CHIEF SOCIAL WORK OFFICER**

**1. REASON FOR REPORT**

- 1.1 This report provides Committee with the annual report of the Chief social Work Officer on the statutory work undertaken on the Council's behalf during the period 1 April 2017 to 31 March 2018 inclusive, considers major policy and service initiatives across Social Work during the reporting period, summarises key issues in relation to governance and protection issues and advises Committee on measures taken to strengthen workforce.
- 1.2 This report is submitted to Council in terms of Section II (13) of the Council's Scheme of Administration relating to reports and strategies of a corporate nature.

**2. RECOMMENDATION**

- 2.1 The Council is asked to consider and note the contents of this report.**

**3. BACKGROUND**

- 3.1 A requirement that every local authority should have a professionally qualified Chief Social Work Officer (CSWO) is contained with Section 3 of The Social Work (Scotland) Act 1968. Particular qualifications are set down in the regulations. This is one of a small number of officer roles and duties with which local authorities have to comply.
- 3.2 The Council's Social Work Services require to support and protect people of all ages as well as contributing to community safety by reducing offending and managing the risk posed by know offenders. Social Work has to manage this together with the implications of significant demographic change and financial constraint whilst fulfilling a widening array of legal obligations and duties.
- 3.3 In April 2014 the Office of the Chief Social Work Advisor for Scotland issued new guidance for CSWO Reports in Scotland. This guidance also included a template for the report structure which has been used to produce the report

for Moray 2017/18. The report contains information under the following headings:

- Moray Profile
- Key Challenges & Developments 2017/18
- Partnership Structures & Governance Arrangements
- Social Services Delivery Landscape
- Finance
- Service Quality and Performance
- Statutory Functions
- Workforce Development

3.4 The annual report is attached at **APPENDIX 1**.

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

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

This report is in line with Moray 2026 Plan – healthier citizens, ambitious and confident young people, adults living healthier, sustainable independent lives safeguarded from harm and Council priority 4 – More of our children have a better start in life and are ready to succeed.

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

The services referred to in this report fall within the scope of a number of important pieces of legislation including:

- Social Work (Scotland) Act 1968
- The Adult Support & Protection (Scotland) Act 2007
- The Community Care & Health (Scotland) Act 2002
- The Children (Scotland) Act 1995
- The Joint Inspection of Children’s Services & Inspection of Social Work Services (Scotland) Act 2006
- Adoption and Children (Scotland) Act 2007
- Looked After Children (Scotland) Regulations 2009
- The Public Bodies (Joint Working) (Scotland) Act 2014
- Children & Young People (Scotland) Act 2014

Significant policies and white papers that relate to these services include:

- Changing Lives, the Future of Unpaid Care in Scotland (2006)
- Delivery for Health (2005)
- All our Futures: Planning for a Scotland with an Ageing Population (2007)
- Better Health, Better Care: Action Plan for a Healthier Scotland (2007)
- Better Outcomes for Older People: Framework for Joint Services (2005)

- National Guidance for Child Protection in Scotland, The Scottish Government 2014

**(c) Financial implications**

There are no direct financial implications arising from this report. Future priorities will be addressed within the context of the financial planning process.

**(d) Risk Implications**

There are no risk implications associated with or arising from this report.

**(e) Staffing Implications**

There are no staffing implications directly relating to this report.

**(f) Property**

There are no property implications arising from this report.

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

There are no issues directly arising from this report.

**(h) Consultations**

The following have been consulted in the preparation of this report: Corporate Management Team; Chief Officer, Health & Social Care Moray, Aileen Scott, Legal Services Manager; Head of Housing & Property; Head of Integrated Children's Services and Democratic Services Manager, who are in agreement with the content.

**5. CONCLUSION**

**5.1 This is the ninth CSWO annual report for Moray. The overall conclusion is that Moray's Social Work Services has continued to adapt and improve in what has been, and will continue to be, a very challenging context and financial constraint. However, local staff have steadily improved and adapted what they do and have prioritised their resources to meet the growing demands associated with protecting and caring for the most vulnerable members of our community.**

Author of Report: Jane Mackie, Chief Social Work Officer/Head of Adult Services  
 Background Papers: With author  
 Ref:



**Moray Council  
Chief Social Work Officer  
Annual Report  
2017/2018**

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## Moray Profile

Geographically Moray is the 8<sup>th</sup> largest Council area in Scotland, covering an area of 2,238 square kilometres, from the Cairngorm Mountains in the south to the coast of the Moray Firth in the north. However, in terms of its population, it ranks 22<sup>nd</sup> out of 32 with a population of 96,070<sup>1</sup>. The average population density is low at just 43 people per square kilometre, compared with 69 people per square kilometre nationally. Approximately 57% of the population live in the 5 main towns of Elgin, Forres, Buckie, Lossiemouth and Keith, where the population density is approximately 2,500 people per square kilometre.

Low population density indicates that Moray has a high proportion of people living in rural areas. The Scottish Governments 6 fold Urban/Rural classification<sup>2</sup> (Mid 2016) shows that 42% of the population live in either “Accessible” or “Remote”<sup>3</sup> rural areas, the 10<sup>th</sup> highest in Scotland and more than twice the national average (17%).

High proportional populations living in rural areas can pose challenges for services such as locality of essential services and time taken to travel to them. In terms of distance from a settlement of 10,000 or more, more than a quarter of Moray’s population reside more than 30 minutes travel away. Only three other mainland authorities have higher levels.

The mid-2017 population estimates for Scotland<sup>1</sup> put Moray’s population at 95,780 – 48,305 females (Decrease of 112 from 2016) and 47,475 males (Decrease of 178 from 2016). In the past 30 years there has been only one year (2003) where the male population has exceeded the number of females, in recent years however the gap has closed. With the expected influx of RAF personnel in the coming years it is likely that the gap will close further. Time trends show that Moray’s population continues to grow at a slightly higher rate than the national average with the largest growth rate witnessed within the 65+ age group. In the 20 years since 1997 Moray has witnessed a 49% increase in the number of 65+ aged people (13,446 in 1997 to 20,054 in 2017). It is likely that the numbers in this age bracket will continue to rise in future years which will place significant strain on the resources required to meet their needs. In contrast the 6-29 age group has witnessed a reduction from 19% in 1997 to 16% in 2017; between 1997 and 2017 there was a reduction of 1,235 of people aged 16-29 in Moray.

Population Breakdown <sup>1</sup>			
Ages	Male	Female	%
0-4	2,431	2,258	4.9%
5-11	3,883	3,665	7.9%
12-17	3,264	3,067	6.6%
18-24	4,103	3,322	7.8%
25-44	11,133	11,091	23.2%
45-64	13,590	13,919	28.7%
65+	9,071	10,983	20.9%
<b>TOTALS</b>	<b>47,475</b>	<b>48,305</b>	

<sup>1</sup> National Records of Scotland, Mid-2017 Population estimates Scotland

<sup>2</sup> <http://www.gov.scot/Publications/2018/03/6040>

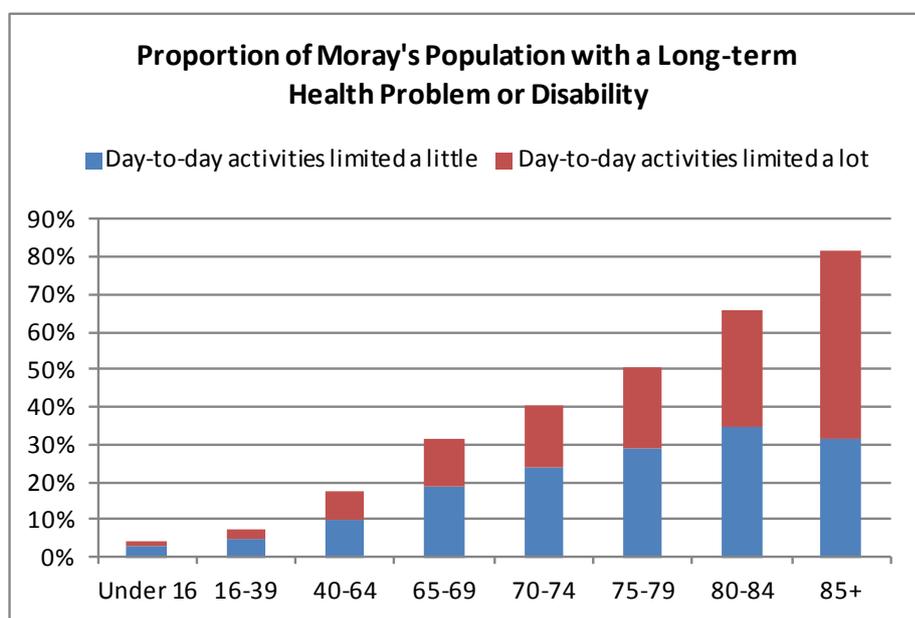
<sup>3</sup> Accessible & Remote rural areas are classed as settlements of less than 3,000 people.

Between June 2016 and June 2017 there were 867 births in Moray and 1,007 deaths, for the third consecutive year deaths have exceeded births, this change has also been replicated nationally. With Scotland's population continuing to increase year on year, and Moray increasing at a higher rate, these increases are heavily influenced by net civilian migration from within Scotland, the rest of the UK and overseas.

The latest census (2011) data shows that Moray has a very small proportion of residents (5.2%) from out with the British Isles. "White Scottish" account for 77.7% of Moray's overall population which is significantly less than the national figure (84.0%). The "White – Other British" residents contribute 18.0% of Moray's population which is proportionately double the national figure (7.9%). This is likely due to the large transient populations at the two large military bases in Moray and others who have retired to the area after finishing their service.

The largest non-white ethnicity in Moray is Asian, accounting for 0.6% of the population, the majority of who are Pakistani or Chinese. People of mixed or multiple ethnicity account for 0.25% of Moray's population, while those of African or Caribbean ethnicity each account for about 0.1%. Other ethnic groups account for the remaining 0.1%.

At the time of the 2011 census a total of 16,520 people in Moray are limited to some extent in their day-to-day activities by a long-term health problem or disability. About 7,050 are limited "a lot" and about 9,470 are limited "a little". This equates to 7.5% and 10.2% of the population respectively. An age breakdown illustrates the increasing incidence of limiting conditions with age. In all age groups the proportion limited a little is larger than the proportion limited a lot, except for those aged 85yrs and over. So not only do a much greater proportion of older people have their day-to-day activities limited by a long-term health problem or disability but the extent of that limitation is also greater. With Scotland's and Moray's population aging this trend is likely to continue which in turn will place increasingly more pressure on health care services.



## Moray's Children

As of September 2017, in Moray there were 1,688 children registered for ante pre-school/pre-school<sup>4</sup> an increase of 41 from 2016. This includes 64 under 3yr olds (identical to 2016) and 119 deferred entry pupils (31 more than 2016). At the same time there were 7,049 children on the primary school roll and 4,856 on the secondary school roll (59 less than 2016). School roll numbers are forecasted eight years in advance. Forecasts for 2025 show an increase in Primary by 10% and Secondary schools by 21%.

At the end of March 2018 there were 218 looked after children in Moray, 172 (83.5%) of whom were accommodated in community placement, 23 (10.5%) in a residential placement within Moray, 21 (9.6%) in an out of area residential placement and two children in an out of area secure placement.

In December 2017<sup>5</sup> there were 447 school children in Moray for whom English is not their first language, an additional 100 attend nursery<sup>5</sup>; 47 different languages are spoken. Long-term trends show that these numbers are increasing which is reflective of the increasing migrant population of Moray; in the past year however numbers have reduced which may be reflective of the impact of Brexit.

As at December 2017 there were 3,951 school aged children with recorded additional support needs (ASN) – 1,843 in Primary school and 1,493 in Secondary, this equates to a third of the total school population. In addition there were 200 children in Early Years Education with ASN, equating to 12% of all registrations. All areas have shown increases since December 2016; children with ASN in Early Years Education by 0.5%, Primary school children by 6.8% and Secondary school children by 3.1%.

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<sup>4</sup> Early Years & childcare Statistics 2017

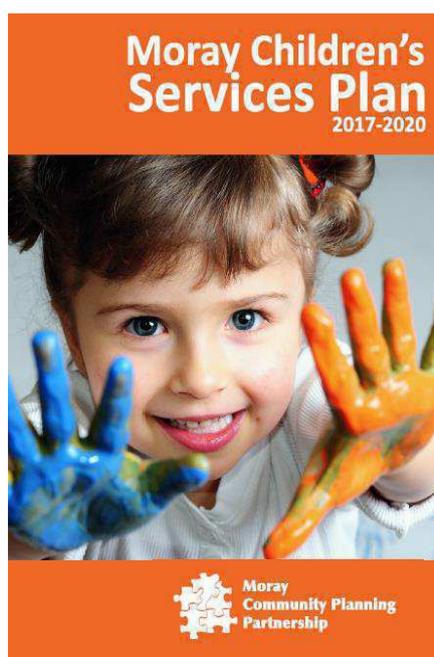
<sup>5</sup> Pupils in Scotland 2016

## Key challenges and developments during 2017/18

2017/18 continued to be a challenging year for Integrated Children's Services in terms of both embedding developments from the previous year and continuing the improvements identified following the inspection of children's services with Community Planning Partners in 2016 and the subsequent progress review in September 2017.

We progressed and embedded developments started in 2016/17:

- Locality Management Groups became increasingly significant in responding to localised need.
- We completed and published our ASN strategy.
- We contributed to the review of the Children's Service Plan –



- We continued to progress the improvement priorities identified through inspection.
- We responded to the continuing financial pressure facing the authority.

## Improvements from Inspection

A joint inspection of services for children and young people in Moray under the auspices of Moray's Community Planning partners was carried out between August and November 2016. As a result of the inspection 6 areas for improvement were identified by the Care Inspectorate, as below:

- Improve standards of operational practice, by setting clear expectations for staff and strengthening approaches to quality assurance and staff supervision.
- Improve initial risk assessment of, and response to, vulnerable children and young people at risk of, or experiencing neglectful parenting, or cumulative harm.
- Strengthen collective vision and collaborative leadership, to direct the delivery of integrated children's services. It should be underpinned by a strategic needs assessment and robust performance information and demonstrate

measurable improvements in outcomes for children, young people and families.

- Strengthen the governance, leadership and accountability of the child protection committee.
- Implement a framework of joint self-evaluation, ensuring a clear focus on improved outcomes for children and young people, including those in need of protection.
- Strengthen the approach to corporate parenting, participation and children's rights to deliver improvements at pace.

Recognising that these improvements would take time to deliver the following priorities were identified across the partnership:

- To protect children and young people from the risk of neglect and cumulative harm.
- To strengthen performance management, self-evaluation and quality assurance to demonstrate improved outcomes for children and young people.
- To improve operational practice through strengthening support and supervision of staff.

A progress review was carried out by the Care Inspectorate in September 2017; the report published in December 2017 can be accessed [here](#)

The inspectors acknowledged that the findings of the original report had been taken seriously and there had been a lot of hard work undertaken, however they also recognised that *“Partners recognise they need to maintain the current momentum and energy levels if they are going to achieve sustained improvement and change. Given the limited number of officers and many competing demands, partners will need to invest in building capacity at all levels within services to do so.”*

Following on from the original inspection and subsequent review ICS have been very involved in the ongoing implementation of the improvement plan to address the issues identified.

In addition we have:

- Developed and agreed a transitions policy with adult services
- Returned services previously delivered through third sector partners and redirected the resources to invest in and improve the standard of social work assessment.
- Streamlined internal allocation processes.
- Carried out an audit of young people's pathways through services in order to identify further improvement.
- Supported teams around children with risk management and risk enabling policies and practice in order to increase the number of additional resource packages and reduce the risk of young people going out of area.

**During 2017/18, the key challenges for Community Care were:**

Common themes emerged - the need to create the conditions of effective inter-disciplinary working; the need for empowered localities to provide a stronger

connection between how resources were used and the needs of the community; the need to redesign the system of care to sustain the independence of the people who use services.

Meeting the care needs of the people of Moray longer-term requires focusing on the following key challenges:

Demographically, the projected population of older people in Moray increased (a continual trend). The ageing population and increasing numbers of people with long term conditions and complex generated demand demonstrated a pressure which cannot be met long-term unless alternative service delivery models are generated. Based on the pressure in 2016/17, the population increase almost certainly means a shortfall in budget to meet the needs of the elderly population.

Staff recruitment and retention was a key area of concern within community care, taking into account the complex nature of care models and the number and skill mix of professionals involved in meeting the needs of people that we provide services to. A particular area of concern was within learning disabilities and meeting the needs of individuals with intensive complex care needs. Pressures also existed within home care and the recruitment and retention of staff which presented capacity issues.

The financial challenges in 2016/17 to meet our priorities, in parallel with managing the risks of an increasing population and providing safe and effective care to those with more complex health conditions cannot be underestimated and is a high risk on the MIJB's Strategic Risk Register, with zero appetite for risk of harm to people. In Mental Health a detailed multi-agency scoping exercise took place to inform a retendering process for flexible recovery focussed community support services. The retendering and recommissioning exercise is planned for Autumn 2018. Part of the tender will focus on people with high and complex support needs.

In home care the first stage of a service redesign resulted in home carers being provided with new job titles; social care assistants and with salaried roles that regularise their income.

## **2. Partnership Working - Governance and Accountability Arrangements**

The Chief Social Work Officer in Moray is the Head of Integrated Children's Services. The CSWO is responsible for monitoring Social Work service activity across the Council and Integration Joint Board to ensure agreed standards are met and that professional standards are maintained. The post assists Moray Council in understanding the complexities of Social Work Service commissioning and provision; including particular issues such as child protection, adult protection and the management of high risk offenders, as well as the key role Social Work plays in contributing to the achievement of local and national outcomes. The CSWO also has a responsibility for overall performance improvement and the identification and management of corporate risk insofar as these relate to Social Work Services.

The Head of Integrated Children's Services fulfils her responsibility as CSWO by:

- Reporting directly to the Corporate Director (Education and Social Care) to ensure that he is appropriately advised on Social Work issues;
- Reporting to Moray Council's Corporate Management Team on areas that directly relate to social work services, including highlighting areas of potential risk;
- Meeting regularly with elected members (including chairs/vice chairs, group leaders and leading briefings on critical developments) to ensure that they are appropriately advised on Social Work matters;
- Providing regular reports on Social Work practice and performance to appropriate committees;
- Contributing to the Integration Joint Board, the Community Planning Partnership, and the Public Protection Partnership; and Moray Chief Officer's Group;
- Meeting regularly with the Head of Community Care and the Chief Officer for Moray Health and Social Care Partnership.

### **Moray Council Governance**

#### **Children and Young People's Committee**

It is the role of the Children and Young People's Committee to exercise the functions of the Council:

- As an Education Authority within the terms of relevant legislation with regard to school education, nurseries and child care, Gaelic and children's services.
- With regard to leisure, libraries and museums, sport and the arts, CLD and lifelong learning.
- With regard to the Children (Scotland) Act 1995, and to determine the Council's policies in regard thereto, including youth justice.
- In respect of looked after children and young people leaving care.
- To deal with Child Protection issues.
- In respect of the Adoption and Fostering of children in terms of the Adoption (Scotland) Act 1978. The Adoption and Children (Scotland) Act 2007 and the Foster Children (Scotland) Act 1984.

As a Local Authority, Moray Council has a statutory duty to provide services to young people and their families who are in need across the Council area. The responsibility for overall delivery of this service in Moray lies with the Department of Education and Social Care which comprises the following sections;

- Integrated Children's Services
- Schools and Curriculum Development
- Lifelong Learning, Culture and Sport

The department is led by the Corporate Director (Education and Social Care), assisted by three Heads of Service, each leading one of the sections above.

### **Integrated Children's Services**

In addition to the Head of Integrated Children's Services the department has the following managers each with specific responsibility for their section:

- Corporate Parenting and Commissioning Manager – responsible for Commissioning and Placement Services.
- Children's Wellbeing Service Manager – responsible for early engagement, intake and assessment and outreach teams.
- ASN Manager – responsible for Additional Support Needs, English as an Additional Language, Pinefield parc, Autism and Communication Disorders, Beechbrae and the Sensory Teams.
- Justice Services Manager – responsible for the Criminal Justice, and Out of Hours Social Work Teams.
- Principal Educational Psychologist – responsibility for Educational Psychology Team.
- Strategy Manager – responsible for policy and strategy development.
- Continuing Support Service Manager – responsible for the Reviewing team and longer term intervention through the Continuing Support Teams.

### **Moray Community Planning Partnership (CPP) Children's and Young People's Services Governance Structure**

Following the outcome of the 2016 joint services inspection a new governance structure was put in place for children's and young people's services at a Community Planning Partnership (CPP) level.

#### **Moray Chief Officers' Group (MCOG)**

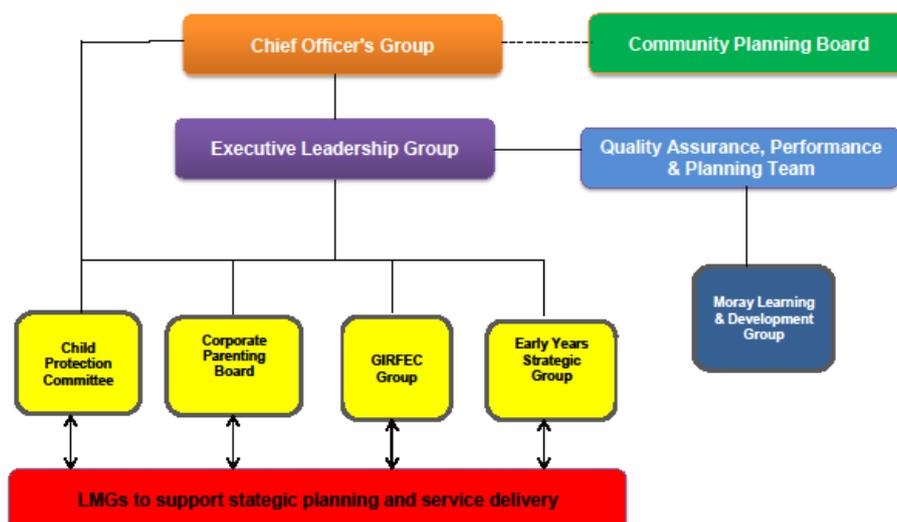
The MCOG was formed to provide a collective vision and collaborative leadership to direct the delivery and improvements of children's services in Moray.

#### **Executive Leadership Group (ELG)**

The Executive Leadership Group (ELG) was formed to lead, develop and drive forward the joint services agenda for children, young people and families in Moray.

The following four strategic groups will oversee the delivery of the strategic and improvement priorities across the partnership: -

- GIRFEC (including Mental Health and Wellbeing)
- Child Protection Committee
- Early Years
- Corporate Parenting



### Moray Integration Joint Board

The key governance structures are: Practice governance, achieved through the Practice Governance Board (PGB) which meets every 5/6 weeks. The PGB now reports to the Clinical & Care Governance Committee.

The Chief Social Work Officer is present, or represented at the Integrated Joint Board and the Health & Care Governance Committee.

Health and Social Care Moray was formally established in April 2016 and brings together a wide range of health and social work services into a single operational system. The Moray Integration Joint Board (MIJB) is responsible for planning and overseeing the delivery of a full range of community health and social work/social care services and is also responsible for a number of Grampian health services relating to primary care.

Throughout the course of 2016/17, the MIJB has taken key decisions in relation to the establishment of the Partnership including the appointment of Officers, the delegation of functions and operating and governance arrangements. The MIJB's strategic vision is:

*“To enable the people of Moray to lead independent, healthy and fulfilling lives in active and inclusive communities where everyone is valued, respected and supported to achieve their own goals.”*

### **3. Social Services Delivery Landscape**

The societal context shows that Moray is experiencing pressure from demographic change, both in terms of ageing population and a net loss of young people. These factors combined can create a sometimes challenging labour market for social care. The social care sector in Moray is delivered by the public sector and independent sector in both voluntary and commercial organisations. The sector is coordinated through commissioning activity in Community Care and Integrated Children's Services.

Provision of residential care for Looked After Children (LAC) in Moray is provided by Moray Council, Action for Children, Aberlour and by Scottish Autism. Prior to the contracts coming to an end procurement activity, consistent with The Moray Council financial regulations, will commence in line with the method detailed within the ICS Commissioning Framework.

#### **Adult Social Care**

Adult services are delivered by a range of service providers both internally by Moray Council and externally through contracted arrangements.

There were no changes in the number of residential care homes or placements available and the number of placements made remained relatively static.

In partnership with Hanover (Scotland) Housing Ltd, we also reported on a substantial extra care development at Varis Court, Forres. The new build provided housing with care for older people; including people with care.

Although the benefits of the test site are in the process of being fully evaluated, it is clear that important insights and learning can be gained from this project that will inform the future design of health and social care services in the Forres Area.

The benefits of Health & Social Care Moray's partnership were further demonstrated last year with the opening of the Linkwood View Development at Glassgreen, Elgin.

Following its opening in 2017, all units are filled and the development is making an important contribution to the delivery of extra care housing for a wide mix of tenancy groups in the Moray area. The age range is more diverse than other developments with older people, learning disabilities, mental health and dementia tenancies being accommodated and supported.

In May 2017, 6 vacant houses were opened, transformed into halfway homes for people ready to leave hospital. The £120,000 project provides a homely environment where people can work on regaining their independence. During their short stay in the cottages, they are supported by a team of staff to manage everyday living tasks such as getting in and out of bed and preparing meals. The specific rehabilitation aimed at the Jubilee Cottages differs from standard rehabilitation in the way that the service is provided in a low risk, controlled home environment through high intensity and collaborative rehabilitation to foster an encouraged independence to return home in a maximum of 6 weeks. The rehabilitation service is provided free of charge by the Community Care Department and cottages are equipped with a

telecare service to provide a 24-hour on call response. The project has accommodated 12 residents throughout the year.

### Scottish Living Wage

When the Scottish Living Wage (SLW) was introduced in 2016/17 care staff from different organisations were on different hourly rates, therefore to ensure any increase in funding was fairly distributed it was agreed that the SLW increase should be factually based on the actual workers hourly rates. To obtain accurate information care providers were asked to complete a spreadsheet detailing the hourly rates paid to their staff and an uplift based on the employer's spreadsheet was then applied. It was then concluded that having applied the uplift for 2016/17 all staff should now be in receipt of the Scottish Living Wage and therefore any further increase in the Scottish Living wage should be offered to care providers as a percentage increase of their contract value.

After consulting with other Health & Social Care partnerships across Scotland, Health & Social Care Moray have agreed the SLW uplift for 2018/19 should be in line with the National Care Home increase of 3.39% and applied from the 1<sup>st</sup> May 2018. The uplift rate will be reviewed on an annual basis.

### Tribunal ruling on the Sleepover rate

In March 2017 at an Employment Appeal Tribunal it was ruled that if a carer is required to be present through the night, and that there's an agreement between parties that the carer would work in the night if needed, then this period counts as work time and should be paid for accordingly. This is true even if the carer is not physically needed and sleeps all night, because the job itself is to be present. All care providers whose staff are currently paid at a sleepover rate are considering the implications of this ruling and deciding whether there is a need to continue to provide sleepover cover and if so which members of staff will now be entitled to the SLW hourly rate. Consultation is currently taking place with the care providers to ascertain which members of their staff will continue to be required through the night and thus entitled to the hourly rate. Once this information has been obtained it is proposed to offer an uplift to those care providers affected by the ruling to enable them to pay the Scottish Living Wage from the 1<sup>st</sup> September 2018 to staff who were previously paid at the sleepover rate.

## 4. Resources

Moray Council continues to experience severe financial pressure. Work has been progressed to identify potential areas for savings from 2016 onwards. The CSWO has been very involved in the discussions in respect of Integrated Children's Services; however this does pose a dilemma for those who hold the CSWO post as Head of Service. There are occasions when obliged to offer up savings as Head of Service which may mean a reduced service provision which, as CSWO, you would advise against in terms of risk.

### **2017/18 Gross Social Work Expenditure**

	£000's
Children's Panel	18
Service Strategy	900
Criminal justice social work services	1,055
Adults with physical or sensory disabilities	4,205
Adults with Other Needs	1,148
Mental Health	2,318
Learning Disabilities	16,625
Older Persons	27,917
Children & Families	20,645
	<b><u>74,831</u></b>

### **Integrated Children's Services Financial Position**

The most significant overspend for Integrated Children's Services is in the Out of Area budget. The spend in 2016/17 was £6,017,922 and for 2017/18 the spend was £6,615,182.

The pressures the department faces include:

- Our children and young people need cared for more usually on a permanent basis.
- For example of 89 children in foster care placements 40 are in permanent care arrangements and for 18 further children or young people care planning is concerned with permanence.
- Of local fostering provision there are currently 5 households with placement available (depending on matching considerations) for 5 children.
- During the session 2018/19 we will be working on developing a new foster scheme and seeking committee approval for this. We consider that with a fee based scheme skilled carers are more likely to identify themselves as have the necessary ability, with training, to fulfil the caring role.
- Following due process and certain other changes, including adoption or need for residential accommodation, the number of children placed in independent foster care has reduced from the reported 19 placements in the 2016/2017

report to 14. 12 of that number of 14 are matched placement, or in the process of becoming matched, given planning being concerned with permanence.

- We have a number of residential placements in Moray to meet a range of needs including complex learning and autism needs as well as what is referred to a social emotional behavioural needs. Residential provision in Moray is supplied by Moray Council, Action for Children, Aberlour Child Care Trust and Scottish Autism: the total number of beds available are 21 plus an assessment bed.
- There were a further 22 residential beds out of Moray placement being made on a number of needs. Placement breakdown, especially adoption or long term fostering breakdown is increasing and we are undertaking an audit into this issue.
- The increase in activity in the education development of the SEBN provision will ensure planning is effective for young people returning to Moray. This takes time and planning to ensure alternative education package paired with appropriate care placement.

## Health & Social Care Financial Position

### MORAY INTEGRATED JOINT BOARD

### SOCIAL CARE SERVICES OUTTURN

2017/18

### MORAY INTEGRATION SERVICES FINANCIAL OUT

TURN 2017/18

	£ 000'S
<b>Learning Disabilities</b>	5,585
<b>Mental Health</b>	962
<b>Addictions</b>	1,003
<b>Adult Protection &amp; Health Improvement</b>	144
<b>Care Services provided in-house</b>	13,427
<b>Older people &amp; PSD - Assessment &amp; Care</b>	16,945
<b>Intermediate Care &amp; OT</b>	1,508
<b>Care Services provided by External Contractors</b>	11,024
<b>Admin &amp; Management</b>	708
	<b>51,306</b>

Due to the focussed structure of the IJB this is presented as outturn rather than budget against actual as this would distort things given that the funds that flow to the IJB from the Council aren't the same as those that flow back to the Council.

However, key financial pressures remain in domiciliary care for older people and complex learning disability.

## 5. Service Quality and Performance including delivery of statutory functions

### Service Quality and Performance

Social work services contribute to the development of Moray as identified in Moray 2026, which provides a strategic context for the delivery of social work services in Moray.

### Health & Social Care Moray

Moray Council has been imbedding the ethos of Self-Directed Support (SDS) since 2012. Since the enactment of the Social Care (Self-Directed Support)(Scotland) Act 2013, all individuals who are eligible for long term support are assessed through the SDS processes alongside the values and principles which underpin the legislation. The legislation has enabled individuals to take greater control over their care and support, allowing them to live the life they want having their support delivered in a personalised way.

Budgets are allocated to individuals through the use of a Resource Allocation System (RAS) with work currently being undertaken to review the current price point to ensure that this is still set at a sufficient level to allow individuals to meet their outcomes in line with rising costs of provision.

For the reporting period of 2017/18 there were a total of 1,315 individuals who were in receipt of SDS, this can be broken down as follows:

SDS Option	No. of clients
Option 1	199
Option 2	212
Option 3	892
Option 4	12

The number of individuals in receipt of a Direct Payment fluctuates throughout the reporting period; however the number of individuals opting to receive their care and support through Option 1 has steadily increased since the implementation of the SDS legislation.

A pilot project has been undertaken to specifically look at Individual Service Funds (ISF's) which form part of Option 2 of SDS. The project was coproduced in conjunction with potential ISF providers to enable widespread learning and the development of a provision which allows for greater flexibility similar to that afforded to a Direct Payment. The project showed that, despite the numbers of individuals opting to have an ISF being low, those that did receive an ISF, did so to have the choice and flexibility afforded with a Direct Payment yet without the direct control of their personal budget. The project has produced valuable learning and development for both Moray Council and the ISF providers to be able to take this into mainstream delivery of SDS. A final report has been written highlighting the outcomes of the

project and next steps to continue our learning and development of ISF's to enable greater choice to be offered through SDS.

Moray Council were one of two test sites for the Scottish Government with the aim to explore and test the use of all SDS options to those individuals living in residential care. At present this group of individuals are not able to receive Option 1 of SDS within the current SDS legislation, with the question being as to whether this option of SDS should be made available to those in residential care. The two year project explored what this would look like for the individual, and the impact that this would have on both them and the care home itself. A final report has been written for submission to the Scottish Government and recommendations will be made to the Minister in due course based on the findings from Moray and our partner test site in East Renfrewshire in due course. The reports will help determine as to whether there should be a legislative change to allow the use of Direct Payments to those individuals in residential care. Local learning which we can draw upon is the value in having meaningful conversations with individuals residing in care homes in Moray and the positive impact that this can have on them. Personalised outcomes can be developed regardless of any legislative change relating to the use of Direct Payments until such a time when there may be a change in legislation.

A revised action plan is being developed following on from a series of workshops with staff and service users, taking on board their views as to where we are in the implementation of the SDS legislation and the steps which we still need to take to successfully implement the ethos behind SDS. The aim is to ensure that our systems and processes support the principles of SDS, allowing for choice, control and flexibility to underpin the work we do in recognition of the 10 year strategy (2010-2020) for embedding SDS. This has required a cultural change both in the workforce and with the individuals we support to allow for a change in the way in which assessments are undertaken and outcomes identified.

## **Health & Social Care Moray Performance**

Health & Social Care performance is monitored and reviewed monthly on a formal basis. The following statistics demonstrate activity over period 2017/18:

- The rate of those in Permanent Care has gone from 23.42 in Q1 March 2017 to 23.24 as of March 2018. There has been a raw figure increase for the respective quarters of; 454 to 459.
- For the personal outcome "Having Things To Do", where in 2016/17 the question was met 66.7% times, partially met 30% and not met 3.3%. In 2017/18 these numbers were 66.4% met, 29.8% partially met and 3.8% not met. As a result the direct rate of not met has been increased by 0.5%.
- For the personal outcome "Feeling Safe", where in 2016/17 the question was met 78.7%, partially met 19.8% and not met 1.5%. In 2017/18 these numbers are 77.3% met, 20.7% partially met and 2.0% not met. This is an increase of 0.5% not met. This demonstrates a reasonable stability in terms of outcome reporting.

<b>Balance of Care (Number of Service Users Receiving Permanent Care and Homecare)</b>				
	<b>Permanent Care</b>	<b>Homecare</b>	<b>Receiving less than 10 hours of Homecare</b>	<b>Receiving 10+ hours of Homecare</b>
<b>Jun-17</b>	<b>467</b>	<b>888</b>	<b>551</b>	<b>337</b>
<b>Sept-17</b>	<b>483</b>	<b>900</b>	<b>557</b>	<b>343</b>
<b>Dec-17</b>	<b>469</b>	<b>894</b>	<b>557</b>	<b>337</b>
<b>Mar-18</b>	<b>459</b>	<b>919</b>	<b>574</b>	<b>345</b>

The number of Older People in Permanent Care has fluctuated this year and for the first time in 4 years the numbers of those receiving care increased year on year. Despite the increasing numbers, however, there was a noticeable reduction from June onwards in those receiving Permanent Care. This resulted in an end of year rate per 1000 in permanent care being lower than last year despite a slightly higher figure, due to the increase in the 65+ demographic.

### **Integrated Children's Services**

In 2016 Education and Social Care adopted a departmental service improvement plan. This plan included further detail in relation to the national position -

<b>Indicator</b>	<b>2015/16</b>	<b>2016/17</b>	<b>Change</b>	<b>Performance Against Comparators / National</b>
<b>Integrated Children's Services</b>				
The gross cost of "Children Looked After" in residential based services per child per week	<b>£3,792</b>	<b>£4,018</b>	<b>+£226</b>	<b>Moray</b> –gross cost of "Children Looked After" in residential based services per child per week - <b>£4,018 (Rank 9<sup>th</sup>)</b> ( <i>Rank 1<sup>st</sup> highest gross cost</i> ) <b>Scotland - £3,404</b>
The gross cost of "Children Looked After" in a community setting per child per week	<b>£393</b>	<b>£435</b>	<b>+£42</b>	<b>Moray</b> –gross cost of "Children Looked After" in a community setting per child per week - <b>£435 (Rank 3<sup>rd</sup>)</b> ( <i>Rank 1<sup>st</sup> highest gross cost</i> ) <b>Scotland - £313</b>
Balance of care for looked after children: % of children being looked after in the community	<b>83.6%</b>	<b>82.3%</b>	<b>-1.3%</b>	<b>Moray</b> – looked after children: % of children being looked after in the community – <b>83.6% (Rank 31<sup>st</sup>)</b> ( <i>Rank 1<sup>st</sup> highest proportion in foster/family placements rather than residential accommodation</i> ) <b>Scotland– 89.9%</b>

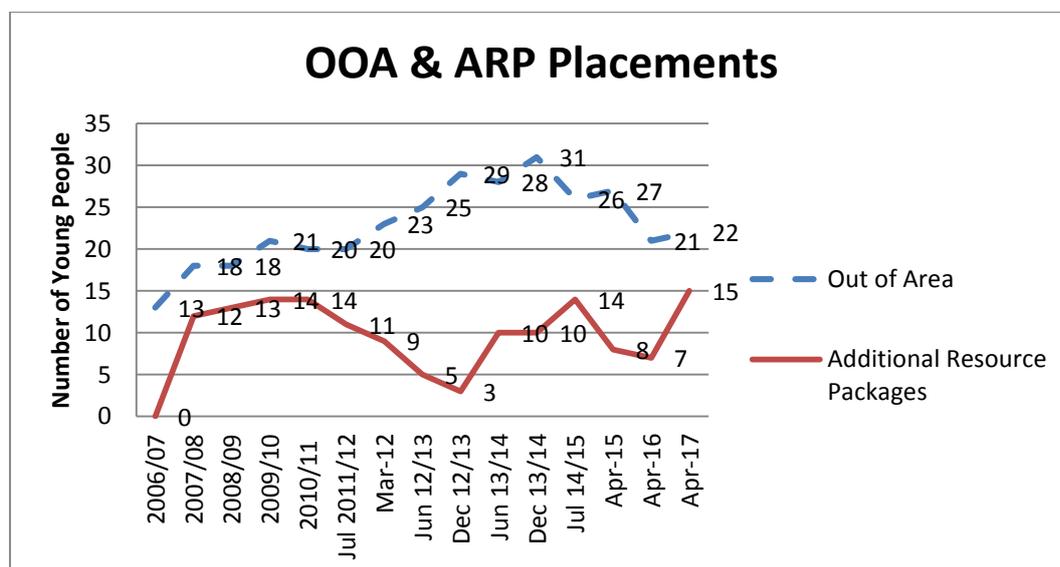
At the end of March 2018 the overall rate of Looked After and Accommodated Children (LAAC) in Moray stood at 9.3 (per 1,000 of the child population), the target rate of 8/1,000 has not been achieved since quarter 2 of 2015/16. The majority of children are accommodated in a family placement (73.4 %); however this proportion has consistently reduced throughout the course of the year from 79.9 % at the end of quarter 1, and, continues to remain below the 80% target. The percentage of LAAC accommodated in a residential placement within Moray has increased to 13.3%, an increase of 1.3% from the same period last year and well above the target threshold of 8.5%. The percentage of LAAC accommodated in a residential placement outwith Moray has increased to 13.2%, an increase of 4.3% from the same period last year and well above the target threshold of 10.5%. It was envisaged that with the

provision of an additional six spaces within the new build Cala unit need for out of area placements would reduce, this however has proven not to be the case. Although occupancy levels in the Cala unit are high, as are the other Third Sector units, there clearly remains the need to accommodate children in units' outwith Moray which places pressure on budget resources.

Data is not available for 2017/18 in relation to young people involved in crime, however data from 2016/17 for young people aged 8-17 shows an increase in offences and in the number of young people committing these offences. Between 2015/16 and 2016/17 the number of offences increased from 617 to 731 (18%) and the numbers involved in committing these offences increased significantly from 252 to 326 (29%). This increase in offenders is a reversal of the trend over the previous five years where numbers have steadily decreased from a high point of 473 in 2011/12.

Criminal Justice performance indicators are now included within the Integrated Children's Services suite of indicators. Throughout the course of 2017/18 a total of 503 Criminal Justice social work reports were submitted to courts, all of which were submitted by the due date. 2017/18 has witnessed a significant rise in the number of Community payback orders issued. In 2017/18 there was a 25% increase in orders issued in comparison to 2016/17 (163 – 205).

### Number of Out of Area Residential Placements & Additional Resource Packages – April 2017



The April 2017 figure represents: -

- A. Out of area residential placements consisting: -
  - (i) 20 residential placements for Looked After Children; 3 of which are expected to end no later than July 2017;
  - (ii) 2 educational placements requested by parents for children with specific educational needs each of which will end by July 2017.

A total of 22 residential placements, which is an increase of 1 since April 2016.

- B. Additional resource packages consisting of 15 additional resource packages, 7 of which maintain looked after children in school/education.

Apart from the joint children's services inspection progress review the service had four further inspections:

Moray's Supported Lodgings Project was inspected in September 2017 by the Care Inspectorate. The service provides an Adult Placement Service to young adults in the Moray area who have been Looked After Children. The aims and objectives of the service are to help young people currently aged 16 - 21 move from a care setting into a supportive environment to help them prepare to live independently in the community.

Inspectors reported on the following quality indicators and the evaluation for the Moray Project was as follows: -

- |  |              |           |
|--|--------------|-----------|
| • Quality of Care and Support          | Grade 5      | Very Good |
| • Quality of Staffing                  | Grade 5      | Very Good |
| • Quality of Management and Leadership | Not assessed |           |

Moray's Adoption Service was inspected in August 2017 by the Care Inspectorate. The Moray Adoption Service provides an adoption service for children and young people assessed as being in need of permanent care away from home and recruits and supports adoptive families to provide adoption placements.

Inspectors reported on the following quality indicators and the evaluation for the adoption service was as follows: -

- |  |              |           |
|--|--------------|-----------|
| • Quality of Care and Support          | Grade 5      | Very Good |
| • Quality of Staffing                  | Grade 5      | Very Good |
| • Quality of Management and Leadership | Not assessed |           |

Moray's Fostering Service was inspected in August 2017 by the Care Inspectorate. The Moray Fostering Service provides a fostering and family placement service for children and young people aged 0 -18 years. The Council recruits, assesses, approves, supports and trains carers to provide a fostering service to a range of children throughout Moray. This includes long-term and short-term care as well as respite care.

Inspectors reported on the following quality indicators and the evaluation for the fostering service was as follows: -

- |  |              |           |
|--|--------------|-----------|
| • Quality of Care and Support          | Grade 5      | Very Good |
| • Quality of Staffing                  | Grade 5      | Very Good |
| • Quality of Management and Leadership | Not assessed |           |

Moray's Residential Service, managed by the council, Cala, was inspected in July 2017 by the Care Inspectorate. The service provides 6 residential placements for young people 11 and over with the aim of providing a therapeutic setting to support recovery from trauma and positive movement towards independence.

Inspectors reported on the following quality indicators and the evaluation for Cala was as follows: -

- |  |         |           |
|--|---------|-----------|
| • Quality of Care and Support          | Grade 4 | Good      |
| • Quality of Staffing                  | Grade 4 | Good      |
| • Quality of Management and Leadership | Grade 4 | Good      |
| • Quality of Environment               | Grade 5 | Very Good |

This represents considerable improvement against previous inspections.

2017/18 has seen considerable drive and energy across all agencies pulling, and pooling, together resources and we are now beginning to achieve a number of the asks of the young people, asks which should thereafter evidence positive difference to the lives and experiences of our Care Experienced Young People. Three main achievements were: -

- The launch of the Champions Board;
- The launch of the Corporate Parenting Strategy for Moray Community Planning Partnership;
- Moray signing up to the Care Leavers Covenant.

With clear vision and leadership the focus areas for Corporate Parenting in Moray for the next year will be:-

- Continue to work in partnership to deliver on our 10 Guarantees - which is consistent with leading and implementing Moray's Corporate Parenting Strategy;
- Focus on staff training so that all Corporate Parents feel competent and confident – this is consistent with ensuring Moray is fully undertaking its duties with regards the Children and Young People (Scotland) Act 2014 and providing support and guidance to all corporate parents;
- Continue to have Champions Board meetings every 4 months – which will reflect our active engagement with our CECYP, by hearing and acting on their views which should continue to support us to improve our approaches to corporate parenting;
- Embed the PACE improvement methodology;
- Be SMARTER with our measurements – we will revisit and refresh those listed in the Strategy.

## Complaints 2017/18

	Number of Complaints	Number and % responded to in target timescale	Number Upheld / Part Upheld / Not Upheld or Lack of Evidence
Integrated Children's Services	18	7 (39%)	3 / 9 / 6
Community Care	28	24 (86%)	7 / 9 / 12
<b>Total</b>	<b>46</b>	<b>31 (67%)</b>	<b>10 / 18 / 18</b>

A total of 18 ICS complaints were responded to and closed within the reporting year. Of these complaints three were frontline complaints, none of which were upheld. 15 complaints were resolved at investigative stage. Three investigative complaints were upheld, six were part-upheld and the remaining three were not upheld. The three frontline complaints were all responded to within the 5 day target. Of the 15 investigative complaints only 4 (26%) were responded to within the 20 day timescale.

Complaints in Community Care were higher in number, reflecting the larger size of the service. Of these complaints 18 were frontline complaints, 5 of which were upheld. There were 6 investigative complaints, 2 of which were upheld and 4 escalated investigation complaints, none of which were upheld.

The complaints process has changed following National requirements and there will no longer be the option of a Review Committee. People not satisfied after formal investigation and response will be advised to refer their complaints to the Ombudsman.

## STATUTORY FUNCTIONS

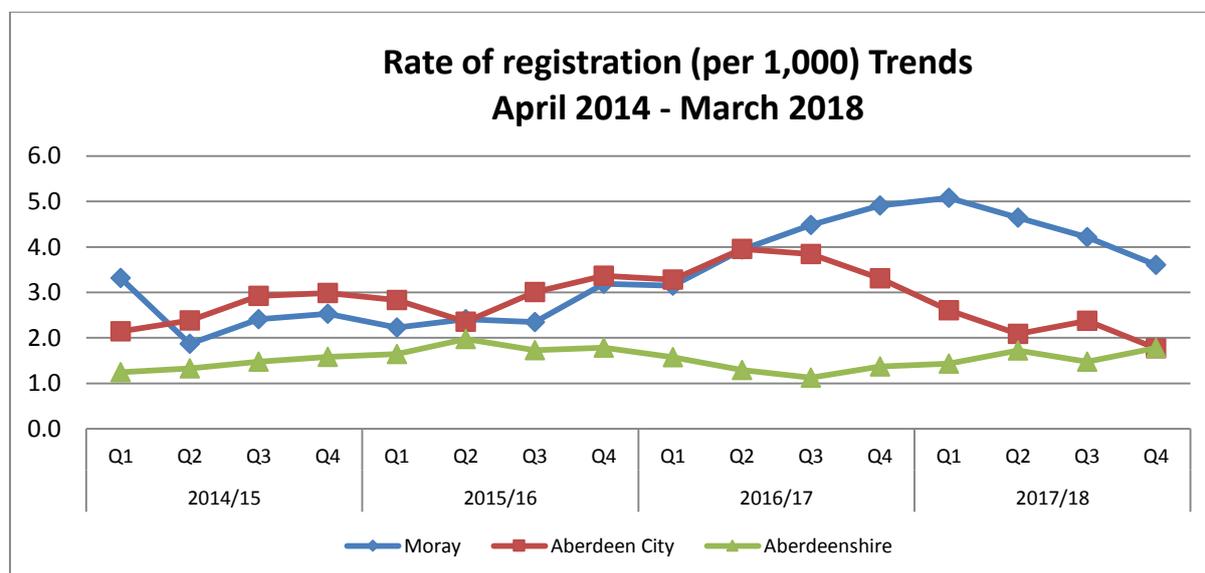
### Child Protection

The Moray Child Protection Committee (CPC) has updated several key multi-agency documents over the past year including the role and remit of the Child Protection Co-ordinating Group, implementing the Significant Case Review procedure and refreshing the IRD procedure. The updated resources can be found here:

[http://www.moray.gov.uk/moray\\_standard/page\\_90286.html](http://www.moray.gov.uk/moray_standard/page_90286.html)

The Moray CPC regularly receives performance management information which is derived locally and from the North East of Scotland Child Protection Register (CPR) which covers Aberdeenshire, Aberdeen City and Moray and is managed by the Child Protection Partnership (CPP). This information provides data trends across Moray in relation to risk indicators and comparisons to previous quarters throughout the year. The number of children recorded on the CPR in Moray has risen to 70 plus as can be seen in the chart below which is above the national average as of 31 March 2017.

Moray CPC is currently reviewing all performance management information in order to gather and present meaningful information that can help identify both good practice and areas for improvement. Most importantly Moray CPC is looking to provide rich analysis behind the performance management information so that this can be used to improve outcomes for children and direct targeted resources accordingly.



Over the past year the Moray CPC has:

- Strengthened its Governance through the creation of Chief Officers Group and subsequent revised structure across the Moray Partnership
- Successfully held a development day with all staff connected to Moray CPC and actioned the key feedback
- Developed and implemented the Significant Case Review procedure for all staff
- Updated guidance for all staff on the process for Police Concern Reports under the Children and Young People (Scotland) Act 2014

- Successfully conducted an IRD audit and taken the learning into the new IRD procedure which was launched and will be subject to review in 2018 is set for a multi-agency launch later in 2017
- Introduced a Neglect sub group of the CPC to take forward the Neglect agenda across Moray
- Published guidance and training for staff on accessing Legal Services.

Moray CPC is considering how it can take help take forward the outcomes from the recent Joint Children's Service Inspection carried out by the Care Inspectorate, its own improvement plan, and the recommendations from the National Child Protection Improvement Programme set out by Scottish Government. The ongoing audit and review of IRDs and Childs Planning Meetings will further enhance the CPCs ability to keep children safe and improve outcomes for all children cross Moray.

The Moray CPC has played a key role in the progress of the Moray Learning and Development Group (MLDG). The MLDG consists of experienced professionals from Health, Education, Social Work, Police, and Third Sector. It is the responsibility of the MLDG to develop and deliver a multi-agency Child Protection, GIRFEC and Early Years training calendar for all staff working with children and young people across Moray. After a successful year the MLDG are currently rolling out 3 monthly training calendars to address multi-agency training gaps and, importantly, will quality assure the training to measure its impact on practice. There are various training courses available which can be found [here](#)

A key development area for the Moray CPC moving forward is how best to engage children, young people, families and their communities in the child protection agenda and the wider consideration of protecting children. We are working with the third sector and services to progress this.

This will allow us to consider the effectiveness of the work of the CPC and ensure that our work meets locally identified priorities and supports a safer family/safer community approach.

### **Adult Support & Protection**

The previous report identified areas required to promote better awareness of Adult Support & Protection:

Continue to raise public awareness and for NHS staff, work continues on promoting awareness across Moray. The ASP trainer has completed in excess of 40 training sessions in the last year. Modules 1 and 2 focus on those working directly with service users both in the community and within a care home setting. Modules 3 and 4 specifically target social workers who have a minimum of 1 year experience – this enables them to become Council Officers and able to complete ASP investigations on behalf of Health and Social Care Moray. A variety of public information is made available with all relevant information being displayed on council web site, leaflets, and posters. Data collected for the Moray Adult Protection Committee (MAPC) and Scottish Government statistics indicate another increase in referrals over the past year. The number of referrals from Police Scotland have also increased; however, these involve a large number of people with known addictions along with those who are at risk of suicide. In most circumstances there is evidence to suggest people being referred have mental health related issues.

In particular the MAPC has focussed on raising the profile of, and awareness of financial harm.

Additionally, the APU consultant practitioner attends the weekly public safety hub established in January 2015 and led by the community safety team based in Elgin. It is attended by all statutory agencies and relevant information is shared proportionately. There have been improvements in agencies attending ASP case conferences and it is felt this is due to the sharing of information and the introduction of these weekly hub meetings.

The Interagency Grampian Working Group (representatives from Moray, Aberdeen City and Aberdeenshire) has updated the Interagency Grampian Policy and Procedures for ASP and this has been approved by all three APC's. To assist MAPC in fulfilling its multi-agency functions and responsibilities, a series of short life working groups have been established to take forward the work of the Committee. In addition there are now three sub groups which meet on a regular basis to address the key functions of MAPC:

- The Grampian Working Group;
- The Grampian Joint Training Group; and
- The Financial Harm Group

In addition, recognition is also taken of the outcomes from national reports on adverse events.

In raising the profile of financial harm there are many challenges for Adult Support and Protection across all agencies, one being co-operation from the many financial institutions and Moray have distributed leaflets, posters to be displayed in business premises and it is hoped this will enhance awareness across Moray. The introduction of the updated and Scotland wide approved form - Re: Request for Information from Financial Institutions - Section 10 Adult Support and Protection (Scotland) Act 2007 (ASPA) has now been implemented. It is anticipated this will encourage financial institutions to participate more willingly in the ASP process therefore reducing the risk to Adults at Risk of financial harm or exploitation.

An ASP protocol for 16 – 18 year olds was agreed early in 2018 and rolled out in the first instance to Access team where it is triaged. Consideration is given to whether it meets the three point test or if it is a wellbeing issue within the GIRFEC agenda. It is then forwarded to the appropriate service for attention.

Our focus for the year 2018 to 2019 will be;

- Develop new training methods that will focus on more joint training between partner agencies
- Ensure policies and procedures are relevant and robust
- The APC will develop a risk register in response to the recent introduction of inspections carried out across 6 local authorities across Scotland
- Large Scale Investigation policy will be reviewed by the Grampian Working Group.

## **Criminal Justice**

Over the past year Criminal Justice staff have continued to be involved in contributing to the Improvement Plan associated with the National Multi Agency Public Protection Arrangements (MAPPA) Inspection.

Moray Criminal Justice Service acted as a pilot area in relation to the introduction of the new MAPPA templates. We provided feedback to the Risk Management Authority which helped shape the roll-out of the planned national training of the templates by the RMA.

Following the training given to all staff the Moving Forward Making Changes case management pack is now delivered to High Risk Sex Offenders.

Joint work with Police, Youth Justice and other Council Services continues in order to improve outcomes for young people at risk of offending.

Officers have been involved in preparing for and addressing the changes to Community Justice which resulted from the Scottish Government's Community Justice Re-design. Following considerable consultation with the public and across the partnership the new Community Justice Partnership (CJP) held its first meeting on 13<sup>th</sup> January 2017; the CJP also submitted its first plan to government in line with the statutory requirements.

## **Integrated Mental Health Services**

Good Mental Health for All in Moray 2016-2026 was launched in September 2016. The strategy was developed by people with lived experience of mental health problems, their families and those involved in mental health service delivery. It focusses on protection, promotion, prevention and early intervention as well as treatment and care services. It is recovery focussed and promotes a strengths based perspective.

Phase 1 of the implementation plan focussed on mental wellbeing and early intervention and much was achieved in 2016/17 including: the commissioning and opening of the Mental Health and Wellness Centre operated by Penumbra; the employment of Link Workers attached to GP practices for people experiencing distress; the commissioning of Peer Support Workers to increase community capacity and to improve self- management skills; the delivery of Wellness Recovery Action Planning (WRAP) and Living Life to the Full courses led by Community Recovery and Wellbeing Champions. In 2017/18 these services have become established and embedded into the range of community wellbeing supports.

In 2017/18 phase 2 of the implementation plan focused on care and housing support for people who have continuing mental health support needs. The Partnership has undertaken a highly detailed multi-agency scoping exercise to inform a retendering process for flexible recovery focussed community support services. The retendering and recommissioning exercise is planned for autumn 2018. Part of the tender will be for services for people with high and complex support needs with the intention of reducing the number and duration of admissions to hospital.

The coming year will see a review of the function of the Community Mental Health Team.

Specific achievements in Mental Health care are:

- The newly commissioned Mental Health and Wellness Centre has opened. It is operated by Penumbra and located in a shop premises in the centre of Elgin. Members of the public can access it directly to receive short term support and/or information about mainstream and targeted activities in Moray to promote mental wellbeing and it provides a first contact for people in distress.
- Link workers attached to GP practices are employed to provide direct access for GPs to time limited help and support for people experiencing mental distress.
- Peer Support Workers have been commissioned in Moray to increase community capacity and to improve self- management skills.
- The Making Recovery Real Initiative has progressed throughout the past year, with Recovery Café events and Recovery Roadshow events taking place in Moray.
- The Partnership has supported delivery of Wellness Recovery Action Planning (WRAP) and Living Life to the Full courses. These are led by Community Recovery and Wellbeing Champions contracted through the Scottish Recovery Network. The Wellbeing Hub also runs these programmes.
- A recovery service improvement exercise is planned throughout the mental health service using SRI2. This will inform future developments in recovery focussed service delivery.
- A review of commissioning for residential based care and housing support for those who have high and complex support needs is being progressed and will continue into the coming year.
- The coming year will see a review of the function of the Community Mental Health Team

### **Mental Health Social Work Team**

In the past year has been a development towards a re-enablement approach which results in shorter term interventions. There continue to be challenges around differing thresholds for the secondary service and understanding of social workers' roles within the wider service.

One of the priorities for the Mental Health Social Work Team for the coming year is a focus on strengthening a recovery approach to the support that is provided to individuals who live with mental ill health. The team is keen to develop their skills in evidence based ways of working with people and are undergoing training in Mindfulness techniques.

The acute mental health ward has limited bed capacity due to staff recruitment difficulties and this has had an effect on the mental health team who have had to be more creative in their support of service users experiencing deterioration in their mental health. This has included using provider hours flexibly to provide intensive support to individuals at times of crisis.

## Mental Health Officers

The Mental Health Social Work Team Manager and Consultant Practitioner have an overview of all casework undertaken by the Mental Health Officer service.

Accountability for the service has been strengthened and the MHO Governance Group including Mental Health Team Manager, Consultant Practitioner, Service Manager Learning Disability and Chief Social Work Officer now meet biannually to discuss issues arising from the MHO provision.

In the past year four MHO candidates successfully completed the MHO course and three are practicing as MHOs on the daytime rota. One of the new MHOs is working as an MHO out of hours.

In 2017/18 there were no experienced social workers interested in training to be an MHO and for this reason a call for notes of interest was relayed to the teams in autumn 2017 which brought a positive response. A meeting was held with the individuals who expressed an interest and they had chance to find out about the role and about the course prior to formal recruitment in spring 2018. Two social workers who noted interest have now been recruited to the 2018/19 programme and some social workers have indicated their interest for future years.

There are currently 15.87 FTE MHOs in Moray. It is positive to note that 6 MHOs (35%) in the service are aged under 40. However 6 MHOs (35%) are 55 or over and are likely to retire within the next 12 years. Retirement is not the only aspect that needs to be considered as some MHOs are promoted and cease to practice and others may not fulfil all aspects of MHO duties due to their specific post or occasionally for health reasons. However unless there are a number of MHOs leaving the service then Moray should continue to be able to meet its statutory mental health responsibilities without difficulty.

The Mental Health Officer Forum is well established and is well attended. Peer supervision groups have been introduced in 2017 and these groups meet quarterly to discuss cases and share learning. Enhanced support for newly qualified MHOs has been introduced.

## Mental Health Care and Treatment Scotland Act 2003

Orders granted

Year	EDC	STD	CTOs granted	CO	Live CTOs as at year end
2016/17	11	66	10	1	29
2017/18	13	57	11	1	33

**EDC** = Emergency Detention Certificate, **STD** = Short Term Detention Certificate, **CTO** = Compulsory Treatment Order, **CO** = Compulsion Order

Comparing figures from previous year the numbers of Short Term Detentions have reduced which is difficult to explain with any certainty but possibly reflects the reduced number of beds available in Scotland for acute psychiatric admissions. However the variance for orders is small and this does not necessarily indicate any particular trend. MHOs are involved in mandatory reviews for people on a Compulsory Treatment Order so end of year figures in the table above give an indication of the level of MHO involvement required.

## Adults with Incapacity (Scotland) Act 2000

Table 4 - MHO reports requested

Type of order	2017-2018			2016-2017		
	CSWO	Private	Total	CSWO	Private	Total
Welfare	2	7	9	3	18	21
Welfare+finance	2	24	26	8	35	43
Welfare+intervention order	7	7	14	3	3	6
Welfare+finance+intervention order	0	1	1	0	0	0
Intervention order	3	2	5	0	1	1
Variation	0	2	2	0	0	0
Variation+intervention order	1	0	1	0	0	0
Renewal	2	1	3	2	1	3
<b>Total</b>	<b>17</b>	<b>44</b>	<b>61</b>	<b>16</b>	<b>58</b>	<b>74</b>

The rate of requests for Adults with Incapacity MHO reports has levelled out from the previous year's high. There were 61 requests for guardianship reports in 2017/18 and 74 requests in 2016/17.

In 2017/18, 34.5% of all applications included intervention orders as opposed to 9.5% of all applications in 2016/17. Intervention orders require a separate report so where welfare powers and intervention orders are part of the application this increases workload. The increase in Intervention Order applications in 2017/18 is inflated because of the need to sign tenancies on behalf of users of the learning disability service who moved accommodation as a result of the accommodation review.

The table above shows that 39% of all applications in 2017/18 were local authority applications whereas in 2016/17 only 22% of all applications were local authority applications. This increase in 2017/18 may also reflect the need to authorise accommodation moves for people who have no family members able or willing to apply for powers.

## Local authority and private welfare guardianships

<b>Service user groups subject to welfare guardianships as at 31/03/18</b>	<b>Private welfare guardianships</b>	<b>Local authority welfare guardianships*</b>	<b>Total welfare guardianships</b>
<b>Learning disability</b>	108	12	120 (55%)
<b>Dementia</b>	61	26	87 (40%)
<b>Mental Health</b>	0	3	3 (1%)
<b>Acquired Brain Injury</b>	6	1	7 (3%)
<b>Total</b>	<b>175</b>	<b>43</b>	<b>217 (100%)</b>

\*excludes cross border placements where guardianship is held by another local authority

The table above reflects the statutory workload for community care teams who supervise private guardians and are delegated welfare powers from the CSWO. The supervision of guardians within the time scales is difficult to achieve. A prompt from the AWI administrator notifying social workers of review is in place and it has been recommended to social workers that they schedule reviews to coincide with annual social work reviews of the support plan.

The table shows that where possible families are encouraged to apply for powers rather than the local authority, as the legislation requires. In consequence the CSWO holds only 25% of all welfare guardianships in Moray.

The table shows that people with learning disability are the highest service user group (55%) subject to welfare guardianship but only 10% of these are held by the local authority. People with dementia is the second largest service user group and accounts for 40% of all welfare guardianships of which the local authority holds 43%. The trigger for action under AWI for older people tends to be a health crisis where the person is admitted to hospital. Often an older adult being admitted to hospital receives a capacity assessment and the conclusion is reached that the adult does not have capacity to make decisions about their future care. Consequently, the person remains in hospital until action can be taken under AWI. The length of time that private guardianships in particular take to complete is contributing to the delays in hospital discharge.

Section 13ZA Social Work Scotland Act 1968 is used only occasionally to place older adults with incapacity in care homes. Factors that preclude its use include complex family relationships, financial and property matters exceeding the level at which access to funds would be appropriate or the adult had indicated that they would never wish to go into a care home. Discussions continue to find a solution to reduce long stay hospital admission where there is capacity.

## **Complex Needs – Learning Disability**

The work done by the Accommodation Review highlighted a number of improvement opportunities in LD services, in addition to this there was additional pressure on resources from the people, many with high cost care needs, coming into adult services following transition from school. There was also an acknowledgement that there were high levels of existing expenditure on support for people who have a learning disability and there were opportunities around the integration of health and social care in learning disability services. It was acknowledged that a new operational model was needed and Alder Associates were identified as consultants to support both the development of a new model and health and social care integration in LD services. A series of workshops were held leading to the adoption of the progression model which incorporates longer term planning, working to individual outcomes and the development of a range of sustainable housing options. Early indicators are that the adoption of the model is supporting a number of individuals to enjoy improved outcomes and is leading to benefits realisation in terms of improved lifestyles, living arrangements and cost saving.

### **Woodview (Urquhart Place, Lhanbryde)**

The decision to decommission a care home at Maybank, Forres for service users with severe autism and to commission a new build on the outskirts of Lhanbryde was taken in 2013. This was a time when a critical report had been published by the Care Inspectorate in relation to the quality of care provided at Maybank for 4 service users with severe autism.

The report reflected Adult Community Care's concerns regarding the overall suitability of the Maybank property to support people with challenging behaviour and the related impact that this had on recruitment and the retention of staff.

During the week of 14 August 2017, Maybank was decommissioned as a care home residence and the 4 service users became tenants at a £2.5m new build development consisting of 8 bungalows, an office and communal area at Woodview on the outskirts of Lhanbryde.

Although, this represents the initial phase of the project, there has been a significant drop in the recorded incidents and a reduction in the medication for the tenants. Staff retention rates also remain high. Overall, this project has already had a significant positive impact on the lives of the tenants and members of staff.

Plans are in place to support a further 4 service users from Moray and out of area to move to Woodview in the Spring of 2018.

## **6. Workforce**

- a) Planning**
- b) Development**

Moray Council's corporate workforce strategy sets out the council's overarching approach to developing a skilled, motivated and flexible workforce able to deliver efficient high quality services that will make a difference to the community of Moray. The main themes for 2017-18 continued to be workforce transformation and change, employee engagement, leadership development and capacity with the addition of recruitment and skills development and while these broad themes are set at a corporate level, there is an expectation that they are cascaded throughout the organisation and embedded within all workforce development activity. Underpinning this, Moray Council continued to promote and develop a positive workforce culture in line with the values set out in Working Together for a Positive Workforce incorporating the corporate plans and aspirations.

As part of the Council's Organisational Development Service the social work training team have continued to support employees within the social work disciplines across services and teams to meet their registration requirements as well as developing, delivering, facilitating and promoting a range of learning and development opportunities.

The learning and development delivered has been based on the information gathered from managers via the annual training needs analysis (derived from supervision, individual casework, team meetings and for some employees from the corporate employee review and development programme). Discussions with heads of service about the strategic requirements for the workforce and responding to demand arising from the Care Inspectorate Joint Inspection of Services for Children and Young People in Moray and partnership arrangements with the Moray Integrated Joint Board also strongly influence the learning and development that is delivered. This has included contributing to the review of supervision, development of a self-evaluation tool within Children's Services Social Work, training on Adverse Childhood Experiences and adolescent brain development.

Training and development support continues to be provided to the residential services for children and young people to facilitate the learning and development of the team as well as ensuring attainment of SSSC registration requirements mainly with regard to SVQs in Children and Young People. This has included a number of specific development days for team building which has improved the overall cohesiveness of the teams. SVQs and Professional Development Awards are also provided for workforce development across Adult Services.

The training team continues to sponsor and co-ordinate the attainment of the practice teacher qualification for a number of social workers across the organisation both financially and through facilitating and supporting access to social work students through placements at various points throughout the year.

Work also continues to support newly qualified social workers to evidence their post registration training and learning (PRTL) ensuring that core competencies are embedded, specialist skills are developed and effective learning is promoted.

Placements and support continues to be provided to a number of Social Workers in training on a regular basis.

Work has progressed on our response to the Foster Care Standard that has been developed based on one of the outcomes of the 2013 National Foster Care Review. A review of the training calendar to ensure the new standards are met has taken place with a new programme of training produced for Placement Services and some areas for development identified.

A number of post-graduate qualifications continue to be sponsored including the Post-Graduate Certificate in Child Welfare and Protection and the Mental Health Officer Award to ensure the council's capacity for knowledge and skill within these specialist areas is kept up to date.

Workforce development activity has also been delivered through the multi-agency Moray Learning and Development Group (MLDG) which works on behalf of the Community Planning Partnership and is responsible for the development, delivery and quality assurance of a multi-agency Child Protection, GIRFEC and Early Years training calendar for all staff working with children and young people across Moray.

In 2017 the MLDG successfully delivered its a full and varied programme of multi-agency training calendar which also incorporated developing training to address the key training needs emerging from the afore mentioned Care Inspectorate Joint Inspection of Services for Children and Young People in Moray as well as training needs emerging from the Moray Children's Services Plan 2017-2020.

As part of the response to the training and development needs arising from the joint inspection of services for children and young people, an organisational development strategy has been drafted. The purpose of this strategy is to create and develop a learning organisation approach across the partnership.

Work to support the learning and development of the social work workforce within adult services continues as part of the social work training team's standard training catalogue. This is largely focused on the workforce development aspects of rolling out the Progression Model within the Learning Disabilities Service.

Instruction in Behaviour Support Strategies and Safer People Handling continues to be a core element of the training delivered to the workforce as required.





**REPORT TO: MORAY COUNCIL ON WEDNESDAY 31 OCTOBER 2018**

**SUBJECT: SHORT BREAKS SERVICES STATEMENT**

**BY: ACTING CORPORATE DIRECTOR (EDUCATION AND SOCIAL CARE)**

**1. REASON FOR REPORT**

- 1.1 To inform the Council of the statutory requirement for the production and publication of a Short Break Services Statement for Moray.
- 1.2 This report is submitted to Committee in terms of Section II (13) of the Council's Scheme of Administration relating to the approval of council reports and strategies of a corporate nature.

**2. RECOMMENDATION**

- 2.1 **It is recommended that the Council approve for its interest the Short Breaks Services Statement for publication as required under section 35 of the Carers (Scotland) Act 2016**

**3. BACKGROUND**

- 3.1 The Carers (Scotland) Act 2016 came into force on April 1<sup>st</sup> 2018 and brought with it a number of duties for local authorities. These include the production and publication of a Short Breaks Services Statement. The Council has delegated responsibility for this Statement in relation to those of 18 years and over to the Moray Integration Joint Board but retains the responsibility in relation to those under 18 years of age.
- 3.2 The Council has a responsibility to produce and publish the Short Breaks Services Statement by 31 December 2018, failure to do so will mean that the Council is in breach of its legislative duty.
- 3.3 Guidance was produced by Shared Care Scotland to support local authorities to produce these statements and ensure that they contain at least the minimum information legislatively required.
- 3.4 Using the above guidance a joint Short Breaks Services Statement has been produced for adult and young carers. **(APPENDIX I)**. This Statement will be also be presented for approval to the Moray Integration Joint Board.
- 3.5 Quarriers has been undertaking consultation with carers about this Statement prior to consideration by the Council

- 3.6 The purpose of Short Breaks Services Statement is to provide information to carers and cared for people so that they:
- Know they can have a break in a range of ways
  - Are informed about short breaks that are available
  - Have choice in the support they access
  - Can identify what a short break means for them, and how they can be supported to meet their needs and achieve their outcomes.

## **SUMMARY OF IMPLICATIONS**

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

This report relates to the following within the Corporate Plan 2018-2023: Where life is better for everyone.

The vision being that our children have better educational and social outcomes and so are better prepared for life.

Improved outcomes for those most in need of support.  
Our most vulnerable young people and families are safe and nurtured.  
Public and staff have confidence in all services we provide for children.

And within the Moray – 10 year Plan – LOIP.

Building a better future for our children and young people in Moray.

The outcomes being that children and young people thrive; have a voice; learn; can get about; have a home; feel secure, healthy, nurtured to be supported to reach their full potential.

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

The Council has a responsibility to produce and publish the document by 31 December 2018. Failure to do so will place Moray Council in breach of its legislative duty.

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

There are no financial implications directly associated with this report, any financial implications arising from practice will be reported to Committee.

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

Failure to produce and publish the Short Break Services Statement will place Moray Council in breach of its legislative duty.

### **(e) Staffing Implications**

None associated with this report.

**(f) Property**

There are no direct property implications associated with this report.

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

There are no direct equalities issues associated with this report.

**(h) Consultations**

Senior Officers within Education and Social Care, Senior Human Resources Adviser, Principal Accountant, Margaret Forrest, Legal Services Manager (Litigation and Licensing), Pauline Knox, Health and Social Care, Tracey Sutherland, Committee Services Officer, and the Equal Opportunities Officer have been consulted in the preparation of this report and are in agreement with the content relating to their areas of responsibility.

**5. CONCLUSION**

- 5.1 It is recommended that Council approve the Short Breaks Services Statement for Carers under 18 years of age in Moray. This statement applies for adult carers and young carers and will be a Statement shared with the Moray Integration Joint Board.**

Author of Report: Jennifer Gordon/ Pauline Knox

Background Papers:

Ref:



APPENDIX 1



**Moray Council and Moray  
Integration Joint Board**

**Short Breaks  
Services  
Statement**

**For Adult Carers and Young Carers**

Pauline Knox  
10/1/2018

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## Background

Each Local Authority and Integration Joint Board is required to produce a Short Breaks Services Statement under the duties of the Carers (Scotland) Act 2016. It gives information about the short breaks services available locally and across Scotland for carers and the people they care for. This information may be by way of direct provision within the statement, or by provision of a link to existing local or national systems that currently hold relevant information.

Further duties under the Carers (Scotland) Act 2016 as part of the Carers Charter can be accessed on the Scottish Government website here

<https://beta.gov.scot/publications/carers-charter/pages/2/>

A carer is someone who provides (or intends to provide) care for another person but not:

- If this is only because of that person's age (where they are under 18); or
- If you are caring because you have a contract or as voluntary work

You are an 'adult carer' if you meet the criteria above and are aged 18 or over, and not attending school.

You are a 'young carer' if you meet the criteria above and are either under the age of 18 or 18 or over, but still attending school.

The aim of the statement is to help carers and people with support needs understand:

- What short breaks are
- Who can access them
- What is available in the local area and across Scotland
- How they can access short breaks and find further information

This will enable carers to have more choice and therefore more control over what support is right for them.

The contents of this statement has been informed by what carers have told us during our consultations around both the adult carers and young carers' strategies is

important to them and further engagement with our commissioned carers support service. The statement will continue to be reviewed annually in light of feedback.

## **Purpose**

The purpose of this Short Breaks Services Statement is to provide information to carers and cared for people so that they:

- Know they can have a break in a range of ways
- Are informed about short breaks that are available
- Have choice in the support they access
- Can identify what a short break means for them, and how they can be supported to meet their needs and achieve their outcomes

The statement aims to provide useful information and links for all carers, regardless of any eligibility for formal support through Health & Social Care or Integrated Children's services. Carers who, through either an Adult Carer Support Plan or a Young Carers Statement, are found not to be eligible for formal support may still wish to pursue a short break using their own means and this statement will provide useful information relating to what is available.

In addition, the statement provides information relevant to breaks for the cared for person. The reason for this is the recognition that a break from caring holds significantly more benefit to the carer if the cared for person is also happy with the break that they are having. This is also true where the carer and cared for person wish to experience their break together.

Moray Council and Moray Integration Joint Board are committed to supporting carers to enable them to experience life alongside their caring role and will continue to work in partnership with each other and (?)other organisations to develop and grow the local choices available for short breaks.

## **Definition of a Short Break**

The Carers (Scotland) Act 2016 has no specific definition for short breaks but the Statutory Guidance details the following definition from Shared Care Scotland:

*A short break is any form of service or assistance which enables the carer(s) to have periods away from their caring routines or responsibilities.*

*The purpose is to support the caring relationship and promote the health and well-being of the carer, the supported person, and other family members affected by the caring situation.*

*Breaks from caring may:*

- *Be for short or extended periods*
- *Take place during the day or overnight*
- *Involve the person with support needs having a break away from home allowing the carer time for themselves*
- *Allow the carer a break away with replacement care in place, if required*
- *Take the form of the carer and the person they care for having a break together, with assistance if necessary, to provide a break from the demands of their daily caring routines*

Short breaks are not new and this statement, in addition to the requirements of the Carers Act, is being produced to give formal recognition to the value and importance of short breaks as part of the suite of options for how carers can be supported.

The following case studies are taken from the variety of short breaks that have already taken place in Moray as part of the Creative Breaks funding provided by Scottish Government and administered by Shared Care Scotland through the local Carers Support Service.

L describes herself as the 'glue that holds things together' in her family, often doing things for others or sorting out problems. She feels she has to put everyone else's needs before her own, which is frustrating and stressful. She never feels emotionally balanced, has no energy, can't sleep, rarely feels confident and this all affects her wellbeing. Having taken breaks before that put other people's needs first, with the Carers Support Service's help she focused on what would make her feel better.

She liked the idea of regular opportunities to escape the stresses of her caring role, and bought vouchers for a local beauty spa. Over the summer she experienced a range of relaxation therapies, allowing her to pamper herself.

*"Creative Breaks made me think of myself, put myself first for a change. Mentally and physically I feel healthier and stronger and able to go on. I'm able to switch off from things a lot better."*

This carer's Creative Break award gave L the permission to care for herself and do something that made her feel and look good.

She has taken the steps to realise her rights to:

- a life outside caring
- regular breaks
- look after her own wellbeing
- and she's thriving on it.

*"I'm much better at saying 'no' because my confidence has increased."*

D applied for a Creative Break because her energy levels were so low and her stress levels so high that she frequently felt overwhelmed. She needed something to help her feel more positive and confident.

Initially, she mentioned a one-off break with the person she cares for, but conversation with the Carers Support Service helped her consider how she could achieve bigger changes she wanted, but had thought out of reach: to return to work, and have a life outside caring.

The service suggested joining their programme for the nationally-recognised SVQ Health and Care qualification which acknowledges the skills and expertise carers gain in their role and is welcomed by employers. D felt a laptop and printer would help her manage studying and preparation work alongside caring, whilst offering an escape through games and online social opportunities. The Carers Support Service helped her choose and buy her IT equipment.

As a result of studying for her SVQ, D has found work, giving her a new outlook on life and caring.

*"My confidence is improving, I'm more able and willing to try out new things and when I can do them, I feel 100%. I'm more positive, have fewer down days, and am better able to get going again when I DO have a down day. I'm also more prepared to ask people for help when I need it.*

*I feel like a new person, more confident and ready to move forward, and all because of that one Creative Break application!"*

*A is 12 years old and lives with his mum and dad. He was referred to the Carers Support Service in May 2015 by an Occupational Therapist after his dad experienced a collapsed lung and complications arising from it. Because of the severity of his dad's illness, and dad's sudden dependency on his son and his wife, the OT felt that he would benefit from support to understand and manage his role as a young carer.*

*A Support Worker met with A one-to-one, completing a Young Carers Assessment to identify the impact his caring role was having on him and where he specifically needed information and support. A's main concerns were how poorly his dad was, and that he would get ill again during the night without him knowing. With the Carers Support Service's help, A created his personal Support Plan, which set out the actions he and the support worker would take to make life easier. This included opportunities for A to take breaks away from his caring role with other young carers. He attended a range of young carer activities where he met with others of a similar age and with similar experiences. His dad returned to work, and A felt he no longer needed dedicated one-to-one support. This support was reduced, although A stayed in touch with the service and continued to take part in group activities, giving him the confidence to cope with changes at home as they happened.*

*Most teenagers generally need a break from their parents, but when they have a caring role for mum or dad that can be much harder to achieve. Having responsibility for a parent can be overwhelming and frustrating; putting someone else's needs first is not easy, and returning to that time and again is challenging, particularly at an age when peers are experiencing more freedom and independence. N (14) manages to get a break and reduce her daily frustrations by attending martial arts training, but is always aware that she has to go back.*

*In summer 2017, N was offered the opportunity to attend the WOMAA World Championships in Dublin. Her Creative Break award made it possible for her to attend.*

*N says, "My break helped me to relax more. It also helped develop my independence. This was the first time I'd been away by myself, although my instructor was with me as the responsible adult. Now I worry about things less because I've seen what I can do. It was a total break from caring which was refreshing, and it has strengthened my support network by building up my relationships with my instructors, so I'm able to carry on with my caring role knowing what's possible."*

*A Creative Break contributed to N's life outside caring, helping her put her own needs first improving her wellbeing and confidence, and supporting her to return to her caring role refreshed and boosted. In addition, she secured an international award in competition – something she is very proud of. Her mum is equally proud, and not just of N's success - she sees N can cope with new challenges and is capable of even more than she realised.*

## Outcomes of a short break

Carers will be supported to identify the need for and potential benefit of their short break through the process of having an Adult Carers Support Plan or a Young Carers Statement. The outcomes of a break will be personal to each carer and cared-for person, but for many, are likely to include some, if not all, of the following:

- Having more opportunities to enjoy a life outside/alongside the caring role
- Feeling better supported
- Improved confidence
- Increased ability to cope
- Reduced social isolation and loneliness, for example increasing social circles, connections and activities
- Increased ability to maintain the caring relationship – and sustain the caring role
- Improved health and wellbeing
- Improved quality of life
- Reduced likelihood of breakdown and crisis

Further real life examples of the types of outcomes achieved from short breaks in Moray can be seen in the case studies in the previous section and in the carer quotes below:

### **Quotes from Creative Breaks recipients 2017-18**

- *“It has been so good to get away for several short breaks - to recharge our batteries and get a change of scenery. It has helped morale enormously.” (Carer took day trips in and around Moray)*
- *“I now have materials to continue my artwork. From now on I will be able to use these materials to enjoy some relaxing time.” (Carer bought art materials to use at home)*
- *“I switched off for that period of the break which did me the world of good. I enjoyed every minute of it.” (Carer stayed for 2 nights in a Moray hotel)*
- *“I felt restored and still do.” (Carer took a personal retreat in Inverness)*

## **Opportunities Available**

Given that a short break can be delivered through any service or form of assistance the carer feels will provide them with the perception of time away from the caring routine or responsibilities, it would be impossible to be able to include a comprehensive list of all short breaks opportunities in Moray or across Scotland.

The following list gives examples of the different ways that breaks can be provided. There may be eligibility criteria attached to these.

### **Breaks in specialist/dedicated accommodation**

The accommodation, which is only used for short breaks, might be guest houses, community flats, purpose-built or adapted accommodation. Depending on the group catered for, facilities may be able to offer specialist care. [Click here for examples from the Shared Care Scotland Directory](#)

### **Breaks in care homes (with or without nursing care)**

Some care homes may have a small number of places set aside specifically for short breaks. Rather than simply offering a 'spare bed' the home may provide activities for short-term guests to suit individual needs and interests. [Click here for examples from the Shared Care Scotland Directory](#)

### **Breaks in the home of another individual or family**

These involve overnight breaks provided by paid or volunteer carers in their own home. These are sometimes referred to as shared lives, family based or adult placement schemes. Families or individuals offering this support are carefully recruited and registered – normally by the local authority or through voluntary sector organisations. [Click here for examples from the Shared Care Scotland Directory](#)

### **Breaks provided at home through a care attendant or sitting service**

This includes individual support provided in the home of the cared-for person for periods of a few hours or overnight. The purpose may be to provide support while the carer is away, or to support the carer in other ways, e.g. by enabling the carer to have an undisturbed night's sleep. [Click here for examples from the Shared Care Scotland Directory](#)

## **Supported access to clubs, interest or activity groups**

These opportunities might focus on a particular activity (e.g. sports clubs, leisure activities) and may be based in a community building. These generally take place over a few hours perhaps once or twice a week or, in the case of disabled children, they may be planned over the school holidays. The availability of adapted equipment or trained workers can help people with support needs to enjoy these activities. [Click here for examples from the Shared Care Scotland Directory](#)

## **Holiday breaks**

These include opportunities for people to have a short break together, or independently. These breaks can be supported in different ways – through an agency specialising in breaks for people with particular needs; in adapted accommodation; or in ordinary hotels and guest houses, perhaps with additional equipment. More mainstream breaks may also be possible with the support of a paid carer or companion. [Click here for examples from the Shared Care Scotland Directory](#)

## **Befriending schemes where volunteers provide short breaks**

Befriending normally involves a paid worker or volunteer assisting someone with care and support needs to have access to activities, for example going to the cinema, meeting friends, shopping, swimming and other such leisure pursuits. Befriending can be on a one-to-one basis or as part of a group. [Click here for examples from the Shared Care Scotland Directory](#)

## **Day care or Day activities**

Day care is typically based in a community building and provided by a local authority or voluntary organisation. The degree of flexibility varies; most are characterised by fixed opening hours on particular days; some offer a drop-in service whereby people can attend for part of the day only. Day care is not generally provided for short break or respite purposes but services which offer more flexible arrangements, designed around the needs of both the client and carer, can achieve this purpose.

## Hospital/hospice-based break

This type of break is for people who need medical supervision because of complex or intensive health care needs. Some facilities are designed in such a way to create a more homely environment with guest bedrooms, lounges and activity programmes. Some short-term hospital-based care provides a break for the carer.

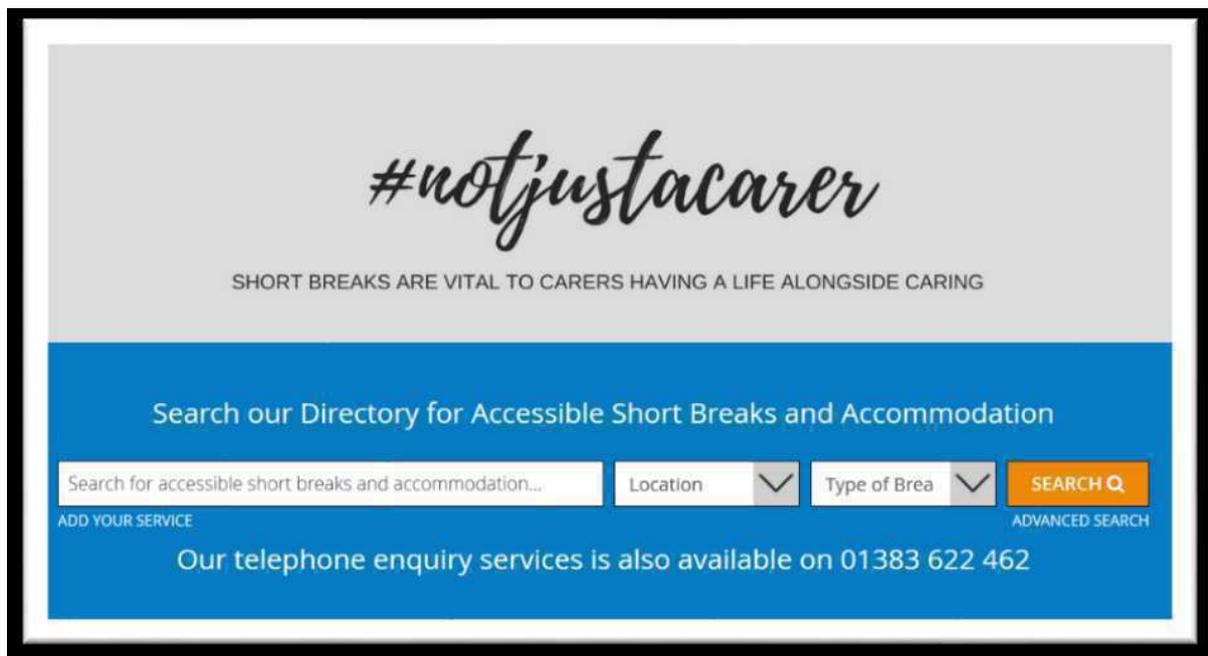
## Alternative breaks

Increasingly, with the development of Self-directed Support, more people are finding creative ways to take a break that don't necessarily involve external services. For example, they might use leisure equipment, computers, gardens or anything else that provides a break from routine. [You can read some example 'Short Break Stories' by clicking here](#)

## National Information Sources

Below are links to some of the national short breaks information sources.

[Click here for the Shared Care Scotland Short Breaks Directory](#)



#notjustacarer

SHORT BREAKS ARE VITAL TO CARERS HAVING A LIFE ALONGSIDE CARING

Search our Directory for Accessible Short Breaks and Accommodation

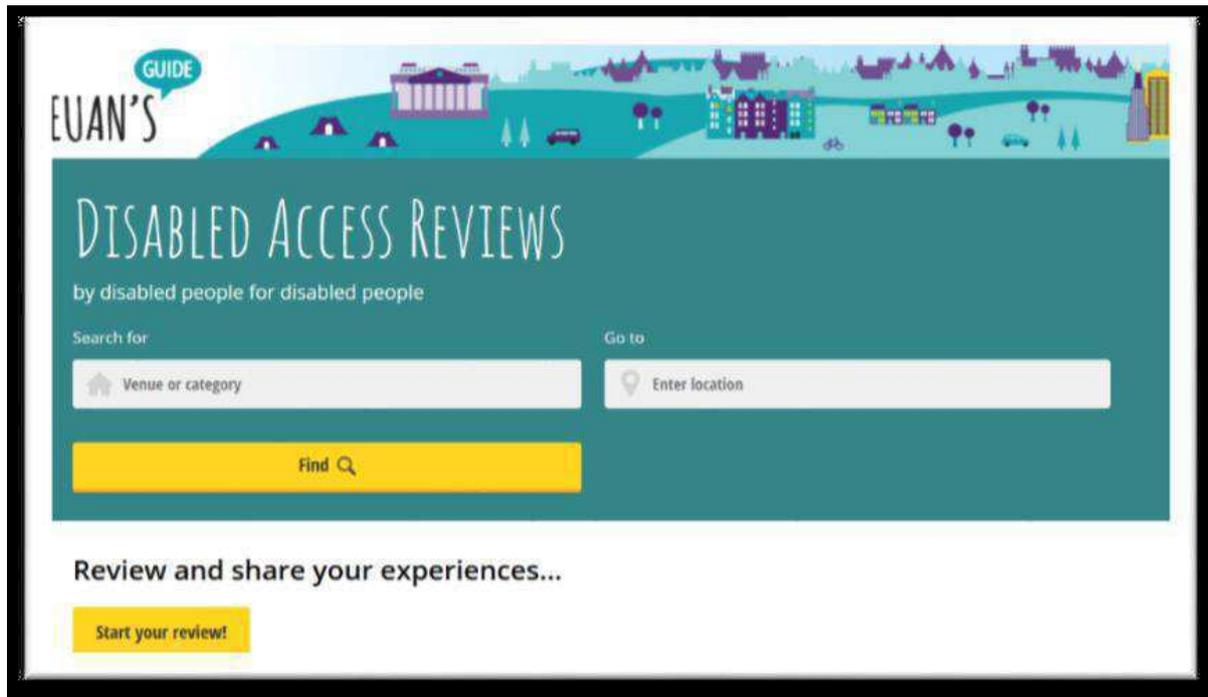
Search for accessible short breaks and accommodation... Location Type of Brea SEARCH Q

ADD YOUR SERVICE ADVANCED SEARCH

Our telephone enquiry services is also available on 01383 622 462

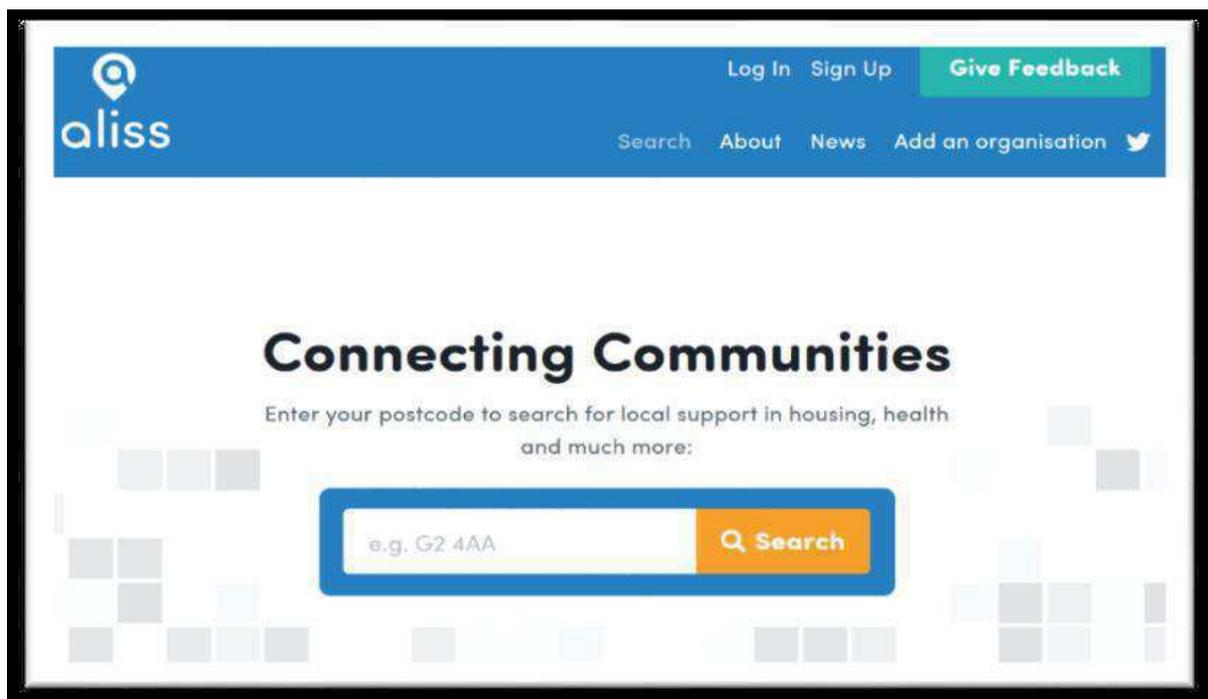
*This website contains a searchable directory of short breaks. It also provides information on 'Time to Live', a programme of 12-month small grants available to carer in every local authority area.*

[Click here for Euan's Guide](#)



*Euan's Guide is the disabled access review website that aims to 'remove the fear of the unknown' and inspire people to try new places. The cornerstone of Euan's Guide is its community of independent reviewers, who share their photos and experiences of restaurants, hotels, train stations, attractions and anywhere else they may have visited.*

[Click here for ALISS](#)



*ALISS (A Local Information System for Scotland) aims to increase the availability of health and wellbeing information for people living with long-term conditions, disabled people and unpaid carers. It supports people, communities, professionals and organisations that have information to share.*

These national links support carers to access breaks beyond their local area (e.g. if they live in a different local authority area to the cared-for-person).

## **Local Services**

*Quarriers Carer Support Service – This service is commissioned by Moray Council and is the main provider of direct support to adult and young carers in Moray.*

*Through Quarriers carers can access local carer groups and support groups along with short break grants that are both locally and nationally funded. Examples of these can be seen in the case studies earlier in this document.*

[Click here for information about Quarriers Carer Support Service](#)

There are other locally commissioned services that provide care and support to the cared-for person that can support a carer to be able to take a short break through the provision of replacement care. These are generally accessed through receipt of a Social Work/Community Care Assessment and are subject to relevant local eligibility criteria. For more information in the first instance please contact

[accesscareteam@moray.gov.uk](mailto:accesscareteam@moray.gov.uk)

## **Eligibility**

Short breaks should be planned as part of an outcome-focused conversation, which could be part of the production of an Adult Carers Support Plan or Young Carers Statement.

We (Moray Council and Moray Integration Joint Board), in partnership with our commissioned Carer Support Service, will work with you to identify:

- The impact of caring on your health, wellbeing, employment and ability to socialise
- Possible issues in your relationship with the person you care for (or the wider family)

- The amount of time spent caring each week
- How long it has been since you last had a break
- If you are the only person caring and if you care for more than one person
- Your ability to make arrangements for a short break with support

Under the Carers Act we have a duty to provide all carers with access to information and advice services and this may be through the commissioned carer support service or other universally available information and advice services.

In addition to this all carers may access universal services and support. These are the services generally provided to the public at large (e.g. leisure and recreation facilities, support groups, community groups), or support that is available to all carers without the need for assessment or test of eligibility (e.g. Peer Support Carers Cafes provided by the commissioned carers support service).

For enhanced support such as short breaks or other supports that would be accessed as a result of an assessed need being identified, there are eligibility criteria that would apply. This is the case for supports provided to the cared-for person to meet their identified needs, or for those provided direct to the carer in their own right. The relevant documents can be seen by clicking on the links below:

[Click here for the Eligibility Criteria for Community Care](#)

[Click here for the Eligibility Criteria for Adult Carers in Moray](#)

Eligibility criteria for Young Carers in Moray can be found on page 8 of the Young Carers Strategy, which can be accessed via the link below.

Other relevant information about support for carers locally can be found in the Adult and Young Carer Strategies which can be seen by clicking the links below:

[Click here for Carry on Caring 2016-19 - The Adult Carers Strategy for Moray](#)

[Click here for the Young Carers Strategy for Moray](#)

## **Contributions Policy**

Services provided directly to carers do not carry any requirements for financial assessment or subsequent financial contribution.

If a carer has an identified assessed need for a short break, and they meet the eligibility criteria, then they will receive an individual budget that can be used to purchase/arrange the break. If replacement care for the cared-for person is required in order for the carer to be able to take the short break then informal support options should be explored in the first instance, followed by utilisation of routine support already provided to the cared-for person. If neither of these options are suitable then the cared-for person's Social Worker/Community Care Officer will look at what arrangements can be made through formal services (under the Carers Act any such provision of replacement care to support a short break that is an identified, assessed need for an eligible carer, will not be subject to any financial assessment or contribution).

At the time of writing this Short Breaks Services Statement local areas are awaiting further guidance, by way of case studies, from the Carers Act Short Life Working Group (set up by the Scottish Government) on the waiving of charges. Once these are finalised we will be able to provide further clarity around the waiving of charges directly relating to the provision of replacement care.

## **Further information**

The Short Breaks Services Statement will be reviewed annually within each financial year, the first review being due before 31<sup>st</sup> March 2020. The review will involve consultation with carers and the organisations that support them and this will be done using a variety of methods to ensure as much opportunity as possible for people to contribute their views in a way that works for them.

For further information about this document or any of the information contained in it please contact [commissioning@moray.gov.uk](mailto:commissioning@moray.gov.uk) in the first instance and your query will be passed to the relevant person/department/place for a response.





**REPORT TO: MORAY COUNCIL ON 31 OCTOBER 2018**

**SUBJECT: BRITISH SIGN LANGUAGE (BSL) PLAN**

**BY: CHIEF EXECUTIVE**

**1. REASON FOR REPORT**

- 1.1 The Council is invited to approve the British Sign Language (BSL) Plan for Moray.
- 1.2 This report is submitted to Council in terms of Section II (13) of the Council's Scheme of Administration relating to the approval of council reports and strategies of a corporate nature.

**2. RECOMMENDATION**

- 2.1 It is recommended that the Council approves the BSL Plan for Moray.**

**3. BACKGROUND**

- 3.1 The draft British Sign Language (BSL) Plan for Moray was approved for further consultation by Communities Committee on 26 June 2018 (para 5 of the minutes refer). The consultation was conducted during July and August of 2018 and the feedback has been incorporated into the final BSL plan for Moray. A copy of the plan is attached in **Appendix I**. Throughout the plan and this report the term BSL user means D/deaf and/or Deafblind people (those who receive the language in a tactile form due to sight loss) whose first or preferred language is British Sign Language.
- 3.2 The BSL (Scotland) Act 2015 requires public bodies listed in the schedule of the Act to publish BSL plans by October 2018. These must:
- Involve BSL users (including those who use the tactile form of the language) and those who represent them;
  - Ensure that the consultation on the draft plan is accessible to D/deaf and Deafblind BSL users; and
  - Be published in BSL as well as in English in both draft form and in final form.
- 3.3 A BSL version of the draft plan was made available through the webcast of the Communities Committee meeting on 26 June. Consultees were invited to submit their views by email, SMS, in BSL video or in writing. No comments

were received through those means. In addition, three meetings were held with BSL users with the support of the Deaf Club and North East Sensory Services. The feedback from those meetings have been incorporated in the final version of the draft. Generally, people were positive about the actions in the plan but a number of additional actions were suggested. These have been included in the final plan. BSL users also welcomed the use of BSL interpreters at the committee meeting. However, some felt that the language used in the plan was at times too difficult for BSL users to follow. It was also recommended that the BSL video of the final version should be signed by a Deaf BSL user. A Deaf BSL user has been contacted through the Deaf Club and has agreed to sign the BSL plan and to comment on the level of the language used.

- 3.4 A BSL version of the final plan, signed by a Deaf BSL user, has been produced and will be posted on the Moray Council's website. Copies of the video will be distributed to BSL users in Moray through the Moray Deaf Club, libraries and access points.
- 3.5 The various council services have been consulted on the actions relating to their service and they have been agreed. The actions from the BSL plan will be incorporated into the service plans for each relevant service to monitor progress on the plan. A report on progress will need to be published in 2020.

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

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

The BSL plan will contribute to the Council's priority of ensuring caring and healthy communities.

**(b) Policy and Legal**

Publication of a BSL plan, developed in consultation with BSL users is a legal requirement under the BSL (Scotland) Act 2015.

**(c) Financial implications**

The costs for interpretation and translation of the draft plan, the final plan and the consultation process are met by the Scottish Government.

**(d) Risk Implications**

There are no risks associated with this report.

**(e) Staffing Implications**

Customer-facing staff will need to undergo training in Deaf awareness. It is expected that this in-house training will take approximately 1 hour. There will be no additional staff required for the implementation of the plan.

**(f) Property**

Council buildings that are open to the public will need to have publicly accessible WiFi. This will enable BSL users to have access to free online BSL interpretation through ContactScotland when accessing council

services. This means that BSL users have access to council services without the need to make a prior appointment and without the need to book a BSL interpreter at a minimum 2-hour call out fee.

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

The BSL plan will assist in eliminating discrimination, promoting equality of opportunity and fostering good relations for BSL users, their families and those who work with them.

**(h) Consultations**

A consultation with BSL users in Moray was held during July and August of 2018. This took place over three sessions, facilitated by the Moray Deaf Club and North East Sensory Services.

**5. CONCLUSION**

- 5.1 That the Council considers the recommendation set out in Section 2 of the report in regard to the BSL Plan for Moray which is designed to improve access to Moray Council's information and services for BSL users, their families and those that work with them.**

Author of Report: Equal Opportunities Officer

Background Papers:

Ref:



# Moray Council

## British Sign Language (BSL) Plan 2018- 2024



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## Section 2: Background

### 2.1 Introduction

This is the British Sign Language (BSL) Plan for Moray Council.

It sets out actions that Moray Council wants to take over the period 2018-2024 to help BSL users<sup>1</sup>, their families and people who work with them.

The BSL plan for Moray follows the BSL National Plan 2017-2023. The BSL National Plan can be viewed in BSL at [https://www.youtube.com/channel/UCGL-E01x3hH\\_Zycn2ZB056Q/featured?disable\\_polymer=1](https://www.youtube.com/channel/UCGL-E01x3hH_Zycn2ZB056Q/featured?disable_polymer=1).

Our draft BSL plan was published on 26 June 2018. During July and August there were three meetings with the D/deaf community. These were organised with the help of the Moray Deaf Club.

### 2.2 Issues raised by the D/deaf community in Moray

#### General comments about the BSL plan

- Written English was sometimes difficult to follow. For example, the language used to present the draft BSL plan was too difficult for many BSL users to follow. It would be helpful if the BSL plan could be presented by a Deaf person.
- The video of the BSL plan, presented by a Deaf person should be put onto a DVD so that BSL users can watch it at home on TV or laptop. DVDs can be made available in libraries, North East Sensory Services and Moray Council Access Points. Not all BSL users have access to the internet.
- To promote the use of ContactScotland, it was recommended that Moray Council follow the approach used by NHS Grampian. If a BSL user comes into hospital a laptop is brought to the place where the BSL user is where they can log onto the video relay.
- Letters from public bodies such as Moray Council, electricity and water suppliers are often too difficult. The language and grammar is too complex.
- People welcomed the actions in the plan.

Some of the issues that arose are more difficult for a local authority to tackle. For example:

- Shortage of BSL interpreters.
- BSL users face difficulties in getting accreditation to evidence their skill in BSL.
- Access to BSL interpretation when taking driving lessons or sitting a driving test, either the theory or practical test. Although it is possible to book BSL

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<sup>1</sup> When we use the term “BSL users” in this plan, we mean D/deaf and/or Deafblind people whose first or preferred language is British Sign Language.

interpretation at the theory test, the BSL used is London based. Candidates are not allowed to ask questions if anything is not clear.

- A number of BSL users commented on the information available in polling stations and asked that this would be more accessible to BSL users. This is not an action for local authorities, but it is included in the BSL national plan under action 67: *Work with the Electoral Commission in ensuring improved information about voting for BSL users is made available in time for the next Scottish Parliament election in 2021 and review whether it has been effective.*

Although it is difficult for Moray Council to address these issues, we will continue to work with BSL users in Moray to how we can make this better.

### **2.3 Structure of the plan**

The actions for the plan can be found in section 4. This section is divided into 8 subsections, each covering a particular service area.

All actions are based on the long-term goals for the BSL National Plan. The BSL National Plan was published by the Scottish Government in October 2017. The long-term goals for each service area are given at the beginning of each subsection, with an icon of the service area beside them. These are followed by the actions that Moray Council will take to help achieve the long-term goals.

### **2.4 What happens next?**

The plan has actions for various services within Moray Council. Once the plan is approved, services will be asked to include the actions in their service plans and report on progress every three months. Progress will also be reported to the Scottish Government for its National progress report which will be published in 2020.

We will also continue to meet with the Deaf Club to hear from BSL users if the plan is making a difference to their lives. This will happen once every six months, beginning in December 2018.

This is not the last BSL plan for Moray. Some parts of the plan will need to be developed further. There may be other needs that we haven't covered in the plan. We hope that we can make further improvements for BSL users by continuing to meet with the Deaf Club.

### **2.5 Contacts**

If you want further information about the BSL plan, please contact

Don Toonen

Equal Opportunities Officer

Moray Council

Chief Executive's Office

Council HQ

High Street

Elgin, IV30 1BX

Telephone: 01343 563321

Email: [don.toonen@moray.gov.uk](mailto:don.toonen@moray.gov.uk)

You can contact us in writing at the address or email address above. If you prefer, you can send a video clip in BSL with your questions or comments.

### **Section 3: Summary of the plan**

This plan is Moray Council's contribution to the Scottish Government's commitment to make information and services across the public sector accessible to BSL users. The plan covers the period from 2018 – 2024

It proposes actions in 4 areas that the Scottish Government thinks local authorities should address. These are actions affecting:

- All services
- Early learning and childcare
- School
- Democracy

The guidance from the Scottish Government also recommends actions relating to culture and the arts. We have not included them in this draft plan because there are no services within Moray Council that can support the actions recommended by the Scottish Government.

Moray Council is also proposing actions on areas where the Scottish Government has not recommended actions for local authorities. These are:

- Post-school learning and work
- Public transport

There are no recommended actions from the Scottish Government relating to Justice. During the consultation on the draft plan it became clear that there are issues around access to appropriate adults who can use BSL and to BSL interpreters. We have included an action to explore this further.

## Section 4: BSL Plan for Moray

### 4.1 Across all our services

We share the long-term goal for all Scottish public services set out in the BSL National Plan, which is:



*“Across the Scottish public sector, information and services will be accessible to BSL users”*

#### **By 2024, Moray Council will:**

1. Analyse existing evidence we have about BSL users in our organisation. We will use this information to find out what works well for BSL users and what we need to do better.
2. Give BSL users better access to our services and our information. This also means making our website more accessible to BSL users.
3. Promote the use of contactSCOTLAND-BSL. This is a free video-relay service giving online BSL interpretation. It gives BSL users the opportunity to contact public services and for these services to communicate with BSL users.
4. Direct staff who work with BSL users to appropriate BSL awareness training.
5. Make sure that customer facing staff within Moray Council are D/deaf aware.
6. Continue to meet with BSL users in Moray to monitor the outcomes of the plan.

### 4.2 Family Support, Early Learning and Childcare

We share the long-term goal for all Scottish public services set out in the BSL National Plan, which is:



*“The Getting it Right for Every Child (GIRFEC) approach will be fully embedded, with a D/deaf or Deafblind child and their family offered the right information and support at the right time to engage with BSL”*

#### **By 2024, Moray Council will:**

1. Provide early years staff with information about BSL and Deaf culture, and about resources that are available in BSL, so that they can meet the needs of families with a D/deaf or Deafblind child and those of hearing children of Deaf parents.

### 4.3 School Education

We share the long-term goal for school education set out in the BSL National Plan, which is:



*“Children and young people who use BSL will get the support they need at all stages of their learning, so that they can reach their full potential; parents who use BSL will have the same opportunities as other parents to be fully involved in their child’s education; and more pupils will be able to learn BSL at school”*

**By 2024, Moray Council will:**

1. contribute to the Scottish Government’s investigation of the level of BSL held by teachers and support staff working with D/deaf and Deafblind pupils in schools, and take account of any new guidance for teachers or support staff working with pupils who use BSL.
2. take forward advice developed by Education Scotland to a) improve the way that teachers engage effectively with parents who use BSL and b) ensure that parents who use BSL know how they can get further involved in their child’s education.
3. contribute to the Scottish Centre for Information on Language Teaching (SCILT) programme of work to support the learning of BSL in schools for hearing pupils as part of the 1+2 programme, including sharing best practice and guidance. We will do this by
  - a. Ensuring that schools in Moray are aware that BSL can be one of the languages on offer as part of their 1+2 language policy.
  - b. Establish the number of schools in Moray which have the capacity, or desire, to deliver BSL as part of their 1+2 policy.
  - c. Investigate various strategies by which schools across Moray could develop BSL as part of their 1+2 policy and share good practice across the authority.

#### **4.4 Training, Work and Social Security**

We share the long-term goal for training, work and social security set out in the BSL National Plan, which is:



*“BSL users will be supported to develop the skills they need to become valued members of the Scottish workforce, so that they can fulfil their potential, and improve Scotland’s economic performance. They will be provided with support to enable them to progress in their chosen career”*

**By 2024, Moray Council will:**

1. Raise awareness of the Access to Work (AtW) programme among line and senior managers. This Department for Works and Pensions programme gives financial support towards reasonable adjustments in the workplace. It can be used to ensure that BSL users in work can use BSL interpreters at important work-related meetings as well as pay for equipment that can help BSL users do their job.
2. Give up-to-date guidance to managers on reasonable adjustments in the workplace.

3. Work with BSL users in Moray to improve access to driving instruction and exams.
4. Work with BSL users in Moray to train more Deaf people to support BSL communication.
5. Work with BSL users in Moray to look at ways in which BSL users can get certification to evidence their skill in BSL.

#### 4.5 Transport

We share the long-term goal for transport set out in the BSL National Plan, which is:



*“BSL users will have safe, fair and inclusive access to public transport and the systems that support all transport use in Scotland.”*

#### **By 2024, Moray Council will:**

1. Promote the use of HITRANS Thistle Assistance Card by BSL users. The card can alert drivers to support needed by users of public transport.
2. Raise awareness among bus operators of the needs of BSL users.
3. Promote the use of a booking system for Dial M for Moray on-demand bus service that is appropriate for BSL users.
4. Encourage taxi operators to use of booking system that is appropriate for BSL users.
5. Raise awareness among taxi operators of the needs of BSL users and ensure that BSL users who have hearing dogs can take their dogs in taxis.

#### 4.6 Culture and the Arts

The long-term goal for culture and the arts set out in the BSL National Plan is:



*“BSL users will have full access to the cultural life of Scotland, an equal opportunity to enjoy and contribute to culture and the arts, and are encouraged to share BSL and Deaf Culture with the people of Scotland”*

Moray Council does not have a service which can contribute to this element of the BSL National Plan.

#### 4.7 Justice

We share the long-term goal for justice set out in the BSL National Plan, which is: *‘BSL users will have fair and equal access to the civil, criminal and juvenile justice systems in Scotland’*



There are no actions proposed for local authorities in relation to justice. The feedback during the consultation shows that there are issues for BSL users in relation to being properly represented throughout the judicial process. For instance, there is a need for appropriate adults who can use BSL but are not used as interpreters in court.

**By 2024, Moray Council will:**

1. Work with BSL users to improve access to BSL interpretation throughout the judicial process, ensuring that the roles of appropriate adults are separate from those of BSL interpreters.

**4.8 Democracy**

We share the long-term goal for democracy set out in the BSL National Plan, which is:

*“BSL users will be fully involved in democratic and public life in Scotland, as active and informed citizens, as voters, as elected politicians and as board members of our public bodies”*



**By 2024, Moray Council will:**

1. Continue to promote the Access to Elected Office Fund locally, which can meet the additional costs of BSL users wishing to stand for selection or election in local or Scottish Parliament elections.





**REPORT TO: MORAY COUNCIL ON 31 OCTOBER 2018**

**SUBJECT: RURAL TOURISM INFRASTRUCTURE FUND – PLUSCARDEN ABBEY**

**BY: CORPORATE DIRECTOR (ECONOMIC DEVELOPMENT, PLANNING & INFRASTRUCTURE)**

## **1. REASON FOR REPORT**

- 1.1 To inform the Council of the Rural Tourism Infrastructure Fund and to ask the Council to homologate the decision by the Convener and the Leader of the Council to submit an Expression of Interest to the fund and if successful to seek permission to act as a lead applicant for a full application for Pluscarden Abbey.
- 1.2 The report is submitted to the 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) **to consider the request by Pluscarden Abbey to act as a lead applicant to the Rural Tourism Infrastructure Fund with no financial implications for the Council;**
  - (ii) **to homologate the decision by the Convener and the Leader of the Council to submit an Expression of Interest to the fund and if successful; and**
  - (iii) **to authorise a stage II application.**

## **3. BACKGROUND**

- 3.1 The Scottish Governments Rural Tourism Infrastructure Fund can provide for Local Authorities or National Park Authority in Scotland grants from £50,000 to a maximum of £300,000 at an intervention rate of up to 70% for capital expenditure only.
- 3.2 The purpose of the fund is to improve public infrastructure at visitor pressure points. It will not be for funding new attractions, but rather mitigate existing

pressures. It is only for 'accessible and remote rural areas', excluding settlements above 3000 people. Grants are available for:

- Parking, scenic laybys, camping facilities and disposal points (especially for camper vans), and toilet provision
- Essential improvement works to paths to cope with visitor pressure or improve sustainable visitor management in the immediate area including directional road signage, waymarks and improved interpretation can also be included
- The fund will also be able to support other interventions that encourage sustainable tourism, for example, recycling points and potentially enhanced access to natural attractions
- Routine maintenance or repair of cycling and walking infrastructure is ineligible; however the exception to this is where the creation of a new or enhanced path is linked to a wider environmental improvement.

- 3.3 Pluscarden Abbey was originally founded in 1230 by King Alexander II of Scotland for monks of the order of Val des Choux in Burgundy. Pluscarden is now the only Benedictine Abbey in Scotland and is the only monastery in Britain to be housed in the original medieval building. It is of international significance and is listed under category A by Historic Environment Scotland. Not only is it extremely important in religious, cultural and architectural terms but, remarkably its monastic way of life continues to this day.
- 3.4 Increasingly, the Abbey is also a place where the local community – as well as guests, visitors and retreatants from further afield - come to enjoy the historic and beautiful environment, to learn about a unique way of life and participate in various activities. An estimated 15,000 people now visit the Abbey each year, of whom around 400 stay as guests. The growth of interest in the Abbey has brought pressure not only on the existing buildings, but in particular on the environment and the Abbey's request is for the Moray Council to be the lead applicant for the Rural Tourism Infrastructure Fund to alleviate the problems set out below.
- 3.5 Due to the remote rural location of the Abbey and the absence of public transport nearby, nearly all visitors arrive by car. The heart of the problem is the limited parking space at the entrance gates to the Abbey. This currently accommodates a maximum of 8 vehicles and no coaches. The situation of the present car park gives rise to a congested area at the gates, where vehicles can arrive from 4 directions as featured in **Appendix I - Current Car Parking Arrangement**. When this parking area is full, vehicles pass on up the entrance drive, a single track lane which is also the main pedestrian access. Vehicles returning down the drive after a visit meet the incoming vehicles and the result is a hazardous mingling of pedestrian and vehicular traffic, with vehicles attempting to drive on the grass areas.
- 3.6 The vast majority of visitors are coming during the summer months and there have been several recent occasions when unforeseen arrivals of large numbers of tourists have created a disturbance, in particular three 60-seater coaches from abroad visited the Abbey on six occasions without notice.

- 3.7 With the trend of increasing tourism to Moray and to make provision for greater numbers visiting the Abbey, the proposed project will demonstrate the following funds priorities:
- 3.8 **An enhanced visitor experience – through the provision of improved visitor facilities and infrastructure.** Immediately adjacent to the current parking area is a field belonging to the Abbey, which is no longer required for cultivation. It is currently under grass and is screened on every side with trees and shrubbery. It would be invisible from the approaching major road and it would have enough room for the provision of 30 further parking spaces for cars and 2 for coaches, together with toilets, picnic tables and seating areas. It would simply exclude vehicle traffic from the entrance drive as featured in **Appendix II –Proposed new parking area** & it would eliminate all sense of bustle and real dangers.
- 3.9 **A sustainable approach** – The proposed layout of the new parking area takes account of the rural location and is environmentally friendly. There will be rolled quarry hard-core surfaces rather than tarmac or concrete. Parking bays will be designated by log sections rather than kerb stones. The facing of the toilet facilities will be wooden. Existing areas of shrubbery and trees will be used to enhance privacy and quiet. The drainage plan for the car park, excludes the possibility of pollution to the adjacent burn and SEPA has been consulted. A clear pedestrian lane system, leading from the new car park to the Abbey entrance, can be installed quite simply and should ensure pedestrian safety. Details are contained in **Appendix III – Proposed layout of new parking area**
- 3.10 **Creating more resilient communities more able to cope with peak tourism demands** – The Abbey has been increasingly struggling with increasing visitor numbers and trying to cope with the traffic congestion. The proposed solutions for car parking with toilet facilities, waste and recycling receptacles, picnic area and signage will allow directing the visitor flow, whilst at the same time ensuring that they are able to come and go with a sense of the peace of the place and enjoying the scenic surroundings.
- 3.11 **Effective partnerships and collaboration** – The Abbey has been engaging with the local community and meeting with representatives of activity groups to see how the proposal complements with walking and cycling routes in the valley. It is envisaged to provide signage for routes connecting to the Abbey grounds. Also the Abbey links into existing place partnerships such as the Castle to Cathedral to Cashmere and Discover Moray's Great Places.
- 3.12 **Project viability and deliverability** – Pluscarden Abbey has a good track record of successfully managing over 12 building projects over the past 60 years. All of these have employed professional architects and quantity surveyors to maintain control of the project at every stage. Each has been accomplished in a sustainable manner with a lasting benefit to the community. If the request to Council is granted, the Expression of Interest deadline was 26 October 2018 and if successful the deadline for final application is 25 January 2019. It is anticipated that the outcome of the application is known by April 2019. The project will commence as soon as possible and will be completed within 4 to 6 months.

- 3.13 The project will be managed by Pluscarden Abbey with a suitably qualified project manager already in place. The total cost of the project is £115,000 with a grant request to the Rural Tourism Infrastructure Fund for £80,500 with match funding contribution from the Abbey of £34,500.

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

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

The project 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 Legal will be consulted.

**(c) Financial implications**

As only the Local Authority can apply to the funds, the request from the Abbey has been made for the Council to front the application. The total project cost is £115,000 with a request to the Rural Tourism Infrastructure Fund for £80,500 and confirmed match funding contribution from the Pluscarden Abbey of £34,500. There are no financial implications for Council.

**(d) Risk Implications**

To mitigate any risks, a partnership agreement will be drawn up at full application stage outlining that the Abbey will adhere to all funders grant conditions and that they are solely responsible for any liabilities associated with the funding.

**(e) Staffing Implications**

This short-term project will be managed by Pluscarden Abbey with a suitably qualified Project Manager already in place. They will prepare applications and claims; set up project systems for carrying out the works including for procurement, monitoring and evaluation. Staff from the Economic Development section will provide support for submitting the applications, interim and final claims to the Rural Tourism Infrastructure Fund and make arrangements for claimed funds to be transferred to the Abbey. The project duration is only for 4 to 6 months and the required work can be accommodated within existing staffing resources.

**(f) Property**

None arising from this report

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

An equality impact assessment is not required as the reason for the report is for the Committee to consider being the lead applicant for the Abbey to access funds, which they could not undertake themselves.

**(h) Consultations**

Consultation has taken place with the Corporate Director (Economic Development Planning & Infrastructure), the Head of Development Services, the Director of Corporate Services, the Equal Opportunities Officer, the Democratic Services Manager, the Head of Financial Services and the Head of Legal and Democratic Services and their comments incorporated within the report.

**5. CONCLUSION**

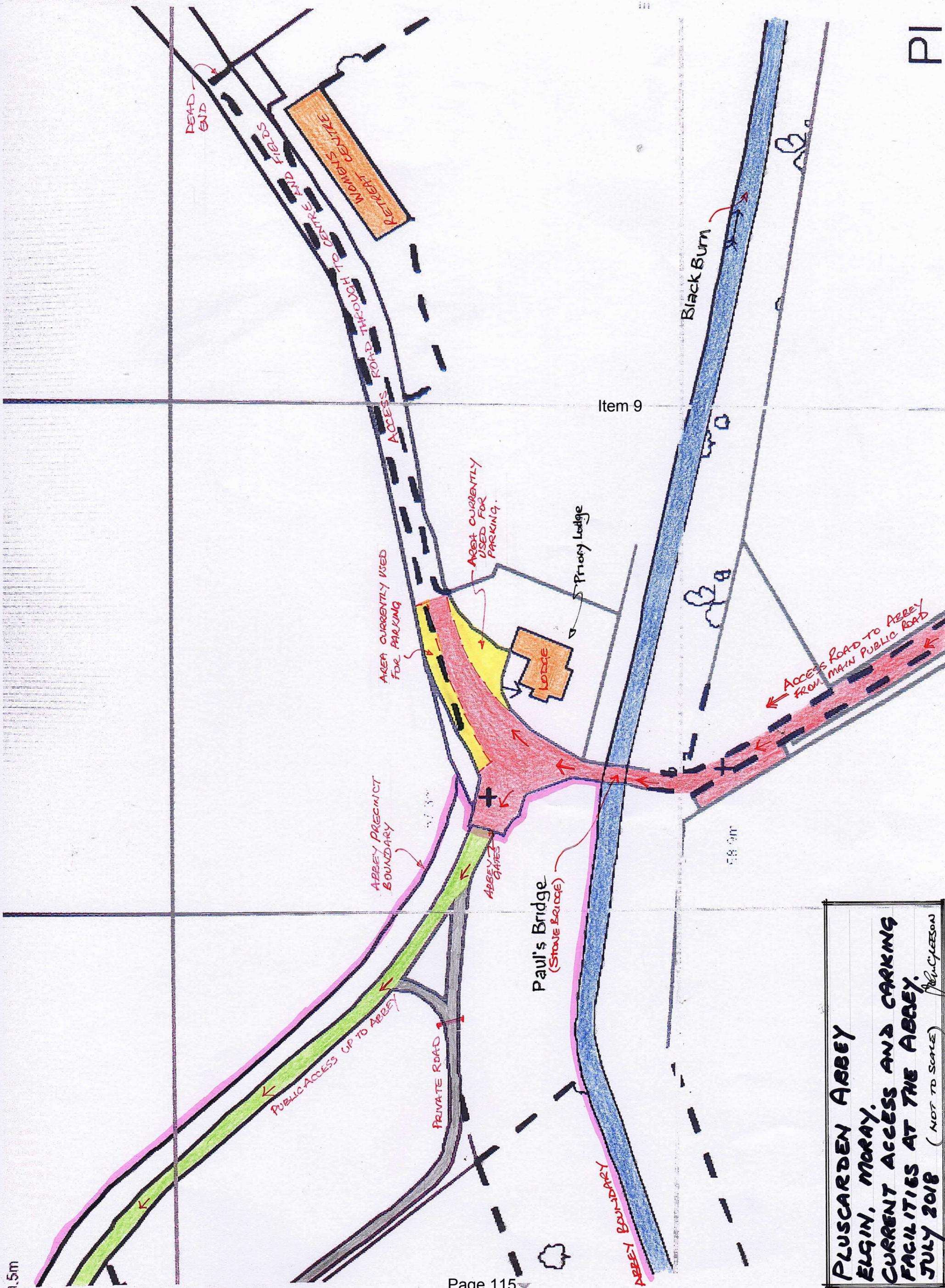
- 5.1 Pluscarden Abbey is one of Moray's unique heritage assets of international significance and is the only monastery in Britain to be housed in the original medieval building. The tranquil setting provides visitors with a compelling cultural and heritage experience.**
- 5.2 With increasing number of tourists to Moray and popularity of the Abbey, it has brought pressure not only on the existing buildings, but in particular on the environment. The proposal will allow alleviating the problems of managing the visitor flow through investment in the infrastructure such as car parking, toilet facilities and signage etc.**
- 5.3 The Rural Tourism Infrastructure Fund could be the most suitable funding source for this investment, however as only Local Authorities are eligible to apply, it is recommended to support the Abbey's request for Council to work in partnership and front the applications.**

Author of Report: Reni Milburn, Principal Officer Economic Development

Background Papers: Documents on file in Economic Development Section

Ref:

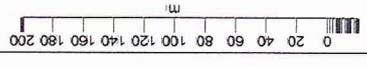
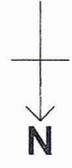




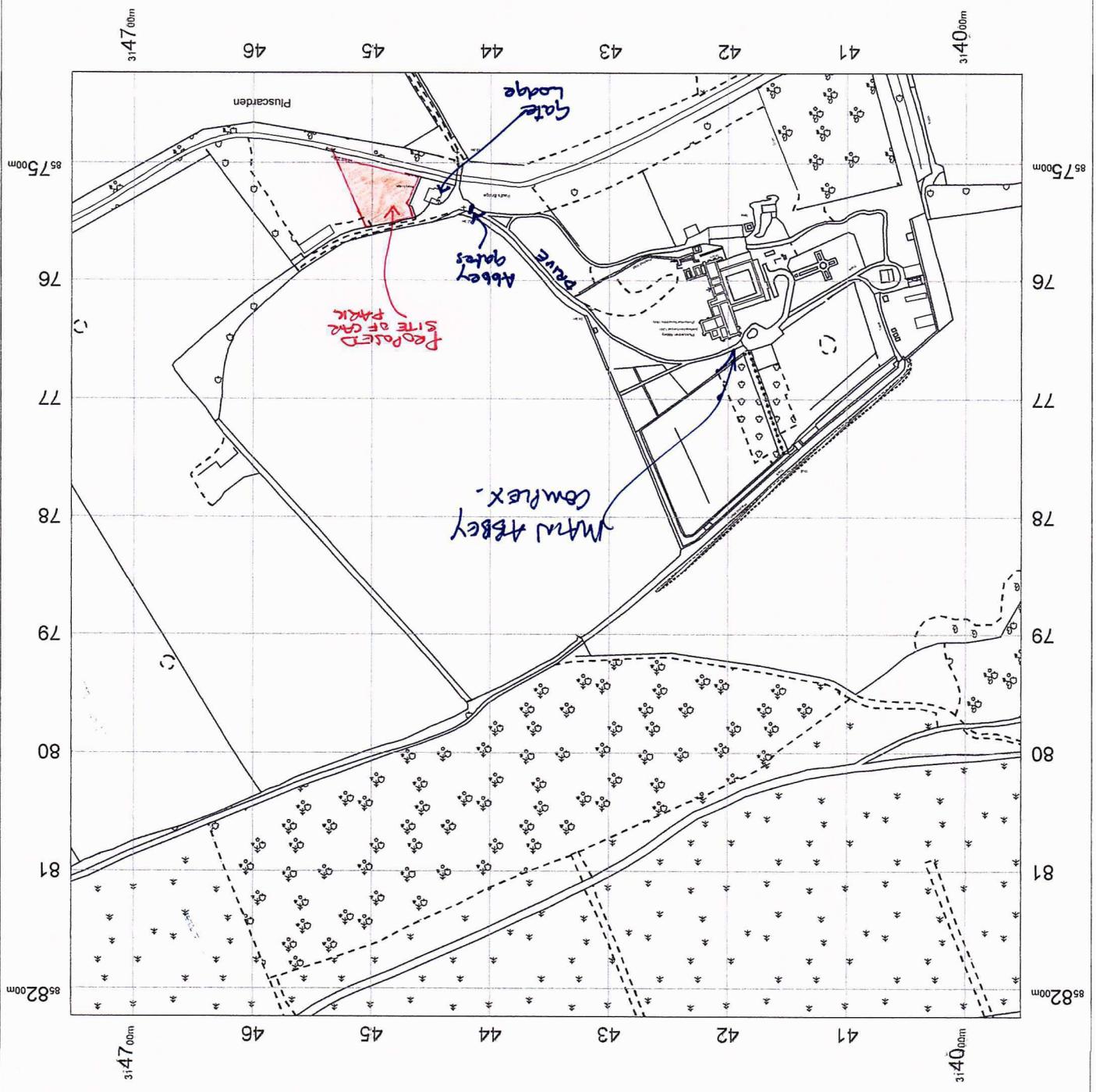
**PLUSCARDEN ABBEY**  
**ELGIN, MORAY.**  
**CURRENT ACCESS AND PARKING**  
**FACILITIES AT THE ABBEY.**  
**JULY 2018**  
(NOT TO SCALE)  
DR. C. J. GIBSON



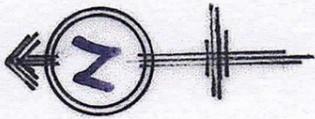
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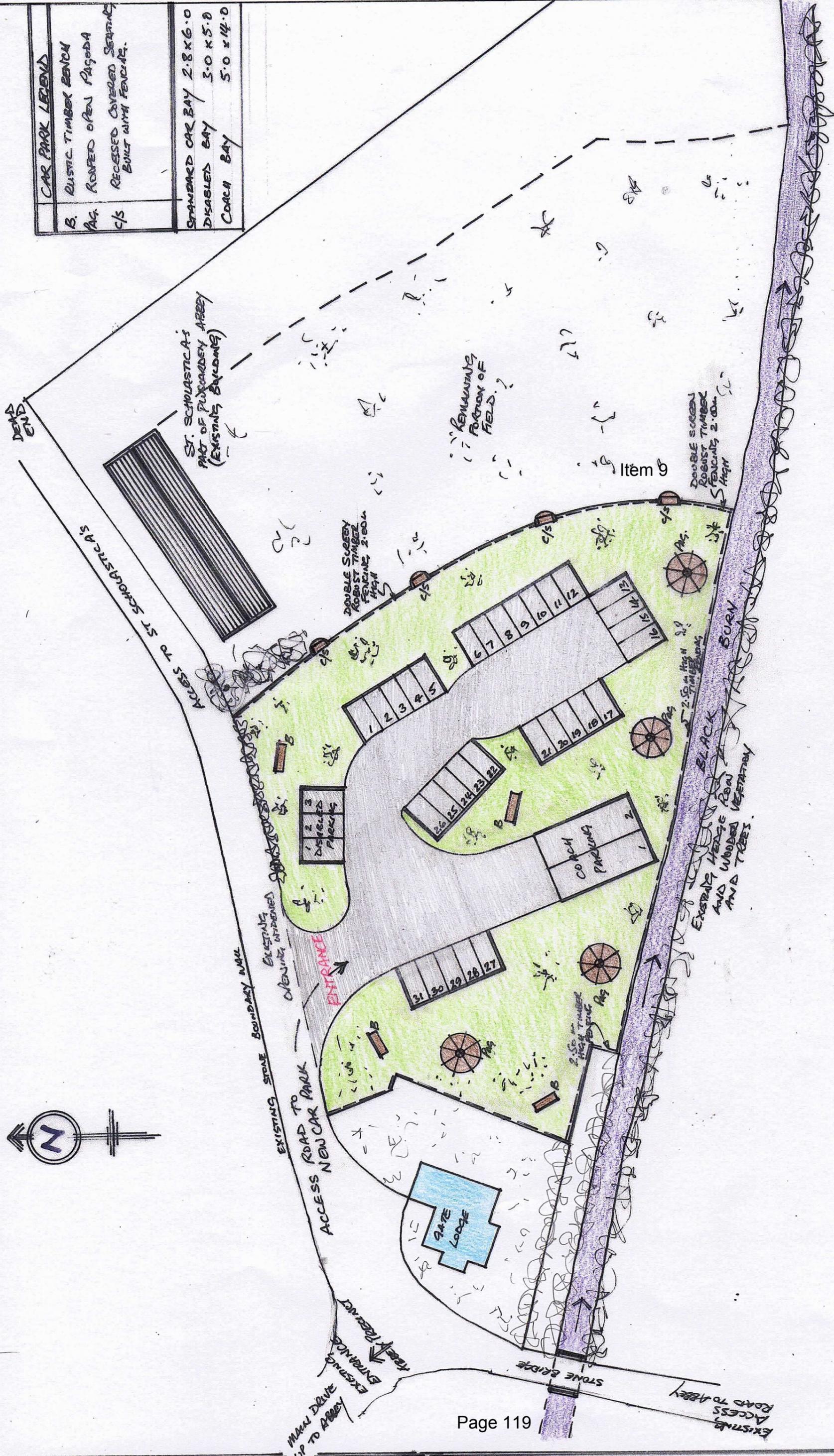
Proposed New Parking  
Provision at Puscarden  
Abbey.







CAR PARK LEGEND	
B.	RUSTIC TIMBER BENCH
PA.	ROOFED OPEN PAGODA
C/S	RECESSED COVERED SEATING BUILT WITH FENCING.
	STANDARD CAR BAY 2.8 x 6.0
	DISABLED BAY 3.0 x 5.0
	COACH BAY 5.0 x 14.0



NEW CAR PARK TO COMPRISE:  
 ACCESS ROAD + PARKING BAYS TO BE OF COMPACTED GRAVEL LAD AT FALLS TO DRAIN VIA DESIGNED 3/4" DRAINAGE SYSTEM + DISPOSAL. EDGES BOUNDARY WITH P.C. KERBS. FACILITY SAME TO BE NEWLY GRASED AREAS WITH PLANTED SHRUBS + FLOWER BEDS.

SCALE 1:500
John Gleeson
MAY 2018

**PLUSCARDEN ABBEY: PROPOSED NEW CAR PARK ADJACENT GATE LODGE OUT WITH ABBEY GREEN**

PLUSCARDEN CP/01: PROPOSED CAR PARK LAYOUT + LAND SCAPING.





**REPORT TO: MORAY COUNCIL ON 31 OCTOBER 2018**

**SUBJECT: TRANSFORMING BOARDS - MEMBERSHIP**

**BY: CHIEF EXECUTIVE**

**1. REASON FOR REPORT**

- 1.1 To invite the Council to approve the membership of the Transforming Boards as detailed in section 4 of the report.
- 1.2 This report is submitted to Council in terms of Section II (11) of the Council's Scheme of Administration relating to the appointments to committees and outside bodies.

**2. RECOMMENDATION**

- 2.1 **It is recommended that the Council approve the membership of the Transforming Boards as outlined in Section 4 of the report.**

**3. BACKGROUND**

- 3.1 At the meeting of Moray Council held on 5 September 2018 (para 13 of the minute refers) the Council agreed to defer consideration of the membership of each of the Transforming Boards in order for further discussion by Group Leaders and brought back to the Council for final approval.

**4. APPOINTMENTS TO TRANSFORMING BOARDS**

- 4.1 Following discussion by Group Leaders it was agreed that the membership should consist of 1 from the Administration (that being the Chair from the relevant Service Committee), and 1 from each of the Conservative Group, Moray Alliance Group and the Councillor's Open Group respectively.
- 4.2 It was also agreed that the Council Leader and Convener attend each as ex-officio members with the exception of the Economy Board, where that only applies to the Convener as the Council Leader is the substantive member.

- 4.3 Group Leaders have advised the membership for each Board as follows:

### **Transforming – Learning**

Councillor S Warren  
Councillor D Ross  
Councillor J Allan  
Councillor C Feaver

Councillor G Leadbitter – Ex-officio  
Councillor S Morrison – Ex-officio

### **Transforming – Economy**

Councillor G Leadbitter  
Councillor J Divers  
Councillor J Cowe  
Councillor D Gatt

Councillor S Morrison – Ex-officio

### **Transforming – The Council**

Councillor A McLean  
Councillor J Divers  
Councillor G Cowie  
Councillor F Brown

Councillor G Leadbitter – Ex-officio  
Councillor S Morrison – Ex-officio

## **5. SUMMARY OF IMPLICATIONS**

**(a) Moray 2026: A Plan for the Future and Moray Corporate Plan 2015 - 2017**

None

**(b) Policy and Legal**

None

**(c) Financial implications**

None

**(d) Risk Implications**

None

**(e) Staffing Implications**

None

**(f) Property**

None

**(g) Equalities**

None

**(h) Consultations**

None

**7. CONCLUSION**

**7.1 The Council is asked to approve the membership of the Transforming Boards as outlined in Section 4 of the report.**

Author of Report: Moira Patrick, Democratic Services Manager

Background Papers: Held by Committee Services

Ref:

