

## Cabinet Committee

Council Chamber, Fife House, North Street, Glenrothes /  
Blended Meeting



Thursday, 5 December 2024 - 10.00 am

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### AGENDA

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|--|-----------|
| <b>1. APOLOGIES FOR ABSENCE</b>  |           |
| <b>2. DECLARATIONS OF INTEREST</b> – In terms of Section 5 of the Code of Conduct, members of the Committee are asked to declare any interest in particular items on the agenda and the nature of the interest(s) at this stage. |           |
| <b>3. MINUTES</b>  |           |
| (i) Cabinet Committee of 7 November 2024.  | 3 - 9     |
| (ii) Appointments Sub-Committee of 21 May, 18 June, 24 June and 23 October 2024.   | 10 - 13   |
| <b>4. COST OF LIVING REPORT</b> – Report by the Executive Director (Finance and Corporate Services).   | 14 - 21   |
| <b>5. HOUSING REVENUE ACCOUNT (HRA) CONSULTATIVE BUDGET 2025-26</b> – Joint report by the Head of Housing Services and Head of Finance.  | 22 - 29   |
| <b>6. PROPOSED STATUTORY CONSULTATION TO ESTABLISH NEW ADDITIONAL SUPPORT CLASS (ASC) PROVISION WITHIN DALGETY BAY AND STRATHALLAN PRIMARY SCHOOLS</b> – Report by the Executive Director (Education).                           | 30 - 91   |
| <b>7. FIFE COUNCIL FIREWORK CONTROL ZONES COMMUNITY REQUEST PROCESS</b> – Report by the Executive Director (Communities).  | 92 - 102  |
| <b>8. PROCUREMENT STRATEGY 2025 - 2030</b> – Report by the Head of Revenue and Commercial Services.  | 103 - 163 |
| <b>9. FIFE COUNCIL'S ARMS LENGTH EXTERNAL ORGANISATIONS (ALEOS) - GOVERNANCE ARRANGEMENTS</b> – Report by the Head of Legal and Democratic Services.   | 164 - 168 |
| <b>10. APPOINTMENT TO EXTERNAL ORGANISATIONS - EDINBURGH AND SOUTH EAST SCOTLAND CITY REGION DEAL ELECTED MEMBER OVERSIGHT COMMITTEE</b> – Report by the Head of Legal and Democratic Services.                                  | 169 - 170 |
| <b>11. CABINET COMMITTEE - OUTSTANDING REMITS FROM COMMITTEES</b>  | 171 - 173 |

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

Lindsay Thomson  
Head of Legal and Democratic Services  
Finance and Corporate Services  
Fife House  
North Street  
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28 November 2024

If telephoning, please ask for:

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### **BLENDED MEETING NOTICE**

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

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

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

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

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

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

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

**THE FIFE COUNCIL - CABINET COMMITTEE - BLENDED MEETING**

**Council Chamber, Fife House, North Street, Glenrothes**

**7 November 2024**

**10.00 am - 3.10 pm**

**PRESENT:** Councillors Linda Erskine (Convener), Tom Adams (substituting for Councillor Cara Hilton), David Alexander, David Barratt, John Beare, Patrick Browne (substituting for Councillor David Ross), James Calder, Altany Craik, Derek Glen, Brian Goodall, Peter Gulline, Judy Hamilton, Gary Holt, Allan Knox, Kathleen Leslie, Rosemary Liewald, Carol Lindsay, Donald Lothian (substituting for Councillor Fiona Corps), Sarah Neal, Ross Vettraino, Craig Walker and Jan Wincott.

**ATTENDING:** Ken Gourlay, Chief Executive, Chief Executive; Eileen Rowand, Executive Director (Finance and Corporate Services), Elaine Muir, Head of Finance, Tracy Hirst, Finance Operations Manager, Emma Lennon, Accountant, Lindsay Thomson, Head of Legal and Democratic Services, Helena Couperwhite, Committee Services Manager and Michelle McDermott, Committee Officer, Legal and Democratic Services, Finance and Corporate Services; Michael Enston, Executive Director (Communities), Paul Vaughan, Head of Communities and Neighbourhoods Service, Craig Waddell, Service Manager, Alastair Mutch, Community Manager (South and West Fife), Communities and Neighbourhoods Service, Paul Short, Service Manager and Carole Kennedy, Lead Officer, Housing Services, Communities Directorate; Carol Connolly, Executive Director (Place), Ross Spalding, Service Manager and Craig Walker, Lead Officer, Planning Service.

**APOLOGIES FOR ABSENCE:** Councillors Fiona Corps, Cara Hilton and David Ross.

**ALSO IN ATTENDANCE:** Paul Wilson, Associate Director, Link Market Services, Link Group (for para. 308 only).

**APPOINTMENT OF CONVENER** - In the absence of the Convener, Councillor Linda Erskine was appointed to chair the meeting.

**297. DECLARATIONS OF INTEREST**

As a matter of transparency and with reference to para. 302 - South and West Fife - Community Use Arrangements - Councillor Patrick Browne declared he was a council appointee to the Fife Sports and Leisure Trust. However, as this was not considered a connection under the Councillors' Code of Conduct for the purposes of this report, he remained and participated in the meeting.

**298. MINUTE**

The committee considered the minute of the Cabinet Committee meeting of 10 October 2024.

**Decision**

The committee approved the minute.

**299. REVENUE MONITORING 2024-25**

The committee considered a report by the Executive Director (Finance and Corporate Services) providing a strategic overview of Fife Council's finances and reporting on the current forecast position for 2024-25.

**Decision**

The committee:-

- (1) noted the high-level financial position as detailed in the report;
- (2) noted that there were ongoing financial impacts and pressures which continued to be managed by services with an element of protection from financial risk being accounted for centrally;
- (3) instructed Executive Directors to identify plans to mitigate overspends in order to manage within overall service budgets in the current year and ensure strong financial management;
- (4) noted that detailed monitoring reports would be submitted to the relevant Scrutiny Committees; and
- (5) requested that Scrutiny Committees ensured appropriate level of support and challenge in relation to financial reports.

**300. CAPITAL INVESTMENT PLAN - PROJECTED OUTTURN 2024-25**

The committee considered a report by the Executive Director (Finance and Corporate Services) providing a strategic financial overview of the Capital Investment Plan and advising on the provisional outturn for the 2024-25 financial year.

**Decision**

The committee:-

- (1) noted approval, at the September Cabinet meeting, of the Capital Investment Plan re-profiling in Appendix 1 to deal with carry forward budgets from 2023-24 into later years of the plan;
- (2) noted the projected outturn position and that the level of financial risk continued to be heightened due the impact of inflation and supply chain challenges;
- (3) instructed services to plan projects within the approved resource within the Capital Investment Plan;
- (4) noted that more detailed capital outturn reports for 2024-25 would be submitted to relevant Scrutiny Committees of the council;
- (5) noted that budget variances would be managed by the appropriate Directorate in conjunction with the Investment Strategy Group; and
- (6) noted the updated prudential indicators provided.

**301. CHANGE PLANNING**

The committee considered a report by the Chief Executive providing an update on change planning in line with the public service reform goals in the Plan for Fife and recognising the challenging financial context. Change across services was being captured within the Service Change planning process which was integrated with the forward budget process.

**Decision**

The committee:-

- (1) noted the context and forward challenge;
- (2) noted the progress made on change as part of the budget challenge;
- (3) noted the forward timeline for change planning; and
- (4) agreed that a progress report be submitted to the 26 June 2025 meeting of the Cabinet Committee.

*The meeting adjourned at 11.30 am and reconvened at 11.45 am.*

**302. SOUTH AND WEST FIFE - COMMUNITY USE ARRANGEMENTS**

The committee considered a report by the Head of Communities and Neighbourhoods Service presenting the findings of the options appraisal requested by the Cabinet Committee in March 2024.

**Motion**

Councillor Altany Craik, seconded by Councillor Patrick Browne, moved the recommendations as detailed in the report.

**Amendment**

Councillor David Barratt, seconded by Councillor Sarah Neal, moved as follows:-

"Replace recommendation 3 with,

- 3) Agrees that none of the options presented fully reflect the ambitions of the community and asks Officers to engage with stakeholders including elected members, Inverkeithing United and West Fife Aquatics to further develop options for community, sports and swimming facilities on the existing Inverkeithing High School site.
- 4) Agrees to consider the affordability of proposals through the council's capital planning and budget setting process.

**Roll Call Vote**

**For the Motion - 13 votes**

Councillors Tom Adams, Patrick Browne, James Calder, Altany Craik, Linda Erskine, Peter Gulline, Judy Hamilton, Gary Holt, Allan Knox, Kathleen Leslie, Mary Lockhart, Donald Lothian and Jan Wincott.

**For the Amendment - 10 votes**

Councillors David Alexander, David Barratt, John Beare, Derek Glen, Brian Goodall, Rosemary Liewald, Carol Lindsay, Sarah Neal, Ross Vettraino and Craig Walker.

Having received a majority of votes, the motion was accordingly carried.

**Decision**

The committee:-

- (1) noted the option appraisal;
- (2) noted the review of activity across South and West Fife; and
- (3) agreed to consider the affordability of the six options detailed in the report through the council's capital planning and budget setting process.

**303. DALGETY BAY COMMUNITY HUB**

The committee considered a report by the Head of Communities and Neighbourhoods Service seeking agreement on a funding contribution of £120,000 from the £2m revenue funding allocated toward the cost of the £6.3m community hub project to cover the Design Team costs, comprehensive planning consent and planning application fees.

**Decision**

The committee:-

- (1) noted the work of Dalgety Community Trust to date;
- (2) noted the detail contained within the feasibility study and business plan relating to the development of the community hub submitted by Dalgety Community Trust; and
- (3) approved the request to release £120,000 from the £2m revenue funding allocated to enable Dalgety Community Trust to proceed to the next stage of development for this project.

**304. HOUSING SERVICE - DOMESTIC AND SEXUAL ABUSE POLICY**

The committee considered a report by the Head of Housing Services providing an update on the progress made in the work outlined in the Domestic and Sexual Abuse Policy. This Policy was approved by Cabinet Committee in November 2023.

**Decision**

The committee:-

- (1) considered and noted the annual update; and
- (2) noted the work undertaken to meet the outcomes of the Domestic and Sexual Abuse Policy.

*The meeting adjourned at 1.15 pm and reconvened at 1.55 pm.*

*Councillors Derek Glen, Mary Lockhart and Ross Vettraino left the meeting following consideration of the above item.*

**305. STRATEGIC HOUSING INVESTMENT PLAN 2025-2030**

The committee considered a report by the Head of Housing Services seeking authority to submit Fife's Strategic Housing Investment Plan (SHIP) 2025/26 – 2029/30 to the Scottish Government. The plan was revised and updated annually for a rolling five year period.

The meeting adjourned at 2.05 pm and reconvened at 2.10 pm.

Motion

Councillor Judy Hamilton, seconded by Councillor Altany Craik, moved the recommendations as detailed in the report.

Amendment

Councillor Brian Goodall, seconded by Councillor David Barratt, moved as follows:-

"Cabinet Committee:-

- (i) agree the Strategic Housing Investment Plan (SHIP) 2025/26 - 2029/30 as the starting point for the delivery of affordable housing for the next five years; and
- (ii) requests that the Head of Housing brings back to Council or Cabinet Committee proposals which explore the options for the delivery of increased numbers of new council houses for rent through acquisitions from the open market."

**Roll Call Vote**

**For the Motion - 12 votes**

Councillors Tom Adams, Patrick Browne, James Calder, Altany Craik, Linda Erskine, Peter Gulline, Judy Hamilton, Gary Holt, Allan Knox, Kathleen Leslie, Donald Lothian and Jan Wincott.

**For the Amendment - 8 votes**

Councillors David Alexander, David Barratt, John Beare, Brian Goodall, Rosemary Liewald, Carol Lindsay, Sarah Neal and Craig Walker.

Having received a majority of votes, the motion was accordingly carried.

**Decision**

The committee:-

- (1) agreed the Strategic Housing Investment Plan (SHIP) 2025/26 – 2029/30 based on the priorities and principles outlined in the report; and

- (2) authorised the Head of Housing Services, in consultation with the Spokesperson for Housing and Building Services, to amend or substitute projects within the SHIP as and when required.

**306. FIFE DEVELOPMENT PLAN SCHEME 14**

The committee considered a report by the Head of Planning Services seeking approval of edition 14 of the Fife Development Plan Scheme for publication.

Members were advised that the date Fife Council expect to receive the Examination Report back from the Scottish Government should be updated to read March 2028 (4Q 2027/28) and not September 2028 (2Q 2028/29) as detailed in Table 1 of the report and within Appendix 1. The Development Plan Scheme would be amended before publication and submission to Scottish Ministers. It should be noted, however, that this change would not affect any other date in the Development Plan Scheme or the overall adoption date which remained at May 2028 (1Q 2028/29).

**Decision**

The committee:-

- (1) approved, for adoption, the 2024 Fife Development Plan Scheme (fourteenth edition) for publication, deposit and copying to Scottish Ministers (Appendix 1); and
- (2) delegated non-substantive edits to the Head of Planning Services.

**307. CLIMATE CHANGE - PUBLIC BODIES DUTY REPORT**

The committee considered a report by the Head of Planning Services presenting Fife Council's annual submission of its 'Public Bodies (Climate Change) Duties Report' for financial year 2023-24 for approval.

Members were advised that the Scottish Parliament had changed the national targets earlier this week and reference within the report to long-term targets no longer existed and at para. 2.2.3 of the report, this should read scope 2 emissions and not scope 1 as detailed in the report.

**Decision**

The committee approved the draft Public Bodies Duties Report instructing officers to submit to the Scottish Government by 30 November 2024.

**308. TREASURY MANAGEMENT ANNUAL REPORT 2023-24 AND UPDATE 2024-25**

The committee considered a report by the Executive Director (Finance and Corporate Services) presenting an annual report and update prepared in accordance with the Chartered Institute of Public Finance and Accountancy (CIPFA) publication, Treasury Management in the Public Services – Code of Practice and Cross Sectorial Guidance Notes. The report provided an update against the Annual Treasury Policy and Investment Strategy for both the previous year and the current year to date.



**Decision**

The committee considered and commented on the contents of the report.

*Councillors David Barratt and Sarah Neal left the meeting during consideration of the above item.*

**309. CABINET COMMITTEE - OUTSTANDING REMITS FROM COMMITTEES**

**Decision**

The committee noted the list of outstanding remits from committees.

**THE FIFE COUNCIL – CABINET COMMITTEE – EDUCATION  
APPOINTMENT COMMITTEE – GLENROTHES**

21 May 2024

1.00pm - 3.00pm

**PRESENT:** Councillor Auxi Barrera, Councillor Lynn Ballantyne-Wardlaw, Angela Logue, Head of Service, Mary McKay, Education Manager, Lynne Dick, Chair, Parent Council, Debbie West, Parent Council.

51. **EXCLUSION OF PUBLIC AND PRESS**

**Decision**

The Committee resolved that under Section 50(A)(4) of the Local Government (Scotland) Act 1973, the public be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 7A to the Act.

52. **HEADTEACHER –SOUTHWOOD PRIMARY SCHOOL**

The Committee interviewed one applicant on the short list for this post.

**Decision**

Agreed to recommend the appointment of Marie Mitchell.

**THE FIFE COUNCIL – CABINET COMMITTEE – EDUCATION  
APPOINTMENT COMMITTEE – GLENROTHES**

18 June 2024

1.00pm - 3.00pm

**PRESENT:** Councillor Linda Erskine, Councillor Eugene Clarke, Angela Logue, Head of Service, Mary McKay, Education Manager, Diane Crichton, Chair, Parent Council, Kirsty Beswick, Parent Council.

**53. EXCLUSION OF PUBLIC AND PRESS**

**Decision**

The Committee resolved that under Section 50(A)(4) of the Local Government (Scotland) Act 1973, the public be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 7A to the Act.

**54. HEADTEACHER –LOCHGELLY WEST PRIMARY SCHOOL**

The Committee interviewed one applicant on the short list for this post.

**Decision**

Agreed to recommend the appointment of Gordon Anderson.

**THE FIFE COUNCIL – CABINET COMMITTEE – EDUCATION  
APPOINTMENT COMMITTEE – GLENROTHES**

24 June 2024

1.00pm - 3.00pm

**PRESENT:** Councillor Lynn Mowatt, Councillor Dave Dempsey, Angela Logue, Head of Service, Mary McKay, Education Manager, Lisa Frew, Chair, Parent Council, Samantha Connor, Parent Council.

55. **EXCLUSION OF PUBLIC AND PRESS**

**Decision**

The Committee resolved that under Section 50(A)(4) of the Local Government (Scotland) Act 1973, the public be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 7A to the Act.

56. **HEADTEACHER –COLLYDEAN PRIMARY SCHOOL**

The Committee interviewed two applicants on the short list for this post.

**Decision**

Agreed to recommend the appointment of Tracy Westwater.

**THE FIFE COUNCIL – CABINET COMMITTEE – EDUCATION  
APPOINTMENT COMMITTEE – GLENROTHES**

**23 October 2024**

**1.00pm - 3.00pm**

**PRESENT:** Councillor Lynn Mowatt, Councillor Alistair Suttie, Angela Logue, Head of Service, Alan Cumming, Education Manager, Alison Major, Chair, Parent Council, Alicia Wilkinson, Parent Council.

**57. EXCLUSION OF PUBLIC AND PRESS**

**Decision**

The Committee resolved that under Section 50(A)(4) of the Local Government (Scotland) Act 1973, the public be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 7A to the Act.

**58. HEADTEACHER –TORBAIN PRIMARY SCHOOL**

The Committee interviewed two applicants on the short list for this post.

**Decision**

Agreed to recommend the appointment of Louise Yuile.

5 December 2024  
Agenda Item No. 4

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## Cost of Living Report

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**Report by:** Eileen Rowand Executive Director (Finance and Corporate Services)

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**Wards Affected:** All Wards

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### Purpose

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This report has been prepared in response to a motion agreed at full Council on 19 September 2024. The motion asked for a report from the Executive Director (Finance and Corporate Services) to be presented to the Cabinet Committee or the full Council by the end of the year as to what measures Fife Council can continue to take or may seek to take, to address the impact of continuing 'austerity'.

### Recommendation

Members are asked to:

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- a) note the measures that have been taken to date to support vulnerable households in Fife; and
- b) note that political groups will be able to consider the level of support that the council should provide to tackle the cost-of-living crisis as part of the budget setting process.

### Resource Implications

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Provision for continuing support (which is temporary funding) was made in the Cost-of-Living budget 2024/25 as previously agreed by Cabinet on 12 September 2024. However, members will need to take cognisance of the prevailing budget position when developing their budget proposals from April 2025, the full details of the available budget will not be known until December 2024.

### Legal & Risk Implications

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The council can only assist in the mitigation of austerity within its available resources. There is a wider response required in tackling austerity and the council does not have the resources or the powers to tackle this in full. Members have been advised of the current budget gap forecasts and there is an opportunity to address cost of living pressures when the budget is set in February 2025.

### Impact Assessment

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An EqIA has not been completed and is not necessary because this report does not propose introduction of a policy or a change to existing policy.

### Consultation

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There has been continuous dialogue with partners, area teams, community groups and elected members as part of the shaping and coordination of the cost-of-living support programme.

## 1.0 Background

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- 1.1 At the Council meeting of 19 September 2024, members requested a report was to be brought forward as to what measures the council can continue to take or may seek to take, to address the impact of continuing 'austerity'.
- 1.2 There have been several reports presented to Cabinet Committee over the past years detailing the support and actions being taken by Fife Council and our partners to support vulnerable households including, over the last three years, delivering winter/cost of living programmes assisting to mitigate the increased cost of food, fuel and everyday living for low-income households.
- 1.3 The delivery of support going forward needs to be affordable and this report sets out the various decisions that members will have to set policy direction within the following areas:-
  - Scottish Welfare Fund – Crisis and Community Care Grants.
  - Fuel Support and Energy Advice
  - Welfare Advice and Support.
  - Supporting the provision of Household Goods.
  - Food Poverty – Café Inc and Warm Places
- 1.4 Members should be aware that statutory schemes such as Council Tax Reductions, Discretionary Housing Payments and non-statutory debt relief schemes (Rent and Council Tax Allowance) will continue to be delivered by Fife Council as per the conditions stated within each scheme.
- 1.5 The council and partners will continue to collect and use data within the support schemes to identify and support those in most need and assist in our targeting of our limited resources as well as monitoring the impact that our measures are having regarding overall poverty in Fife.

## 2.0 Existing Provision Overview

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- 2.1 The current cost of living programme reflects our knowledge and understanding of poverty in Fife and builds on what we have learnt from the evaluations of the previous winter support programmes.
- 2.2 Over the past 36 months, Fife Council has delivered three winter programmes of support to help mitigate the cost of living rises. The support has been provided across fuel, food and cash support, mostly accessed at the point of crisis.
- 2.3 Preventative measures have focussed on income maximisation campaigns (utilising data provided through our Low-Income Family Tracker software), launching the online Fife Benefit Checker and, this year, a partnership with the Fuel Bank and Cosy Kingdom has provided both energy advice and emergency fuel top ups.
- 2.4 Welcoming places have been developed by a range of voluntary groups and some areas have developed welfare hubs where wrap around support can be offered.
- 2.5 The programmes have collected and collated data on demand for services and this is providing the evidence on what core offers of support should continue.

- 2.6 As the report to Cabinet on 12 September 2024 highlighted, the Cost-of-Living Support Programme for 2024/25 was supported with temporary funding amounting to £3.668 million and at that time the total committed spend was £3.576 million. These figures exclude the £10 million provided in 2024/25 under the Community Recovery Fund of which £9 million is allocated to Area Committees and £1 million used for Fife Wide Community Recovery Fund activities.

### **3.0 Support Going Forward 2025/26 onwards.**

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- 3.1 It should be noted at the outset, and is previously mentioned within earlier parts of this report, that the council spends considerable sums in supporting residents in Fife, within crisis situations. The following paragraphs set out the main areas currently funded by the Council on a project-by-project basis.
- 3.2 As per the recommendations, this report is not seeking to ask members for additional funds but merely to meet the requirement asked within the council motion to detail to members what measures the council is already taking, why we are supporting these and the associated costs going forward. It will be for members to decide when they are developing the budget proposals for 2025 onwards on what realistically the council can afford to continue to fund given the likely budget pressures that will need to be addressed.
- 3.3 Members are already aware that the Council needs to shift the prism of assisting with continued crisis support to one where we are looking at prevention of crisis as our main focus, this is the main ethos within the proposed No Wrong Door approach. This need is clearly highlighted when we review the individual projects/streams where the number of households who are making repeated asks due to crisis situations, is unacceptably high and is clearly one area where No Wrong Door approach is aimed at assisting these repeat claims to be reduced through more intensive and focussed support.

#### **Scottish Welfare Fund**

- 3.4 The Scottish Welfare Fund (SWF) is a Scottish Government Scheme designed to assist those most vulnerable households through the provision of Crisis Grants and Community Care Grants. The scheme is administered by Local Government and Fife Council, in previous years, has augmented both the Administrative Funding and Programme Funding provided by the Scottish Government.
- 3.4.1 In 2023/24, Fife Council allocated £2 million in additional programme funding, £24,000 for additional SWF staffing and £230,000 to upgrade the quality of carpets provided by the SWF. This means that Fife spent 80% more providing the SWF than has been provided by the Scottish Government to fund the scheme.
- 3.4.2 The augmentation of programme funding is not unique to Fife Council, 22 councils in Scotland spent over 100% of their allocated programme funding but 10 councils spent 100% or less than their allocated funding. There is clearly insufficient funding to meet all of the cases that meet the criteria.
- 3.4.3 A recent review of the award data for the last year has shown that 78% of Crisis Grants and 27% of Community Care Grants were repeat applications. Clearly, given the large level of Fife Council support that has been made previously to the SWF, a review is required to understand why there is such a high level of repeat claims (especially within the Crisis grants) and an options appraisal report is being developed by the Communities Directorate to determine how best to administer the scheme should Fife Council no longer be able to supplement the Scottish Government funding. The aim of the options appraisal would be to determine the process and approach to ensure those applying not



only receive support at the point of crisis but, in doing so, receive wider support to avoid the need for continued repeat applications and to understand better why customers are falling into crisis so often requiring support of the SWF.

### **Fuel Support and Energy Advice**

- 3.5 A partnership has been developed between the Council, Cosy Kingdom, and the national charity Fuel Bank. This provides a quick, reliable offer of fuel bank vouchers for those in crisis.
- 3.5.1 Energy advice is provided as part of the offer and the continuation of this co-ordinated offer will be dependent on funding in 2025/26 amounting to £50,000 for Fuel Bank and £255,000 award to Cosy Kingdom to offer this level of service of their Advice and Handy Service. The total temporary funding of £305,000 is in addition to the agreed recurring annual grant of £318,000 made by Fife Council to Cosy Kingdom (Greener Kirkcaldy).
- 3.5.2 As with the Scottish Welfare Fund, there is an issue of repeat applications to the fuel bank crisis support – since 1 April 2024, there have been over 700 repeat applications made.
- 3.5.3 In addition to the grants and advice Fife Council also provides the following support: -
- £30,000 has been used to supply heated throws to vulnerable groups in the community through the Area Teams
  - £60,000 provided to low-income households in form of grants to allow them to repair or replace heating systems
  - £60,000 to provide heating top up payments to those families who reside in temporary accommodation
- 3.5.4 In 2024/25, the council have supported local communities through grants to providers of Warm and Welcoming places. The council has budgeted for £280,000 in grants in the last financial year. It is envisaged that ongoing support from April 2025 will be overseen by Area Teams supporting the capacity of the third sector operating in their community with any funding required met via the Area's anti-poverty and local community planning budgets.

### **Household Goods**

- 3.6 The council supports the Big House Project which has provided many Fife families with essential items such as nappies, duvets and household kitchen items. They work from donations and it has been a challenge to be able to match the availability of donated goods with the demand for certain items. Work is developing to establish models of support that provide both welfare advice as well as household items - in the last year, the project delivered over 658,000 items from 819 referrals from partners.
- 3.6.1 The project itself has now been set up as a stand-alone SCIO with a board of trustees appointed separate from the cottage family centre.
- 3.6.2 The multibank approach adopted by the Big Hoose project is currently being assessed as a model which is fit for national roll-out.
- 3.6.3 The cabinet committee report in September 2024 approved funding of £80,000 for the financial year 2024/25 to support the project.
- 3.6.4 Further development of this project and the method of accessing support is moving to a social enterprise model and will be subject to update reports in the coming months.

## **Fife Advice Framework**

- 3.7 Three tier advice frameworks to help build the capacity of staff and volunteers across Fife to offer first level benefit advice. CARF posts are funded to co-ordinate welfare benefit campaigns (11 such take-up campaigns have been run over the last 18 months). The CARF funding of £217,000 has also allowed the deployment of advice workers in community settings. The funding has been agreed until September 2025 per the cabinet report in September 2024.

## **Welfare Support**

- 3.8 The Community Recovery Fund has supported the expansion in the number of staff offering welfare support across Fife which is used to employ 17 FTE area-based welfare reform assistants. As an example of the impact of this work, in Cowdenbeath the additional Welfare Support Assistants (WSAs) have provided 310 additional outreach sessions, with 375 people receiving support of which 325 people received 1 to 1 support sessions. Currently, additional staff, including the welfare support assistants across the seven Area Teams funded by Community Recovery Funding, has a budget of £787,000 to continue this vital support work to assist customers navigate the welfare system to ensure that their income is maximised and crisis averted.
- 3.8.1 It is envisaged that the welfare reform assistants will play a pivotable role in the upcoming approach within No Wrong Door.

## **Café Inc/Food Support**

- 3.9 The council, in line with national funding, provides free school meals to over 11,000 children every year and during the four main holiday times, provides payments to the parent/guardians at the rate of £2.50 per day per child. In addition, each eligible child is also eligible to apply for clothing grant payments which are currently set at £120 per primary aged child and £150 for secondary age child. The total cost of providing holiday payments for meals amounted to £ 1.768 million, which is funded by Scottish Government, paid to over 11,000 children in 2023/24. The clothing grant payments in 2024/25 cost £ 1.593 million to over 11,000 children this is partly funded by Scottish Government.
- 3.9.1 In addition to the payment, the council operates Café Inc which provides free meals to families during the holiday period. The recurring approved budget for Café Inc is £550,000 per annum with an additional £25,000 in 2024/25 due to the extra week holiday this financial year.

## **4.0 Conclusions**

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- 4.1 This report has been produced in response to the motion agreed at Fife Council on 19 September 2024 which requested the Executive Director (Finance and Corporate Services) advise on the measures that the council has or could take to assist residents during the ongoing challenges of the cost-of-living crisis.
- 4.2 The report sets out the main areas of support provided through the Communities Directorate and members will note some of these relate to ongoing crisis payments to support these vulnerable households.
- 4.3 The report does refer the ongoing challenge of continuing the crisis support and the obvious need to move from crisis support to prevention. It also highlights the large number of households who are making repeated crisis payment requests which, again, needs to be further investigated and measures put in place to try to remove the reliance on crisis payments and this will be the focus of the No Wrong Door approach which is currently in development.

- 4.4 What is unclear at present is the level of funding that will be made available and the overall financial position of the council as this will not be known until the Local Government Finance Settlement is announced later this month.
- 4.5 Once the financial position is known, it will be incumbent of members to decide which supports can continue and if any cannot continue to be funded moving forward within the council's budget from April 2025.
- 4.6 The council plays an important role in supporting some of the citizens of Fife to deal with the challenging financial circumstances they face. Tackling austerity goes beyond the powers and resources the council has at its disposal. In recent years, the council has provided a level of crisis support to citizens that has not been universally provided by councils across Scotland. The ability for the council to continue to provide funding is likely to diminish as, in recent years, one-off funding has been used and this is no longer available at the scale that was previously possible. This is as a direct consequence of the challenging financial position in-year on budgets and projected balances.
- 4.7 Research has already been conducted in 2024 on the key findings of support provided and the potential next steps, the output from this research is attached as Appendix 1 to this report to aid members in their future deliberations of potential policy/funding decisions for 2025/26 onwards.

## List of Appendices

1. Key Findings and Next Steps

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# Appendix 1

## Key Findings and Next Steps

Evaluations of recent programmes and what the research is telling us:

Findings	Fife Picture	Next Steps
<p><b>Significant levels of benefit underclaiming is leaving people with less than they need to manage on.</b></p> <p>Policy in Practice<sup>1</sup> estimates that the total amount of unclaimed income related benefits and social tariffs across Great Britain is now £22.7 billion a year.</p>	<p>Large scale benefit uptake campaigns in Fife are helping increase people’s income from benefits and getting more people their full benefit entitlement.</p> <p>The financial gain to date is estimated to be £6.7 million.</p>	<p><b>A rolling programme of benefit take up campaigns is scheduled for 2024/25.<sup>i</sup></b></p>
<p><b>The need for emergency food is frequently not the only issue those using a food bank have.</b></p> <p>Many of those using food banks need help with other underlying issues such as debt, employment support and living with long term health issues and disabilities.</p>	<p>There is a need not to deal with the need for emergency food in isolation.</p> <p>The development and roll out of the Fife Advice Framework is better equipping front-line staff and volunteers to provide first level benefits advice.</p>	<p><b>Funding is secured to scale up Fife’s Poverty Awareness and benefit checker training programme. This will build staff skills and knowledge in supporting people.</b></p> <p><b>Learning for Fife’s Cash First programme approaches will increase dignity and reduce food bank use in Fife</b></p>
<p><b>The Scottish Welfare Fund</b> and the provision of home starter packs by a variety of Council and third sector organisations, is not meeting the level of need for household items in Fife.</p>	<p>People are struggling to get items to set up home. A range of organisations and Council services provide support in isolation of each other.</p>	<p><b>A review of the Scottish Welfare Fund is being undertaken.</b></p> <p><b>A Fife Council and third sector collaboration is scoping the improvements needed to create a joined-up system of household support.</b></p>

<sup>1</sup> [Missing out 2024: £23 billion of support is unclaimed each year - Policy in Practice](#)

Findings	Fife Picture	Next Steps
<p><b>Better intelligence</b> is needed to proactively reach people in need, with a focus on prevention rather than just responding to crisis.</p>	<p>The use of data and the Low-Income Family Tracker (LIFT) is providing evidence of both current and future need, helping to target support.</p> <p>This is key as available budgets to deliver support, decrease.</p>	<p><b>The continued use of the Low-Income Family Tracker and the Fife Benefit Checker will help Fife target support.</b></p>
<p><b>Warm and Welcoming Places</b> are community-led and helping to break social isolation experienced by many in the community. Meals and wider support and being provided,</p>	<p>A significant number of users have long term health issues and are experiencing poor mental health and are not accessing help elsewhere.</p>	<p><b>Develop community led welcoming places to provide wrap around advice and support.</b></p>
<p><b>Lived Experience</b></p> <p>People with lived experience of poverty are having an increased number of opportunities to be able to influence change.</p>	<p>Project Assistants who have lived experience of poverty have been employed to work in some Areas in Fife. This is being rolled out across more areas in Fife.</p>	<p><b>In partnership with the Poverty Alliance, Fife is developing mechanisms for working with those with lived within the Cash First programme.</b></p>

# Housing Revenue Account (HRA) Consultative Budget 2025-26

Report by: John Mills, Head of Housing Services and Elaine Muir, Head of Finance

Wards Affected: All

## Purpose

The purpose of this report is to agree appropriate consultative housing rent options for 2025-26 to enable the council to carry out its statutory duty to formally consult with council tenants during December 2024 and January 2025. The outcome of the formal tenant consultation will be reported in the HRA budget report at the Council meeting in February 2025.

## Recommendation(s)

It is recommended that committee:

1. notes the current HRA Financial position, including the projected £7.635m shortfall for 2025-26 prior to a rental increase being applied;
2. notes the balance of uncommitted HRA Reserves as £2.593m.
3. agrees to survey council tenants around options for a rent increase in 2025-26 of 5%,6% and 7% and these options also apply to charges for services, garage sites, lockups and temporary accommodation;
4. notes that the outcome of the full tenant consultation will be reported to Council on 20 February 2025; and
5. notes that the HRA Business Plan Review is continuing with results to be reported to Council on 20 February 2025.

## Resource Implications

The HRA remains in a difficult financial situation as a result of the cumulative impact of high inflation on costs over recent years combined with maintaining rental increases below inflation since 2019/20. Budget pressures remain a challenge with an estimated budget gap of £7.635m before either a rental increase or cost savings being identified. The rent options proposed provide options to ensure that a balanced budget is achievable and can be implemented.

The rent increase option of 5% will require a review of further mitigations required to present a balanced budget to Full Council in February 2025.

A rental increase of below 5% will leave an increased budget gap which will require further mitigations in order to balance the budget.

## Legal & Risk Implications

The HRA Business Plan is a modelling tool designed to support the council in meeting statutory requirements and there will be no additional legal and risk implications providing the model is preserved.

The identified budget gap is based on all known current financial information.

There is a risk that the recent increase to Employers National Insurance Contributions will increase the level of financial pressure faced by the HRA in 2025-26. The impact of this increase on both the General Fund and HRA is currently being reviewed. Any additional pressures arising will be dealt with as part of the 2025-26 Budget Paper presented to Council in February 2025.

Testing of the HRA 2024 Business Plan is still ongoing, but initial internal testing results are detailed in section 3. The results of the Business Plan review will be reported in the HRA Budget Paper to Council in February 2025.

## Impact Assessment

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An EqIA has not been completed and is not necessary at this time. The outcome of the proposed consultation will be reported to Fife Council in February 2025 when an EqIA will be provided.

## Consultation

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This report outlines initial and planned consultations with tenants around the HRA rent increase and budget proposals for 2025-26.

Housing Services and Financial Services are working jointly on the issues outlined in this paper.

The council's Housing Consultants, Arneil Johnson, have been consulted with and are continuing to work through the Business Plan Review.

## 1.0 Background

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1.1 The Housing (Scotland) Act 2001 requires the council to consult with tenants affected by any proposal to increase rents and have regard to the views expressed by those consulted. Information is presented in relation to:

- Performance of the council's HRA compared to other social landlords
- Context of the HRA Business Plan, key assumptions, risks and impacts
- Initial and planned consultation with tenants around the HRA rent increase
- General impact and affordability of the HRA rent proposal
- Adherence to the HRA Medium-Term Financial Strategy

## 2.0 HRA Performance

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2.1 The Housing Revenue Account (HRA) provides the financial framework supporting the council's role as housing landlord. The HRA is required by legislation to be a ring-fenced account used for the sole benefit of council tenants. It is financed almost entirely by rents and other charges with no current contribution made from Council Tax revenues.

2.2 The latest Scottish Government HRA financial statistics are for 2023-24. How the council performs in comparison to all local authorities is indicated below

- The average weekly Fife Council rent remained just below the local authority average (*Scottish LA Average £84.07 Fife Council Average £83.24*)
- Supervision and management costs per property were below average (*Scottish LA Average £1,058 Fife Council Average £985*)

- Spend on loan charges per property was below average (*Scottish LA average £1,117 Fife Council Average £1,067*).
- Repairs and maintenance spend per property remains slightly higher than average (*Scottish LA Average £1,486 Fife Council Average £1,533*)

### 3.0 HRA Financial Position 2025-26

3.1 The HRA is required to present a balanced budget for approval to Fife Council each year. The HRA faces increased costs due to the cumulative impact of high inflation in recent years, staff salary increases, increasing stock figures and other pressures. To meet these rising costs, the HRA must increase rents or generate recurring savings (or a combination of both) annually to allow the rising costs to be met. This is balanced with the need to maintain service provision and ensure an affordable level of borrowing, to fund new council housing and invest in existing housing stock. The figures outlined throughout section 3 are based on current known information and may be subject to change. The indicative budget gap for the next three years prior to a rental increase being applied in 25-26 is shown below:

	Individual Year (£m)			Cumulative Impact (£m)
	2025-26	2026-27	2027-28	
<b>Indicative Budget Gap / (Surplus)</b>	7.635	7.993	6.469	22.097

3.2 The indicative budget gap in 25-26 of £7.635m is a result of increasing financial pressures faced by the HRA. This gap will require to be funded through increased rental income, savings or a combination of both. It must be noted that these are recurring pressures that will exist and may increase in future years. The budget gap facing the HRA for 2025-26 includes:

- Increase in Operational Costs £2.203m
- Inflationary Pressures - staffing & non-staffing £3.599m
- Maintaining investment level consistent with prior years £3.789m
- Increased Income due to Stock Growth (£1.956m)

3.3 The revised budget gap based on each of the proposed rental increase options for 2024-25 is shown below. For all rental options, a planning assumption has been made that a rental increase of 3.5% is applied for 2026-27 and 2027-28:

Rental Option Increase	Estimated Budget Gap / (Surplus) Individual Year £m			Cumulative Impact (£m)
	2025-26	2026-27	2027-28	
5% Rent Increase	0.455	0.613	(1.266)	(0.198)
6% Rent Increase	(0.969)	(0.863)	(2.813)	(4.645)
7% Rent Increase	(2.406)	(2.339)	(4.360)	(9.104)

3.4 A rental increase of 5% for 2025-26 would require further mitigations which may have varying impacts on:

- The quality or level of service delivered directly to HRA Tenants
- The wider impact on local communities
- Reorganisation of staff employed within the HRA to deliver the services and projects.
- Other areas of Fife Council such as Building & Property Services who may see a reduction in the level of work commissioned by the HRA.
- External companies who may see contracts cancelled.
- Higher costs in future years because of delaying maintenance & improvement works.



- 3.5 Taking account of the financial pressures facing the HRA, and the need to balance the budget, it is officers' opinion that a rental increase of between 6% to 7% balances both the need to maintain rents at an affordable level for tenants and meet the financial requirements for the HRA. A rental increase of 6% or 7% gives the HRA an increased resilience to manage any future pressures and will increase the HRA's ability to continue the ambition to invest into new housing in future years and deliver further improvements to existing stock.
- 3.6 The three rental options have been tested internally for affordability. Prudential limits are used as a measure of debt affordability to assess the HRA's long-term level of exposure to financial risk. A borrowing level below 30% is deemed low risk and between 30%-33% is deemed to be medium risk. Anything over 33% is classed as high risk. Current testing results are shown in the table below which indicates the level of risk the HRA is exposed to over the next three years based on each option. All three options present a medium risk position for the HRA in 25-26 with the risk increasing to high risk in 26-27 and 27-28. As can be seen from the table, the level of risk the HRA is exposed to reduces as the proposed rental increase for 25-26 goes up (assuming the current level of approved investment does not change).

<b>Rental Increase Option</b>	<b>Debt Affordability</b>		
	<b>25-26</b>	<b>26-27</b>	<b>27-28</b>
5% Rent Increase	32.2%	34.9%	35.3%
6% Rent Increase	31.9%	34.5%	34.9%
7% Rent Increase	31.6%	34.1%	34.4%

## 4.0 HRA Rent Proposal for 2025/26

- 4.1 The HRA Business Plan assumes that costs will rise with inflation and that rents will increase by the Retail Price Index inflation plus one percent (RPI+1%) each year over 30 years. The plan is modelled on a national Treasury assumption that inflation will average at 2.5% per annum, therefore, RPI+1% equals 3.5%. However, given that the actual RPI will fluctuate year-on-year, the HRA uses the September RPI rate to inform the rent increase for the year ahead. This provides a consistent benchmark for comparing rent increases over time. A rent increase based on the September 2024 RPI+1% would equal a rent increase of 3.7%. However, given the sustained rental increases below RPI over recent years, a rent increase of this level would leave a significant budget gap of £2.327m for 25-26 and is not financially sustainable.
- 4.2 A rental increase of 3.7% for 25-26 is not being considered for consultation with Tenants. The table below outlines the average weekly rent and the increase per week based on each of the options tenants will be consulted on. Figures are also shown based on an increase of 3.7% for comparison purposes.

<b>RENTAL INCREASE %</b>	<b>AVERAGE WEEKLY RENT (£)</b>	<b>INCREASE IN AVERAGE RENTS PER WEEK (£)</b>
Current Rent	86.53	n/a
5.00%	90.86	4.33
6.00%	91.72	5.19
7.00%	92.59	6.06
3.70%	89.73	3.20

- 4.3 It is officers' opinion that a rental increase of between 6% and 7% provides a balance between meeting the financial needs of the HRA and maintaining rents at an affordable level for tenants. An option of 5% will require a review of further mitigations required to present a balanced budget to Council in February 2025. The financial impact of the proposed rental increases on both tenants and the HRA is detailed further in sections 6 and 7.

## 5.0 Previous Years' Rental Increases

- 5.1 The table shows the previous six years' rental increases which have all been below RPI+1%. The figures show the widening gap between the actual weekly rents charged each year and the baseline rents on which the 30 year business plan is based. The gap increases as time goes on due to the baseline on which all future rental increases are set being impacted by low rental increases compounding in previous years. This difference in the rental figures represents the opportunity cost of income that is lost to the HRA per week for each affordable home:

Financial Year	Percentage Rent Increase Applied	September RPI+1%	Weekly Average Rent based on % increase applied to rents (£)	Weekly Average Rent based on September RPI+1% (£)	Difference in Average Weekly Rent (£)
19-20	3.20%	4.30%	73.25	74.03	0.78
20-21	3.00%	3.40%	75.45	76.55	1.10
21-22	1.50%	2.10%	76.58	78.16	1.58
22-23	2.50%	5.90%	78.50	82.77	4.27
23-24	5.00%	13.60%	82.42	94.02	11.60
24-25	5.00%	9.90%	86.53	103.33	16.80

- 5.2 Below inflation increases in previous years have exposed the HRA to an increasing level of financial risk. This impacts the ability to fund the HRA Capital Investment Programme through sustained reduction in CFCR which, in turn, increases the level of borrowing required to fund the Capital Programme. The reduced income also affects the HRA's ability to fund the cost of borrowing and curtails borrowing capacity to fund new or existing housing programmes. This demonstrates the challenge that is now faced by the HRA where costs have increased at a higher rate than income for the past several years, contributing to the budget gap outlined in this paper.

## 6.0 Affordability / Tenant Impact

- 6.1 **Housing benefits** - the affordability of housing rents will depend on the circumstances of individual tenants. Given the general profile of council tenants, the uptake of benefits is of importance. At mid-October 2024, 7,658 (26%) council households were claiming Housing Benefit (HB) with an estimated 13,898 (47%) now receiving Universal Credit (UC).
- 6.2 Tenants in receipt of Universal Credit are entitled to any increase in their housing costs in a similar way to those on Housing Benefit. However, the Department for Work & Pensions administers Universal Credit applications and holds data around claimants. This makes it difficult to predict with any accuracy the exact number of council tenants claiming Universal Credit at any point in time and how they will be impacted by a rent increase.

- 6.3 Approximately 73% of council tenants are supported through HB or UC to pay their rent. This represents income to the HRA received directly through benefits payments. A low rent increase would therefore not benefit the majority of tenants but would instead benefit HM Treasury and result in lost income to the HRA in both 2024-25 and all future years. These figures should be considered indicative in view of the element of unknown through Universal Credit data.
- 6.4 Based on the estimated uptake in benefits shown in paragraph 6.1, it can be assumed that around 27% council households will not claim benefits in 2025-26 and will be required to fully fund any rent increase. To support tenants in difficulty with their rent payment, the council has a fund of £1.2m of rent and fuel poverty support available for 2025-26. This support targets tenants not receiving full Housing benefit or Universal Credit housing costs, additionally supports tenants migrating onto Universal Credit and provides fuel poverty support.
- 6.5 **Living Rent** - the introduction for a 'living rent' was recommended by the Fairer Fife Commission and an appropriate definition for social housing was agreed by the Fife Housing Partnership. A 'living rent' is defined as being affordable for a household with someone in full-time employment and not assisted through benefits, based on a calculation of charging a fixed percentage (28%) of net lower quartile earnings. In Fife, the current 'living rent' threshold for a single person is £115.88 per week. Housing costs below this threshold are affordable and above the threshold will be unaffordable.
- 6.6 The affordability of the proposed rent options of between £90.86 – £92.59 per week can be tested against different types of council households on low income and not in receipt of benefits:

Household / Income Scenario	28% of Weekly Earnings (net of tax)	Affordability of FC Rent Options
Single person household, in full-time employment with lower quartile earnings (i.e. 'Living Rent' scenario')	£115.88	Rent options affordable / below threshold
Two-person household with a full-time and part-time employee, both with lower quartile earnings	£168.38	Rent options affordable / below threshold
Single person household, in full-time employment with lower <u>decile</u> earnings (enhanced beyond living rent criteria)	£104.49	Rent options affordable / below threshold

Source: Annual Survey of Hours and Earnings 2023 / Fife Statistics

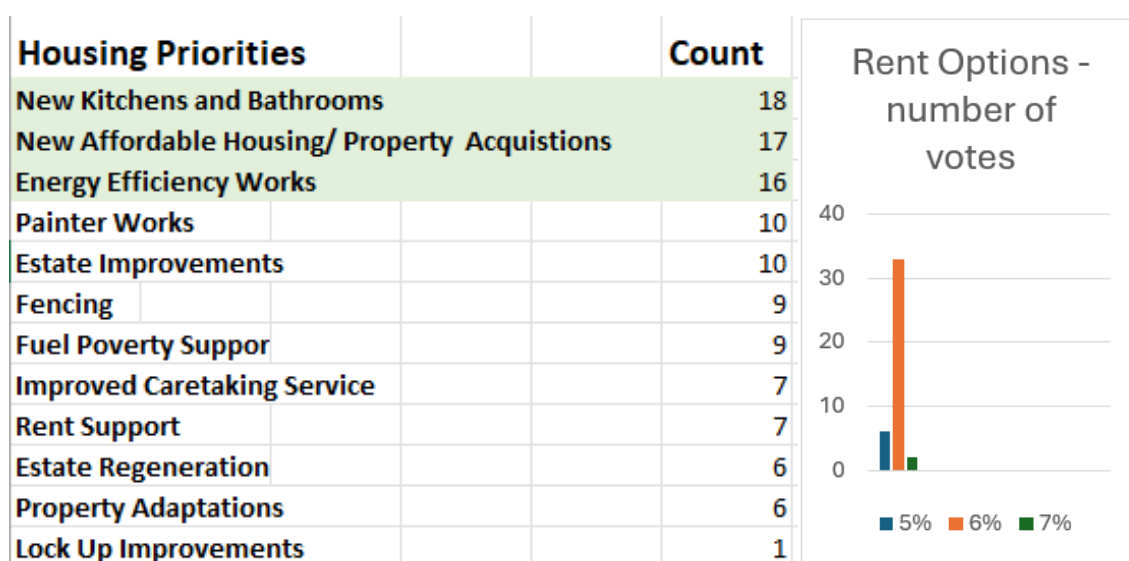
- 6.7 The table above indicates that single people and working couples on lower quartile earnings should be able to afford the proposed rent options without the assistance of benefits. Therefore, the average council rent across each option should remain affordable to those on the lowest earnings and would continue to be classed as a 'living rent'.
- 6.8 The Fife Tenants Conference was held on 1st November, in partnership with the Fife Tenants Federations. 59 tenants attended from across Fife. Shelter Scotland presented a conference session on the National Housing Emergency. Workshops were held covering energy efficiency improvements, the housing allocations policy review, and "what your rent pays for". Tenants were given the opportunity to ask questions and contribute to discussion around the HRA and rent options. Tenants were asked to indicate their preferred rent option for 2025/26 from a range of 5% ,6% and 7% to inform

feedback for elected members. It is noted that pressures in relation to National Insurance contribution increases following budget announcements were being worked through and could not be factored in to rent options in time for the Conference. Tenants were also asked to indicate three priorities in terms of services they considered should be prioritised to inform future planning. The number of tenants who voted (41) although relatively low, presents an indication of tenants' views with a clear preference for the 6% option among those that voted, with 80% of the 41 tenants indicating this preference. One tenant did not vote and indicated that an above inflation rent increase was unacceptable. It is noted that an alternative blended approach including both voting cards distributed in Down Your Street and digital opportunities will be adopted for the formal tenant consultation in December - January 2025.

6.9 The outcome of the informal consultation at the Conference is outlined below with service priorities and preferred rent options indicated:

### Service Priorities

### Tenant vote



6.10 Further discussion will take place with the Tenants Federations to improve understanding of the HRA Business Plan, work through the rent options and consider potential implications in relation to tenants' priorities.

6.11 To meet statutory requirements for consultation with tenants, it is recommended that the options of 5%, 6% and 7% form part of a postal and on-line survey of all council tenants during December 2024 - January 2025. Tenants will be asked to feedback on their service priorities which would inform consideration of any future investment facilitated by a 6% or 7% rental increase. The outcome of this survey, and feedback from the Federations, will inform a decision on the rental increase proposed for 2025-26, setting the HRA budget at Council in February 2025.

## 7.0 HRA 2024 Business Plan Review

7.1 The HRA Business Plan Review for 2024 is currently underway. The Baseline Business plan will take into account the current pressures and financial position outlined in this paper. Scenario testing will be carried out based on the proposed rental options and potential future policy options. It is anticipated that the full results of the HRA Business Plan Review will be reported to the council in February 2025 as part of the HRA Budget Report for 2025-26. An elected members' workshop to present the updated HRA Business Plan is planned for January 2025.

## 8.0 Reserves

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- 8.1 As at the end of 2023-24, the HRA held reserves of £5.315m. The table below shows the current HRA Reserves and the estimated remaining reserves at the end of 2024-25 based on current and proposed commitments:

<b>OVERVIEW OF HRA RESERVES</b>	<b>APPROVAL STATUS</b>	<b>2024-25</b>
Opening Year Balances	-	5.315
Transitional Affordable Housing Programme Contribution	Committee Approval	(2.500)
24-25 Budget Gap Funded from Balances	Committee Approval	(0.222)
<b>ESTIMATED UNCOMMITTED RESERVES</b>		<b>2.593</b>

- 8.2 The current HRA policy is to maintain minimum reserves at the level of 2% of the mainstream annual rent income budget. Under the three rent options, the minimum reserves position required would be in the region of £2.9m. The minimum balances of 2% will be assessed based on a rolling three-year period which allows for small short-term fluctuations in the reserves figure. Assumptions on the required contributions into HRA reserves to maintain the minimum level of 2% have been factored into the budget gap detailed in section 3.

## 9.0 Conclusions

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- 9.1 The HRA remains in a difficult financial situation as a result of the cumulative impact of high inflation on costs over recent years combined with maintaining rental increases below inflation since 2019/20. As a result, the HRA faces a high level of financial risk in future years based on the assumptions outlined in this paper.
- 9.2 HRA tenants are also under pressure due to ongoing Cost of Living challenges. The rent consultation options of 6% and 7% take account of the current Cost of Living pressures, proposing rents that remain below living rent levels whilst enabling a balanced budget to be maintained to reduce financial risk.
- 9.3 Any rental increase of below 5% will create a significant budget gap which will require mitigation in order to balance the budget.

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# Proposed Statutory Consultation to Establish new Additional Support Class (ASC) Provision within Dalgety Bay and Strathallan Primary Schools

**Report by:** Donald Macleod, Executive Director (Education)

**Wards Affected:** Wards 9-12 and 5 and 6

## Purpose

This report presents Statutory Consultation Proposals, in terms of the Schools (Consultation) (Scotland) Act 2010, relating to the proposals to establish a new stage of education in a school, being Additional Support Class (ASC) provision within both Dalgety Bay Primary School and Strathallan Primary School, to seek approval of their content and approval to proceed to statutory consultation.

## Recommendations

The Cabinet Committee is asked to:

1. approve the content of Statutory Consultation Proposals papers in terms of the Schools (Consultation) (Scotland) Act 2010 relating to the establishment of a new stage of education, being ASC provision, within both Dalgety Bay Primary School and Strathallan Primary School;
2. authorise officers to proceed to statutory consultation in terms of the Consultation Proposals;
3. authorise officers to make such amendments to the Consultation Proposal papers (including the timeline) as may be necessary; and
4. note that a Consultation Report for each of the proposals will be brought forward to a future meeting of the Cabinet Committee of Fife Council.

## Resource Implications

A significant amount of officer time will be dedicated to the statutory consultation processes if approved by committee. Detailed drawings and costs are currently being prepared by Property Services and it is expected the project can be delivered during the summer holidays 2025 through to October 2025. The final costs of the proposed works will not be available until the consultation is underway. Indicative costs, based on other similar projects, are in the region of £160,000 for Dalgety Bay Primary School and approximately £80,000 for Strathallan Primary School. These costs are to be funded from the Education Rolling Programme. These works are required to enable legislative standards to be adopted. The cost of transport to and from Cairneyhill or Pitreavie Primary Schools will reduce through time as pupils attend Dalgety Bay Primary School for this locality. With the addition of Strathallan Primary School, the transport costs to Valley Primary School should reduce in due course. Existing staffing from current provisions will be redeployed to support children and their families within the new provisions.

## Legal & Risk Implications

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The consideration and determination of this report is by the council acting as Education Authority.

## Impact Assessment

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An EIA (Equalities Impact Assessment) was not required in the preparation of this report. A full EIA will be carried out as part of the statutory consultation processes and will be included in any Consultation Reports submitted to a future meeting of the Cabinet Committee.

## Consultation

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Discussion has taken place with the Headteachers of Dalgety Bay Primary School and Strathallan Primary School. The Headteachers of both schools have been fully engaged with and consulted on the rationale for establishing an ASC provision in their schools.

The proposed consultation, in accordance with the Schools (Consultation) (Scotland) Act 2010, will take place between 7 January 2025 and 21 February 2025. Full details of the proposals are attached in Appendix A and Appendix B. The proposal documents including the details of the consultation process and the opportunities to make written representations, will be distributed and made available under the terms of the 2010 Act.

As part of the consultation process, and to satisfy the requirements of the United Nations Convention on the Rights of The Child (Incorporation) (Scotland) Act 2024 and the Schools (Consultation) (Scotland) Act 2010, the Education Directorate will carry out consultation with pupils.

## 1.0 Background

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- 1.1 Currently, in Fife, most children and young people who have additional support needs have these met within our local, mainstream schools. Some children with specific additional support needs access specialised provision which may or may not be part of their existing mainstream school. These specialised provisions are designed to meet the needs of children and young people who have additional support needs and allow tailoring of the curriculum, specialised resources and staff training/expertise within these specific provisions and within Fife.
- 1.2 Our vision for children and young people who experience additional support needs (ASNs) is to:
  - support them to have high quality educational experiences in their local early learning and childcare (ELC), primary school and secondary school settings, in line with the presumption of mainstream;
  - provide high quality educational experiences throughout our enhanced support provisions for learners who require individualised learning environments and more intensive support;
  - provide high quality support and professional learning for practitioners and leaders.
- 1.3 Our current provision across Fife is wide and varied to ensure we can meet the needs of all individual children.

1.4 Our current provision can be described as follows:

- Mainstream – Early, Primary and Secondary

Within mainstream, additional support may be provided to support individuals through targeted support or interventions from school-based staff including pupil support assistants, support for learning staff or outreach staff from Support for Learners Service and/or Pupil Support Service.

- ASC provision - Additional Support Classes

Additional Support Classes (enhanced support provision) exists to meet the pupils' identified additional support needs where these cannot reasonably be met within the mainstream provision alone. At times individual children are on a shared placement between Additional Support Class and their mainstream school.

- Special Schools

Offer specialist education for learners with complex additional support needs from 3 to 18 years.

1.5 In the primary sector there are currently eight ASC provisions (Additional Support Classes) across Fife. These are in Benarty, Buckhaven, Cairneyhill, Canongate, Castlehill, Pitreavie, Rimbleton and Valley Primary Schools.

1.6 In the secondary sector, all the 18 secondary schools provide a continuum of support: universal, additional and intensive support. This includes Support for Learning teachers and Pupil Support Assistants through to each school's Department of Additional Support (DAS).

1.7 There are currently five special schools in Fife offering specialist education within Calaiswood, Hyndhead, John Fergus, Kilmaron and Rosslyn Schools.

1.8 All places for pupils requiring access to an additional support class for nursery, special and primary stages are managed through an Area Management Group (AMG) process. There are three AMGs covering the geographical areas of Central Fife, North and East Fife and West Fife. The process involves regular discussion between professionals across sectors and services to determine the most appropriate educational placement for individual pupils.

1.9 The Education Directorate carried out a review of the number of ASC provisions at primary stage across Fife to ascertain:

- (a) the number of current pupils with additional support needs (ASN) who require enhanced support within an ASC provision in a primary school;
- (b) the adequacy of the current ASC provisions by locality; and
- (c) the projected number of pupils who could require this provision in the next 10 years.

1.10 Currently there are no children across Fife on a waiting list for a space in an ASC provision. However, a few children are transported to an ASC provision outwith their geographical area due to lack of space within their local provisions.

1.11 The census in September 2023 recorded 26,788 primary aged pupils and 22,377 secondary aged pupils in Fife.



- 1.12 The review considered the number of ASC provisions across Fife and the projected increase in enhanced places required across Fife, in accordance with pupils expected from new strategic development areas, and future school roll projections. The review also considered whether the existing eight ASC provisions were in the most appropriate geographical locations across Fife. Based on this review, it has been highlighted that there are insufficient places available in ASC provisions for the current and projected pupil roll in the Dunfermline and South and West Fife area and the Kirkcaldy area.
- 1.13 Reviewing the proposed new housing across Fife, the Dunfermline and West Fife area expects to see over 5000 new homes constructed and across Kirkcaldy, approximately 2750 new homes are expected, as a result of strategic development areas.
- 1.14 The current ASC provision in Dunfermline and West Fife is located within Pitreavie Primary School, with three classrooms assigned to support pupils and, within Cairneyhill Primary School, with two classrooms assigned to supporting pupils with additional support needs. Based on the pupil roll projections, a further ASC provision would allow more opportunities for pupils' needs to be met across this geographical area.
- 1.15 The proposed establishment of a new ASC provision in Dalgety Bay Primary School will enable local pupils from the Inverkeithing High School cluster to attend Dalgety Bay Primary School to access an ASC provision. This would not affect the allocation of resources to meet the needs of mainstream pupils.
- 1.16 The current ASC provision in Kirkcaldy is located within Valley Primary School, with three classrooms to support pupils across all of the Kirkcaldy cluster schools (Kirkcaldy, Balwearie and Viewforth High Schools). Based on the pupil roll projections, a further ASC provision would allow more opportunities for pupils' needs to be met across this geographical area.
- 1.17 The proposed establishment of a new ASC provision in Strathallan Primary School will enable pupils from the Balwearie High School cluster to attend Strathallan Primary School to access an ASC provision. This would not affect the allocation of resources to meet the needs of mainstream pupils.
- 1.18 These proposals to create new provisions will ensure that children requiring this level of additional support are being educated in the heart of their communities.

## **2.0 Consultation Documents**

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- 2.1 The Schools (Consultation) (Scotland) Act 2010, as amended, provides for the publication of a proposal paper that:
- Sets out the details of the relevant proposal
  - Proposes a date for the implementation of the proposal
  - Contains the educational benefits statement for the proposal
  - Refers to such evidence or other information in support of the proposal as the council considers appropriate.
- 2.2 The proposal papers are attached as Appendix A and Appendix B to this report. Each proposal document will form the basis of the statutory consultation. Copies of the proposal documents will be made available to all the relevant statutory consultees for each school establishment.

2.3 The statutory consultees are:

- The parent council of any affected school,
- The parents of the pupils at any affected school,
- The parents of any children expected by the Education Authority to attend any affected school within two years of the date of publication of the proposal paper,
- The pupils at any affected school (in so far as the Education Authority considers them to be of suitable age and maturity),
- The staff (teaching and other) of any affected school,
- Any trade unions which appear to the Education Authority to be representative of the staff (teaching and other) of any affected school,
- The community council (if any),
- The Community Planning Partnership,
- Any other Community Partnership the Education Authority considers relevant,
- Any other education authority the Education authority considers relevant,
- The users of any affected school that the Education authority considers relevant.

2.4 In accordance with the Schools (Consultation) (Scotland) Act 2010, these proposals are to establish a new stage of education in a school. As defined in 2010 Act, a special class in a school which is not itself a special school is “a stage of education”. Neither Dalgety Bay Primary School or Strathallan Primary School is a special school. The proposals, if approved, following consultation, would establish a new stage of education in each of the schools.

## **3.0 Proposed Consultation Process**

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- 3.1 The establishment of a new stage of education, being the creation of a special class within a mainstream school, triggers a formal consultation under the terms of the Schools (Consultation) (Scotland) Act 2010.
- 3.2 Therefore, it is proposed that a statutory consultation in relation to the establishment of a new ASC provision at each of Dalgety Bay Primary School and Strathallan Primary School is undertaken. See Appendix A (Appendix 1.1) and Appendix B (Appendix 1.1) for full details.
- 3.3 Public consultation, in accordance with the Schools Consultation (Scotland) Act 2010, must be held for a minimum of 30 school days.
- 3.4 Any statutory consultation on school organisational matters, such as the establishment of new schools, requires education authorities to hold a public meeting, in accordance with section 7 of the 2010 Act.
- 3.5 Regarding what is considered to be a public meeting, giving the term its ordinary meaning, a ‘public meeting’ is considered to require the meeting to be “made, done or held, etc. openly, for all to see, hear or participate in” and to involve “an assembly or gathering at a prearranged time.” Therefore, these are meetings that require a publicised date and time and to be open to all to participate in.

- 3.6 It is proposed that there will be one public meeting held in each of the schools, Dalgety Bay Primary School and Strathallan Primary School. At these meetings, a presentation will be given by officers outlining the proposal, the consultation process and providing an opportunity to ask questions. In addition, although not required within the Act, officers will hold a series of drop-in sessions in both schools, at various times, to allow as many as possible an opportunity to engage in the process. These sessions are provided, on an informal basis, by Fife Council officers.
- 3.7 Copies of the proposal documents will be available online and can be requested from the schools for those families who may not have access to online technology. Parents/carers and other statutory consultees will be notified in writing on 6 January 2025 of the Notice of Consultation and will be provided with relevant links to the proposal documents online or places where the document can be inspected. The consultation, if approved, will commence on 7 January 2025 and run until close of business on 21 February 2025.
- 3.8 Interested parties will be offered an opportunity to complete an online Consultation Response Form to the proposal, details of which can be accessed in Appendix A, at Appendix 1.6 of the proposal document (Dalgety Bay Primary School) and in Appendix B, at Appendix 1.6 of the proposal document (Strathallan Primary School). For those interested parties who are unable to access online technology, printed copies will be available in both schools, and at the addresses listed within page 2 of each of the proposal documents. Printed copies of the Consultation Response Form will also be available at the public meetings and drop-in sessions.
- 3.9 As outlined previously, to satisfy the requirements of the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024 and the Schools (Consultation) Scotland Act 2010, pupil consultation will be carried out during the consultation period.

## 4.0 Proposed Consultation Timeline

- 4.1 The proposed timeline is as follows for both the Dalgety Bay Primary School Consultation and the Strathallan Primary School Consultation:

Thursday 5 December 2024	Consultation proposal considered by Cabinet Committee
Monday 6 January 2025	Parents and other statutory consultees to receive letters informing them of the dates for the statutory consultation.
Tuesday 7 January 2025	Consultation live -Tuesday 7 January to Friday 21 February
Tuesday 7 January – Friday 21 February 2025	Consultation period (31 school days)
<b>Meetings</b>	<p><b>Public meeting</b> Thursday 23 January 2025 at 6-7 pm at Dalgety Bay Primary School</p> <p><b>Drop-in sessions</b> Thursday 23 January 2025 at Strathallan Primary School at 8.45-9.30 am, 2.45-3.30 pm and 5-6 pm before the public meeting</p> <p><b>Public meeting</b> Wednesday 29 January 2025 at 6-7 pm at Strathallan Primary School</p>

	<b>Drop-in sessions</b> Wednesday 29 January 2025 at Strathallan Primary School at 8.45-9.30 am, 2.45-3.30 pm and 5-6 pm before the public meeting
Friday 21 February 2025	Consultation close
Friday 28 February 2025	Fife Council to submit Consultation Report to Education Scotland
Monday 3 March – Friday 21 March 2025	Education Scotland (3 weeks to visit the schools, review the proposal document and responses and write their report)
Monday 24 March 2025	Report received back from Education Scotland
Friday 29 March 2025	Sign off report from Education Scotland
Monday 7 April – Friday 18 April 2025	School holidays
Tuesday 6 May 2025	Publish Consultation Report, in conjunction with Education Scotland (clear 3 weeks before committee is due to take decision)
Thursday 29 May 2025	Cabinet Committee to discuss Final Consultation Report and make decision.

## 5.0 Conclusion

- 5.1 This report provides the detailed proposal papers as defined in the Schedule to the Schools (Consultation) (Scotland) Act 2010 (paragraph 2) relating to the establishment of a new stage of education in a school. The new stage of education being an ASC provision at Dalgety Bay Primary School and Strathallan Primary School. These proposal papers meet the requirements of the Schools (Consultation) (Scotland) Act 2010.
- 5.2 The proposals outlined in Appendix A and Appendix B will provide a significant opportunity for the interested parties within the geographical areas of Kirkcaldy, Dunfermline and South and West Fife and Kirkcaldy to express their views on the proposed establishment of these new ASC provisions to support the associated primary schools within the clusters of Inverkeithing High School and Balwearie High School.

### List of Appendices

Appendix A – Consultation Proposal relating to the proposed establishment of a new ASC provision at Dalgety Bay Primary School, Dalgety Bay

Appendix B - Consultation Proposal relating to the proposed establishment of a new ASC provision at Strathallan Primary School, Kirkcaldy

### Background Papers

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

[Schools \(Consultation\) \(Scotland\) Act 2010](#)

Schools (Consultation) (Scotland) Act 2010 Guidance (Scottish Government)  
<https://www2.gov.scot/Resource/0047/00477028.pdf>

## Report Contacts

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### FIFE COUNCIL EDUCATION DIRECTORATE

#### ***PROPOSAL TO ESTABLISH A NEW STAGE OF EDUCATION IN A SCHOOL – NEW ADDITIONAL SUPPORT CLASS (ASC) PROVISION WITHIN DALGETY BAY PRIMARY SCHOOL, DALGETY BAY***

#### **THE CONSULTATION PROCESS –**

The following schools are affected by this Proposal Document:

- Dalgety Bay Primary School

This document has been issued by Fife Council as a proposal paper in terms of the Schools (Consultation) (Scotland) Act 2010.

#### **DISTRIBUTION**

A copy of this document is available on the Fife Council website:

<http://www.fife.gov.uk/DalgetyBayASCestablishment>

A link to this document, published on the website, will be provided to:

- The Parent Council of any affected school
- The parents of the pupils at any affected school
- The parents of any children expected to attend the affected school within 2 years of the date of publication of the proposal paper.
- The pupils at any affected school (in so far as the education authority considers them to be of suitable age and maturity)
- The staff (teaching and other) at any affected school.
- Trade union representatives of the above staff (teaching and other) at any affected school.
- The Community Councils for the affected areas, being: Dalgety Bay and Hillend
- The Community Planning Partnership for the relevant area
- Any other Community Planning Partnership that the local authority considers relevant
- Any other education authority that the education authority considers relevant
- Any other users of any affected school that the education authority considers relevant
- Elected members for the area (Wards 6 – Inverkeithing & Dalgety Bay)
- MSPs for the area (Annabelle Ewing, Claire Baker, Murdo Fraser, Roz McCall, Alex Rowley, Mark Ruskell, Liz Smith and Alexander Stewart).
- The Constituency MP - Melanie Ward

A copy of this document is also available for inspection at and collection from:

- Main Reception, Fife Council, Fife House, North Street, Glenrothes, KY7 5LT
- The schools affected by the proposal (between 9am and 3pm)
  - Dalgety Bay Primary School, St Bridget's Brae, Dalgety Bay, KY11 9LT
- Online at <http://www.fife.gov.uk/DalgetyBayASCestablishment>
- or via email to [sustainablechoolestate.enquiries@fife.gov.uk](mailto:sustainablechoolestate.enquiries@fife.gov.uk).

This document can be made available, on request, free of charge, in alternative formats, or in translated form for readers whose first language is not English. Please apply in writing to: Education & Children's Services Directorate, 4<sup>th</sup> Floor, Fife House, North Street, Glenrothes KY7 5LT or by email to: [kim.lawson@fife.gov.uk](mailto:kim.lawson@fife.gov.uk) (telephone 03451 555555 ext. 444331). Page 18 of this document provides additional contact numbers, in different languages.

## **SUMMARY OF PROCESS FOR THIS PROPOSAL DOCUMENT**

### **1. Consideration by the Cabinet Committee**

This Proposal Document has been issued as a result of a decision by the Cabinet Committee of Fife Council on 5 December 2024. Views are now sought in formal consultation on the proposal in this document.

### **2. Notice of Consultation and Publication of the Proposal Document**

Statutory consultees will be given notice of the proposal. The proposal document will be published on the council website ([www.fife.gov.uk](http://www.fife.gov.uk)). Copies will be available for inspection at and available from:

- Main Reception, Fife Council, Fife House, North Street, Glenrothes, KY7 5LT
- The schools affected by the proposal (between the hours of 9 am and 3 pm)
  - Dalgety Bay Primary School, St Bridget's Brae, Dalgety Bay, KY11 9LT
- Online at <http://www.fife.gov.uk/DalgetyBayASCestablishment>
- or email [sustainableschoolestate.enquiries@fife.gov.uk](mailto:sustainableschoolestate.enquiries@fife.gov.uk).

### **3. Advertisement of the Proposal**

The proposal will be advertised through Fife Council's social media accounts e.g. Facebook and Twitter. An advertisement will also be placed in local newspapers, week commencing Monday 6 January 2025. The schools impacted by the proposal will also publicise the consultation process in newsletters, school bag mail and email.

### **4. Length of Consultation period**

The consultation will commence on Tuesday 7 January 2025 and will, thereafter, run until close of business on Friday 21 February 2025. This meets the statutory requirement for a minimum period of 6 weeks, that runs continuously and includes 30 school days.

### **5. Public meetings**

The Education Authority are required in accordance with the Schools (Consultation) (Scotland) Act 2010 to hold one public meeting. This will be held at Dalgety Bay Primary School on Thursday 23 January 2025 from 6.00-7.00 pm

where there will be opportunities to:

- hear more about the proposal
- ask questions about the proposal
- have your views recorded so that they can be considered as part of the consultation process.

Informal drop-in sessions have been arranged at:

Dalgety Bay Primary School on Thursday 23 January 2025 from 8.45-9.30 am, 2.45-3.30 pm and 5-6 pm

At the informal drop-in sessions, there will be opportunities for parents/carers/ pupils and other stakeholders to:

- hear more about the proposal
- ask questions about the proposal
- complete a Consultation Response Form.

## 6. Responding to the Proposal

Interested parties can also respond to this proposal document by making a written representation (by letter, email, or completion of a Consultation Response form) on the proposal, before close of business Friday 21 February 2025, to any of the following:

- [sustainableschoolestate.enquiries@fife.gov.uk](mailto:sustainableschoolestate.enquiries@fife.gov.uk)
- Proposal to establish New ASC Provision within Dalgety Bay Primary School, Education Directorate, Fife Council, 4<sup>th</sup> Floor (West), Fife House, North Street, Glenrothes, KY7 5LT
- via submission of a completed online Consultation Response Form at (Managing our School Estate / Fife Council) <https://forms.office.com/e/z5awFcdNLe>

## 7. Involvement of Education Scotland HM Inspectors

A copy of the proposal paper will be sent to Education Scotland, by Fife Council. Education Scotland will also receive a copy of any relevant written representations that are received by the Council from any person during the consultation period or, if Education Scotland agrees, a summary of them. Education Scotland will further receive a summary of any oral representation made to the Council at the public meetings and, as available (and so far as otherwise practicable), a copy of any other relevant documentation. Education Scotland will then prepare and submit a report on the educational aspects of the proposal within a 3-week period (unless the Council and Education Scotland agree a longer period) after the Council has sent them all representations and documents mentioned above. However, for the avoidance of doubt, the 3-week period will not start until after the consultation period ends. Education Scotland may make such reasonable enquiries of such people at the school (e.g. Headteacher, staff, pupils) as they consider appropriate and may make such reasonable enquiries of such other people as they consider appropriate.

## 8. Preparation of Consultation Report

The Council will review the proposal having regard (in particular) to the Education Scotland Report and written representations that it has received. In addition, oral representations made at the public meetings/information sessions will form part of that review. It will then prepare a Consultation Report. The report will include a record of the total number of written representations made during the consultation period, a summary of the written representations and a summary of the oral representations made at the public meeting, as well as a copy of the Education Scotland Report and any other relevant information, including details of any alleged inaccuracies and how these have been handled. The report will also contain a statement explaining how it complied with the requirement to review the proposal in light of the Education Scotland Report and representations (both written and oral) that it received. The Consultation Report will be published and available for further consideration for a period of 3 weeks before a decision can be made on the proposal. The report will be published, made



available for inspection and where reasonably required, made available without charge in other forms. The publication of the report will be advertised and any person who made written representations during the consultation period will be advised of its publication.

#### 9. Decision

The Consultation Report, together with any other relevant documentation, will be considered by the Cabinet Committee, which will come to a decision whether to implement the proposal, in whole or in part, or not. The decision of the Cabinet Committee will be subject to the Council's internal governance procedures before it becomes final. The proposal on which Fife Council is deciding is not a proposal which is subject to call in by the Scottish Government and is not subject to review by the School Closures Review Panel.

#### 10. Note on Corrections

If during the consultation period any inaccuracy or omission is discovered in this proposal document, either by the Council or by notification from any other person, the Council will determine whether relevant information has in its opinion been omitted, or whether there is in fact an inaccuracy, and whether the omission or inaccuracy relates to a material consideration relevant to the education authority's decision as to the implementation of the proposal. It will then take appropriate action in respect of the inaccuracy or omission which may include deciding to take no further action, issuing a notice in respect of the inaccuracy or omission, extending the consultation period or publishing a correct proposal document and giving revised notice of the consultation. Where applicable, the notifier of the inaccuracy or omissions will be advised of the determination, the reasons for that determination and the action (if any) it is taking and of the reasons why it is or is not taking such action and the notifier will be invited to make representations to the Council if they disagree with the determination or decision whether to take action. Where the notifier makes representations, the education authority can make a fresh determination and decision in respect of the inaccuracy or omission and must inform the notifier if it does so.

**Fife Council**

**Education Directorate**

**THE CONSULTATION PROPOSAL**

**PROPOSAL TO ESTABLISH A NEW STAGE OF EDUCATION IN A  
SCHOOL – NEW ADDITIONAL SUPPORT CLASS (ASC)  
PROVISION WITHIN DALGETY BAY PRIMARY SCHOOL,  
DALGETY BAY**

## **Format of the Proposal Document**

- 1 Introduction and Background Information
  - 2 The Proposal
  - 3 Rationale for the Proposal - The Case for Establishing a New ASC Provision within Dalgety Bay Primary School
  - 4 Educational Benefits Statement
  - 5 Transport Arrangements
  - 6 Transitional Arrangements
  - 7 Financial Implications
  - 8 Community Impact
  - 9 Implications for Staff
  - 10 Equal Opportunities
  - 11 Proposed Date of Implementation
  - 12 Statutory Consultation Process - Proposed Timeline
- 
- Appendix 1.1 Proposed Location of new ASN Provision in Dalgety Bay Primary School
  - Appendix 1.2 Existing Primary Catchment areas that Pitreavie and Cairneyhill ASC supports
  - Appendix 1.3 Inverkeithing High School Associated Primary Schools
  - Appendix 1.4 Proposed Areas that the new Provision will accommodate
  - Appendix 1.5 Glossary of Terms
  - Appendix 1.6 Consultation Response Form

## 1 Introduction and Background Information

- 1.1 This consultation paper sets out the rationale and implications in respect of the proposal to establish a new Additional Support Class provision (ASC) within Dalgety Bay Primary School. For the purpose of the proposal the new provision is also described as an enhanced provision.
- 1.2 This paper also sets out the consultation process, the timescale and the ways in which parents/carers and stakeholders can make representations on the proposal.
- 1.3 This proposal does not impact on the facilities available or the resources available to deliver mainstream education within Dalgety Bay Primary School. The proposal does not affect the level of additional support provided to mainstream pupils in Dalgety Bay Primary School or on the delivery of mainstream education within Dalgety Bay Primary School. There is no impact on the enrolment arrangements for mainstream pupils to Dalgety Bay Primary School.
- 1.4 There are no changes proposed to the catchment area of Dalgety Bay Primary School included within this proposal.
- 1.5 There are also no proposed changes to the existing catchment areas for both non-denominational or denominational primary and secondary school catchment areas affected by this proposal.
- 1.6 In Fife, the education authority discharges its duty to secure adequate and efficient education for the local authority area by operating a “catchment” system to enable parents/carers to comply with their duty to provide efficient education for their child(ren). Postcodes for each address in Fife are associated to a denominational (Roman Catholic) and non-denominational primary and secondary schools, known as catchment schools. Parents can check their catchment area at [Check school catchment areas | Fife Council](#). School enrolment for mainstream places is managed in Fife through the Schools Admission Policy which can be found at [Schools-Admission-Policy-April-2018.docx \(live.com\)](#).
- 1.7 Currently in Fife most children and young people who have additional support needs have these met within our local, mainstream schools. Some children with specific additional support needs access specialised provision which may or may not be part of their existing mainstream school. These provisions are designed to meet the needs of children and young people who have additional support needs and allow tailoring of the curriculum, specialised resources and staff training/expertise within these specific provisions and within Fife.
- 1.8 Our vision for children and young people who experience additional support needs (ASNs) is to:
- Support them to have high quality educational experiences in their local early learning and childcare (ELC), primary school and secondary school settings, in line with the presumption of mainstream;

- Provide high quality educational experiences throughout our enhanced support provisions for learners who require individualised learning environments and more intensive support;
  - Provide high quality support and professional learning for practitioners and leaders.
- 1.9 Our current provision across Fife is wide and varied to ensure we can meet the needs of all individual children.
- 1.10 Our current provision can be described as follows:
- Mainstream – Early, Primary and Secondary
- Within mainstream, additional support may be provided to support individuals through targeted support or interventions from school based staff including pupil support assistants, support for learning staff or outreach staff from Support for Learners Service and/or Pupil Support Service.
- Enhanced Provision - Additional Support Classes
- Additional Support Classes (enhanced support provision) exist at primary stage to meet the pupils' identified additional support needs where these cannot reasonably be met within the mainstream provision alone. At times individual children are on a shared placement between Additional Support Class and their mainstream school.
- Special Schools
- Offers specialist education for learners with complex additional support needs from 3 to 18 years.
- 1.11 In the primary sector there are currently 8 enhanced provisions (Additional Support Classes) across Fife in Benarty, Buckhaven, Cairneyhill, Canongate, Castlehill, Pitreavie, Rimbleton and Valley Primary Schools.
- 1.12 In the secondary sector, all of the 18 secondary schools provide a continuum of support: universal, additional and intensive support. This includes Support for Learning teachers and Pupil Support Assistants through to the school's Department of Additional Support (DAS).
- 1.13 The admissions arrangements for a pupil requiring access to an enhanced support provision, for nursery, special and primary stages, is managed through an Area Management Group (AMG) process. There are 3 AMGs which meet a number of times a year covering the geographical areas of Central Fife, North & East Fife and West Fife. Professionals from across sectors and services discuss the most appropriate educational placement for individual pupils regularly throughout the school session.
- 1.14 Currently there are no children across Fife on a waiting list for a space for an enhanced provision.

- 1.15 The census in September 2023 recorded 26788 primary aged pupils and 22377 number of secondary aged pupils.
- 1.16 The current ASC provision in Dunfermline and West Fife is located within Pitreavie Primary School with 3 classes assigned to support pupils, and within Cairneyhill Primary School with 2 classes assigned to supporting pupils with additional support needs. Based on the pupil roll projections, a further ASC provision would allow more opportunities for pupil's needs to be met across this geographical area.
- 1.17 The proposed establishment of a new ASC provision in Dalgety Bay Primary School, will enable local pupils from the Inverkeithing High School cluster to attend Dalgety Bay Primary School to access an enhanced support provision. This would not affect the allocation of resources to meet the needs of mainstream pupils.
- 1.18 The proposal to create a new ASC provision will ensure that children requiring this enhanced support provision are being educated in the heart of their communities.
- 1.19 Dalgety Bay Primary School is part of the Inverkeithing High School cluster.

## **2.0 The Proposal**

- 2.1 This proposal is to establish a new ASC provision consisting of 2 classes in Dalgety Bay Primary School (see Appendices 1.1) from Monday 18 August 2025.
- 2.2 In line with the vision outlined in Building Fife's Future: School Estate Strategy (28 August 2018) and supported by the Scottish Government's Learning Estate Strategy: Connecting People, Places and Learning (2019), the proposed new ASC provision within Dalgety Bay Primary School will provide enhanced facilities in modern, and flexible learning spaces to allow pupil to experience a wide-ranging curriculum offer, appropriate to their needs.
- 2.3 Financial investment will be required within Dalgety Bay Primary School to establish this new ASC provision. The planned occupation date is from Monday 18 August 2025.
- 2.4 The proposed maximum capacity of this provision within Dalgety Bay Primary School will be 20 full-time spaces for children.
- 2.5 Appendix 1.1 shows the proposed location within Dalgety Bay Primary School for the new enhanced provision. Appendix 1.2 shows a map of the existing enhanced provisions at Cairneyhill Primary School and Pitreavie Primary School and the primary catchment areas they support. Appendix 1.3 identifies the primary school catchment areas associated with Inverkeithing High School. Appendix 1.4 shows a map of the primary school catchment areas that the proposed new enhanced provision in Dalgety Bay Primary School would support. Appendix 1.5 is a glossary of terms detailing additional information. Appendix 1.6 is the Consultation Response Form, which can be accessed online here (<http://www.fife.gov.uk/DalgetyBayASCestablishment>)

from Tuesday 7 January 2025 and will, thereafter, run until close of business on Friday 21 February 2025.

### **3.0 Rationale for the Proposal - The Case for the Establishment of a New Provision**

- 3.1 The main driver for the establishment of a new ASC provision to serve the South West of Fife, is based on the current and projected number of pupils requiring this enhanced support provision across this area.
- 3.2 The Education Directorate carried out a review of the number of ASC provisions across Fife to ascertain:
- (a) the number of current pupils with additional support needs (ASN) across Fife requiring enhanced support within an additional support class (ASC) provision
  - (b) the locality of the current ASC provisions, and,
  - (c) the projected number of pupils who could require this provision in the next 10 years.
- 3.3 The review took into account the number of ASC provisions across Fife and the projected increase in enhanced places required across Fife, in accordance with pupils expected from new strategic development areas and future school roll projections. The review also considered whether the existing 8 ASC provisions were located in the most appropriate geographical locations across Fife. Based on this review, it has been highlighted that there are insufficient places available in enhanced provisions having regard to the pupil roll in the Dunfermline and South West Fife Area, and in the Kirkcaldy area.
- 3.4 Reviewing the proposed new housing across Fife, the Dunfermline and West Fife locality expects to see over 5000 new homes constructed in due course as a result of strategic development areas.
- 3.5 The establishment of this new ASC provision within Dalgety Bay Primary School will allow children to attend an enhanced provision within their locality and reduce the need for transportation across the West of Fife.
- 3.6 Dalgety Bay Primary School was opened in 1969. The building is on 2 levels with 2 blocks comprising primary classrooms and separate nursery accommodation to the east of the school. In addition, there is an Out of School club within the school which offers childcare for parents/carers in the morning and after school.
- 3.7 The school benefits from an internal quad area to allow a number of pupils to play in a smaller enclosed area, as well as extensive grounds for pupils to enhance their outdoor learning opportunities. It is proposed that access to the quad area is also given to the pupils who would be attending the ASC provision at points throughout the day. As the space is of sufficient size, this will not impact on existing mainstream pupils requiring this quiet space.

- 3.8 As outlined previously, the classrooms accommodating pupils in the proposed enhanced provision would not be included in the capacity calculation. If the proposal is approved the maximum capacity of the school would change from 434 pupils (14 classes) to 342 pupils (12 classes).
- 3.9 The projected school roll of Dalgety Bay Primary School indicates that no more than 10 classes are required long term. The reduction in capacity for mainstream classes to create this provision will not impact on the number of multi-purpose areas within the school. Mainstream pupils will still have access to the dining/gym hall and there are sufficient multi-purpose areas across the school for all existing and new users.
- 3.10 A separate external entrance to the ASC provision will ensure the dignity of each individual and their cloakroom area will be quiet and only for their use, allowing for a quiet transition into the classrooms. As the grounds are very expansive, there is an opportunity for access to the wider school playground, allowing for easy integration with the whole pupil group as appropriate.
- 3.11 The proposed accommodation allows flexibility for pupils to retreat to a small sensory space, life skills area and will be further enhanced with dedicated outdoor learning provision to ensure learning can be creative both indoors and outdoors. The building will be able to deliver the curriculum to ensure the best possible educational experiences and outcomes for our children. The enclosed quad area within the school is already used for a number of pupils, and this developed area will support outdoor learning opportunities. The available classrooms to support this provision can be separated from the other areas of the school. This allows a more supportive learning facility for our learners to enable a more secure and peaceful environment. Access to the wider school environment will be planned for and responsive to the needs of the individual pupils, and staff will be able to support pupils to achieve this in a safe and structured way.
- 3.12 Well planned and designed accommodation will ensure the varying needs of all children can be supported throughout the new provision. As well as generous classroom spaces designed to assist the delivery of different curricular areas, access to outdoors will allow the pupils to enhance their learning experience. The proposed accommodation allows flexibility for pupils to retreat to a small sensory space, life skills area and will be further enhanced with dedicated outdoor leaning provision to ensure learning can be creative both indoors and outdoors. The building will be able to deliver the curriculum to ensure the best possible educational experiences and outcomes for our children.
- 3.13 The creation of the proposed ASC provision will complement the existing nursery and mainstream stream provision within Dalgety Bay Primary School. The transition for any pupil requiring this enhanced provision will be well planned and agreed within the team around the child.
- 3.14 **School Roll Information – Dalgety Bay Primary School**
- 3.14.1 The maximum capacity of the school, as reported within the Core Facts return to the Scottish Government in May 2024, was 434 pupils (14 classes). The



school roll recorded for Census 2023 was 271 pupils (62% occupied), the pupils within 10 mainstream classes. For session 2024/25, the school are operating with 10 classes, a total roll of 247 pupils, 57% occupied.

3.14.2 School roll projections are reviewed on an annual basis and consider any proposed development from the Local Development Plan ([Local development plan \(FIFEplan\) | Fife Council](#)) or any brownfield opportunity sites that may come forward.

3.14.3 As outlined below, school roll projections for the next 10 years are as follows:

	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034
Roll	247	236	207	185	168	155	152	152	145	145	147
Classes	10	9	8	8	7	7	7	7	6	6	6

3.14.4 The above school roll projections for Dalgety Bay Primary School take into account the births in the catchment area, the primary one enrolment trends and any new pupils expected from the housing developments in the Dalgety Bay Primary School catchment area.

3.14.5 The projected school roll for mainstream pupils attending Dalgety Bay Primary School confirm that it is anticipated that the school roll is unlikely to increase above 10 classes in the future.

### 3.15 **Building Condition and Suitability Ratings**

3.15.1 The Education Directorate’s ambition is that every school in Fife should be rated as ‘A’ or ‘B’ for both condition and suitability, to include a number of accessible schools in each geographical area.

3.15.2 The Scottish Government Core Facts return requires local authorities to provide a condition and suitability return each year. Condition ratings are scored ‘A’ to ‘D’ with A being the highest rating – Good - performing well and operating efficiently and D being lowest rating – Bad - Life expired and/or serious risk of imminent failure.

3.15.3 The latest return in May 2024 reported the current condition rating for Dalgety Bay Primary School is rated as “B”, which is classed as satisfactory.

3.15.4 Suitability ratings are scored ‘A’ to ‘D’ with ‘A’ being the highest rating - Good – performing well and operating efficiently (the school buildings support the delivery of services to children and communities) and ‘D’ being the lowest rating - Bad – does not support the delivery of services to children and communities (the school buildings seriously impede the delivery of activities that are needed for children and communities in the school).

3.15.5 The latest return in May 2024 reported the current suitability rating is “B”, satisfactory.

### 3.16 **Accessibility Rating**

3.16.1 Accessibility ratings are scored ‘A’ to ‘D’ with ‘A’ being the highest rating (as the building is fully accessible) and ‘D’ being the lowest rating (as the building is

inaccessible and unable to be reasonably adapted to be made accessible).

- 3.16.2 The accessibility rating for Dalgety Bay Primary School is “B”. Adaptions will be required to provide access to one of the proposed classrooms for the ASN provision.

#### **4 Educational Benefits Statement**

- 4.1 The Schools (Consultation) (Scotland) Act 2010 provides that where an education authority has formulated a relevant proposal in relation to any school, it must comply with the requirements of the Act before proceeding with the proposal. The education authority must prepare an educational benefits statement which includes:

- (a) the authority’s assessment of the likely effects of a relevant proposal (if implemented) on:
  - (i) the pupils of any affected school,
  - (ii) any other users of the school’s facilities,
  - (iii) any children who would (in the future but for implementation) be likely to become pupils of the school,
  - (iv) the pupils of any other schools in the authority’s area,
- (b) the authority’s assessment of any other likely effects of the proposal (if implemented),
- (c) an explanation of how the authority intends to minimise or avoid any adverse effects that may arise from the proposal (if implemented),
- (d) a description of the benefits which the authority believes will result from implementation of the proposal (with reference to the persons whom it believes will derive them).

#### **4.2 The authority’s assessment of the likely effects of this proposal (if implemented) on:**

##### **4.2.1 (i) The pupils of any affected school**

##### **4.2.1.1 Educational Benefits for the pupils of Dalgety Bay Primary School**

- 4.2.1.2 The mainstream provision and allocation of resources will not be affected by the establishment of this enhanced provision. Mainstream pupils will still have access to targeted interventions, pupil support assistants and Support for Learning Teacher to ensure their needs are met effectively.

- 4.2.1.3 Children within the locality who do require access to an ASC provision can attend a provision within the heart of their own community. This would include children who currently have a shared placement between mainstream school and an enhanced provision.

- 4.2.1.4 The creation of an ASC provision within Dalgety Bay Primary School supports the understanding of inclusive education. It will provide opportunities for children and the community to appreciate diversity and to recognise and value the strength and potential in everyone. This mutual understanding creates a culture of acceptance and reduces the stigma often associated with learning

disabilities.

4.2.1.5 Interacting with peers of diverse abilities encourages meaningful friendships, team building and co-operation. By embracing inclusion, schools create an atmosphere which celebrates differences and encourages mutual respect between pupils.

4.2.1.6 Indoor and outdoor learning spaces will be designed to be used flexibly and creatively across the whole school to support the wellbeing of all learners.

4.2.1.7 The needs of children requiring access to an ASC provision for all or part of their learning, will be accommodated in well considered accessible facilities that will support them from their arrival on site, throughout the day, in formal learning and in informal social times.

4.2.1.8 Creative and inviting learning spaces will support additional opportunities for children to learn collaboratively in all curricular areas, taking account of the skills they require for learning, life and work. Opportunities for integration into the wider school community will be promoted and offered where appropriate, ensuring the children feel part of the Dalgety Bay Primary School community.

#### **4.2.2 (ii) Any other users of the school's facilities**

##### **4.2.2.1 Educational Benefits for any other users of the schools' facilities**

4.2.2.2 The enhanced provision will be an additional resource with indoor and outdoor spaces which could be of a benefit to other school users within Dalgety Bay Community such as the out of school provision.

4.2.2.3 An inclusive physical environment with accessible entrance and accessible toilet and changing area will form part of the provisions which could support other school events.

#### **4.2.3 (iii) Any children who would (in the future but for implementation) be likely to become pupils of the school**

##### **4.2.3.1 Educational Benefits for children who would likely to become pupils of the school**

4.2.3.2 Children within the Inverkeithing High School cluster will be able to access an enhanced provision within the geographical area. This will support transitions to secondary school as part of the continuum of support.

#### **4.2.4 (iv) the pupils of any other schools in the authority's area**

##### **4.2.4.1 Educational Benefits for the pupils of the Other Affected Schools**

4.2.4.2 Current pupils within an ASC provision either attend full time or have a shared placement with their local primary school. There will be no impact on the pupils who currently attend their catchment school for part of the week and attend either Pitreavie or Cairneyhill for their placement. These placements will continue until transition to high school. However, if the team around the

child agree that a change of placement to the new provision would be of benefit, then transition would be well planned to meet the needs of the child.

4.2.4.3 This enhanced provision will allow pupils from the Inverkeithing High School cluster to be located in closer proximity to their mainstream catchment school. These pupils will be able to transition to secondary school with their peers.

#### 4.2.5 **Educational Benefits for pupils of any other schools in the authority area**

4.2.5.1 There will be clear locality boundaries for enhanced provisions that are equitable and associated with existing secondary school catchment areas.

#### 4.3 **The authority's assessment of any other likely effects of the proposal (if implemented)**

4.3.1 At present, all pupils are transported to and from their home or mainstream catchment school to enhanced provisions at Pitreavie Primary School or Cairneyhill Primary School. With the establishment of enhanced provision within a local area, there should be a reduction in the need for transport for individual children.

#### 4.4 **How the Authority intends to minimise or avoid any adverse effect that may arise from the proposal (if implemented)**

4.4.1 Prior to any move to a new provision, the transition of pupils from one school to another would be well planned by the team around the child. This would be reviewed as part of the planning for individual children.

#### 4.5 **Benefits which the authority believes will result from implementation of the proposal (with reference to the persons whom it believes will derive them)**

4.5.1 Children with additional support needs from the Inverkeithing locality can access an enhanced provision within the geographical area and this will allow them to transition to their catchment secondary school with their peers.

4.5.2 The proposal will provide opportunities for children and the community to appreciate diversity and to recognise and value the strength and potential in everyone. This mutual understanding creates a culture of acceptance and reduces the stigma often associated with learning disabilities.

4.5.3 In time, there will be a reduction in transport being required for a number of pupils accessing this provision.

4.5.4 This proposal can be implemented within Dalgety Bay Primary School with no impact on mainstream provision or pupils.

### 5 **Transport Arrangements**

5.1 Where identified by the team around the child, transport can be provided for children to the enhanced provision and their mainstream primary school. Any

transport arrangements will be regularly reviewed with this team.

## **6 Transitional Arrangements**

- 6.1 All transitions will be well planned to ensure positive experiences for all children. Individual pupil plans will allow for an enhanced transition to the relocated enhanced provision within Dalgety Bay Primary School before August 2025.

## **7 Financial Implications**

- 7.1 There will be capital costs associated with the proposed establishment of a new ASC provision within Dalgety Bay Primary School.

## **8 Community Impact**

- 8.1 There is likely to be no significant impact on the local communities associated within the creation of a new enhanced provision in Dalgety Bay Primary School.

## **9 Implications for staff**

- 9.1 If the proposal is approved, the provision will be staffed accordingly with both teachers and support staff for the number of pupils that are expected for August 2025 by the local authority. There will be no impact on mainstream staffing numbers as a result of the proposed new provision.
- 9.2 This consultation is open to all staff and Trade Unions representatives to provide their feedback to the proposal itself.

## **10 Equal Opportunities**

- 10.1 An Equality Impact Assessment (EIA) is a statutory requirement of the Council to assess the policies and practices necessary to meet the requirements of antidiscrimination and equalities legislation. It also affords an opportunity for the Council to consider the impact on the Education Service. In addition, an EIA can provide more information to develop and deliver services that meet the needs, in this case, of children and parents.
- 10.2 The aim of an EIA is to examine policies and practice in a structured way, to make sure that adverse effects on equality target groups are avoided. It is also a tool to enable the Council to assess what positive steps it can take to promote equality of opportunity and measure the results of the actions that have been taken.
- 10.3 As part of the consultation process the Council will consult with a range of stakeholders, including staff, parents/carers and children, and will address comments about equality during this consultation. The Impact Assessment will be included in the Final Consultation Report, expected in May 2025.
- 10.4 Under the Equality Act 2010 education providers must not treat disabled pupils less favourably and should take reasonable steps to avoid putting disabled

pupils at a substantial disadvantage.

- 10.5 Careful transition planning will ensure positive transition to the proposed new provision. Individual pupil plans will allow for an enhanced transition.
- 10.6 As outlined previously, the proposal seeks to provide 2 teaching areas and associated accommodation and will be accessible to ensure that all building users are able to move around the building with ease. This will have a positive impact on any pupil with accessibility issues.

## 11 Proposed Date for Implementation

- 11.1 If this proposal is approved, the Education Service plans for the implementation of the new provision for academic session August 2025.

## 12 Statutory Consultation Process – Proposed Timeline

Thursday 5 December 2024	Consultation proposal considered by Cabinet Committee
Monday 6 January 2025	Parents and other statutory consultees to receive letters informing them of the dates for the statutory consultation.
Tuesday 7 January 2025	Consultation live Tuesday 7 January to Friday 21 February
Tuesday 7 January – Friday 21 February 2025	Consultation period (31 school days)
Meetings	<b>Public meeting</b> Thursday 23 January 2025 at 6-7 pm at Dalgety Bay Primary School  <b>Drop-in sessions</b> Thursday 23 January 2025 at Dalgety Bay Primary School at 8.45-9.30 am, 2.45-3.30 pm and 5-6 pm before the public meeting
Friday 21 February 2025	Consultation close
Friday 28 February 2025	Fife Council to submit Consultation Report to Education Scotland
Monday 3 March – Friday 21 March 2025	Education Scotland (3 weeks to visit the school, review the proposal document and responses and write their report)
Monday 24 March 2025	Report received back from Education Scotland
Monday 7 April – Friday 18 April 2025	Sign off report from Education Scotland
Tuesday 6 May 2025	Publish Consultation Report, in conjunction with Education Scotland (clear 3 weeks before committee is due to take decision)
Thursday 29 May 2025	Cabinet Committee to discuss Final Consultation Report and make decision.

The information included in this document can be made available in large print, braille, audio CD/tape and British Sign Language interpretation on request by calling 03451 55 55 00

Calls cost between 3p to 7p per minute from a UK landline, mobile rates may vary.

BT Text phone number for Deaf people 18001 01383 441177

## LANGUAGE LINES

এ নথিতে যেসব তথ্য আছে তা 03451555599 এ নাম্বারে ফোন করে অনুরোধ করলে বড় ছাপা, ব্রেইল, ওডিও সিডি/ট্যেইপ ও ব্রিটিশ সাইন ল্যাংগুয়েজ ইত্যাদি মাধ্যমে পাওয়া যাবে।

কলের জন্য ইউকে ল্যান্ডলাইন থেকে খরচ হবে প্রতি মিনিটে ৩পি থেকে ৭পি, মোবাইলের খরচ ভিন্ন হতে পারে।

عند الطلب، يمكن توفير المعلومات الواردة في هذا المستند في صورة مستندات مطبوعة بأحرف كبيرة ومستندات بطريقة برايل وعلى أشرطة/أقراص مضغوطة صوتية مع الترجمة بلغة الإشارة البريطانية من خلال الاتصال بالرقم 03451 55 55 77  
تتراوح تكلفة المكالمات بين 3 إلى 7 بنسات في الدقيقة من أي خط أرضي في المملكة المتحدة، وقد تختلف أسعار المكالمات بالهاتف المحمول.

如果你需要以大字體印刷、盲人點字、光碟/錄音帶格式或英國手語傳譯說明這份文件的內容，請致電 03451 55 55 88 提出要求。

用英國電訊固定座機撥打上述電話號碼收費每分鐘 3 至 7 便士，以手機撥打收費各異。

Informacje zawarte w tym dokumencie mogą zostać udostępnione w wersji drukowanej dużą czcionką, w alfabecie Braille'a, w wersji dźwiękowej na płycie CD/taśmie lub w tłumaczeniu na brytyjski język migowy – prosimy o kontakt pod numerem 03451 55 55 44.

Koszt połączenia wynosi 3-7p za minutę z brytyjskich telefonów stacjonarnych, koszty połączeń z telefonów komórkowych mogą być różne.

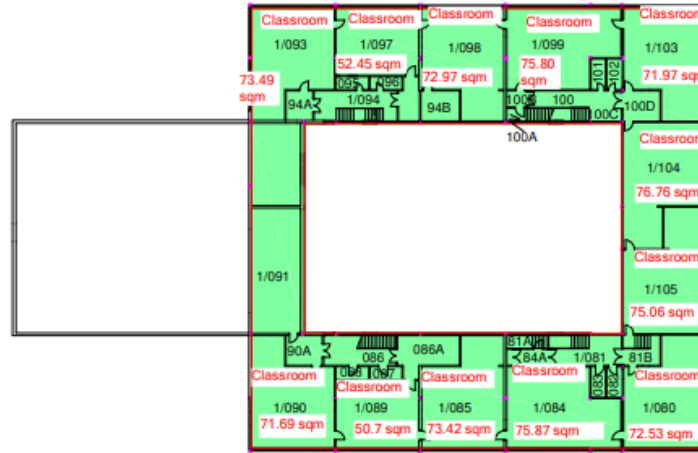
ਇਸ ਦਸਤਾਵੇਜ਼ ਵਿਚਲੀ ਜਾਣਕਾਰੀ ਟੈਲੀਫੋਨ ਨੰਬਰ 03451 55 55 66 ਰਾਹੀਂ ਮੰਗ ਕਰਨ ਉੱਤੇ ਵੱਡੇ ਅੱਖਰਾਂ, ਬ੍ਰੇਅਲ, ਆਡੀਓ ਸੀ.ਡੀ./ਟੇਪ ਅਤੇ ਬ੍ਰਿਟਿਸ਼ ਸਾਈਨ ਲੈਂਗੂਏਜ ਦੇ ਅਨੁਵਾਦ ਵਿਚ ਮੁਹੱਈਆ ਕਰਾਈ ਜਾ ਸਕਦੀ ਹੈ।

ਯੂ.ਕੇ. ਲੈਂਡਲਾਈਨ ਰਾਹੀਂ ਕਾਲ ਕਰਨ ਦਾ ਖਰਚਾ 3 ਤੋਂ 7 ਪੈਨੀਆਂ ਪ੍ਰਤੀ ਮਿੰਟ ਹੋਵੇਗਾ, ਮੋਬਾਈਲਾਂ ਦੇ ਰੇਟ ਵੱਖਰੇ ਵੱਖਰੇ ਹੋ ਸਕਦੇ ਹਨ।

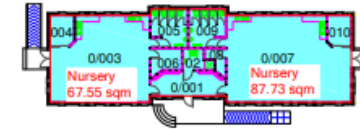
03451 55 55 66 پر درخواست کرنے سے اس تحریر میں دی گئی معلومات بڑے پرنٹڈ بریل، آڈیو سی ڈی/ٹیپ پر اور ترجمانی والی برطانوی اشاراتی زبان (برٹش سائن لینگویج) میں مہیا کی جاسکتی ہیں۔  
کسی برطانوی لینڈ لائن سے فون کے نرخ 3 تا 7 پنس فی منٹ ہیں، موبائل کے نرخ مختلف ہوسکتے ہیں۔

Appendix 1.1 – Proposed Location of new ASN Provision in Dalgety Bay Primary School

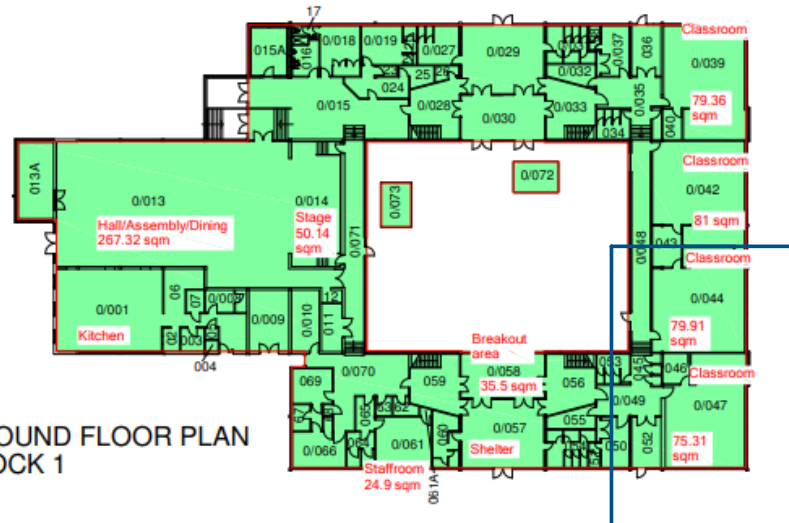
DO NOT SCALE



FIRST FLOOR PLAN  
BLOCK 1



GROUND FLOOR PLAN  
BLOCK 3



GROUND FLOOR PLAN  
BLOCK 1

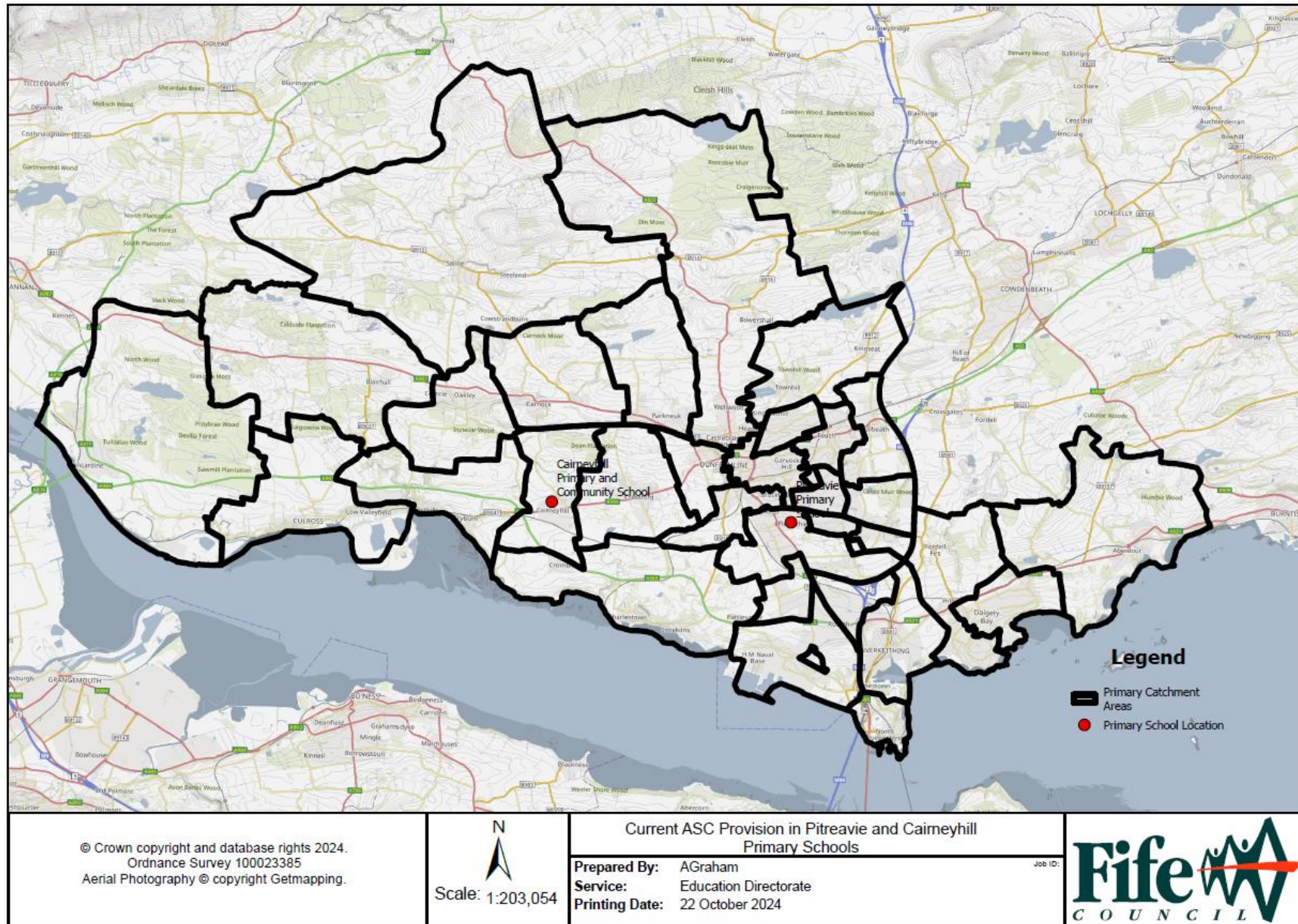
- Proposed 2 classroom areas with each to have a sensory room
- Disabled toilet
- Stair climber
- Secure entrance
- Internal quad for external space and fenced off area at the entrance area.

REV. A - SEP. 2009  
REV. B - JUN. 2011  
REV. C - AUG. 2012  
REV. D - OCT. 2013

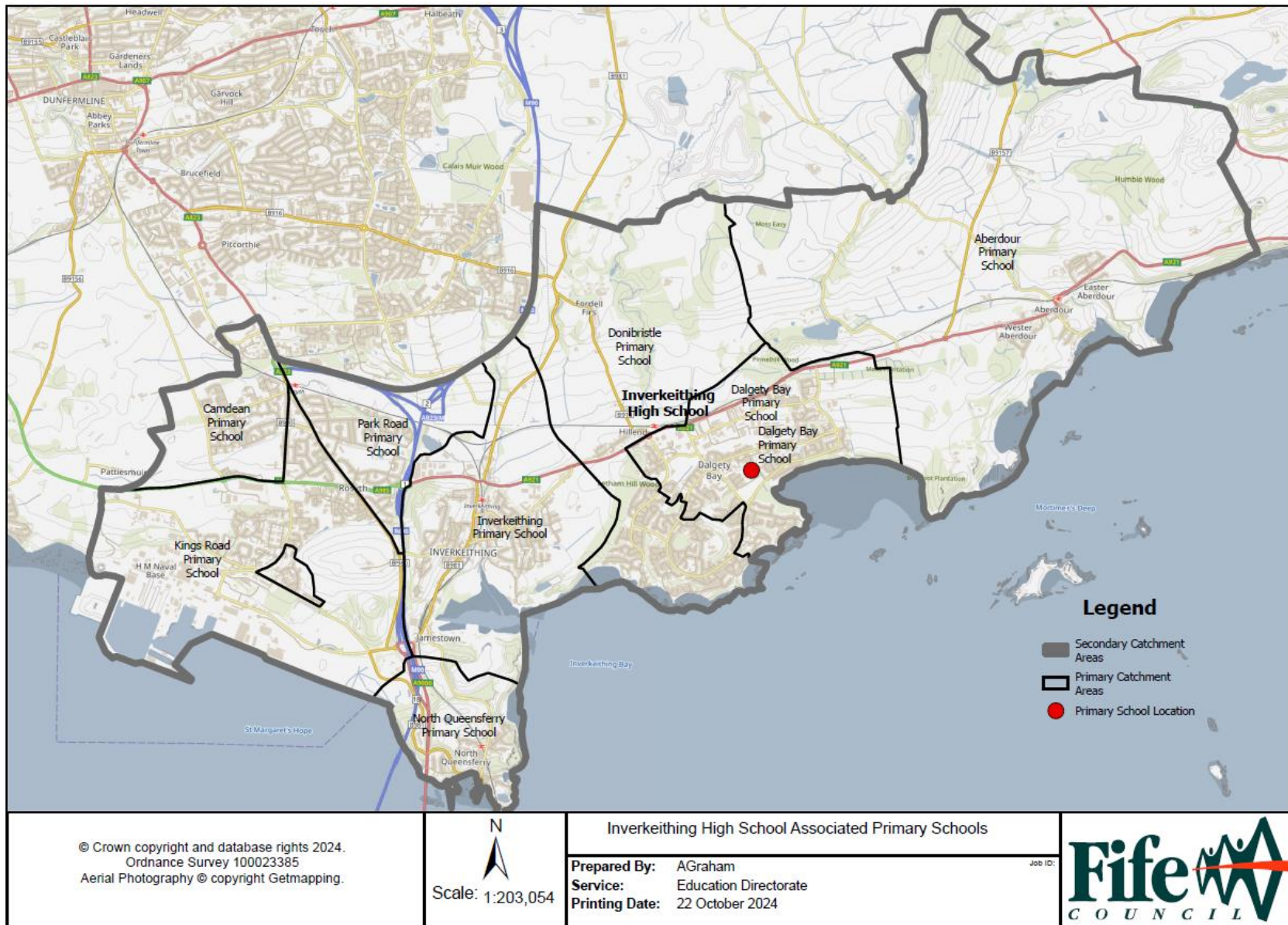
DALGETY BAY  
PRIMARY SCHOOL  
UPRN: 001070



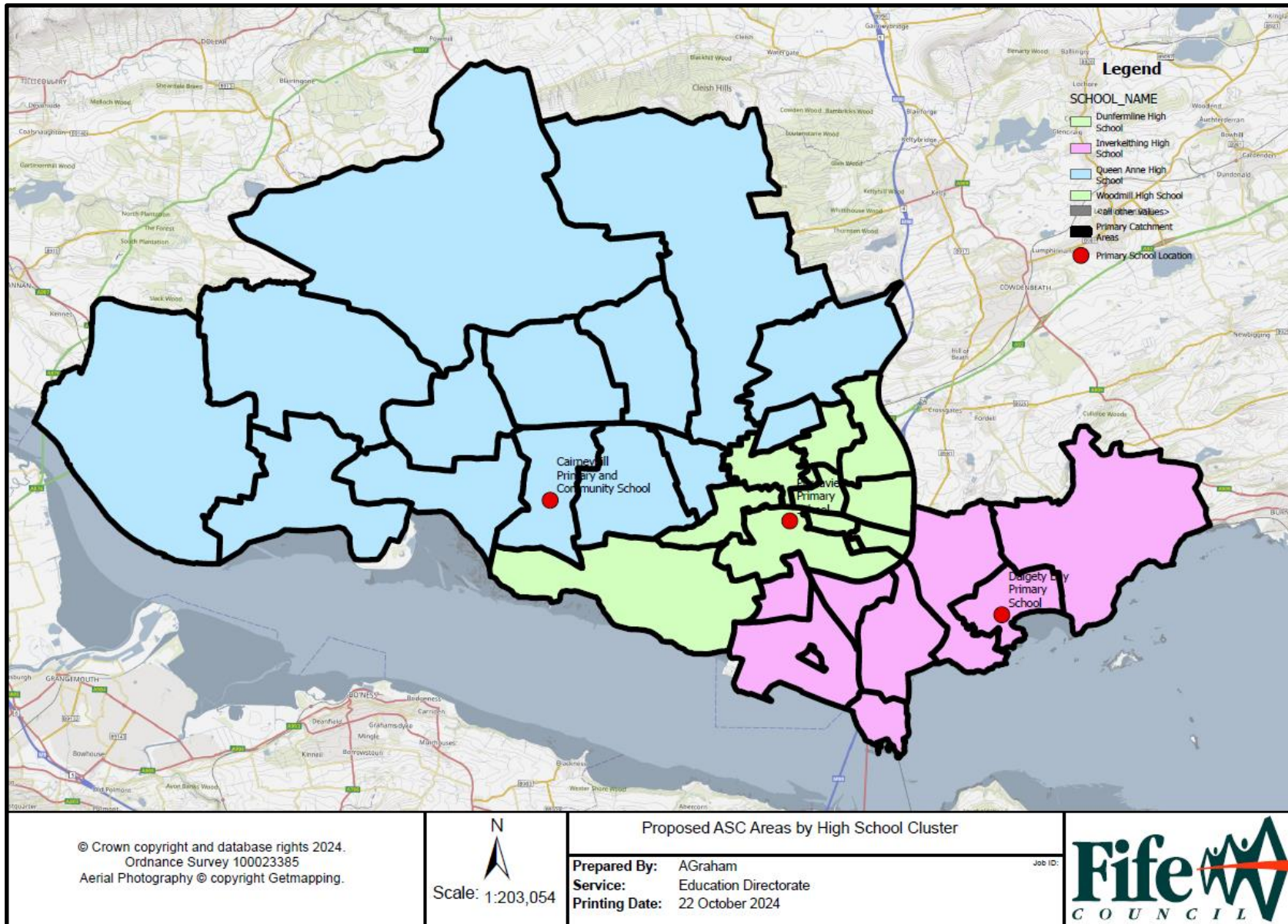
## Appendix 1.2 Existing Primary Catchment areas that Pitreavie and Cairneyhill support



### Appendix 1.3 Inverkeithing High School Associated Primary Schools



## Appendix 1.4 Proposed Areas that the new Provision will accommodate



## Appendix 1.5 - Glossary of Terms

### Core Facts

Core Facts are a series of data which are collected by local authorities to measure progress and success of a school estate strategy as well as benchmarking against other local authorities in Scotland. The core facts are used at both local and national level to:

- establish a baseline
- inform targets
- inform spending decisions
- support monitoring and evaluation of progress over time
- support assessments of value for money.

More information is available at: [School estates: core facts overview - gov.scot \(www.gov.scot\)](http://www.gov.scot/resources/consultation-papers/corporate/School%20estates%20-%20core%20facts%20overview.pdf)

### School Condition Rating

Condition core facts are established by professional review, carried out by the Council's Asset & Facilities Management Service. Schools are assessed against a range of criteria set down by the Scottish Government and are examined on a 5-year rolling programme.

- A: Good – Performing well and operating efficiently  
B: Satisfactory – Performing adequately but showing minor deterioration  
C: Poor – Showing major defects and/or not operating adequately  
D: Bad – Life expired and/or serious risk of imminent failure.

### School Suitability Rating

Suitability core facts are established through a similar process to the condition core facts process, undertaken by Headteacher and Business Managers. This information assesses how well the school environment supports the delivery of the curriculum against criteria laid down by the Scottish Government.

- A: Good – Performing well and operating efficiently (the school buildings support the delivery of services to children and communities)  
B: Satisfactory – Performing well but with minor problems (the school buildings generally support the delivery of services to children and communities)  
C: Poor – Showing major problems and/or not operating optimally (the school buildings impede the delivery of activities that are needed for children and communities in the school)  
D: Bad – Does not support the delivery of services to children and communities (the school buildings seriously impede the delivery of activities that are needed for children and communities in the school).

Suitability surveys are reviewed by Headteachers/Business Managers every 5 years. Where school investment has been carried out in a particular school, the following year's Core Facts Update will be amended to reflect any subsequent change to the condition, suitability or accessibility rating.

### School Accessibility Rating

Accessibility ratings are collated by the School Estate Team, along with the Education Access Officer, who undertake surveys of all the school buildings. These ratings are then ratified by the Accessibility Strategy Group. The ratings are classified as follows:

- A: Fully accessible  
B: Building partially accessible but Curriculum accessible  
C: Partially accessible or not currently accessible but has the potential to be made accessible  
D: Inaccessible and unable to be reasonably adapted to be made accessible.

As part of the Accessibility Strategy, there will be a number of accessible schools in each geographical area.

### Strategic Development Areas

Strategic Development Areas are housing developments sites within Fife identified through Fife Council's Structure Plan 2006-2026 (approved May 2009). The Structure Plan also includes infrastructure developments for business and employment, town centres, retailing, housing, affordable housing, transportation and waste management. A Strategic Development Area for residential units range from 300 units in a small town/village to 4200 units in a large town.

## **Local Development Plan**

Fife Council adopted FIFEplan (Fife's Local Development Plan) on 21 September 2017. This plan details the local development changes to infrastructure within settlements and include new plans with planning consent. The Council are currently inviting communities to create Local Place Plans, which will help shape the next Local Development Plan. More information is available at [Invitation to create Local Place Plans](#) page.

## **Housing Land Audit**

Enterprise, Planning & Protective Services undertakes an annual audit (known as the Housing Land Audit) of the Housing Land Supply in Fife, using 1st April as the base date. The Audit monitors housing completions and makes predictions about future house building in Fife.

Homes for Scotland (representing the national house builders) and local developers are consulted on the information to be included in the Housing Land Audit to discuss and agree the Audit as far as possible. The latest publication for 2021 is published at [Planning Information and Land Use Audits | Fife Council](#)

## **Public Private Partnership (PPP)**

There are 2 existing contracts in Fife (PPP1 and PPP2) where schools have been procured and constructed through this process. The schools are maintained for a period of 25 years by a contractor and after 25 years the building is handed to the Council for future repair and maintenance. An annual unitary charge includes design and construction, services delivery including building and grounds maintenance, finance costs, legal, insurances, management and risk.

## **Life Cycle Costs**

Costs for replacing assets at the end of their life span. These include building, fabric, services and furniture and equipment to ensure the asset is maintain is a substantial condition.

## **Efficiency Range 80-100%**

No local authority can effectively run at 100% occupied. The 80%-100% efficiency range allows a degree of flexibility within schools to support Curriculum for Excellence.

## **Cost per Pupil Calculation**

The cost per pupil calculation for schools is computed in July of each year. The calculation is intended to bring together all comparable costs for each school and benchmark these at individual school level through the production of a cost per pupil figure.

The calculation is currently based on the School Revenue Budget Statements that are issued to schools in April of each year. The calculation takes into account a number of factors particularly the school roll from the last census at September of the previous year. The calculation takes schools running costs including an allocation for janitorial staffing costs. It excludes the costs for school transport, depreciation and the financing costs of schools built under PFI contract arrangements (PPP schools).

Having identified the relevant running costs for each school and by dividing these costs by the school roll this produces a cost per pupil figure which is used for comparison purposes.

## **Proposal Paper**

The Schools (Consultation) (Scotland) Act 2010 provides that where an education authority has formulated a relevant proposal in relation to any school, it must comply with the requirements of the Act before proceeding with the proposal. One of the requirements is that it must prepare and publish a proposal paper. Section 4 of the Act provides:

### **4 Proposal paper**

- (1) The education authority must prepare a proposal paper which—
  - (a) sets out the details of the relevant proposal,
  - (b) proposes a date for implementation of the proposal,
  - (c) contains the educational benefits statement in respect of the proposal,
  - (d) refers to such evidence or other information in support of (or otherwise relevant in relation to) the proposal as the education authority considers appropriate.
- (2) The proposal paper must also give a summary of the process provided for in [ sections 1 to 17D] (so far as applicable in relation to the proposal).

- (2A) Where a proposal paper relates to a closure proposal, it must also contain information about the financial implications of the proposal.
- (3) A proposal paper may include more than one proposal.
- (4) The education authority must—
  - (a) publish the proposal paper in both electronic and printed form,
  - (b) make the paper, and (so far as practicable) a copy of any separate documentation that it refers to under subsection (1)(d), available for inspection at all reasonable times and without charge—
    - (i) at its head office and on its website,
    - (ii) at any affected school or at a public library or some other suitable place within the vicinity of the school,
  - (c) provide without charge the information contained in the proposal paper—
    - (i) to such persons as may reasonably require that information in another form, and
    - (ii) in such other form as may reasonably be requested by such persons.
- (5) The education authority must advertise the publication of the proposal paper by such means as it considers appropriate.

### **Educational Benefits Statement**

The Schools (Consultation) (Scotland) Act 2010 provides that where an education authority has formulated a relevant proposal in relation to any school, it must comply with the requirements of the Act before proceeding with the proposal. One of the requirements is that it must prepare an educational benefits statement. Section 3 of the Act provides:

### **3 Educational benefits statement**

- (1) The education authority must prepare an educational benefits statement which includes:
  - (a) the authority's assessment of the likely effects of a relevant proposal (if implemented) on:
    - (i) the pupils of any affected school,
    - (ii) any other users of the school's facilities,
    - (iii) any children who would (in the future but for implementation) be likely to become pupils of the school,
    - (iv) the pupils of any other schools in the authority's area,
  - (b) the authority's assessment of any other likely effects of the proposal (if implemented),
  - (c) an explanation of how the authority intends to minimise or avoid any adverse effects that may arise from the proposal (if implemented),
  - (d) a description of the benefits which the authority believes will result from implementation of the proposal (with reference to the persons whom it believes will derive them).
- (2) The statement must also include the education authority's reasons for coming to the beliefs expressed under subsection (1)(d).
- (3) In subsection (1), the references to effects and benefits are to educational effects and benefits.

## Appendix 1.6

### FIFE COUNCIL – EDUCATION DIRECTORATE CONSULTATION RESPONSE FORM

**Proposal to establish a new Additional Support Class (ASC) provision within Dalgety Bay Primary School, St Bridget's Brae, Dalgety Bay, from Monday 18 August 2025.**

<https://forms.office.com/e/z5awFcdNLe>

**Section 1 - Your Details** (to be provided by parent/carers or interested parties to enable the local authority to inform any person who makes written representations on the proposal of the publication of the consultation report as required by the Schools (Consultation) (Scotland) Act 2010).

Name	
Address	
Postcode	
Email address	

### Section 2 - What is your main interest in responding to this consultation?

(If you are a parent and a member of staff at one of the impacted schools, please choose either parent/carer or member of staff)

<b>I am a <u>parent/carer</u> of a child attending:</b>	✓
Dalgety Bay Primary School	
Cairneyhill Primary School ASC provision	
<b>Pitreavie Primary School ASC provision</b>	
A primary school in the Inverkeithing HS cluster	
A nursery in the Inverkeithing HS cluster	

or

<b>I am a <u>pupil</u> attending</b>	✓
Dalgety Bay Primary School	
Cairneyhill Primary School ASC provision	
<b>Pitreavie Primary School ASC provision</b>	

or

<b>I am a <u>member of staff</u> at:</b>	✓
Dalgety Bay Primary School	
Cairneyhill Primary School ASC provision	
<b>Pitreavie Primary School ASC provision</b>	
A primary school in the Inverkeithing HS cluster	
A nursery in the Inverkeithing HS cluster	

or **Other Interested party:**

<b>I am an <u>other interested party:</u></b>	✓
Grandparent	
Member of Community Council	
Resident in the community	
<b>Other</b> Please explain if you are responding on behalf of an organisation or other reason	

**Section 3 - Your Views**

Question 3.1

Do you support the proposal to establish a new Additional Support Class (ASC) provision within Dalgety Bay Primary School, St Bridget's Brae, Dalgety Bay, from Monday 18 August 2025? **(Please choose one ✓)**

YES		NO		DON'T KNOW	
-----	--	----	--	------------	--

a. If NO, what are your reasons?


b. Are there any further comments on the proposal you would like to make?


**Section 4 - About You**

The following questions are **voluntary**. They are to assist Fife Council in fulfilling its obligations under the Equality Act 2010 in relation to the proposal. Your responses to these questions are confidential.

1. What is your age? **Please choose one (✓)**.

18 or under		25-34		45-54		65-74	
19-24		35-44		55-64		75 and over	

2. What is your gender? **Please choose one (✓)**.

Male		Female		Non-Binary		Prefer not to say	
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3. What is your ethnic background? **Please choose one (✓)**.

White Scottish			African	
Other White British			Asian, Asian Scottish, or other Asian British	
Other White background			Caribbean or Black	
Mixed or multiple ethnic background			Other ethnic background	

4. Do you consider yourself as having a disability? **Please choose one (✓)**.

YES		NO	
-----	--	----	--

**Thank you for taking part in this consultation.** For further information on how we use your data please visit: [www.fife.gov.uk/privacy/education](http://www.fife.gov.uk/privacy/education)

Please complete online at <http://www.fife.gov.uk/DalgetyBayASCestablishment> or return this form by post to: Proposal to establish a new ASC provision within Dalgety Bay Primary School, Education Directorate, Fife Council, 4<sup>th</sup> Floor (West), Fife House, North Street, Glenrothes, KY7 5LT **by close of business on Friday 21 February 2025.**



### FIFE COUNCIL EDUCATION DIRECTORATE

#### ***PROPOSAL TO ESTABLISH A NEW STAGE OF EDUCATION WITHIN A SCHOOL – NEW ADDITIONAL SUPPORT CLASS (ASC) WITHIN STRATHALLAN PRIMARY SCHOOL, KIRKCALDY***

#### **THE CONSULTATION PROCESS –**

The following schools are affected by this Proposal Document:

- Strathallan Primary School

This document has been issued by Fife Council as a proposal paper in terms of the Schools (Consultation) (Scotland) Act 2010.

#### **DISTRIBUTION**

A copy of this document is available on the Fife Council website:

<http://www.fife.gov.uk/StrathallanASCestablishment>

A link to this document, published on the website, will be provided to:

- The Parent Council of any affected school
- The parents of the pupils at any affected school
- The parents of any children expected to attend the affected school within 2 years of the date of publication of the proposal paper.
- The pupils at any affected school (in so far as the education authority considers them to be of suitable age and maturity)
- The staff (teaching and other) at any affected school
- Trade union representatives of the above staff (teaching and other) at any affected school.
- The Community Councils for the affected areas, being: Kirkcaldy West
- The Community Planning Partnership for the relevant area
- Any other Community Planning Partnership that the local authority considers relevant
- Any other education authority that the education authority considers relevant
- Any other users of any affected school that the education authority considers relevant
- Elected members for the area (Wards 9 – Burntisland, Kinghorn and Western Kirkcaldy and Ward 10 – Kirkcaldy North
- MSPs for the area (David Torrance, Claire Baker, Murdo Fraser, Roz McCall, Alex Rowley, Mark Ruskell, Liz Smith and Alexander Stewart).
- The Constituency MP - Melanie Ward

A copy of this document is also available for inspection at and collection from:

- Main Reception, Fife Council, Fife House, North Street, Glenrothes, KY7 5LT
- The schools affected by the proposal (between 9am and 3pm)
  - Strathallan Primary School, Strathallan Drive, Kirkcaldy KY2 5YP
- Online at <http://www.fife.gov.uk/StrathallanASCestablishment>
- or via email to [sustainablechoolestate.enquiries@fife.gov.uk](mailto:sustainablechoolestate.enquiries@fife.gov.uk).

This document can be made available, on request, free of charge, in alternative formats, or in translated form for readers whose first language is not English. Please apply in writing to: Education Directorate, 4<sup>th</sup> Floor, Fife House, North Street, Glenrothes KY7 5LT or by email to: [kim.lawson@fife.gov.uk](mailto:kim.lawson@fife.gov.uk) (telephone 03451 555555 ext. 444331). Page 18 of this document provides additional contact numbers, in different languages.

## **SUMMARY OF PROCESS FOR THIS PROPOSAL DOCUMENT**

### 1. Consideration by the Cabinet Committee

This Proposal Document has been issued as a result of a decision by the Cabinet Committee of Fife Council on 5 December 2024. Views are now sought in formal consultation on the proposal in this document.

### 2. Notice of Consultation and Publication of the Proposal Document

Statutory consultees will be given notice of the proposal. The proposal document will be published on the council website ([www.fife.gov.uk](http://www.fife.gov.uk)). Copies will be available for inspection at and available from:

- Main Reception, Fife Council, Fife House, North Street, Glenrothes, KY7 5LT
- The schools affected by the proposal (between the hours of 9 am and 3 pm)
  - Strathallan Primary School, Strathallan Drive, Kirkcaldy KY2 5YP
- Online at <http://www.fife.gov.uk/StrathallanASCestablishment>
- or email [sustainableschoolestate.enquiries@fife.gov.uk](mailto:sustainableschoolestate.enquiries@fife.gov.uk).

### 3. Advertisement of the Proposal

The proposal will be advertised through Fife Council's social media accounts e.g. Facebook and Twitter. An advertisement will also be placed in local newspapers, week commencing Monday 6 January 2025. The schools impacted by the proposal will also publicise the consultation process in newsletters, school bag mail and email.

### 4. Length of Consultation period

The consultation will commence on Tuesday 7 January 2025 and will, thereafter, run until close of business on Friday 21 February 2025. This meets the statutory requirement for a minimum period of 6 weeks, that runs continuously and includes 30 school days.

### 5. Public meetings

The Education Authority are required in accordance with the Schools (Consultation) (Scotland) Act 2010 to hold one public meeting. This will be held at Strathallan Primary School on Wednesday 29 January 2025 from 6.00-7.00 pm

where there will be opportunities to:

- hear more about the proposal
- ask questions about the proposal
- have your views recorded so that they can be considered as part of the consultation process.

Informal drop-in sessions have been arranged at:

- Strathallan Primary School on Wednesday 29 January 2025 from 8.45-9.30 am, 2.45-3.30 pm and 5-6 pm

At the informal drop-in sessions, there will be opportunities for parents/carers/pupils and other stakeholders to:

- hear more about the proposal
- ask questions about the proposal
- complete a Consultation Response Form.

#### 6. Responding to the Proposal

Interested parties can also respond to this proposal document by making a written representation (by letter, email, or completion of a Consultation Response form) on the proposal, before close of business Friday 21 February 2025, to any of the following:

- [sustainableschoolestate.enquiries@fife.gov.uk](mailto:sustainableschoolestate.enquiries@fife.gov.uk)
- Proposal to establish New ASC Provision within Strathallan Primary School, Education Directorate, Fife Council, 4<sup>th</sup> Floor (West), Fife House, North Street, Glenrothes, KY7 5LT
- via submission of a completed online Consultation Response Form at (Managing our School Estate / Fife Council) <https://forms.office.com/e/saCkTnM8f2>.

#### 7. Involvement of Education Scotland HM Inspectors

A copy of the proposal paper will be sent to Education Scotland, by Fife Council. Education Scotland will also receive a copy of any relevant written representations that are received by the Council from any person during the consultation period or, if Education Scotland agrees, a summary of them. Education Scotland will further receive a summary of any oral representation made to the Council at the public meetings and, as available (and so far as otherwise practicable), a copy of any other relevant documentation. Education Scotland will then prepare and submit a report on the educational aspects of the proposal within a 3-week period (unless the Council and Education Scotland agree a longer period) after the Council has sent them all representations and documents mentioned above. However, for the avoidance of doubt, the 3-week period will not start until after the consultation period ends. Education Scotland may make such reasonable enquiries of such people at the school (e.g. Headteacher, staff, pupils) as they consider appropriate and may make such reasonable enquiries of such other people as they consider appropriate.

#### 8. Preparation of Consultation Report

The Council will review the proposal having regard (in particular) to the Education Scotland Report and written representations that it has received. In addition, oral representations made at the public meetings/information sessions will form part of that review. It will then prepare a Consultation Report. The report will include a record of the total number of written representations made during the consultation period, a summary of the written representations and a summary of the oral representations made at the public meeting, as well as a copy of the Education Scotland Report and any other relevant information, including details of any alleged

inaccuracies and how these have been handled. The report will also contain a statement explaining how it complied with the requirement to review the proposal in light of the Education Scotland Report and representations (both written and oral) that it received. The Consultation Report will be published and available for further consideration for a period of 3 weeks before a decision can be made on the proposal. The report will be published, made available for inspection and where reasonably required, made available without charge in other forms. The publication of the report will be advertised and any person who made written representations during the consultation period will be advised of its publication.

#### 9. Decision

The Consultation Report, together with any other relevant documentation, will be considered by the Cabinet Committee, which will come to a decision whether to implement the proposal, in whole or in part, or not. The decision of the Cabinet Committee will be subject to the Council's internal governance procedures before it becomes final. The proposal on which Fife Council is deciding is not a proposal which is subject to call in by the Scottish Government and is not subject to review by the School Closures Review Panel.

#### 10. Note on Corrections

If during the consultation period any inaccuracy or omission is discovered in this proposal document, either by the Council or by notification from any other person, the Council will determine whether relevant information has in its opinion been omitted, or whether there is in fact an inaccuracy, and whether the omission or inaccuracy relates to a material consideration relevant to the education authority's decision as to the implementation of the proposal. It will then take appropriate action in respect of the inaccuracy or omission which may include deciding to take no further action, issuing a notice in respect of the inaccuracy or omission, extending the consultation period or publishing a correct proposal document and giving revised notice of the consultation. Where applicable, the notifier of the inaccuracy or omissions will be advised of the determination, the reasons for that determination and the action (if any) it is taking and of the reasons why it is or is not taking such action and the notifier will be invited to make representations to the Council if they disagree with the determination or decision whether to take action. Where the notifier makes representations, the education authority can make a fresh determination and decision in respect of the inaccuracy or omission and must inform the notifier if it does so.

**Fife Council**

**Education Directorate**

**THE CONSULTATION PROPOSAL**

**PROPOSAL TO ESTABLISH A NEW STAGE OF  
EDUCATION IN A SCHOOL - NEW ADDITIONAL SUPPORT  
CLASS (ASC) WITHIN STRATHALLAN PRIMARY SCHOOL,  
KIRKCALDY**

## **Format of the Proposal Document**

- 1 Introduction and Background Information
  - 2 The Proposal
  - 3 Rationale for the Proposal - The Case for Establishing a New ASC Provision within Strathallan Primary School
  - 4 Educational Benefits Statement
  - 5 Transport Arrangements
  - 6 Transitional Arrangements
  - 7 Financial Implications
  - 8 Community Impact
  - 9 Implications for Staff
  - 10 Equal Opportunities
  - 11 Proposed Date of Implementation
  - 12 Statutory Consultation Process - Proposed Timeline
- 
- Appendix 1.1 Proposed Location of new ASN Provision in Strathallan Primary School
  - Appendix 1.2 Existing Primary Catchment areas that Valley ASC supports
  - Appendix 1.3 Balwearie High School Associated Primary Schools
  - Appendix 1.4 Proposed Areas that the new Provision will accommodate
  - Appendix 1.5 Glossary of Terms
  - Appendix 1.6 Consultation Response Form

## 1 Introduction and Background Information

- 1.1 This consultation paper sets out the rationale and implications in respect of the proposal to establish a new Additional Support Class provision (ASC) within Strathallan Primary School, Kirkcaldy. For the purpose of the proposal the new provision is also described as an enhanced provision.
- 1.2 This paper also sets out the consultation process, the timescale and the ways in which parents/carers and stakeholders can make representations on the proposal.
- 1.3 This proposal does not impact on the facilities available or the resources available to deliver mainstream education within Strathallan Primary School. The proposal does not affect the level of additional support provided to mainstream pupils in Strathallan Primary School or on the delivery of mainstream education within Strathallan Primary School. There is no impact on the enrolment arrangements for mainstream pupils to Strathallan Primary School.
- 1.4 There are no changes proposed to the catchment area of Strathallan Primary School included within this proposal.
- 1.5 There are no proposed changes to the existing catchment areas for both non-denominational or denominational primary and secondary school catchment areas affected by this proposal.
- 1.6 In Fife, the education authority discharges its duty to secure adequate and efficient education for the local authority area by operating a “catchment” system to enable parents/carers to comply with their duty to provide efficient education for their child(ren). Postcodes for each address in Fife are associated to a denominational (Roman Catholic) and non-denominational primary and secondary schools, known as catchment schools. Parents can check their catchment area at [Check school catchment areas | Fife Council](#). School enrolment for mainstream places is managed in Fife through the Schools Admission Policy which can be found at [Schools-Admission-Policy-April-2018.docx \(live.com\)](#).
- 1.7 Currently in Fife most children and young people who have additional support needs have these met within our local, mainstream schools. Some children with specific additional support needs access specialised provision which may or may not be part of their existing mainstream school. These provisions are designed to meet the needs of children and young people who have additional support needs and allow tailoring of the curriculum, specialised resources and staff training/expertise within these specific provisions and within Fife.
- 1.8 Our vision for children and young people who experience additional support needs (ASNs) is to:
- Support them to have high quality educational experiences in their local early learning and childcare (ELC), primary school and secondary school settings, in line with the presumption of mainstream;
  - Provide high quality educational experiences throughout our enhanced support provisions for learners who require individualised learning environments and more intensive support;

- Provide high quality support and professional learning for practitioners and leaders.
- 1.9 Our current provision across Fife is wide and varied to ensure we can meet the needs of all individual children.
- 1.10 Our current provision can be described as follows:
- Mainstream – Early, Primary and Secondary
- Within mainstream, additional support may be provided to support individuals through targeted support or interventions from school based staff including pupil support assistants, support for learning staff or outreach staff from Support for Learners Service and/or Pupil Support Service.
- Enhanced Provision - Additional Support Classes
- Additional Support Classes (enhanced support provision) exist at primary stage to meet the pupils' identified additional support needs where these cannot reasonably be met within the mainstream provision alone. At times individual children are on a shared placement between Additional Support Class and their mainstream school.
- Special Schools
- Offers specialist education for learners with complex additional support needs from 3 to 18 years.
- 1.11 In the primary sector there are currently 8 enhanced provisions (Additional Support Classes) across Fife in Benarty, Buckhaven, Cairneyhill, Canongate, Castlehill, Ribleton and Valley Primary Schools.
- 1.12 In the secondary sector, all of the 18 secondary schools provide a continuum of support: universal, additional and intensive support. This includes Support for Learning teachers and Pupil Support Assistants through to the school's Department of Additional Support (DAS).
- 1.13 The admissions arrangements for a pupil requiring access to an ASC provision, for nursery, special and primary stages, is managed through an Area Management Group (AMG) process. There are 3 AMGs which meet a number of times a year covering the geographical areas of Central Fife, North & East Fife and West Fife. Professionals from across sectors and services discuss the most appropriate educational placement for individual pupils regularly throughout the school session.
- 1.14 Currently there are no children across Fife on a waiting list for a space for an enhanced provision.
- 1.15 The census in September 2023 recorded 26788 primary aged pupils and 22377 number of secondary aged pupils.
- 1.16 The current ASC provision that covers the Kirkcaldy area, located within Valley Primary School has 3 classes to support a maximum of 30 pupils, 2 of these classes are assigned to supporting pupils with additional support needs and



the third area is a life skills area. There is no plan to reduce the number of classrooms within Valley Primary School supporting this provision. Based on the pupil roll projections for the Kirkcaldy wide area, a further ASC provision would allow more opportunities for pupil's needs to be met across this geographical area.

- 1.17 The proposed establishment of a new enhanced provision in Strathallan Primary School, will enable local pupils from the Balwearie High School cluster to attend Strathallan Primary School to access an ASC provision. This would not affect the allocation of resources to meet the needs of mainstream pupils.
- 1.18 The proposal to create a new ASC provision will ensure that children requiring this enhanced support provision are being educated in the heart of their communities.
- 1.19 Strathallan Primary School is part of the Balwearie High School cluster.

## **2 The Proposal**

- 2.1 This proposal is to establish a new ASC provision in Strathallan Primary School (see Appendices 1.1) from Monday 18 August 2025.
- 2.2 In line with the vision outlined in Building Fife's Future: School Estate Strategy (28 August 2018) and supported by the Scottish Government's Learning Estate Strategy: Connecting People, Places and Learning (2019), the proposed new ASC provision within Strathallan Primary School will provide enhanced facilities in modern and flexible learning spaces to allow pupils to experience a wide-ranging curriculum offer, appropriate to their needs.
- 2.3 Financial investment will be required within Strathallan Primary School to establish this new enhanced provision. The planned occupation date is from Monday 18 August 2025.
- 2.4 The proposed maximum capacity of this provision within Strathallan Primary School will be 20 full-time spaces for children.
- 2.5 Appendix 1.1 shows the proposed location within Strathallan Primary School for the new enhanced provision. Appendix 1.2 shows a map of the existing Primary Catchment areas which Valley Primary School ASC supports. Appendix 1.3 identifies the primary school catchment areas associated with Balwearie High School. Appendix 1.4 shows a map of the primary school catchment areas that the proposed new enhanced provision would support. Appendix 1.5 is a glossary of terms detailing additional information. Appendix 1.6 is the Consultation Response Form, which can be accessed online [here](http://www.fife.gov.uk/StrathallanASCestablishment) (<http://www.fife.gov.uk/StrathallanASCestablishment>) from Tuesday 7 January 2025 and will, thereafter, run until close of business on Friday 21 February 2025.

## **3 Rationale for the Proposal - The Case for the Establishment of a New Provision**

- 3.1 The main driver for the establishment of a new enhanced provision to serve the Kirkcaldy West area, is based on the current and projected number of

pupils requiring this enhanced support provision across this area.

- 3.2 The Education Directorate carried out a review of the number of ASC provisions across Fife to ascertain:
  - (a) the number of current pupils with additional support needs (ASN) across Fife requiring enhanced support within an additional support class (ASC) provision
  - (b) the locality of the current ASC provision, and
  - (c) the projected number of pupils who could require this provision in the next 10 years.
- 3.3 The review took into account the number of enhanced provisions across Fife and the projected increase in enhanced places required across Fife, in accordance with pupils expected from new strategic development areas and future school roll projections. The review also considered whether the existing 8 enhanced provisions were located in the most appropriate geographical locations across Fife. Based on this review, it has been highlighted that there are insufficient places available in enhanced provisions having regard to the pupil roll in the Dunfermline and South West Fife Area and in the Kirkcaldy area.
- 3.4 Reviewing the proposed new housing across the Kirkcaldy area, there are approximately 2800 new homes to be constructed in due course in this area of Fife.
- 3.5 The establishment of this new ASC provision within Strathallan Primary School will allow children to attend an enhanced provision within their locality and may reduce the need for transportation across the Kirkcaldy area.
- 3.6 Strathallan Primary School building was opened in January 2007. The building is on one level, fully accessible throughout, with accommodation comprising nursery and primary classrooms. The school benefits from large extensive grounds for pupils to enhance their outdoor learning opportunities. In addition, there is an Out of School club within the school which offers childcare for parents/carers after school.
- 3.7 Reconfiguration of the school will be required to accommodate the enhanced provision within Strathallan Primary School. This may require the infant classes to move to another area of the school.
- 3.8 As outlined previously, the classrooms accommodating pupils in the proposed enhanced provision would not be included in the capacity calculation. If the proposal is approved the maximum capacity of the school would change from 434 pupils (14 classes) to 317 pupils (11 classes).
- 3.9 The projected school roll of Strathallan Primary School indicates that no more than 11 classes are required long term. The reduction in capacity for mainstream classes to create this provision will not impact on the number of multi-purpose areas within the school. Mainstream pupils will still have access to the dining hall and gym hall, and there are sufficient multi-purpose areas across the school for all existing and new users.

- 3.10 A separate external entrance to the ASC provision will ensure the dignity of each individual and their cloakroom area will be quiet and only for their use, allowing for a quiet transition into the classrooms. As the grounds are very expansive, there is an opportunity for access to the wider school playground, allowing for easy integration with the whole pupil group as appropriate.
- 3.11 The proposed accommodation allows flexibility for pupils to retreat to quiet spaces and will be further enhanced with dedicated outdoor learning provision to ensure learning can be creative both indoors and outdoors. The building will be able to deliver the curriculum to ensure the best possible educational experiences and outcomes for our children. The available classrooms to support this provision can be separated from the other areas of the school. This allows a more supportive learning facility for our learners to enable a more secure and peaceful environment. Access to the wider school environment will be planned for and responsive to the needs of the individual pupils, and staff will be able to support pupils to achieve this in a safe and structured way.
- 3.12 Well planned and designed accommodation will ensure the varying needs of all children can be supported throughout the new provision. As well as generous classroom spaces designed to assist the delivery of different curricular areas, direct access to an enclosed outdoor area will allow the pupils to enhance their learning experience. All of the existing classrooms have height adjustable sinks.
- 3.13 Adaptations to the existing accessible toilet with changing facilities will be required to comply with current legislation.
- 3.14 The creation of the proposed enhanced provision will complement the existing nursery and mainstream stream provision within Strathallan Primary School. The transition for any pupil requiring this enhanced provision will be well planned and agreed within the team around the child.

**3.15 School Roll Information – Strathallan Primary School**

3.15.1 The maximum capacity of the school, as reported within the Core Facts return to the Scottish Government in May 2024, was 434 pupils (14 classes). The school roll recorded for Census 2023 was 281 pupils (65% occupied), within 11 classes. For session 2024/25, the school are operating with 11 classes, a total roll of 281 pupils, 65% occupied.

3.15.2 School roll projections are reviewed on an annual basis and consider any proposed development from the Local Development Plan ([Local development plan \(FIFEplan\) | Fife Council](#)) or any brownfield opportunity sites that may come forward.

3.15.3 As outlined below, school roll projections for the next 10 years are as follows:

	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034
Roll	245	236	207	185	168	155	152	152	145	145	147
Classes	11	10	9	9	8	8	7	8	7	7	7

3.15.4 The above school roll projections for Strathallan Primary School take into account the births in the catchment area, the primary one enrolment trends and any new pupils expected from the housing developments in the Strathallan

Primary School catchment area. There are no large scale housing developments expected within the Strathallan Primary School catchment area.

### **3.16 Building Condition and Suitability Ratings**

3.16.1 The Education Directorate's ambition is that every school in Fife should be rated as 'A' or 'B' for both condition and suitability, to include a number of accessible schools in each geographical area.

3.16.2 The Scottish Government Core Facts return requires local authorities to provide a condition and suitability return each year. Condition ratings are scored 'A' to 'D' with A being the highest rating – Good - performing well and operating efficiently and D being lowest rating – Bad - Life expired and/or serious risk of imminent failure.

3.16.3 The latest return in May 2024 reported the current condition rating for Strathallan Primary School is rated as "A", which is classed as good.

3.16.4 Suitability ratings are scored 'A' to 'D' with 'A' being the highest rating - Good – performing well and operating efficiently (the school buildings support the delivery of services to children and communities) and 'D' being the lowest rating - Bad – does not support the delivery of services to children and communities (the school buildings seriously impede the delivery of activities that are needed for children and communities in the school).

3.16.5 The latest return in May 2024 reported the current suitability rating is "A", which is classed as good.

### **3.17 Accessibility Rating**

3.17.1 Accessibility ratings are scored 'A' to 'D' with 'A' being the highest rating (as the building is fully accessible) and 'D' being the lowest rating (as the building is inaccessible and unable to be reasonably adapted to be made accessible).

3.17.2 The accessibility rating for Strathallan Primary School is "A", the building is fully accessible.

## **4 Educational Benefits Statement**

4.1 The Schools (Consultation) (Scotland) Act 2010 provides that where an education authority has formulated a relevant proposal in relation to any school, it must comply with the requirements of the Act before proceeding with the proposal. The education authority must prepare an educational benefits statement which includes:

- (a) the authority's assessment of the likely effects of a relevant proposal (if implemented) on:
  - (i) the pupils of any affected school,
  - (ii) any other users of the school's facilities,
  - (iii) any children who would (in the future but for implementation) be likely to become pupils of the school,
  - (iv) the pupils of any other schools in the authority's area,

- (b) the authority's assessment of any other likely effects of the proposal (if implemented),
- (c) an explanation of how the authority intends to minimise or avoid any adverse effects that may arise from the proposal (if implemented),
- (d) a description of the benefits which the authority believes will result from implementation of the proposal (with reference to the persons whom it believes will derive them).

#### 4.2 **The authority's assessment of the likely effects of this proposal (if implemented) on:**

#### 4.3 **(i) The pupils of any affected school**

##### 4.3.1 **Educational Benefits for the pupils of Strathallan Primary School**

4.3.1.1 The mainstream provision and allocation of resources will not be affected by the establishment of this enhanced provision. Mainstream pupils will still have access to targeted interventions, pupil support assistants and Support for Learning Teacher to ensure their needs are met effectively.

4.3.1.2 Children within the locality who do require access to an enhanced provision can attend a provision within the heart of their own community. This would include children who currently have a shared placement between mainstream school and an enhanced provision.

4.3.1.3 The creation of an enhanced provision within Strathallan Primary School supports the understanding of inclusive education. It will provide opportunities for children and the community to appreciate diversity and to recognise and value the strength and potential in everyone. This mutual understanding creates a culture of acceptance and reduces the stigma often associated with learning disabilities.

4.3.1.4 Interacting with peers of diverse abilities encourages meaningful friendships, team building and co-operation. By embracing inclusion, schools create an atmosphere which celebrates differences and encourages mutual respect between pupils.

4.3.1.5 Indoor and outdoor learning spaces will be designed to be used flexibly and creatively across the whole school to support the wellbeing of all learners.

4.3.1.6 The needs of children requiring access to an enhanced support provision for all or part of their learning, will be accommodated in well considered accessible facilities that will support them from their arrival on site, throughout the day, in formal learning and in informal social times.

4.3.1.7 Creative and inviting learning spaces will support additional opportunities for children to learn collaboratively in all curricular areas, taking account of the skills they require for learning, life and work. Opportunities for integration into the wider school community will be promoted and offered where appropriate, ensuring the children feel part of the Strathallan Primary School community.

##### 4.3.2 **(ii) Any other users of the school's facilities**

#### **4.3.2.1 Educational Benefits for any other users of the schools' facilities**

4.3.2.2 The enhanced provision will be an additional resource with indoor and outdoor spaces which could be of a benefit to other school users within Strathallan Community such as the out of school provision.

4.3.2.3 An inclusive physical environment with accessible entrance and accessible toilet and changing area will form part of the provisions which could support other school events.

#### **4.3.3 (iii) Any children who would (in the future but for implementation) be likely to become pupils of the school**

##### **4.3.3.1 Educational Benefits for children who would likely to become pupils of the school**

4.3.3.2 Children within the Balwearie High School cluster will be able to access an enhanced provision within the geographical area. This will support transitions to secondary school as part of the continuum of support.

#### **4.3.4 (iv) the pupils of any other schools in the authority's area**

##### **4.3.4.1 Educational Benefits for the pupils of the Other Affected Schools**

4.3.4.2 Current pupils within an enhanced provision either attend full time or have a shared placement with their local primary school. There will be no impact on the pupils who currently attend their catchment school for part of the week and attend Valley Primary School for their placement. These placements will continue until transition to high school. However, if the team around the child agree that a change of placement to the new provision would be of benefit, then transition would be well planned to meet the needs of the child.

4.3.4.3 This enhanced provision will allow pupils from the Balwearie High School cluster to be located in closer proximity to their mainstream catchment school. These pupils will be able to transition to secondary school with their peers.

#### **4.3.5 Educational Benefits for pupils of any other schools in the authority area**

4.3.5.1 There will be clear locality boundaries for enhanced provisions that are equitable and associated with existing secondary school catchment areas.

#### **4.4 The authority's assessment of any other likely effects of the proposal (if implemented)**

4.4.1 At present, all pupils are transported to and from their home or mainstream catchment school to the enhanced provision at Valley Primary School. With the establishment of enhanced provision within a local area, there should be a reduction in the need for transport for individual children.

#### **4.5 How the Authority intends to minimise or avoid any adverse effect that may arise from the proposal (if implemented)**

4.5.1 Prior to any move to a new provision, the transition of pupils from one school to another would be well planned by the team around the child. This would be

reviewed as part of the planning for individual children.

#### **4.6 Benefits which the authority believes will result from implementation of the proposal (with reference to the persons whom it believes will derive them)**

- 4.6.1 Children with additional support needs from the Kirkcaldy West locality can access an enhanced provision within the geographical area and this will allow them to transition to their catchment secondary school with their peers.
- 4.6.2 The proposal will provide opportunities for children and the community to appreciate diversity and to recognise and value the strength and potential in everyone. This mutual understanding creates a culture of acceptance and reduces the stigma often associated with learning disabilities.
- 4.6.3 In time, there will be a reduction in transport being required for a number of pupils accessing this provision.
- 4.6.4 This proposal can be implemented within Strathallan Primary School with no impact on mainstream provision or pupils.

### **5 Transport Arrangements**

- 5.1 Where identified by the team around the child, transport can be provided for children to the enhanced provision and their mainstream primary school. Any transport arrangements will be regularly reviewed with this team.

### **6 Transitional Arrangements**

- 6.1 All transitions will be well planned to ensure positive experiences for all children. Individual pupil plans will allow for an enhanced transition to the relocated enhanced provision within Dalgety Bay Primary School before August 2025.

### **7 Financial Implications**

- 7.1 There will be capital costs associated with the proposed establishment of a new ASC provision within Strathallan Primary School.

### **8 Community Impact**

- 8.1 There is likely to be no significant impact on the local communities associated within the creation of a new ASC provision in Strathallan Primary School.

### **9 Implications for staff**

- 9.1 If the proposal is approved, the provision will be staffed accordingly with both teachers and support staff for the number of pupils that are expected for August 2025 by the local authority. There will be no impact on mainstream staffing numbers as a result of the proposed new provision.
- 9.2 This consultation is open to all staff and Trade Unions representatives to provide their feedback to the proposal itself.

## 10 Equal Opportunities

- 10.1 An Equality Impact Assessment (EIA) is a statutory requirement of the Council to assess the policies and practices necessary to meet the requirements of antidiscrimination and equalities legislation. It also affords an opportunity for the Council to consider the impact on the Education Service. In addition, an EIA can provide more information to develop and deliver services that meet the needs, in this case, of children and parents.
- 10.2 The aim of an EIA is to examine policies and practice in a structured way, to make sure that adverse effects on equality target groups are avoided. It is also a tool to enable the Council to assess what positive steps it can take to promote equality of opportunity and measure the results of the actions that have been taken.
- 10.3 As part of the consultation process the Council will consult with a range of stakeholders, including staff, parents/carers and children, and will address comments about equality during this consultation. The Impact Assessment will be included in the Final Consultation Report, expected in May 2025.
- 10.4 Under the Equality Act 2010 education providers must not treat disabled pupils less favourably and should take reasonable steps to avoid putting disabled pupils at a substantial disadvantage.
- 10.5 Careful transition planning will ensure positive transition to the proposed new provision. Individual pupil plans will allow for an enhanced transition.
- 10.6 As outlined previously, the proposal seeks to provide 2 teaching areas and associated accommodation and will be accessible to ensure that all building users are able to move around the building with ease. This will have a positive impact on any pupil with accessibility issues.

## 11 Proposed Date for Implementation

- 11.1 If this proposal is approved, the Education Service plans for the construction and delivery of the relocated school for academic session August 2025.

## 12 Statutory Consultation Process – Proposed Timeline

Thursday 5 December	Consultation proposal considered by Cabinet Committee
Monday 6 January	Parents and other statutory consultees to receive letters informing them of the dates for the statutory consultation.
Tuesday 7 January	Consultation live Tuesday 7 January to Friday 21 February
Tuesday 7 January – Friday 21 February	Consultation period (31 school days)
Meetings	<b>Public meeting</b> Wednesday 29 January 2025 at 6-7 pm at Strathallan Primary School  <b>Drop-in sessions</b> Wednesday 29 January 2025 at Strathallan Primary School at 8.45-9.30 am, 2.45-3.30 pm and 5-6 pm before consultation



Friday 21 February	Consultation close
Friday 28 February	Fife Council to submit Consultation Report to Education Scotland
Monday 3 March – Friday 21 March	Education Scotland (3 weeks to visit the school, review the proposal document and responses and write their report)
Monday 24 March	Report received back from Education Scotland
Monday 7 April – Friday 18 April	Sign off report from Education Scotland
Tuesday 6 May 2025	Publish Consultation Report, in conjunction with Education Scotland (clear 3 weeks before committee is due to take decision)
Thursday 29 May 2025	Cabinet Committee to discuss Final Consultation Report and make decision.

The information included in this document can be made available in large print, braille, audio CD/tape and British Sign Language interpretation on request by calling 03451 55 55 00

Calls cost between 3p to 7p per minute from a UK landline, mobile rates may vary.

BT Text phone number for Deaf people 18001 01383 441177

## LANGUAGE LINES

এ নথিতে যেসব তথ্য আছে তা 03451555599 এ নাম্বারে ফোন করে অনুরোধ করলে বড় ছাপা, ব্রেইল, ওডিও সিডি/ট্যেইপ ও ব্রিটিশ সাইন ল্যাংগুয়েজ ইত্যাদি মাধ্যমে পাওয়া যাবে।

কলের জন্য ইউকে ল্যান্ডলাইন থেকে খরচ হবে প্রতি মিনিটে ৩পি থেকে ৭পি, মোবাইলের খরচ ভিন্ন হতে পারে।

عند الطلب، يمكن توفير المعلومات الواردة في هذا المستند في صورة مستندات مطبوعة بأحرف كبيرة ومستندات بطريقة برايل وعلى أشرطة/أقراص مضغوطة صوتية مع الترجمة بلغة الإشارة البريطانية من خلال الاتصال بالرقم 03451 55 55 77  
تتراوح تكلفة المكالمات بين 3 إلى 7 بنسات في الدقيقة من أي خط أرضي في المملكة المتحدة، وقد تختلف أسعار المكالمات بالهاتف المحمول.

如果你需要以大字體印刷、盲人點字、光碟/錄音帶格式或英國手語傳譯說明這份文件的內容，請致電 03451 55 55 88 提出要求。

用英國電訊固定座機撥打上述電話號碼收費每分鐘 3 至 7 便士，以手機撥打收費各異。

Informacje zawarte w tym dokumencie mogą zostać udostępnione w wersji drukowanej dużą czcionką, w alfabecie Braille'a, w wersji dźwiękowej na płycie CD/taśmie lub w tłumaczeniu na brytyjski język migowy – prosimy o kontakt pod numerem 03451 55 55 44.

Koszt połączenia wynosi 3-7p za minutę z brytyjskich telefonów stacjonarnych, koszty połączeń z telefonów komórkowych mogą być różne.

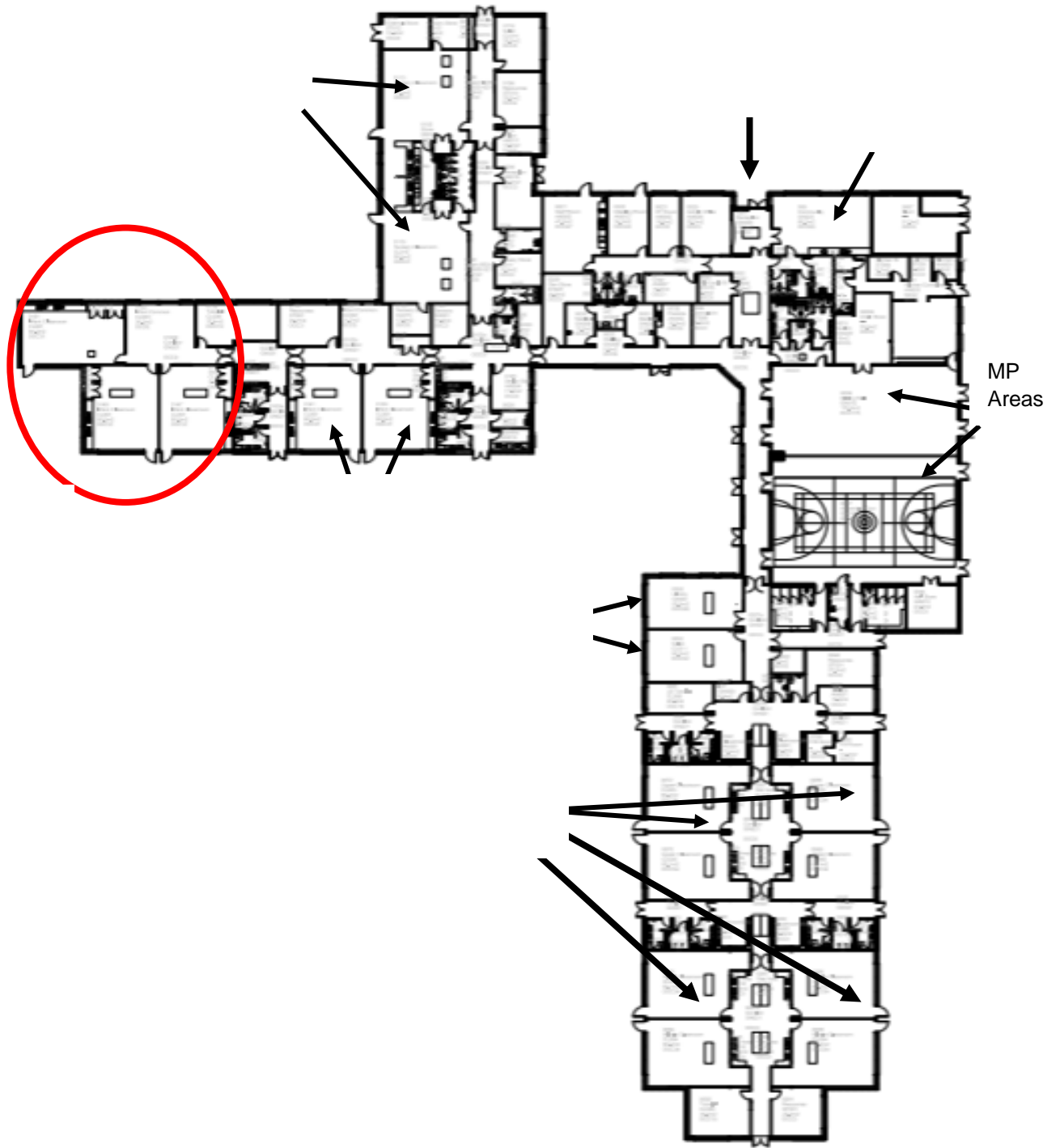
ਇਸ ਦਸਤਾਵੇਜ਼ ਵਿਚਲੀ ਜਾਣਕਾਰੀ ਟੈਲੀਫੋਨ ਨੰਬਰ 03451 55 55 66 ਰਾਹੀਂ ਮੰਗ ਕਰਨ ਉੱਤੇ ਵੱਡੇ ਅੱਖਰਾਂ, ਬ੍ਰੇਅਲ, ਆਡੀਓ ਸੀ.ਡੀ./ਟੇਪ ਅਤੇ ਬ੍ਰਿਟਿਸ਼ ਸਾਈਨ ਲੈਂਗੂਏਜ ਦੇ ਅਨੁਵਾਦ ਵਿਚ ਮੁਹੱਈਆ ਕਰਾਈ ਜਾ ਸਕਦੀ ਹੈ।

ਯੂ.ਕੇ. ਲੈਂਡਲਾਈਨ ਰਾਹੀਂ ਕਾਲ ਕਰਨ ਦਾ ਖਰਚਾ 3 ਤੋਂ 7 ਪੈਨੀਆਂ ਪ੍ਰਤੀ ਮਿੰਟ ਹੋਵੇਗਾ, ਮੋਬਾਈਲਾਂ ਦੇ ਰੇਟ ਵੱਖਰੇ ਵੱਖਰੇ ਹੋ ਸਕਦੇ ਹਨ।

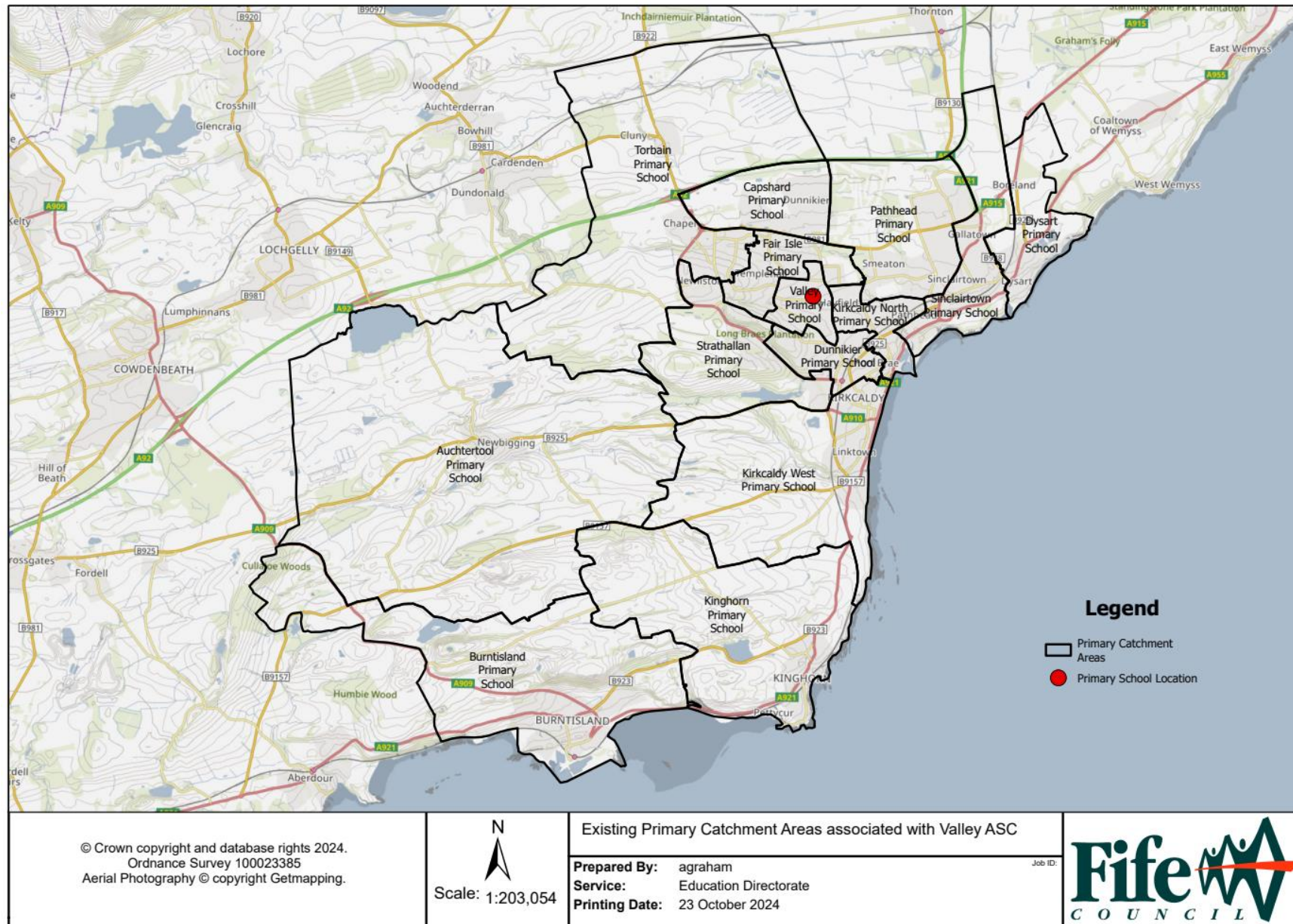
03451 55 55 66 پر درخواست کرنے سے اس تحریر میں دی گئی معلومات بڑے پرنٹڈ بریل، آڈیو سی ڈی/ٹیپ پر اور ترجمانی والی برطانوی اشاراتی زبان (برٹش سائن لینگویج) میں مہیا کی جاسکتی ہیں۔

کسی برطانوی لینڈ لائن سے فون کے نرخ 3 تا 7 پنس فی منٹ ہیں، موبائل کے نرخ مختلف ہوسکتے ہیں۔

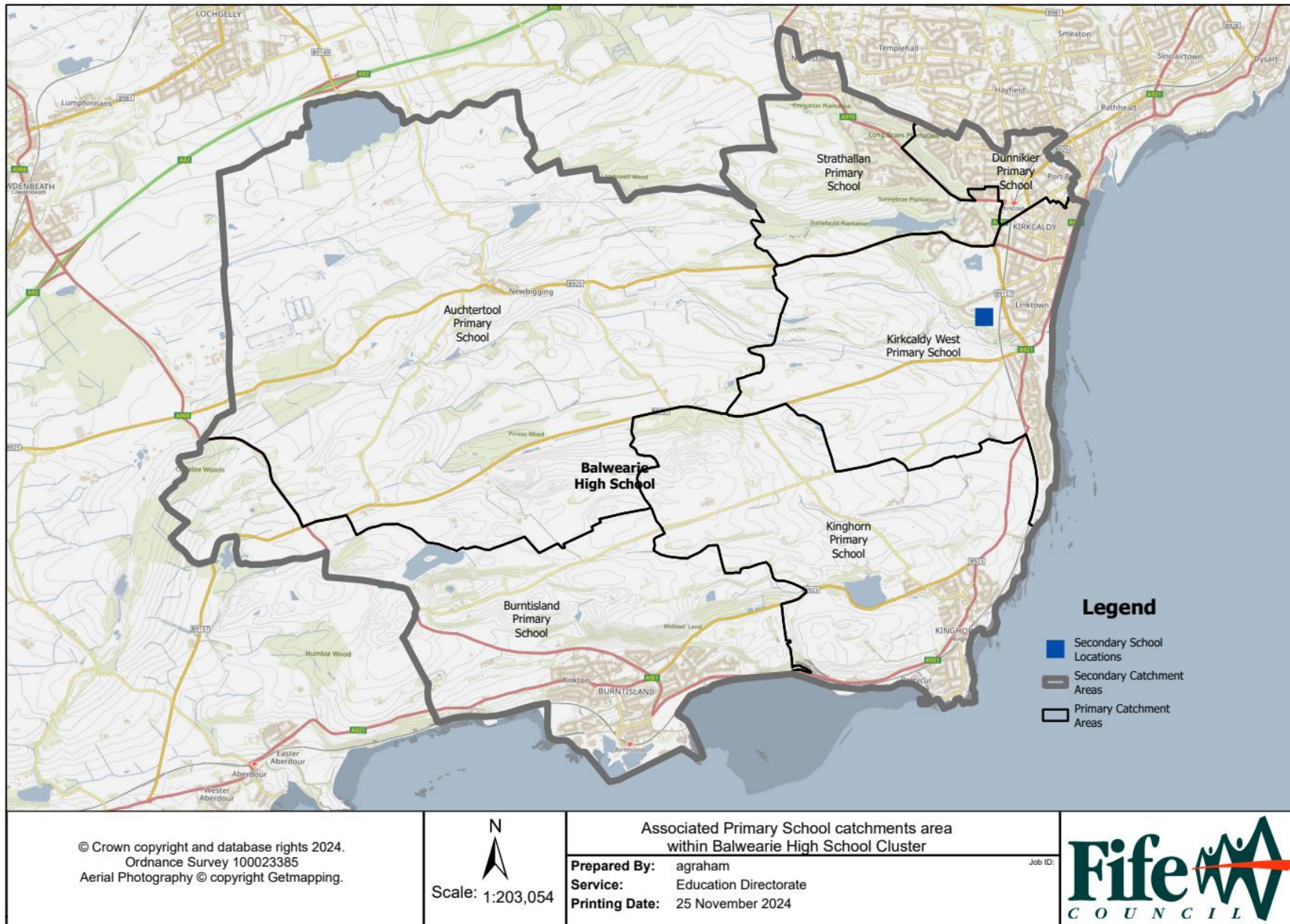
Appendix 1.1 – Proposed Location of new ASN Provision in Strathallan Primary School



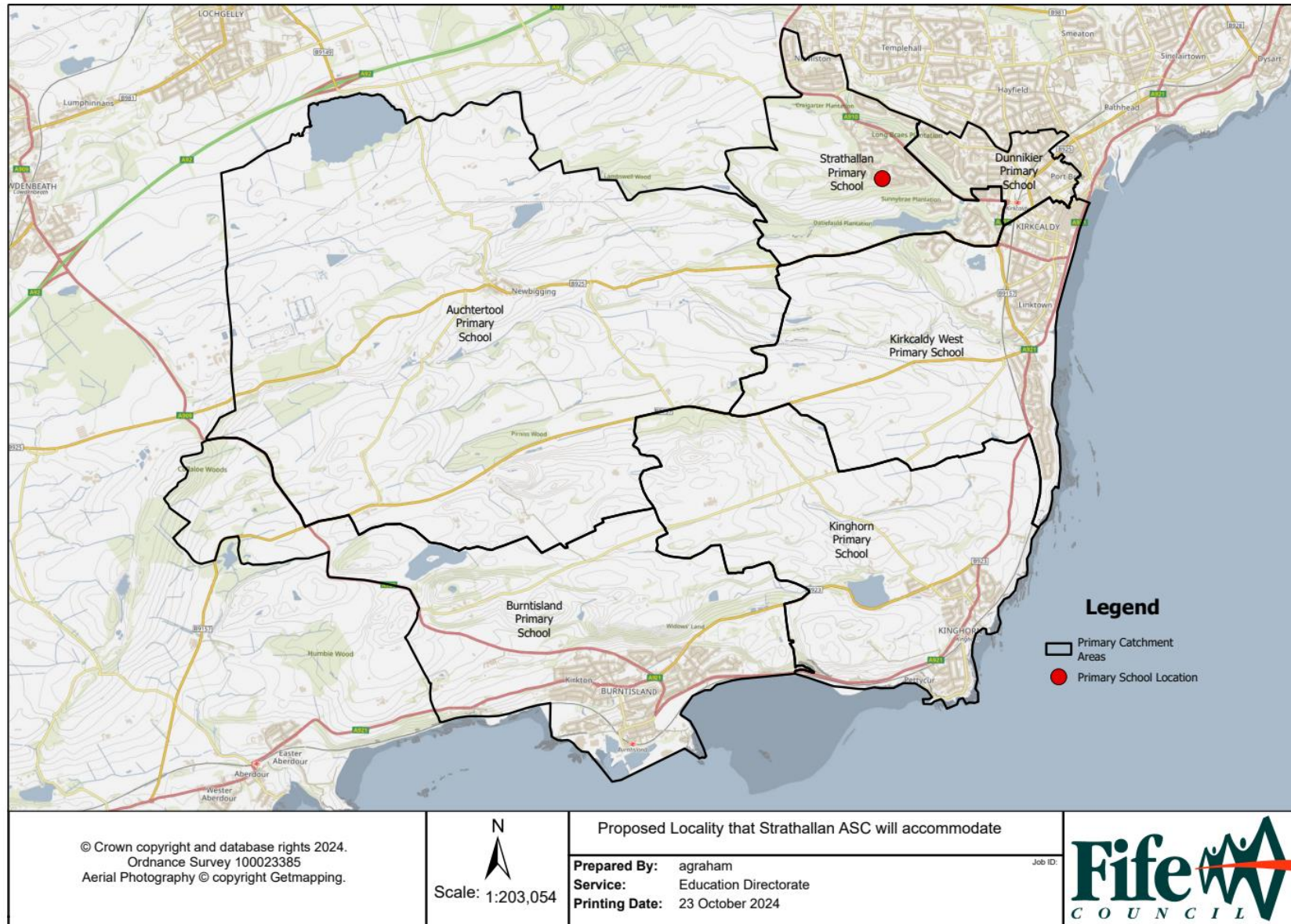
## Appendix 1.2 – Existing Primary Catchment areas that Valley ASC supports



## Appendix 1.3 – Balwearie High School Associated Primary Schools



## Appendix 1.4 - Proposed Areas that the new Provision will accommodate



## Appendix 1.5 - Glossary of Terms

### Core Facts

Core Facts are a series of data which are collected by local authorities to measure progress and success of a school estate strategy as well as benchmarking against other local authorities in Scotland. The core facts are used at both local and national level to:

- establish a baseline
- inform targets
- inform spending decisions
- support monitoring and evaluation of progress over time
- support assessments of value for money.

More information is available at: [School estates: core facts overview - gov.scot \(www.gov.scot\)](http://www.gov.scot/School-estates-core-facts-overview)

### School Condition Rating

Condition core facts are established by professional review, carried out by the Council's Asset & Facilities Management Service. Schools are assessed against a range of criteria set down by the Scottish Government and are examined on a 5-year rolling programme.

- A: Good – Performing well and operating efficiently  
B: Satisfactory – Performing adequately but showing minor deterioration  
C: Poor – Showing major defects and/or not operating adequately  
D: Bad – Life expired and/or serious risk of imminent failure.

### School Suitability Rating

Suitability core facts are established through a similar process to the condition core facts process, undertaken by Headteacher and Business Managers. This information assesses how well the school environment supports the delivery of the curriculum against criteria laid down by the Scottish Government.

- A: Good – Performing well and operating efficiently (the school buildings support the delivery of services to children and communities)  
B: Satisfactory – Performing well but with minor problems (the school buildings generally support the delivery of services to children and communities)  
C: Poor – Showing major problems and/or not operating optimally (the school buildings impede the delivery of activities that are needed for children and communities in the school)  
D: Bad – Does not support the delivery of services to children and communities (the school buildings seriously impede the delivery of activities that are needed for children and communities in the school).

Suitability surveys are reviewed by Headteachers/Business Managers every 5 years. Where school investment has been carried out in a particular school, the following year's Core Facts Update will be amended to reflect any subsequent change to the condition, suitability or accessibility rating.

### School Accessibility Rating

Accessibility ratings are collated by the School Estate Team, along with the Education Access Officer, who undertake surveys of all the school buildings. These ratings are then ratified by the Accessibility Strategy Group. The ratings are classified as follows:

- A: Fully accessible  
B: Building partially accessible but Curriculum accessible  
C: Partially accessible or not currently accessible but has the potential to be made accessible  
D: Inaccessible and unable to be reasonably adapted to be made accessible.

As part of the Accessibility Strategy, there will be a number of accessible schools in each geographical area.

### Strategic Development Areas

Strategic Development Areas are housing developments sites within Fife identified through Fife Council's Structure Plan 2006-2026 (approved May 2009). The Structure Plan also includes infrastructure developments for business and employment, town centres, retailing, housing, affordable housing, transportation and waste management. A Strategic Development Area for residential units range from 300 units in a small town/village to 4200 units in a large town.

## **Local Development Plan**

Fife Council adopted FIFEplan (Fife's Local Development Plan) on 21 September 2017. This plan details the local development changes to infrastructure within settlements and include new plans with planning consent. The Council are currently inviting communities to create Local Place Plans, which will help shape the next Local Development Plan. More information is available at [Invitation to create Local Place Plans](#) page.

## **Housing Land Audit**

Enterprise, Planning & Protective Services undertakes an annual audit (known as the Housing Land Audit) of the Housing Land Supply in Fife, using 1st April as the base date. The Audit monitors housing completions and makes predictions about future house building in Fife.

Homes for Scotland (representing the national house builders) and local developers are consulted on the information to be included in the Housing Land Audit to discuss and agree the Audit as far as possible. The latest publication for 2021 is published at [Planning Information and Land Use Audits | Fife Council](#)

## **Public Private Partnership (PPP)**

There are 2 existing contracts in Fife (PPP1 and PPP2) where schools have been procured and constructed through this process. The schools are maintained for a period of 25 years by a contractor and after 25 years the building is handed to the Council for future repair and maintenance. An annual unitary charge includes design and construction, services delivery including building and grounds maintenance, finance costs, legal, insurances, management and risk.

## **Life Cycle Costs**

Costs for replacing assets at the end of their life span. These include building, fabric, services and furniture and equipment to ensure the asset is maintain is a substantial condition.

## **Efficiency Range 80-100%**

No local authority can effectively run at 100% occupied. The 80%-100% efficiency range allows a degree of flexibility within schools to support Curriculum for Excellence.

## **Cost per Pupil Calculation**

The cost per pupil calculation for schools is computed in July of each year. The calculation is intended to bring together all comparable costs for each school and benchmark these at individual school level through the production of a cost per pupil figure.

The calculation is currently based on the School Revenue Budget Statements that are issued to schools in April of each year. The calculation takes into account a number of factors particularly the school roll from the last census at September of the previous year. The calculation takes schools running costs including an allocation for janitorial staffing costs. It excludes the costs for school transport, depreciation and the financing costs of schools built under PFI contract arrangements (PPP schools).

Having identified the relevant running costs for each school and by dividing these costs by the school roll this produces a cost per pupil figure which is used for comparison purposes.

## **Proposal Paper**

The Schools (Consultation) (Scotland) Act 2010 provides that where an education authority has formulated a relevant proposal in relation to any school, it must comply with the requirements of the Act before proceeding with the proposal. One of the requirements is that it must prepare and publish a proposal paper. Section 4 of the Act provides:

### **4 Proposal paper**

- (1) The education authority must prepare a proposal paper which—
  - (a) sets out the details of the relevant proposal,
  - (b) proposes a date for implementation of the proposal,
  - (c) contains the educational benefits statement in respect of the proposal,
  - (d) refers to such evidence or other information in support of (or otherwise relevant in relation to) the proposal as the education authority considers appropriate.
- (2) The proposal paper must also give a summary of the process provided for in [sections 1 to 17D] (so far as applicable in relation to the proposal).



(2A) Where a proposal paper relates to a closure proposal, it must also contain information about the financial implications of the proposal.

- (3) A proposal paper may include more than one proposal.
- (4) The education authority must—
  - (a) publish the proposal paper in both electronic and printed form,
  - (b) make the paper, and (so far as practicable) a copy of any separate documentation that it refers to under subsection (1)(d), available for inspection at all reasonable times and without charge—
    - (i) at its head office and on its website,
    - (ii) at any affected school or at a public library or some other suitable place within the vicinity of the school,
  - (c) provide without charge the information contained in the proposal paper—
    - (i) to such persons as may reasonably require that information in another form, and
    - (ii) in such other form as may reasonably be requested by such persons.
- (5) The education authority must advertise the publication of the proposal paper by such means as it considers appropriate.

### **Educational Benefits Statement**

The Schools (Consultation) (Scotland) Act 2010 provides that where an education authority has formulated a relevant proposal in relation to any school, it must comply with the requirements of the Act before proceeding with the proposal. One of the requirements is that it must prepare an educational benefits statement. Section 3 of the Act provides:

#### **3 Educational benefits statement**

- (1) The education authority must prepare an educational benefits statement which includes:
  - (a) the authority's assessment of the likely effects of a relevant proposal (if implemented) on:
    - (i) the pupils of any affected school,
    - (ii) any other users of the school's facilities,
    - (iii) any children who would (in the future but for implementation) be likely to become pupils of the school,
    - (iv) the pupils of any other schools in the authority's area,
  - (b) the authority's assessment of any other likely effects of the proposal (if implemented),
  - (c) an explanation of how the authority intends to minimise or avoid any adverse effects that may arise from the proposal (if implemented),
  - (d) a description of the benefits which the authority believes will result from implementation of the proposal (with reference to the persons whom it believes will derive them).
- (2) The statement must also include the education authority's reasons for coming to the beliefs expressed under subsection (1)(d).
- (3) In subsection (1), the references to effects and benefits are to educational effects and benefits.

**FIFE COUNCIL – EDUCATION DIRECTORATE  
CONSULTATION RESPONSE FORM**

**Proposal to establish a new Additional Support Class (ASC) within Strathallan Primary School, Strathallan Drive, Kirkcaldy from 18 August 2025.**

<https://forms.office.com/e/saCkTnM8f2>

**Section 1 - Your Details** (to be provided by parent/carers or interested parties to enable the local authority to inform any person who makes written representations on the proposal of the publication of the consultation report as required by the Schools (Consultation) (Scotland) Act 2010).

Name	
Address	
Postcode	
Email address	

**Section 2 - What is your main interest in responding to this consultation?**

(If you are a parent and a member of staff at one of the impacted schools, please choose either parent/carer or member of staff)

<b>I am a <u>parent/carer</u> of a child attending:</b>	<input checked="" type="checkbox"/>
Valley Primary School	
Valley Primary School ASC provision	
<b>Strathallan Primary School</b>	
<b>A primary school in the Kirkcaldy area</b>	
A nursery in Kirkcaldy local nursery area	

or

<b>I am a <u>pupil</u> attending</b>	<input checked="" type="checkbox"/>
Valley Primary School	
Valley Primary School ASC provision	
<b>Strathallan Primary School</b>	
<b>A primary school in the Kirkcaldy area</b>	
A nursery in Kirkcaldy local nursery area	

or

<b>I am a <u>member of staff</u> at:</b>	<input checked="" type="checkbox"/>
Valley Primary School	
Valley Primary School ASC provision	
<b>Strathallan Primary School</b>	
<b>A primary school in the Kirkcaldy area</b>	
A nursery in Kirkcaldy local nursery area	

or **Other Interested party:**

	<input checked="" type="checkbox"/>
Grandparent	
Member of Community Council	
Resident in the community	
Other Please explain if you are responding on behalf of an organisation or other reason	

**Section 3 - Your Views**

Question 3.1

Do you support the proposal to establish a new Additional Support Class (ASC) within Strathallan Primary School, Strathallan Drive, Kirkcaldy from 18 August 2025? **(Please choose one ✓)**

YES		NO		DON'T KNOW	
-----	--	----	--	------------	--

a. If NO, what are your reasons?


b. Are there any further comments on the proposal you would like to make?


**Section 4 - About You**

The following questions are **voluntary**. They are to assist Fife Council in fulfilling its obligations under the Equality Act 2010 in relation to the proposal. Your responses to these questions are confidential.

1. What is your age? **Please choose one (✓)**.

18 or under		25-34		45-54		65-74	
19-24		35-44		55-64		75 and over	

2. What is your gender? **Please choose one (✓)**.

Male		Female		Non-Binary		Prefer not to say	
------	--	--------	--	------------	--	-------------------	--

3. What is your ethnic background? **Please choose one (✓)**.

White Scottish		African	
Other White British		Asian, Asian Scottish, or other Asian British	
Other White background		Caribbean or Black	
Mixed or multiple ethnic background		Other ethnic background	

4. Do you consider yourself as having a disability? **Please choose one (✓)**.

YES		NO	
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**Thank you for taking part in this consultation.** For further information on how we use your data please visit: [www.fife.gov.uk/privacy/education](http://www.fife.gov.uk/privacy/education)

Please complete online at <http://www.fife.gov.uk/StrathallanASCestablishment> or return this form by post to: Proposal to establish New ASC Provision within Strathallan Primary School, Education Directorate, Fife Council, 4<sup>th</sup> Floor (West), Fife House, North Street, Glenrothes, KY7 5LT **by close of business on Friday 21 February 2025.**

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# Fife Council Firework Control Zones Community Request Process

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**Report by:** Michael Enston, Executive Director (Communities)

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**Wards Affected:** All wards

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## Purpose

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To seek Committee approval of the Firework Control Zones Community Requests Process for Fife.

## Recommendation(s)

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The Committee is asked to:

1. note the provisions of [part 4 of the Fireworks and Pyrotechnic Articles \(Scotland\) Act 2022](#) and the new discretionary power and the guidance on its use provided and published by the Scottish Government;
2. approve the Fife Council Firework Control Zones Community Requests Process (see Appendix 1), which includes:
  - considering how decisions will be made relating to community requests for a Firework Control Zone;
  - developing of a portal to facilitate Community Requests for a Firework Control Zone (proposed wording as set out in Appendix 2); and
3. agree to recommend to Council that the List of Committee Powers and Officer Powers be amended to take into account the delegations required to facilitate the Firework Control Zones Community Request Process.

## Resource Implications

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Community requests will be managed by the Safer Communities Team in the first instance. Additional resources may be required to undertake community consultation on any future proposal to designate an area a Firework Control Zone. However, based on the advice received from key partners, the probability of a request progressing to this stage at this time is low.

## Legal & Risk Implications

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There are existing legal restrictions in place to minimise the potential risks and impacts of fireworks on communities and individuals. The introduction of the discretionary power to create Firework Control Zones is seen as an additional tool for local authorities and partners to consider, where appropriate and proportionate, alongside other preventative and enforcement tools, specific and significant concerns in an area. There are not considered to be any risk implications for the council's objectives.

## Impact Assessment

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An EqIA is not required as this report does not propose any changes to existing policies or practices.

## Consultation

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Throughout the development of this process, consultation has taken place with community safety partners within Fife, including the Head of Legal and Democratic Services, Environmental Health Public Protection Team, Trading Standards, Police Scotland, Scottish Fire and Rescue Service, Waste Operations and Street Cleansing Service and Grounds Maintenance, Emergency Resilience Team. Consultation will continue with partners as part of the implementation of the Firework Control Zones process and to ensure it is fit for purpose.

Dialogue has also been conducted with colleagues in several other Local Authorities across Scotland.

## 1.0 Background

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- 1.1 In 2019, the Scottish Government launched a national public consultation on fireworks. 16,420 responses were received, displaying a widespread interest from members of the public and stakeholder organisations. Analysis of these responses demonstrated a strong desire for change in the relationship that Scotland has with fireworks and a desire for greater restrictions on the sale and use of fireworks.
- 1.2 In response, the Scottish Government established a Firework Control Group. This group considered legislative options for change and made a series of recommendations.
- 1.3 These recommendations have resulted in new responsibilities being placed on local authorities, some of which are discretionary.
- 1.4 The Fireworks and Pyrotechnic Articles (Scotland) Act 2022 (the Act) was brought into effect in stages. The first stage related to definitions of fireworks, redefining ages at which fireworks could be purchased and introducing a proxy purchasing offence.
- 1.5 The second stage came into force on 22 June 2023 and is more wide-ranging than stage one, as it introduced the concept of Firework Control Zones. Section 27 of the Act enables local authorities to designate a place within its area as a Firework Control Zone (FCZ). An FCZ is an area within a local authority's boundaries in which it is a criminal offence for a member of the public to ignite designated fireworks, including on private property such as a garden. Police Scotland has responsibility for enforcing offences relating to the illegal use of fireworks within FCZs.
- 1.6 Local authorities are obliged to establish a local process to give communities the ability to make the case for the designation of a firework control zone. The purpose of a community request is to provide communities themselves with a route to ask the local authority to consider whether a zone should be designated, amended or revoked in a particular place. If a community request is accepted, then this would begin the statutory requirement for consultation to be carried out.

## 2.0 Firework Control Zones (FCZ)

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- 2.1 The Act enables a local authority to designate a place within its area as an FCZ. The place designated under this section may typically be a small identifiable place within the local authority area. While it is a matter for local judgement, it is not expected that a local authority would designate the whole local authority area as an FCZ.
- 2.2 Previously, the Explosives Act 1875 made it an offence to light or to throw a firework in or into a public place. An FCZ will extend this prohibition into private land (including domestic gardens). It is an offence to ignite a firework within an FCZ, or knowingly or recklessly throw or cast a lit firework, or fire a firework, into the zone. However, even if an FCZ is established, it will not completely ban fireworks within the zone, as there is an exemption from FCZ requirements for public fireworks displays on behalf of charitable, religious, youth, recreational, community, political or other similar organisations.
- 2.3 The Fireworks (Scotland) Miscellaneous Amendment Regulations 2021 brought in tighter controls in the way the public can use and access fireworks in respect of restricting the times of day fireworks can be used; restricting the times of day fireworks can be supplied; and limiting the quantity of fireworks that can be supplied to the public.
- 2.4 The Act provides that a local authority may designate an area as a Firework Control Zone and amend or revoke an FCZ. In Fife, the decision to propose an area as an FCZ will be taken by the local authority following formal consultation with local community safety partners on an evidence based and proportionate basis.
- 2.5 A Firework Control Zone is not intended to be a catch-all solution to deal with issues involving fireworks. The requirement for an FCZ should be evidenced based, proportionate and it is expected that other preventative and enforcement measures will have been tried before an FCZ is considered.
- 2.6 There is a duty on local authorities to prepare and publish key details of any proposal for the designation of an FCZ, or any proposal to amend or revoke any such zone. Each proposal must set out the reasons behind what is proposed, the boundaries of the zone, the date from which it is to have effect, how long it is to have effect and details of the consultation that the authority is to conduct. The local authority is then required to consult persons who are likely to be affected by, or have an interest in, the proposed FCZ. This is not limited to just residents and businesses located within the proposed FCZ but also other members of the community in or near the proposed FCZ, as well as organisations that would be affected by firework activity such as Police Scotland, the Scottish Fire and Rescue Service and the Scottish Ambulance Service.
- 2.7 Local authorities should take appropriate steps to adequately publish information relating to the consultation. Methods used may include, but are not limited to:
  - Publishing details on local authority website
  - Circulating information through social media channels
  - Issuing letters to those who live or work within, or near, the boundaries of the proposed zone
  - Putting a notice in local newspapers
  - Notifying community councils and other relevant stakeholders, and
  - Any other means considered appropriate.

- 2.8 A local authority is required to publish a decision on a proposal for an FCZ (or its amendment or revocation) as soon as practicable after the decision is made, and at least 60 days before the proposal is to have effect, in order to give the local community sufficient notice of the designation
- 2.9 There are a number of public fireworks displays in Fife which are, for the most part, well organised and enjoyed by many. It is unlikely that these would be affected, as they would continue to be subject to existing local licensing requirements and therefore be exempt.
- 2.10 Unlike recent events seen in local authority areas such as Edinburgh and Glasgow, local community safety partners in Fife advise there is no evidence of significant numbers of complaints in relation to public order matters relating to fireworks and their use in Fife. In the event that such complaints do arise, it is expected that these will be dealt with by use of powers already available to Police Scotland under the 1875 Explosives Act, underpinned by a range of other measures currently available to local community safety partners.

### **3.0 Community Requests for a Firework Control Zone**

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- 3.1 While, the Act does not make provision about community requests, it is anticipated that they might be a valuable tool for a local authority to become aware of local concerns about fireworks use. With this in mind, the Scottish Government have produced local authority guidance stating that there should be a mechanism whereby a “community request” can be made to the council. Local authorities should, it advises, where possible, establish a local process to give communities the ability to make the case for the designation of an FCZ by the local authority. The purpose of a community request is to provide communities with a route to ask a local authority to formally consider whether a zone should be designated, amended or revoked in a particular place within its area. To this end, it is expected that the council will provide:
- Published and accessible details of how to submit a community request, including advising of the format in which they should be made.
  - Provide an opportunity to discuss a community request in advance of it being submitted, in particular with regard to other measures that may be tried before a zone is considered necessary.
  - Clearly communicated timings involved with submitting a community request, including the overall timing of an FCZ being fully considered and consulted on (with a view to managing expectations).
  - Where a request is made, an acknowledgement email to be sent within five working days wherever possible.
- 3.2 It is proposed community requests will be submitted through an offering on the council’s website (see Appendix 2) and this will outline the criterion where a FCZ can be considered. The applicant will be required to detail the reasons why a designated area requires to be considered for a FCZ. The requests will be received by the council’s Safer Communities Team who will consult with the Convener and/or Depute Convener (depending on availability) of the relevant Area Committee, Community Safety partners including Police Scotland, Scottish Fire and Rescue Service, Protective Services and Legal Services and other relevant bodies on whether it is proportionate to accept the request. There would need to be clear evidence based on reports of crime and anti-social behaviour, impact on livestock or wildlife and/or incidents of injury relating to firework misuse, that indicated that acceptance of the request was merited and that all

other measures to tackle the concerns raised had failed. The Service Manager for Housing Estates and Safer Communities will be responsible to notifying the lead person who has made the community request whether this has been accepted within the stipulated four week period.

- 3.3 If a community request is accepted, then the proposal will need to be developed and published for formal consultation. During the 12-week consultation stage, a report will be submitted to the relevant Area Committee to decide whether the local authority should designate the area in question as an FCZ. Members should note that based on current evidence, it is not anticipated any community requests will reach the consultation stage and the Service Manager for Housing Estates and Safer Communities will respond with an explanation to any request received that are not accepted.

## 4.0 Conclusions

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- 4.1 The Act grants discretionary powers to local authorities to designate a place within its area as an FCZ. We are obliged to establish a local process to allow communities the opportunity to make a case for an area to be considered.
- 4.2 There are a number of public displays in Fife which are, for the most part, well organised and enjoyed by many. It is unlikely that an FCZ would affect these, as these would likely fall under an exemption.
- 4.3 There is, currently, no evidence of significant numbers of complaints in relation to public order matters relating to fireworks and their use in Fife and, in the event that such complaints do arise, these should be dealt with initially by use of powers already available to Police Scotland, under the 1875 Explosives Act, underpinned by a range of other measures currently available to local community safety partners.
- 4.4 Fife Council community safety partners led by the Safer Communities Team are leading the development and implementation of a process (which will include an online portal) to facilitate community requests

### List of Appendices

1. Fife Council Firework Control Zones Community Requests Process
2. Proposed wording of Community Requests portal

### Background papers

1. [Part 4 of the Fireworks and Pyrotechnic Articles \(Scotland\) Act 2022.](#)
2. [Firework Control Zones: guidance for Local Authorities](#)

### Report Contact:

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Service Manager (Housing Estates and Safer Communities)  
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[joan.lamie@fife.gov.uk](mailto:joan.lamie@fife.gov.uk)

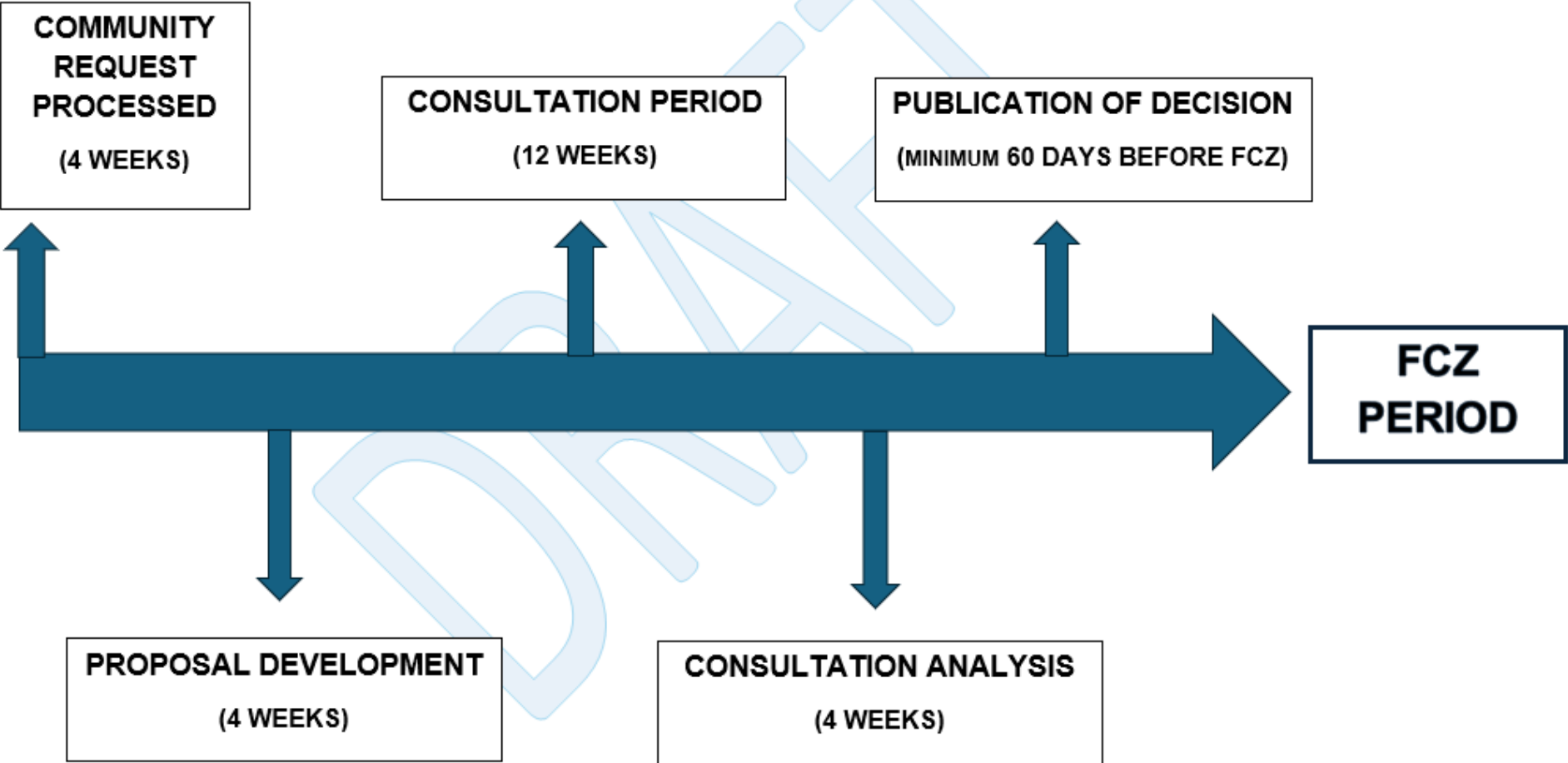


## Proposed Fife Council Firework Control Zones Community Requests Process

### Draft Process, Timeline and Anticipated Timescales

STAGES		TIMESCALE
1	<b>Community Request Stage</b>	<i>4 weeks</i>
2	<b>Proposal Development Stage</b>	<i>4 weeks</i>
3	<b>Consultation Stage</b>	<i>12 weeks</i>
4	<b>Consultation Analysis</b>	<i>4 weeks</i>
5	<b>Publication of Decision</b>	<i>(minimum) 60 days in advance of FCZ</i>
6	<b>FCZ Period</b>	<i>(as per proposal)</i>

# Fife Firework Control Zones – Community Request Process Timeline



**PART 1 – COMMUNITY REQUEST STAGE**  
**(Timescale - 4 weeks)**

- Requests for Firework Control Zones to be made to Fife Council.
- Requests to be acknowledged within 5 working days
- Formal consultation to take place including with the Convener and/or Depute Convener of the relevant Area Committee and local community safety partners to determine whether a zone is proportionate and appropriate.
- Decision made by Fife Council Delegated Officer (Service Manager – Housing Estates and Safer Communities) as to whether a proposal for a zone is to be developed in relation to the FCZ requested.
- Delegated Officer to respond to lead applicant to advise of outcome of request and provide details of their right to request a review of the decision which will be undertaken by the Head of Legal & Democratic Services.

**PART 2 – PROPOSAL DEVELOPMENT**  
**(Timescale - 4 weeks)**

Where a request for a FCZ has been accepted, Fife Council will prepare and publish a proposal relating to the designation of an FCZ.

**PART 3 – CONSULTATION**  
**(Timescale - 12 weeks)**

Fife Council to carry out consultation on the proposed FCZ.

**PART 4 – CONSULTATION ANALYSIS**  
**(Timescale - 4 weeks)**

Fife Council to carry out analysis of responses to consultation to determine whether there is support for/against the proposed FCZ and to seek Area Committee approval.

**PART 5 – PUBLICATION OF FCZ**  
**(Timescale - minimum 60 days before FCZ is due to commence)**

Fife Council to publish the decision on the consultation proposal once the consultation has concluded and will provide notice of no less than 60 days prior to the commencement of an FCZ.

**PART 6 – FCZ PERIOD**  
**(Timescale - as per community request & consultation)**

FCZ in operation as per proposal (subject to annual review, if appropriate)

# Proposed Wording of Community Requests Portal

## Fife Council Firework Control Zones (FCZ)

### Introduction

The [Fireworks and Pyrotechnic Articles \(Scotland\) Act 2022](#) (link required) gives councils a new discretionary power to introduce Firework Control Zones.

On 22 June 2023, the Scottish Government issued [Guidance on Firework Control Zones for Local Authorities](#).(link required)

Fife Council will oversee the process which will facilitate the designation of any Firework Control Zones (FCZ) within Fife.

The introduction of these new measures is not intended to cover the whole local authority area as a FCZ and are part of a suite of measures to tackle firework issues.

### What is a Firework Control Zone (FCZ)

A firework control zone is not intended to be a catch-all solution to deal with fireworks issues. It will only be considered where preventative and enforcement tools have been ineffective. If Fife Council and our local partners consider a firework control zone to be appropriate in a specific location during a specified period, it is expected that a zone would be utilised alongside other solutions to have maximum effect.

Once any firework control zone has been authorised, responsibility for enforcing any offences during the specified period falls to Police Scotland.

It creates a criminal offence for a member of the public to ignite a firework, within a FCZ and this includes private property such as a garden.

It is also an offence to fire a firework into the boundaries of a zone; or to knowingly or recklessly throw or cast a lit firework into a zone.

However, there are some exemptions to this, which include:

- Category F1 fireworks. These are classed as 'indoor fireworks' such as sparklers.
- Public organised displays, subject to local licencing.

### Criteria

A firework control zone may be considered for the following reasons:

- misuse of fireworks and anti-social behaviour involving fireworks
- injuries from fireworks

- animal welfare concerns
- the impact of fireworks on vulnerable groups of people
- environmental protection

A request cannot be made by an individual. Applications for consideration of a FCZ can only be submitted by:

- A community of residents (25 signatures required)
- A welfare group (must be a constituted group) or
- A Community Council.

When making a request, a lead applicant must be appointed. We will only notify the lead applicant on the progress and outcome of the submitted request.

The community request application form will require information on:

- The reasons for the proposed new FCZ, or for amending or revoking an existing zone.
- The boundaries of the zone.
- The start and end dates required for the zone to take effect.

Fife Council will work with local elected members, Police Scotland and other partners to help determine whether a firework control zone is the best approach to address an issue taking cognisance of the Scottish Government [guidance on firework control zones](#).

When designating a firework control zone. The geographic extent and operational dates of any proposed zone must be proportionate and supported by evidence.

### **How to apply**

A community request for a FCZ can be considered only on completion and submission of the

<i>Fife Council FCZ Community Request Form (link required)</i>
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This form should be completed and sent by email to [fcz@fife.gov.uk](mailto:fcz@fife.gov.uk) (mailbox to be created).

If you wish to clarify any aspect of the above prior to submission, please contact Fife Council by email at [fcz@fife.gov.uk](mailto:fcz@fife.gov.uk) (mailbox to be created).

A community of residents has been defined as requiring 25 supporting signatures. Names and addresses must be provided for all supporting applicants. Supporting applicants may be contacted by us in relation to the application. Supporting applicants must be residents of the area which the FCZ is being proposed.

Applications which do not provide details of all 25 supporting applicants will not be processed.

All applications must provide appropriate supporting evidence of the criteria indicated on the application form.

If the request is taken forward, the process will require a wider consultation in line with the legislation.

## Timescales

The following indicate timescales for the process after submission of a properly completed form.

Please note if the form is not completed properly, it will be returned, and the process timescales will begin when re-submitted.

Stage	Timescale
<b>Application Form Received by Fife Council</b>	<b>Acknowledge within 5 working days</b>
<b>Application form received, considered and response issued</b>	<b>4 weeks</b>
<b>If application accepted Fife Council develops consultation proposal for a zone</b>	<b>4 weeks</b>
<b>Consultation on proposed zone Undertaken</b>	<b>12 weeks</b>
<b>Consultation response considered and analysed</b>	<b>4 weeks</b>
<b>Decision on zone publicised</b>	<b>At least 60 days prior to decision taking effect</b>
<b>Total</b>	<b>32 weeks</b>

## Review process

- If the request is denied at the application stage, we will tell you why. You will then have 28 days to request a review of the decision by providing reasoning along with an updated request to [fcz@fife.gov.uk](mailto:fcz@fife.gov.uk) (mailbox to be created)
- If a request is denied any other requests that cover the same or similar geographical area cannot be made within 12 months.

***This will sit in Safer Communities and be visible in the 'Apply for Something' page of the Fife Council website with relevant appropriate search words to find the page.***

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## Procurement Strategy 2025 - 2030

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**Report by:** Les Robertson, Head of Revenue and Commercial Services

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**Wards Affected:** All

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### Purpose

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The purpose of this report is to present a proposed corporate Procurement Strategy to Cabinet Committee for onward implementation within Fife Council. This shall replace the existing strategy that was implemented in 2019.

### Recommendations

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It is recommended that Cabinet Committee:-

1. agree the content and direction of travel with key policy objectives outlined in the strategy;
2. approve the Procurement Strategy to be enacted as council policy; and
3. delegate authority to the Head of Revenue and Commercial Services to implement the Procurement Strategy accordingly.

### Resource Implications

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There are no direct resource implications from the aims detailed in the proposed Procurement Strategy; any existing costs associated with the actions required to deliver the aims shall be met within existing Service budgets. It should be noted however that if any area is desired to be accelerated or expanded beyond business-as-usual capabilities, that resource implications would be anticipated.

### Legal & Risk Implications

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Public procurement activity in Scotland is governed by a legislative framework including the following:

- The Public Contracts (Scotland) Regulations 2015
- Utilities Contracts (Scotland) Regulations 2016
- Concessions Contracts (Scotland) Regulations 2016
- The Procurement (Scotland) Regulations 2016 (implementation of Procurement Reform (Scotland) Act 2014 (activity from these regulations is often referred to as 'Regulated Procurement'))
- Case Law

Publication of an organisational Procurement Strategy is mandated as part of the 2016 legislation and the content takes cognisance of the legal framework.

The main risk associated with the Procurement Strategy is the turbulent macro-environment, however, the content is reflective of current priorities and the strategy will be subject to an annual review to ensure focus and efforts are in line with council and national position.

## Impact Assessment

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An EqIA and summary form have been completed – the summary form is attached to the report.

## Consultation

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Consultation has been undertaken in both a formal and informal manner. Procurement has representation on some strategic boards and groups, therefore, contributions on wider council objectives have been incorporated into the strategy.

Internal consultation on the draft document has been undertaken via Council Leadership Team (as well as some targeted individuals and promoted through Fife Council intranet) during July 2024.

The strategy was tabled at the Workforce Consultation Group for discussion with Trade Union representatives on 20 August 2024. Discussion was largely around the fair work content.

The strategy was tabled at Council Executive Team on 2 October 2024 and direction of travel with key policy objectives, as outlined in the strategy, were discussed and agreed.

External consultation was offered and promoted through local Meet the Buyer events but no formal responses were received. A constructive meeting was held with Fife Chamber of Commerce and Federation of Small Businesses and the draft strategy was shared.

Priorities and aspirations yielded from ongoing engagement with the Administration has been incorporated into the strategy content and wider member engagement was undertaken via a Briefing Note and engagement sessions that took place in November 2024.

## 1.0 Background

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- 1.1 The existing Procurement Strategy was implemented in 2019 and is due a refresh.
- 1.2 The existing strategy was the first of its kind following the Procurement Reform (Scotland) Act 2014. With this in mind and recognising the changing landscape of both the procurement function as well as the wider environment that we operate in, the refresh is more of a re-write than an update to ensure it is fit for purpose moving forward.
- 1.3 The Procurement Strategy sets out how Fife Council intends to ensure that its procurement activity delivers value for money and contributes to the achievement of Fife Council's broader aims and objectives, in line with Scottish National Outcomes. Publication of the strategy as well as annual procurement reports will help promote the positive impacts that public procurement can have on Scotland's economy and public services.
- 1.4 It is proposed that the Procurement Strategy cover a period of five years from January 2025 but it shall be reviewed on an annual basis through the Annual Procurement Reporting process. It can be updated with the annual review, if required, but if there are any areas of significant change, a refresh can be undertaken prior to its natural intended update which would be due in 2030.
- 1.5 The Regulations stipulate some minimum content that must be included, so this is incorporated alongside the content that we propose is relevant and appropriate to be included.



## 2.0 Context of Procurement in Fife Council

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- 2.1 Fife Council has extensive external procurement spend, at over £600m per annum.
- 2.2 Fife Council has a semi-centralised procurement operating model, with procurement authority for goods and services (that are not already covered by a contract or related to ICT) up to regulated value (£50,000) to all council services. For construction related works, authority is delegated to specific services within the Place Directorate. This is operationally termed DPA (Delegated Procurement/Procuring Authority). Regulated procurement activity is governed through the Council Standing Orders, Scheme of Tender Procedures and established functional governance within the corporate procurement function.
- 2.3 The corporate procurement team are aligned to category areas of spend, with Category Managers providing expertise and strategic direction for their respective areas of spend. The category breakdown is as follows:
- Corporate and Facilities Management
  - Construction
  - Environment and Fleet
  - Social Care and Education
  - Travel and Transportation
- 2.4 Fife Council procurement as a function (includes DPA) has significantly improved its performance and governance over recent years and is recognised as an enabling function to support delivery of policy aspirations. The turbulent external environmental impacts has also recognised Procurement to be a supportive function to take pro-active action and/or contribute to recovery activity.
- 2.5 As well as local contracting, Fife Council also utilise national frameworks, namely those from Scottish Government (Scottish Procurement) and Scotland Excel (Centre of Procurement Expertise for Local Authorities). More detail of the relationships and arrangements can be found in Appendix 1, 'Public Sector Procurement/Collaboration including use of National Frameworks'.
- 2.6 Fife Council reports its performance and activity on a yearly basis, through its Annual Procurement Report which is presented to the Finance, Economy and Corporate Services Scrutiny Committee. The 2023-24 Annual Procurement Report is due to be reported at the January 25 committee. The 2022-23 Annual Procurement Report can be found [on fife.gov via this link](#) for additional context to supplement the strategy.
- 2.7 The strategy covers procurement activity facilitated by Fife Council. This might include activity on behalf of Trusts/Arm's Length External Organisations but the strategy itself is not extended to their organisations respectively as governed policy or practice.

## 3.0 Content and Presentation of Strategy

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- 3.1 The first few sections are intended to 'set the scene', providing some national and local context; spend profile information; the legal framework and how procurement operates in Fife Council, including the use of national frameworks through collaborative arrangements.
- 3.2 The specific minimum requirements that must be included in the strategy have been presented in a table format in Appendix A to adhere to the requirement, but with recognition that there is some overlap with the main body of the strategy.

- 3.3 Four 'Strategic Drivers' have been identified as being areas of policy focus to be factored into procurement activity alongside legislative requirements. These are:

**Strategic Driver 1** – Community Wealth Building incorporating Sustainable Procurement (Environment, Economic, Social and Ethical Considerations)

**Strategic Driver 2** – Supporting the Council's Financial Challenges

**Strategic Driver 3** – Corporate Strategy, Development and Continuous Improvement of the Procurement function.

**Strategic Driver 4** – Effective Procurement Policy, Guidance and Tools

- 3.4 Each of the Strategic Drivers are addressed by providing their context and aims, linkages to council and/or national objectives, high level summary of what activity will support this and narrative on the anticipated outcomes/measures, i.e. the 'why', the 'how' and the 'what does good look like/measurements'.
- 3.5 It is recognised that some of the content is relatively high level in terms of its policy stance, for example, the Fair Work agenda. This provides opportunity to work through practical implementation and/or evolving practice and where appropriate, further engagement with relevant stakeholders shall be undertaken as deemed appropriate.
- 3.6 A high level draft strategy delivery plan has been appended in Appendix B to illustrate some key pieces of work that will be undertaken to progress the Strategic Drivers and delivery of the strategy. A more detailed operational version of this delivery plan will be developed and progressed accordingly. It is intended to utilise this to monitor progress and aid reporting of performance against the strategy.
- 3.7 A glossary (Appendix C) has been provided to aid understanding of some technical terms that are referred to.

## 4.0 Priority Areas and Links to Council Objectives

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- 4.1 The first two Strategic Drivers are specifically focussed on continuing to support and improve the position of the strategic aspirations/needs of the council. The Community Wealth Building incorporating Sustainable Procurement Strategic Driver encompasses both economic and environmental activity and are aligned with the relevant strategies for those key areas (Leading Economic Recovery and Addressing the Climate Emergency) and, ultimately, aligned to the Community Wealth Building aspirations of the council and wider Fife Partnership.

### **Leading Economic Recovery**

- 4.2 Procurement is committed to continue to improve access to public contracts for small and medium enterprises, the third sector and supported businesses. Further detail of commitments and opportunities are detailed in the strategy.
- 4.3 The aspiration to increase spend and contract awards with local businesses shall remain a priority. A continued increase in spend and/or contracts awarded shall be pursued and reported.
- 4.4 In accordance with the objective from Fife's Economic Strategy, Procurement is committed to 'Increase the scale and range of community benefits achieved through public sector procurement expenditure'.

- 4.5 Procurement shall continue to promote and make effort to influence the working practices of its contractors. Whilst practice continues to develop on this subject, guidance shall continue to be explored with relevant stakeholders so that opportunities to progress further are maximised.

### **Addressing the Climate Emergency**

- 4.6 Procurement strategies shall be based on informed decisions to provide solutions that respond positively to the climate challenge, eliminating waste throughout the supply chain where possible; and act in a way that will secure net zero emissions through a Just transition and promote a circular economy.
- 4.7 Some areas of the Climate Fife 2024 Strategy have been highlighted as requiring procurement enablement.
- 4.8 Use of national Sustainable Procurement tools shall help inform issues/outcomes associated with climate (and other sustainable procurement factors) risks/opportunities.
- 4.9 Some category specific areas of focus for Sustainable Procurement (not exhaustive and not all climate specific) are summarised in the strategy by way of examples.

### **Supporting the Council's Financial Challenges**

- 4.10 Through effective procurement, it is aimed to achieve financial savings and benefits by minimising non-contract spend and avoiding unnecessary costs. Category Strategies shall be developed to consolidate the position and opportunities arising from the respective category area and positive engagement with services shall allow pursual of valid opportunities. Such opportunities may be around cost reduction (demand management/alternative approach), cost avoidance and income generation.
- 4.11 The subsequent two Strategic Drivers are generally internally focussed to the Procurement function to facilitate both operational and strategic procurement activity.

### **Corporate Strategy, Development and Continuous Improvement of the Procurement Function**

- 4.12 These drivers include activity such as effective resource planning and staff development; effective governance and high compliance; continuous improvement; effective processes and procedures and collaborative working.
- 4.13 Whilst relationships with council services continue to grow, with many areas having positive working relationships, there is recognition that Procurement is not always engaged early in all discussions, yet involvement is often essential to ensure compliance as well as to maximise good outcomes and progression of opportunities associated with council aspirations. A suggested action on the Delivery Plan includes collective ownership (3.1 on Appendix B) as follows:
- Representation and active participation in relevant Boards/Projects etc.
  - Stakeholder engagement
  - Seek more formalised plans from Directorates/Services of non-standard procurement activity in an effort to reduce unplanned activity and allowing more effective resource planning.

## 5.0 Conclusions

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- 5.1 Fife Council has a statutory obligation to publish a Procurement Strategy and the proposed new strategy is intended to ensure that its procurement activity delivers value for money and contributes to broader aims and objectives of Fife Council and in line with Scottish National Outcomes.
- 5.2 The procurement function has undergone a period of improvement and the wider environment has been turbulent, with Procurement being recognised as an enabler for supporting policy aspirations and recovery work.
- 5.3 Despite the uncertainties of external influences, approval of the proposed Procurement Strategy will set the strategic context for Fife Council procurement to aspire to deliver on and provide a mechanism for meaningful reporting of performance via its Annual Procurement Report.
- 5.4 It is recognised that some of the content is relatively high level in terms of its policy stance. This provides opportunity to work through practical implementation and/or evolving practice and where appropriate, further engagement with relevant stakeholders shall be undertaken as appropriate.

### List of Appendices

1. Fife Council (draft) Procurement Strategy (incorporating Appendices A, B and C).
2. EqIA Summary Report

### Background Papers

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

- [Procurement Reform \(Scotland\) Act 2014: statutory guidance](#)
- [Plan4Fife](#)
- [Fife Economic Strategy](#)
- [Climate Fife 2024 Strategy and Action Plan](#)
- [Food4Fife Strategy](#)
- [Fife Council Annual Procurement Report 22-23](#)

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# Corporate Procurement Strategy 2025 – 2030

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# Foreword

Procurement is essential to keeping all our local services, and their support functions, running. And in an organisation as large, diverse and complex as ours, it is always challenging – particularly as public service finances come under increasing pressure.

The scale of our operations makes Fife Council a significant buyer of goods and services. With an annual spend of some £600m, the purchasing decisions we make have a huge impact on the local economy, as well as on the quality of services we provide. As such, working to an effective procurement strategy is critical to achieving our ambitions for Fife and creating a successful, confident and fairer place where everyone has the opportunity to thrive.

It's our duty to get best value from this public money and that means much more than looking for lowest cost, although financial management is always key.

By choosing wisely, and increasingly working in partnership with our supplier network, we can make our spend work harder for our communities.

By using local companies as our primary suppliers or as part of the supply chain wherever possible, we will support local jobs and economic growth. By encouraging businesses we work with to pay the Real Living Wage and requiring them to deliver social value, like training programmes or environmental projects, as part of our contracts, we support improving health and wealth in our communities. And by making ethical choices with suppliers who value sustainable practices and products we will play our part in addressing the impacts of climate change.

Over the next 5 years, this procurement strategy will support the council as we keep working to improve lives with quality, sustainable services, while working in new and more efficient ways.

Cllr Altany Craik  
Spokesperson Finance, Economy & Strategic Planning

# Executive Summary

Approaching procurement through a community wealth building lens and the Sustainable Procurement Duty, we aim to:

- Ensure as much of Fife Council's procurement spend is spent with local Fife businesses as possible.
- Reduce environmental impacts from procurements.
- Deliver community benefits from contracted suppliers.
- Encourage payment of the Real Living Wage from contracted suppliers.
- Ensure that procurement arrangements comply with relevant health and safety, data protection and cyber security (not exhaustive) legislative and regulatory requirements as appropriate.
- Where appropriate, collaborate with others to maximise efficiencies and improve outcomes.

To facilitate delivery of the above, four 'strategic drivers' have been identified that will be progressed during the period of the strategy, these are as follows:

- Strategic Driver 1  
Community Wealth Building incorporating Sustainable Procurement (Environmental, Economic, Social and Ethical considerations)
- Strategic Driver 2  
Compliance and Supporting the Council's Financial Challenges
- Strategic Driver 3  
Corporate Strategy, Development and Continuous Improvement of the Procurement Function
- Strategic Driver 4  
Effective Procurement Policy, Guidance and Tools



# Form and Content

This strategy sets out how we plan to carry out our procurements for the next 5 years. It reflects obligations as a contracting authority, and some broader enablement of council and national priorities and aims. It addresses policy and legal context associated with public sector procurement in Fife Council and identifies 'Strategic Drivers' (key areas of strategic focus), aligned to corporate and national priorities, along with planned activity to achieve positive and measurable outcomes.

There are some specific minimum requirements that must be included in our Procurement Strategy, so these have been tabled

in Appendix A  
Mandatory requirements of the Procurement Reform (Scotland) Act 2014 and Statutory Guidance Obligations to adhere to this requirement but recognise that there is often some overlap with the main body of the strategy.

A draft Strategy Delivery Plan has been appended in Appendix B to illustrate some key pieces of work that will be undertaken to progress the Strategic Drivers.

# Fife Council's Organisational Objectives

## Plan for Fife 2024-2027

The Fife Partnership has a vision for Fife as a place where communities really matter, where people set the agenda and contribute to how change is being delivered.

With fairness at the heart of everything, our aim is for Fife to be a place of connected communities, where people thrive, have enough money, and contribute to a sustainable and attractive environment.

In 2017 we set our ten-year ambitions for Fife. These remain our long-term ambitions. Review work undertaken in 2021 sharpened our focus on three main priorities and following further review in 2024, Fife Partnership Board retained those commitments for the 2024-2027 period.

In the face of social and financial challenges we will continue to provide good quality, sustainable services that meet the needs and concerns of our communities and make things fairer across Fife.

We're focussing on:

- helping people escape poverty and driving out inequalities
- building community wealth and growing our local economy
- protecting Fife from the impact of climate change



[Plan for Fife Priorities 2024-27 | Our Fife - Creating a successful, confident and fairer Fife](#)

Another 2 key strategies that this document aligns to is the [Fife Economic Strategy](#), and the [Climate Fife 2024 Strategy](#).

# National Context

## Public Procurement Strategy: 2023 to 2028

The Scottish Government published the national [Public Procurement Strategy for Scotland 2023 to 2028](#) in April 2023. The Ministerial Foreword from Mr Arthur (Minister for Community Wealth and Public Finance) states 'We must use public spending power to make Scotland a better place to live, work and do business. How we procure goods, works and services should promote inclusive economic growth, create fair opportunities for all, and accelerate our just transition to a net zero economy.'

The vision within the document is 'Putting public procurement at the heart of a sustainable economy to maximise value for the people of Scotland'.

The strategy structure is aligned to the National Performance Framework with outcomes outlined by the Sustainable Procurement Duty, which requires us to buy in a way which is:

- **Good for businesses and employees**
- **Good for society**
- **Good for places and communities**
- **Open and connected**

These outcomes are in alignment with many aspects of this Procurement Strategy and are referenced against the relevant strategic drivers to illustrate this.



References (Scottish Government, [Public Procurement Strategy for Scotland 2023 to 2028](#))

# Legal Framework

Public procurement activity in Scotland is governed by a legislative framework including the following:

- The Public Contracts (Scotland) Regulations 2015
- Utilities Contracts (Scotland) Regulations 2016
- Concessions Contracts (Scotland) Regulations 2016
- The Procurement (Scotland) Regulations (implementation of Procurement Reform (Scotland) Act 2014 (activity from these regulations is often referred to as 'Regulated Procurement')
- Case Law

Note – the legislation for UK Government Public Procurement is going through reform. The UK Procurement Act 2023 received Royal Assent in October 2023. New Regulations will be implemented to bring the Bill into effect. This **will** not apply to Scottish public bodies but will apply to UK based organisations operating in Scotland.

It is anticipated that the Scottish Government shall notify Scottish public bodies of any technical impacts or provide guidance on any relevant aspects of the changing legislation, such as using a UK contracting authority's framework agreement.

# Public Sector Procurement/Collaboration including use of National Frameworks

The [Public Procurement Strategy for Scotland 2023 to 2028](#) states that collaboration is an enabler which 'will assist us in achieving our shared goals and anchoring our success in communities, people and organisations. Strengthening collaboration and engagement across the Public Procurement landscape will allow consistent approaches where practical and facilitate the development and sharing of best practice'.

## Scottish Procurement and Property Directorate (SPPD)

As a Scottish public body, Fife Council benefits from a range of national public sector agreement contracts that have been let by SPPD, specifically the National Collaborative Procurement Division (Procurement function within Scottish Government). These are known in the Scottish public procurement profession as Category A contracts, and are for goods and services that are required across the wider public sector, with markets that lend themselves to a national arrangement, e.g. utilities, stationery, IT consumables and providers etc. Fife Council procures from these frameworks when it is deemed that it is best value to do so.

The SPPD also provide a range of tools and guidance to help public bodies carry out procurement activity efficiently, and to improve and enhance their procurement capability. The [Procurement Journey](#) and [Construction Procurement](#) websites are the main source of procurement best practice guidance for the Scottish public sector.

In addition to the best practice guidance available on the Procurement Journey, the SPPD produce the following:

- [Statutory guidance](#) covering procurement strategies and annual reports, the sustainable procurement duty, community benefit, tenders and award of contracts.
- A [series of guides to help embed sustainability into procurement processes](#)
- [Procurement policy notes \(SPPNs\)](#) and [Construction Procurement Notes](#) which provide advice on current policy issues.

## Scotland Excel

Scotland Excel was established in 2008 following a fundamental review of public sector procurement in Scotland. ([Review of Public Procurement in Scotland: Report and Recommendations](#)). One of the recommendations was that sectoral Procurement Centres of Expertise be created to promote collaboration and develop capability.

Scotland Excel provide a range of services for its members as follows:

- Collaborative contracts (known as Category B contracts, for goods and services at Local Government sector level, let on a national basis)
- Scotland Excel Academy (Professional Learning & Development)
- Procurement & Consultancy Services (Supplementary Cost)
- Promoting public sector procurement best practice and continuous improvement activity, including industry and category specific insight, and facilitation of the national Procurement Commercial Improvement Programme.

Scotland Excel is governed by a joint committee and was formed under section 57 of the Local Government (Scotland) Act 1974 to carry out a range of procurement functions on behalf of councils and associate members.

At the end of Q4 2022/23, Scotland Excel's contract portfolio consisted of 69 frameworks valued at £2bn covering a wide range of goods and services.

## Others

There are many other procuring bodies who provide frameworks for wider public sector, or sector specific use. Fife Council would need to satisfy itself of the eligibility of use of any such framework and consideration would be documented as part of individual contract strategies.

Fife Council Procurement also engages with its counterparts in the Fife Partnership organisations, as well as other councils. Networks are well established and collaborative activity in relation to policy and process as well as from a procurement activity point of view continues to evolve.

# Procurement in Fife Council (Operating Model)

Since the last Procurement Strategy was written (implemented in 2019), the Procurement function has undergone a period of transformation. The aims of the Transformation Programme were to deliver financial savings of over £16m over a three-year period, and to upskill the procurement workforce. This project was delivered successfully with outcomes exceeding targets set. The team now has an enhanced structure in place and continues to report financial and non-financial benefits as well as providing compliance with its regulated procurement activity. Performance and progress against strategic objectives are reported via the Annual Procurement Report each year.

The last 5 years have seen some unprecedented challenges with external impacts, and as a result, there are some shifts of focus in relation to some strategic objectives. Effective procurement and has played a significant role in response to previous emergency situations, and will strive to continue to provide innovative, effective and efficient responses to support positive outcomes and policy aspirations.

We fully recognise that the council faces a number of challenges for the foreseeable future, including continuing budget reductions whilst having to deliver a more diverse service than ever. We must undertake a commercial approach to our procurement activity whilst adhering to the principles of public procurement: transparency, integrity, openness, fairness, non-discrimination, equal treatment, competition and accountability. These principles underpin our procurement activity whilst ensuring value for

money and securing financial and non-financial benefits for our considerable third party spend, which exceeds £600m per year.

Fife Council has a semi-centralised procurement operating model, with procurement authority for goods and services up to regulated value delegated to all council services, and for construction related works, and works related services delegated to specific services within the Place Directorate (often referred to as DPA – Delegated Procurement/Procuring Authority). Authority levels and associated governance and process is documented in the Council Standing Orders, the [Scheme of Tender Procedures](#). The Scheme of Tender Procedures were last reviewed in 2023 and require review at least every 3 years. For the purposes of this strategy, DPA are considered an extension of the Procurement function, and are committed to supporting council aspirations in relation to their procurement activity.

The corporate procurement team is currently aligned to category areas of spend, with Category Managers being expert in their respective areas, and a conscious decision to specialise and align to the market (suppliers) rather than service areas of the council, providing a holistic approach to the range of goods, service and works that the council buys.

The procurement spend is currently split into the following categories:

- Corporate and Facilities Management
- Construction
- Environment and Fleet
- Social Care
- Travel & Transportation

Further detail of the scope within these categories can be found here [Category Trees](#).

## Procurement and Commercial Improvement Programme (PCIP)

PCIP is a national approach designed to support and encourage the continuous improvement of procurement and commercial practices. It provides a means of measuring and reporting on the procurement and commercial capability of organisations. This is done through the provision of evidence, based around a series of set questions. The PCIP is facilitated via Scotland Excel, the Local Authority Centre of Procurement Expertise, on behalf of the Scottish Government.

Fife Council will continue to engage positively with the programme and shall design procedures and processes in accordance with this as it is based on best practice in the sector. It is anticipated that the PCIP programme shall be run every 3 years, with first assessment of refreshed programme completed in March 2024.



# Regulated Procurement

Procurement activity is considered 'Regulated' for goods and services with a value of over £50,000 and for works with a value over £2million.

Scottish Ministers have published [Statutory Guidance](#) under the [Procurement Reform \(Scotland\) Act 2014](#) (the Act) and specifically covers the following:

- Procurement strategies and annual procurement reports (section 20 of the Act)
- Sustainable procurement duty (section 10 of the Act)
- Community benefit requirements in procurement (section 26 of the Act)
- Selection of tenderers and award of contracts (section 29 of the Act)
- Procurement for health and social care services (section 13 of the Act)

This guidance is utilised when developing policy and process for all related procurement activity.

Our Council Standing Orders, the Scheme of Tender Procedures ensures that all procuring officers follow the regulated procurement procedures.

Our Procurement Review Board (PRB) was set up to ensure application of all relevant governance alongside delivery of commercial excellence throughout all regulated procurement activity. The PRB allows for a structured governance regime to understand the scope of a market opportunity, through a review of the procurement report and associated contractual documentation as appropriate, to ensure that all steps have been undertaken and appropriate commercial rigor applied. The PRB has brought consistency across all areas of procurement, via peer review and through the effective review and approval of all procurement opportunities.

Internal governance associated with regulated procurement activity is well established within Fife Council but is always subject to continuous improvement, with further detail provided throughout this strategy.

# Spend/Contract Profile

This strategy covers procurement activity facilitated by Fife Council itself. This might include activity on behalf of Trusts/Arm's Length External Organisations but is not extended to their organisations respectively as governed policy or practice. Any procurement that these organisations undertake independently are bound by respective legislation and are committed to supporting local policy agendas such as laid out in this strategy document. Fife Council Procurement remains available to assist with any activity in relation to procurement policy or practice to ensure compliance and best value is achieved.

Fife Council's procurement spend is significant, with £628m being reported for financial year 2023-24.

## Top 25 suppliers (by spend) (Financial Year 23-24)

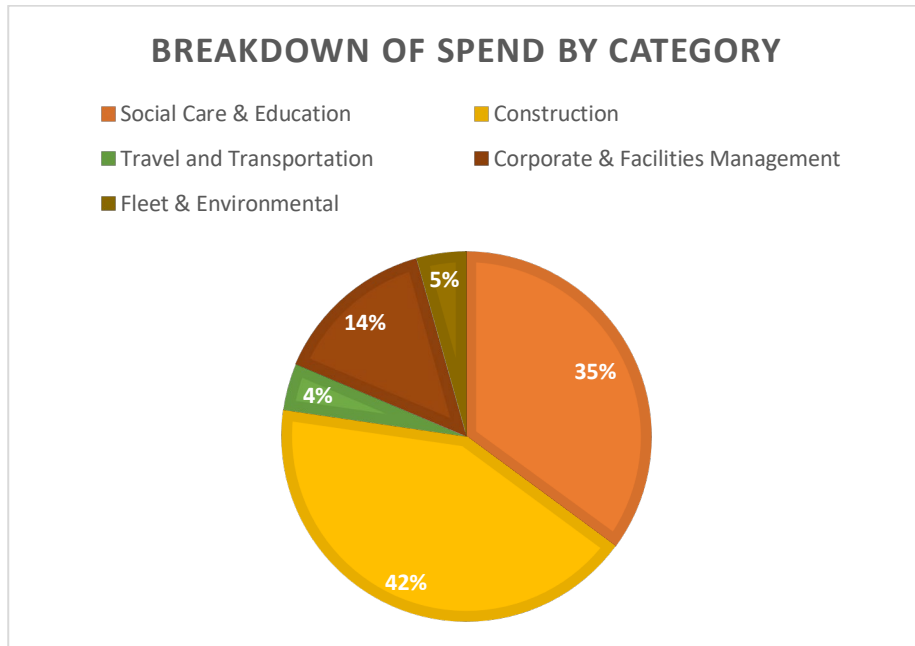
Supplier	Payment Location	23/24 Spend	Main Activity
HUB East Central Scotland Limited	Scotland (not Fife)	<b>£60.93m</b>	Dunfermline Learning Campus
EDF Energy	Outwith Scotland	<b>£21.59m</b>	Electricity
Homes Care Group Limited	Outwith Scotland	<b>£15.29m</b>	Social Care (Adults & Older People)
Richmond Fellowship	Scotland (not Fife)	<b>£15.01m</b>	Social Care (Adults & Older People)
Robertson Partnership Homes	Scotland (not Fife)	<b>£13.44m</b>	Affordable Housing
Abbotsford (Raith Manor)	Fife	<b>£12.74m</b>	Social Care (Adults & Older People)
HC1 Limited	Outwith Scotland	<b>£9.92m</b>	Social Care (Adults & Older People)
Fife Scottish Omnibuses Ltd T/A Stagecoach East Scotland	Outwith Scotland	<b>£9.57m</b>	Local and School Bus services

Supplier	Payment Location	23/24 Spend	Main Activity
Pinnacle Schools (Fife) Ltd.	Outwith Scotland	<b>£9.39m</b>	Public Private Partnership 1 (PPP1) 2 secondary schools, new primary school, sports hall and all-weather pitch.
Emblem Schools Ltd	Scotland (not Fife)	<b>£8.88m</b>	Public Private Partnership 2 (PPP2) construction of 3 primary schools and community facility, replacement of 3 primary schools and new combined campus.
Fife Resource Solutions	Fife	<b>£7.93m</b>	ALEO - Waste Management Services
Scottish Autism Hilton House	Fife	<b>£7.55m</b>	Social Care (Adults & Older People and Children and Families)
Bell Group Limited	Outwith Scotland	<b>£7.19m</b>	Painting & Decorating, Window Installations, Kitchen Installations
Real Life Options	Outwith Scotland	<b>£6.73m</b>	Social Care (Adults & Older People)
GMC Ventures Ltd	Scotland (not Fife)	<b>£6.47m</b>	Affordable Housing
Kingdom Support & Care	Fife	<b>£6.35m</b>	Social Care (Adults & Older People)
McTear Contracts Ltd	Outwith Scotland	<b>£6.34m</b>	Heating Installation Services and Gas Servicing; Bathroom Installations
Moffat Electrical Project Ltd	Fife	<b>£5.95m</b>	Electrical Installations, Testing and PV Installations
Totalenergies Gas & Power Limited	Outwith Scotland	<b>£5.53m</b>	Natural Gas
First Endeavour LLP	Scotland (not Fife)	<b>£5.52m</b>	Affordable Housing
Newlay Civil Engineering	Outwith Scotland	<b>£5.26m</b>	Transportation Works contractor

Supplier	Payment Location	23/24 Spend	Main Activity
Scottish Fuels	Scotland (not Fife)	<b>£5.10m</b>	Liquid Fuels
Network Rail Infrastructure Ltd	Outwith Scotland	<b>£4.58m</b>	Leven Rail Bridge
William Yule and Son Ltd	Fife	<b>£4.55m</b>	Food – Chilled, Frozen and Ambient Products
Lister House (Fife) Ltd	Fife	<b>£4.44m</b>	Social Care (Adults & Older People)
Hub East Central (Levenmouth) Ltd	Scotland (not Fife)	<b>£4.25m</b>	Non-Profit Distribution Contract (Levenmouth Academy)
<b>Total – top 25 suppliers</b>		<b>£278.78m</b>	<b>(44% of total spend)</b>

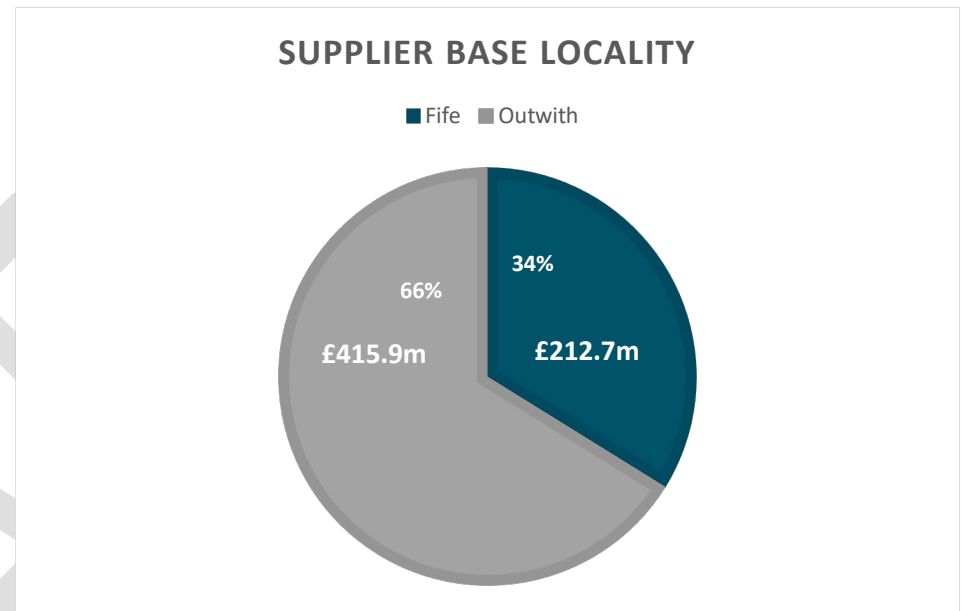
Directorate	Procurement Spend £m	% of overall spend
Health & Social Care	<b>£196.96m</b>	31%
Place	<b>£196.37m</b>	31%
Educational Services	<b>£126.20m</b>	20%
Communities	<b>£90.96m</b>	14%
Finance & Corporate Services	<b>£18.12m</b>	3%
Corporate	<b>£0.05m</b>	0%

The following chart illustrates the approximate scale of spend by category, with the highest areas being Construction and Social Care.



The following chart illustrates that 34% of the procurement spend in 2023/24 was with Fife based organisations. This statistic is based on postcode of payment address and does not reflect the full impact of the council's spend locally. The procurement team have undertaken further work to identify 'part-local' suppliers where significant local impact is recognised, such as businesses with depots/branches operating within Fife and/or staff employed from Fife. Similarly, if our suppliers have extensive supply chain operations within Fife, these organisations are considered 'part-

local' also. Further information is reported annually in our Annual Procurement Reports.



Our contract register is continually updated and routinely published on the 'Doing Business with Us' area of the [Fife Council website](#). A summary of the planned regulated procurements commencing in the next financial year (and beyond) is published with our Annual Procurement Report and this 'pipeline' is also routinely updated and published as a separate publication. There are inevitably additional procurement exercises required that don't feature on the pipeline but will be reported for the preceding financial year in the Annual Procurement Report as required.

In June 2024, there were 425 contracts (either live or completed in financial year) on the Contract Register. These contracts equate to approximately £484m (77%) of the council's procurement spend per annum (£2bn in their total contract period).

# Fife Council Procurement Strategic Drivers

- Strategic Driver 1  
Community Wealth Building incorporating Sustainable Procurement (Environmental, Economic, Social and Ethical considerations)
- Strategic Driver 2  
Compliance and Supporting the Council's Financial Challenges
- Strategic Driver 3  
Corporate Strategy, Development and Continuous Improvement of the Procurement Function
- Strategic Driver 4  
Effective Procurement Policy, Guidance and Tools

Each of the strategic drivers shall be introduced and linked into corporate and national objectives, with a summary of key activity that is committed as part of this strategy. Appendix B Strategy Delivery Plan provides some more detail and this shall be updated annually as part of the refresh and through the Annual Procurement Reporting process.

# Strategic Driver 1

## Community Wealth Building incorporating Sustainable Procurement (Environmental, Economic, Social and Ethical considerations)

### Context and Aims

With consideration of the Scottish Procurement Policy Note, Public procurement – taking account of climate and circular economy considerations: SPPN 3/2022, it is recognised that public procurement spend should support climate and circular economy considerations.

The [Public Procurement Strategy for Scotland 2023 to 2028](#) states *‘Maximising the impact of procurement with strong community engagement and development to deliver social and economic outcomes as a means to drive wellbeing by creating quality employment and skills’*.

Before a contracting authority buys anything, it must think about how it can improve the social, environmental and economic wellbeing of the area in which it operates, with a particular focus on reducing inequality.

It must also consider how its procurement processes can facilitate the involvement of SMEs, third sector bodies and supported businesses, and how public procurement can be used to promote innovation.

### Link to Council and/or National Objectives

Plan 4 Fife: Community Wealth Building, Leading Economic Recovery, Addressing the Climate Emergency

Community Wealth Building [Anchor Charter](#) and CWB Action Plan [Public Procurement Strategy for Scotland 2023 to 2028](#)

National Performance Framework – Sustainable Procurement Duty Outcomes:

- Good for businesses and their employees
- Good for places and communities
- Good for society

Fife’s Economic Strategy 2023-2030: – Supporting Businesses and Delivering skills, training and fair employment.

City Region Deals

[Climate Fife 2024 Strategy and Action Plan](#) – Procurement is a supporting enabler for many elements of this strategy.

[Food4Fife Strategy](#)

## How will we do it?

### Use of Sustainable Procurement Tools

The Scottish Government Sustainable Procurement Tools shall be utilised where relevant to do so, to help identify and address how the specific procurement activity can optimise opportunities associated with the economic, social and environmental outcomes.

### Community Benefits

One of the objectives in the Fife Economic Strategy is to 'Increase the scale and range of community benefits achieved through public sector procurement expenditure'. This also features as an ambition through Community Wealth Building activity.

Community Benefits can have a positive and direct impact on the local economy and communities through the generation of local jobs, improved infrastructure, or funding for community groups.

Community Benefits may involve (but is not limited to):

- Taking on new employees or apprentices from the local authority area
- Offering supported training or work experience for people furthest from the labour market
- Committed supply chain opportunities for local businesses, supported businesses, SMEs, social enterprises, etc.
- Providing career events and engaging with schools and colleges
- Providing volunteer days to support local charities and community groups
- Donating to local causes.

We shall continue to include community benefit clauses in procurement exercises, where relevant and proportionate to do so. We shall also seek additional voluntary community benefits where feasible and appropriate.

To maximise opportunities around community benefits, as well as to provide a more cohesive steer for procurement professionals, we shall develop a 'Community Benefits Framework' in conjunction with the Community Wealth Building project work, as well as a more practical toolkit. In addition, opportunities around the systems and interaction with the communities and suppliers shall be explored with an aim of simplifying processes and allowing positive, transparent engagement and delivery.

### SME and Third Sector Organisations Access to Public Contracts including Local Supply/Supply Chain

Fife Council is committed to continue to improve access to public contracts for SMEs, the third sector and supported businesses, and utilise local contractors where this represents best value. Where possible/appropriate we will:

- Structure content of contracts to reduce barriers for smaller organisations.
- Consider lotting of contract requirements.
- Include qualitative questions that require details on the tenderers sub-contract and supply chain arrangements, with emphasis on local supply chain and/or supported business opportunities being maximised.
- Reserve contract opportunities for Supported Businesses (and encourage contractors to utilise within their supply chain).



- Undertake pre-market engagement to inform procurement strategy and tender structure.
- Seek feedback during pre-market engagement and also post-tender to identify any opportunities for future improvement.
- Continue to explore/promote any supply chain opportunities throughout the lifetime of contracts, through positive contract and supplier management.

We will continue to advertise all regulated procurement opportunities on the Public Contracts Scotland website, and work with Economic Development and the Supplier Development Programme to identify awareness of the portal within the potential supply base in Fife and deliver support for businesses with the public procurement processes.

We shall look to engage more effectively with the third sector to strengthen strategic commissioning links.

Fife Council will support national and local Meet the Buyer events and shall explore options around more structured supplier engagement for businesses who wish to engage with Fife Council procurement activity.

We shall continue to pursue opportunities with Tier 1 contractors, such as making better use of advertising portals to advertise sub-contract opportunities to local businesses. It is hoped that the Build Fife programme to support local businesses to build their capabilities and capacity to take on larger pieces of work will continue to grow.

We shall monitor unregulated procurement activity to identify any local opportunities, and we shall continue to make effort to provide a comprehensive forward plan of future regulated procurement activity to support local development of our supply base.

We shall continue to improve our data and reporting by identifying where there is a positive local impact, but the postcode of the

supplier is not based in Fife. This could include suppliers that have depots or branches and therefore providing employment within Fife or are utilising Fife suppliers in their supply chain. These suppliers shall be categorised as ‘part-local’ to provide supplementary narrative to our spend based on postcode.

## **Fair Work Practices including Payment of the Real Living Wage**

Fife Council is committed to advancing the [Fair Work First criteria](#) for its own employees, but also recognises the significant spend we have with external suppliers.

Fife Council is an accredited Living Wage employer and as part of this accreditation, we must be able to demonstrate our efforts to promote fair work with our contracts also. As such, Fair Work First is extended to our procurement contracts.

Fife Council will strive to ensure that the Real Living Wage is paid (as a minimum) in public contracts where:

- Fair Work First practices, including payment of the Real Living Wage is relevant to how the contract will be delivered.
- It does not discriminate amongst potential bidders.
- It is proportionate to do so, and
- The contract will be delivered by workers based in the UK.
- In all cases, Fife Council encourages all suppliers to pay a minimum of the Real Living Wage to their employees.

To implement the above, payment of the Real Living Wage will be mandated if appropriate and is included in the wider Fair Work First strategy and considered for inclusion in all regulated procurements. It is policy to mandate a meaningful Fair Work First qualitative criteria in all regulated contracts and include a minimum quality score within these criteria, and only by exception would not feature, for example if conducting a framework call-off and Fair Work has already been catered for as part of framework stage, or if new criteria is not permitted in a call-off exercise.

We shall encourage suppliers to become Living Wage accredited to demonstrate their commitment.

In cases where there is no commitment to pay the Real Living Wage, we shall ascertain the reasons for this and continue to monitor and push for positive improvement on position via contract and supplier management.

We shall report on the status of contractor's commitment of payment of a minimum of the Real Living Wage.

We shall apply the [Construction Charter](#) and [The Ethical Care Charter](#) commitments to relevant procurement activity.

## Climate Crisis and Environment

We shall ensure that our procurement strategies are based on informed decisions by engaging early with suppliers to create innovative solutions to positively respond to the climate challenge; eliminating waste throughout the supply chain where possible; and act in a way that will secure net zero emissions through a Just Transition and promote a circular economy.

Procurement activity will be required to support some of the actions from the [Climate Fife 2024 Strategy](#), such as the following:

### Buildings

- Decarbonise our buildings

- Energy efficiency works
- New construction projects to deliver low in use energy consumption
- Affordable Housing built to Silver Plus Standard, EPC B rating and have zero-emissions heating systems

### Low Carbon Energy

- Renewable projects, low carbon fuel
- Zero Waste – support re-use scheme

### Transport and Travel

- Electric vehicle charging stations
- Infrastructure improvements
- Business Travel
- Green fleet transformation

### Nature and Land

- Biodiversity projects
- Protecting and supporting our communities
- Maintenance of road drainage network
- Climate Literacy training

### Business, Skills and Jobs

- Support local businesses to accelerate transition to net zero
- Support the Food4Fife partnership

We shall investigate opportunities for key individuals to undertake Climate Literacy training.

Use of the Sustainable Procurement Tools shall help inform environmental issues/outcomes which could include (but not limited to):

- Consideration of reuse/repair/recycle etc.
- Carbon reduction opportunities - specifications

- Whole-life costing
- Ongoing consultation with Scottish Government, Fife Partnership, Climate Change & Zero Waste colleagues and other procurement groups to progress Scope 3 emissions and how they would be managed within a procurement environment.

Procurement shall continue to provide applicable input to the ‘Public Bodies Duties Report’ (PBDR) as part of fulfilment of the Council’s ‘Public Sector Climate Change Duties’.

## Category Specific areas of focus for Sustainable Procurement (not exhaustive)

### Construction

Construction Services have developed a carbon and building strategy that will see opportunities for carbon reduction built into the design process. The strategy places a focus on opportunities where early discussions in the design process can help determine what carbon reductions can be achieved through delivery of our Capital Plans. This includes Modern Methods of Construction (MMC), Passivhaus, air tightness and embracing new technology.

Affordable Housing Teams are working to meet Scottish Government guidelines addressing areas of sustainability such as Fuel Poverty, carbon dioxide emissions and energy for thermal comfort and artificial lighting. Council Teams are currently in the process of refreshing Design Guides for Affordable Housing to ensure Fife Council deliver upon these goals.

Opportunities to explore the use of Project Bank Accounts are being considered by our Affordable Housing Teams to ensure the supply base are paid promptly. Construction contract terms and conditions

used by Fife Council e.g. SBCC and NEC4 have prompt payment mechanisms built in.

In relation to existing housing stock, the Scottish Housing Quality Standard (SHQS) and Energy Efficiency Standards for Social Housing (ESSH) requires a range of components and criteria to comply with basic energy efficiency requirements, such as insulation (loft/cavity wall/external) and heating efficiency. It is anticipated that the ESSH standards will be increased and replaced by Social Housing Net Zero Standard – core to these standards will be a focus on increasing ‘clean heat’ at the point of use, e.g. no gas or oil boilers and a greater reliance on electric or district heating. Options around alternatives to gas boilers are being explored and a structured approach to choosing the best technology for the tenants and our statutory requirements is essential.

Fife Council Construction areas encourage the use of local suppliers through the use of Quick Quotes under £2m and where the reduction carbon can be delivered through either shortened supply chains or using technology, such as use of drones in place of scaffolding for high level inspections.

Any opportunities for positive sustainable outcomes in relation to Tier 1 contractors, such as use of SME and local supply chain shall continue to be pursued.

### Corporate and Facilities Management (Priority Area – Food)

Fife Council has agreed the Food4Fife 5-year strategy with a procurement pillar that promotes healthy and planet friendly diets and the increase of locally procured climate and nature friendly food. Procurement will work with other key Services within the Council to identify where food swaps can be made, identify potential producers and support development to allow their integration into

the supply chain. Sustainable food procurement will be a key driver within any new food related contracts.

Procurement will work with Scotland Excel to help establish strong and resilient supply mechanisms supporting local producers as well as supporting sustainable food procurement activity.

Procurement is working with the Council Catering Team to develop Primary School menus to include ethically sourced products. Food data now includes tracking information to identify its origin (where possible) in an effort to increase what can be procured locally. Fresh fish is served in Care Homes, this fish is Marine Council approved with fish sourced locally. Where possible, the fresh meat we include in our contracts is 'Red tractor' approved and UK sourced Procurement also provide support to local community groups to find ways to support local food banks and community pantries and food support groups by offering a means of providing food to the groups through existing supply chains.

## **Fleet & Environment**

The Fleet Category team will work alongside colleagues in Fleet Operations to progress the decarbonisation of the council's fleet, seeking alternative fuelled vehicles where appropriate, and working with colleagues in Roads and Transportation on the Vehicle Charging Infrastructure Project to increase the Council's electric charging infrastructure to accommodate additional electric and other alternative fuelled vehicles.

The team will also work alongside Fleet Operations (and other stakeholders) to manage and review the Fleet Replacement Programme on an ongoing basis to ensure Capital Funds allocated meet Best Value for the Council. The Team will continue to promote the payment of at least the Real Living Wage in all our contracts and Frameworks and work to enhance local provision and encourage suppliers to consider local supply chains.

## **Social Care**

The Social Care Category Team, in conjunction with lead client Services, will continue to promote local supply chains where this best meets the requirements of persons supported through our Contracts.

We will continue to promote Fair Work and Ethical Commissioning through our tendering and CSM processes and will also continue to work with Fife H&SCP, Scottish Care, Care at Home and Supported Living providers to further develop and sustain the Care at Home Collaborative and the Supported Living Collaborative, which focus on sustainable, ethical commissioning practices and Fair Work.

## Travel and Transportation

The Travel & Transportation team has, for many years, encouraged SMEs to participate in tendering for transport contracts. This has been successful in stimulating competition for contracts and encouraging growth of bus, coach and taxi operators alike. The team will continue to pursue potential new operators to join our Frameworks and Dynamic Purchasing Systems.

The major focus of the team has, and will continue to be, addressing the Climate Emergency and reducing emissions from transport contracts. All operators who wish to participate in Fife Council contracts are mandated to be members of the [ECO Stars Scheme](#), which encourages and helps operators of buses, coaches and taxis to run fleets in the most efficient and environmentally friendly way. Tenders now use an operator's ECO Stars rating in the evaluation process.

Bus contracts have also been mandated to use a minimum engine type of EURO V from August 2024 and EURO VI from August 2028. This alone will reduce carbon dioxide emissions by 3% and nitrogen oxide emissions by 9% to 2028, becoming 3% and 92%, respectively, thereafter.

The team has pushed Community Benefits in all contracts, with an estimated £20k being delivered by contractors to local causes each year, focussing particularly on foodbanks, mental health and domestic abuse organisations.

Increase of contractors committed to paying a minimum of the Real Living Wage to their employees.

Increase of the scale and range of community benefits achieved through public sector procurement expenditure.

Increased inclusion of specifications for more sustainable requirements and award criteria that includes sustainable outcomes.

### will the outcomes be?

Improved reporting position – target of continued increase of spend with Fife businesses and target of 50% of contracts awarded to Fife businesses (note, both might not be comparable year on year due to types of contracts being let).

# Strategic Driver 2

## Compliance and Supporting the Council's Financial Challenges

### Aims

Through effective procurement, Fife Council aims to achieve financial savings and benefits by minimising non-contract spend and avoiding unnecessary costs through robust market understanding and innovative commercial opportunities, whilst maximising economies of scale and reducing resource efforts through collaborative activities.

Opportunities for any alternative approaches to delivery of contracts should also be pursued if there are potential efficiencies to be gained.

### Link to Council and/or National Objectives

Best Value

Budget setting process, Service Change Planning etc.

Public Procurement Strategy: 2023-2028 – Good for Businesses and their Employees (Contract Management)

### How will we do it?

Category Managers shall develop and implement Category Strategies to consolidate the position of the procurement spend within their respective category area. These strategies will explore data, market positioning, risks and emerging issues etc., as well as identification of affected stakeholders and potential financial savings opportunities. This can include reduced cost opportunities as well as cost avoidance and income generation.

The team shall continue to target savings opportunities through demand management activities, by rationalising and standardising products/services, pursuing areas of opportunity for alternative approaches and monitoring of contract and non-contract spend, ensuring that best value is achieved. Retrospective reviews of orders will be routinely undertaken to support compliance and identification of opportunities. We shall also continue to carry out ongoing proportional contract management to ensure the right outcomes are delivered and that the performance of contracts is maximised.

We shall develop and maintain strong relationships with stakeholders to ensure alignment and support for procurement opportunities.

We shall undertake proactive monitoring of supply chain impacts to mitigate potential disruptions or impacts and explore any opportunities that might arise.

Opportunities for collaboration shall continue to be explored to maximise efficiencies where appropriate to do so.

## What will the outcomes be?

- Increased compliance and contract spend
- Continued delivery of financial savings and benefits

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# Strategic Driver 3

## Corporate Strategy, Development and Continuous Improvement of the Procurement Function

### Context and Aims

Fife Council aims to develop a robust and resilient procurement function that supports strategic objectives, drives continuous improvement and ensures effective governance and compliance across all procurement activity.

### How will we do it?

We shall look to enhance the awareness, knowledge and understanding of procurement throughout the council, further embedding Procurement as a strategic partner within the organisation. Procurement should be considered a key enabler in delivering council strategies, policies and projects, whilst being essential to drive procurement compliance and best value.

### Link to Council and/or National Objectives

Compliance with Legislation, Local Governance and emerging national policies/aspirations.

Best Value

Enabling Strategic Driver, underpinning successful delivery across all elements of the Strategy (both local and national).

[Public Procurement Strategy for Scotland 2023 to 2028](#)

Procurement Capability

We shall enforce compliant practice that supports policy and ensure that those undertaking procurement activity are equipped to do so. Development of training for the wider council shall be considered to increase the positive procurement impacts and maximise opportunities as well as compliance. Continued promotion of opportunities associated with the refresh of the Contract Standing Orders, Scheme of Tender Procedures shall be pursued, such as use of Quick Quotes to selected prospective suppliers for lower value procurements.

More comprehensive forward plans shall be sought from Directorates and Services to allow more effective resource planning and pro-active responsiveness of a service. This shall include areas that are subject to conflicting priorities.



In addition, we shall continue to forward plan our resources, by utilising the corporate strategies and tools provided by Human Resources Service and deploy our 'grow our own' strategy by recruiting Modern Apprentices, as well as exploring other opportunities, utilising the 'Procurement People of Tomorrow' Programme, and by promoting the procurement profession as a career.

The Public Procurement Strategy for Scotland states:



### Procurement Capability

People are key. We must ensure the Procurement profession is developing individuals and teams. As well as attracting, developing and retaining new and existing procurement talent. Leadership is essential.

Comprehensive training plans shall continue to be embedded and rolled out as appropriate, utilising the Scottish Government's [Procurement Development Framework](#) as a tool for baseline assessment of key competencies.

Effective governance shall continue to evolve, with ongoing use of the formalised Procurement Review Board.

Continuous improvement shall continue to be the promoted culture within the function, empowering staff to contribute to progression of identified opportunities. Sharing of best practice shall continue to be encouraged and promoted accordingly, providing recognition and motivation to the team.

Learnings and opportunities from the March 2024 Procurement and Commercial Improvement Programme assessment shall be progressed as appropriate, alongside sharing of best practice that was identified and we commit to participating in future programmes as required.

## What will the outcomes be?

- Ensure compliance and best value.
- Capable procurement teams.
- Increased use of Quick Quotes for non-regulate/non-contract procurement requirements.
- Reduction of non-contract spend.
- Reduction of unplanned procurement activity and/or spend due to not being involved early.
- Customer satisfaction
- Planned procurements to run on time, renewed before expiry etc.

# Strategic Driver 4

## Effective Procurement Policy, Guidance and Tools

### Context and Aims

Fife Council aims to have ambitious policies in place that support corporate and/or national objectives.

Comprehensive guidance, templates and procedures are required to be in place to facilitate and enable operational teams to undertake their professional activity and achieve positive outcomes aligned with policy objectives.

Robust, fit-for-purpose systems and associated processes are also necessary and require to be effectively used to enable accurate reporting.

### Link to Council and/or National Objectives

Compliance with Legislation and Local Governance

Best Value

Enabling Strategic Driver, underpinning successful delivery across all elements of the Strategy (both local and national).

We shall ensure that we have effective guidance and templates that enable positive outcomes that are aligned to policy aspirations. We shall look to minimise duplication and align activity with national best practice where there are already templates/tools in place but shall undertake a regular review to keep content current. We shall develop any new guidance where there are gaps identified, in consultation with relevant stakeholders as required.

We shall keep abreast of new policies that might be of relevance to include in contract documentation, such as the recently implemented Whistleblowing Policy which is extended to our supply chain.

We shall work with relevant stakeholders to review any opportunities for improvement associated with the Procure-to-Pay processes within/surrounding our Oracle Cloud system. We shall also undertake a wider review of the systems utilised for the procurement process to determine any efficiencies or improvements that are within our gift to progress.

We shall continue to apply corporate risk management practices at functional/category and contract level as appropriate. We shall incorporate any risk management strategies/tools such as Cyber

Security, Data Protection, Serious Organised Crime, Health and Safety into relevant contracts where appropriate. We shall also continue to liaise with Internal/External Audit and Corporate Fraud on any arising issues in a positive manner.

We shall continue to engage with other organisations both within Fife Partnership and other councils to identify opportunities, share best practice and learnings etc.

## What will the outcomes be?

Compliance and effective risk management.

Work towards increased efficiency.

Positive outcomes supporting local/national policy objectives with ability to report effectively.

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# Monitoring, reviewing and reporting on the Procurement Strategy

The content of this strategy shall be reviewed on an annual basis. The mechanism for documenting this review is via the Annual Procurement Report which is reported via committee each year. This review will allow for (if necessary) minor adjustments and refinements (including an update to the Strategy Delivery Plan) throughout the life of the Strategy.

An Annual Procurement Report shall be prepared, presented (either via relevant committee or through delegated powers at appropriate officer level) and published on the council's website ([www.fife.gov.uk](http://www.fife.gov.uk)) to report on the regulated procurement activity following each financial year.

# Strategy Ownership & Contact Details

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# Appendix A

## Mandatory requirements of the Procurement Reform (Scotland) Act 2014 and Statutory Guidance Obligations

The Act stipulates that the council's procurement strategy must set out how the council intends to ensure that its procurement activity will achieve specific requirements. This has been presented in table format below to comply with this mandate, albeit there is a degree of overlap with other elements in the main body of the strategy.

Requirements	Council response/commitment
<b>How our procurements will contribute to the Council carrying out its functions and the achievement of its purposes</b>	<ul style="list-style-type: none"> <li>- Consultation undertaken with senior officers/groups in the council to ensure strategy is aligned to council priorities, objectives and supports national outcome.</li> <li>- Engagement with external stakeholders.</li> <li>- Engagement with communities in relation to needs that might be fulfilled through community benefits.</li> <li>- Ongoing stakeholder engagement throughout strategy implementation and annual reporting</li> </ul>
<b>How our procurements will deliver value for money</b>	<ul style="list-style-type: none"> <li>- Determine suitable selection criteria to ensure suitable organisations able to proceed to tender stage.</li> <li>- Determine optimum balance of price/quality in individual procurement exercises with relevant qualitative criteria informed by market analysis and knowledge and/or use of Sustainable Procurement Tools.</li> <li>- Selection and award criteria and rationale documented in individual Procurement Summary Reports for necessary approval via established governance model.</li> </ul>

Requirements	Council response/commitment
	<ul style="list-style-type: none"> <li>- In accordance with the council's Scheme of Tender Procedures, advertise procurement opportunities on Public Contracts Scotland (PCS) as appropriate and/or select appropriate suppliers to quote for lower value/framework call-off opportunities via facility such as Quick Quote.</li> <li>- Adequately trained and experienced evaluation panel conduct scoring of tenders, providing expert procurement support on a case-by-case basis to ensure a fair and transparent evaluation process is undertaken.</li> <li>- Document outcome of selection and award process in individual Procurement Summary Reports for necessary approval via established governance model.</li> <li>- Publish award notices on Public Contracts Scotland (PCS) where required to do so.</li> <li>- Include details of contracts awarded in corporate Contract Register, and relevant reporting lists/systems, and report as required within Annual Procurement Report.</li> </ul>
<p><b>How our procurements will treat economic operators equally and without discrimination</b></p>	<ul style="list-style-type: none"> <li>- Where relevant and proportionate to do so, conduct early market engagement prior to the publication of a contract notice on the approved tendering portal, Public Contract Scotland (PCS).</li> <li>- Make effort to use clear and precise language preventing broad interpretation.</li> <li>- Consideration of breaking requirements into smaller lots to make a contract size manageable for smaller suppliers.</li> <li>- Wherever feasible to do so, reduce requirements of the tendering/contracting process to minimise burden on economic operators in order to facilitate greater access to procurements.</li> </ul>
<p><b>How our procurements will be conducted in a transparent and proportionate manner</b></p>	<ul style="list-style-type: none"> <li>- Approach all procurements in an open and inclusive manner (transparency).</li> <li>- Ensure criteria/specification etc. is relevant to the objective or outcome being sought and not beyond what is necessary to achieve the particular outcome being pursued (proportionality).</li> <li>- Use electronic communication for all procurement activity.</li> <li>- Undertake open public and market engagement where relevant and proportionate to do so.</li> <li>- Use clear and precise language to ensure a common understanding of the requirements.</li> <li>- Publish award notices on Public Contracts Scotland (PCS) where required to do so.</li> </ul>

Requirements	Council response/commitment
	<ul style="list-style-type: none"> <li>- Include details of contracts awarded in corporate Contract Register, and relevant reporting lists/systems, and report as required within Annual Procurement Report.</li> </ul> <p>The above will ensure proportionate procurement procedures and decisions and will safeguard against barriers to participation, in particular for SMEs, third sector bodies and supported businesses.</p>
<p><b>How our procurements will comply with the Sustainable Procurement Duty</b></p>	<ul style="list-style-type: none"> <li>- Implementation of the objectives set out in the strategy (cross-reference) will deliver on key priorities such as Fair Work practices, positive local economic impact, increased delivery of community benefits and will also support the climate change ambitions of the council.</li> <li>- Application of appropriate Sustainable Procurement Tools and guidance from the Scottish Government.</li> <li>- Monitoring, measurement and reporting on climate change and circular economy outcomes.</li> </ul>
<p><b>Statement of general policy on the use of community benefit requirements</b></p>	<ul style="list-style-type: none"> <li>- Inclusion of community benefit clauses in procurement exercises, where relevant and proportionate to do so. Consideration of inclusion will be undertaken in all regulated procurement exercises.</li> <li>- Seek additional voluntary community benefits where feasible/appropriate.</li> <li>- Aim to improve identification of opportunities as well as monitoring and reporting through a review of policy/systems and process associated with community benefits.</li> </ul>
<p><b>Statement of general policy on consulting and engaging with those affected by its procurements</b></p>	<ul style="list-style-type: none"> <li>- The Council will to continue to consult and engage with those affected by our procurement activities through the development of <b>category</b> and <b>contract</b> strategies, in advance of the procurement exercise and through our focus on identifying opportunities through Contract and Supplier Management (CSM).</li> </ul> <p>To ensure effectiveness, reviews take place to identify what is working well and what can be improved. This ensures continuous improvement in the delivery of our procurement activity and allows the Council to understand the needs of the area we serve and understand the impact of our procurement activity.</p>



Requirements	Council response/commitment
	<p>Examples of our engagement and consultation activities include:</p> <ul style="list-style-type: none"> <li>• Feedback from Bidders and key stakeholders is recorded and considered when contracts are implemented and executed.</li> <li>• Supplier development workshops run in conjunction with Economic Development and Supplier Development Programme</li> <li>• Supply market analysis</li> <li>• Pre-Tender market engagement</li> <li>• Engagement with local Community groups and organisations regarding receipt of Community Benefits</li> </ul>
<p><b>Statement of general policy on the payment of a living wage to persons involved in producing, providing or constructing the subject matter of regulated procurements</b></p>	<ul style="list-style-type: none"> <li>- Improving Fair Work practices is one of the strategic aims of the council, further information being provided in Strategic Driver 4.</li> <li>- Payment of the Real Living Wage is included in the wider Fair Work First strategy and considered for inclusion in all regulated procurements. It is policy to mandate a meaningful Fair Work First qualitative criteria in all regulated contracts with a minimum quality score being applied, and only by exception would not feature, for example if conducting a framework call-off and Fair Work has already been catered for as part of framework stage, or if new criteria is not permitted in a call-off exercise.</li> <li>- Encourage suppliers to become Living Wage accredited to demonstrate their commitment.</li> <li>- Understand any reasons for non-payment of the Real Living Wage and continue to monitor and push for positive improvement on position via contract and supplier management.</li> <li>- Report on supplier status of payment of a minimum of the Real Living Wage.</li> <li>- Consideration of mandating of payment of a minimum of the Real Living Wage by suppliers where considered relevant, proportionate and non-discriminatory to do so.</li> </ul>

Requirements	Council response/commitment
<p><b>Statement of general policy on promoting compliance by contractors and sub-contractors with the Health and Safety at Work etc. Act 1974 (c.37) and any provision made under that Act</b></p>	<ul style="list-style-type: none"> <li>- Compliance with the council’s Health &amp; Safety Procurement Document (<a href="#">OHS-C-3.G1</a>)</li> <li>- Effective use of Fife Council’s established ‘Contractor Rules’ in relevant construction contracts</li> <li>- Include Health and Safety related criteria as part of the selection and/or quality evaluation of contracts as appropriate.</li> <li>- Include relevant factors into the contract specification.</li> <li>- Include suitable terms and conditions within the contract.</li> </ul>
<p><b>Statement of general policy on the procurement of fairly and ethically traded goods and services</b></p>	<p>Fife Council shall consider sustainable aspects, such as fair and ethical trading in all relevant procurement exercises, in a proportionate manner and in line with the Sustainable Procurement Duty and shall ensure that contractual arrangements are flexible enough to allow the purchase of fair and ethically traded products in addition or as an alternative to standard products.</p> <p>This will involve consideration of the following:</p> <ul style="list-style-type: none"> <li>- Fair Trade Certification (or equivalent): <ul style="list-style-type: none"> <li>o Consider specifying relevant products with recognised fair-trade certifications (e.g., FSC (timber), Red Tractor, Intelligent (MSC Fish. Roundtable on Sustainable Palm Oil (food items)) etc.)</li> <li>o These certifications ensure that producers receive fair wages, work in safe conditions and products come from sustainable sources.</li> </ul> </li> <li>- Environmental Considerations: <ul style="list-style-type: none"> <li>o Choose suppliers committed to sustainable practices, such as reducing carbon emissions, minimising waste, and using eco-friendly materials.</li> <li>o Evaluate suppliers’ environmental policies and track records.</li> </ul> </li> <li>- Labour Rights and Ethical Treatment: <ul style="list-style-type: none"> <li>o Verify that suppliers adhere to labour laws and provide fair wages, safe working conditions, and reasonable working hours.</li> </ul> </li> </ul>

Requirements	Council response/commitment
	<ul style="list-style-type: none"> <li>○ Avoid suppliers involved in child labour or exploitative practices.</li> <li>- Transparency and Traceability: <ul style="list-style-type: none"> <li>○ Work with suppliers who provide transparent information about their supply chains.</li> <li>○ Trace the origin of products to ensure they are ethically sourced.</li> </ul> </li> </ul>
<p><b>Statement on general policy on how it intends its approach to regulated procurements involving the provision of food to improve the health, wellbeing and education of communities and promote the highest standards of welfare</b></p>	<ul style="list-style-type: none"> <li>- Fife Council has a <a href="#">Food4Fife Strategy</a> which sets the direction and focus of food activities across the region. By reducing reliance on imported foods, enhancing local food security, and fostering sustainable practices, the strategy combats food poverty and contributes to mitigating the climate crisis. One of the pillars of this strategy is ‘Healthy Food for All’ and the ambition for Fife is ‘nobody goes hungry’. The following actions are committed: <ul style="list-style-type: none"> <li>○ Ensure everyone has access to healthy and culturally appropriate food through increased food infrastructure and public food services (schools, care homes, colleges, university, and hospitals).</li> <li>○ Support research and data collection around the causes, solutions and monitoring of food poverty, and ensure communication across all services.</li> <li>○ Increase communication campaigns and capacity building to support people toward eating healthily, including food preparation and cooking skills.</li> </ul> </li> <li>- Fife Council Procurement shall continue to actively participate in the working group and partnership to implement the strategy effectively. High level actions noted below: <ul style="list-style-type: none"> <li>○ Develop and embed approaches to increase procurement of local food.</li> <li>○ Work with suppliers and Fife Council’s Business &amp; Employability Service to support local food producers into the supply chain.</li> <li>○ Enable procurement contracts to include community benefits and promote sustainability in line with best practice and regulation requirements.</li> <li>○ Ensure best value for health as well as budgets. Ensure all opportunities to achieve health and environmental improvements are considered.</li> </ul> </li> </ul>

Requirements	Council response/commitment
	<ul style="list-style-type: none"> <li>○ Explore alternative approaches for procurement. Consider commercial elements and practicing a risk minimisation approach.</li> <li>○ Carry out research pilots to understand local market, cost and health implications.</li> <li>○ Improve collaborative working across organisations and partnerships.</li> </ul> <p>- Opportunities for sustainable food purchasing will be considered and adopted where appropriate.</p> <p>Fife Council is committed to including requirements that promote animal welfare in relevant procurement exercises. All procurement requirements relating to food procurement will look to ensure the application of the appropriate animal welfare standards in accordance with all the relevant legislation.</p>
<p><b>Payment (so far as practicable) made to contractors and sub-contractors no later than 30 days after invoice</b></p>	<ul style="list-style-type: none"> <li>- Prompt payment clauses requiring a 30-day payment term (<b>or less</b>) are embedded within our contractual terms and conditions.</li> <li>- The council aims to pay suppliers within 20 days following receipt of a valid invoice. Statistics are regularly reviewed, and improvement opportunities shall continue to be considered as appropriate.</li> <li>- Purchasing cards are utilised in certain circumstances, including for catering requirements (virtual cards), which provides speedy payment.</li> <li>- Project Bank Accounts will be considered for appropriate contracts to help secure sub-contractor payments.</li> <li>- Suitable contract terms and conditions will be adopted with prompt payments required where sub-contracting is likely to be utilised, and this shall be monitored where appropriate, through contract and supplier management.</li> <li>- Performance Bonds and other procedures to mitigate risks associated with construction contracts such as vesting and off-site storage shall be adhered to as appropriate.</li> <li>- The guidance in <a href="#">Public procurement - prompt payment in the supply chain: SPPN 2/2022</a> will be followed as appropriate.</li> </ul>

Requirements	Council response/commitment
	<ul style="list-style-type: none"> <li>- Where relevant, in regulated procurement exercises, Clause 4C.4 within the Single Procurement Document (SPD Scotland) will be used as part of the selection criteria to promote prompt payment.</li> <li>- Where appropriate to do so, in regulated procurement exercise, an award criteria question will be included in the invitation to tender for prospective suppliers to answer to illustrate how they will ensure payment of sub-contractors/supply chain providers will be ensured and managed.</li> <li>- Contract and Supplier Management will monitor payment where feasible/appropriate to do so.</li> </ul>

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# Appendix B

## Strategy Delivery Plan

### Strategic Driver 1 Sustainable Procurement (Environmental, Economic, Social and Ethical Considerations)

Objective	Delivery Actions	Proposed Milestones/Steps	Owner(s)
1.1	Use of Sustainable Procurement Tools	<p>The Scottish Government Sustainable Procurement Tools shall be utilised where relevant to do so, to help identify and address how the specific procurement activity can optimise opportunities associated with the economic, social and environmental outcomes. This includes an initial segmentation and prioritisation exercise at category/sub-category level to identify areas of main opportunity to help inform where to focus efforts for most positive impacts.</p> <p>Category specific action (examples):</p> <p>Corporate/FM – Food – local production and ethically sourced supply</p> <p>Construction – retrofit, insulation etc., Passivhaus, local supply/supply chain, Project Bank Accounts etc.</p> <p>Fleet – local supply, alternatively fuelled vehicles and associated infrastructure</p> <p>Social Care – local supply/supply chain, Fair Work &amp; Ethical Care</p> <p>Travel &amp; Transportation – local supply, carbon reduction.</p>	Procurement

Objective	Delivery Actions	Proposed Milestones/Steps	Owner(s)
		Monitor and continue to improve prompt payment in the supply chain for contracts, including the use, where appropriate, of project bank accounts.	
1.2	Increase the scale and range of community benefits achieved.	<p>Pursue a Fife Partnership wide 'Community Benefit Framework' to agree the policy and commitment of this agenda.</p> <p>Phased approach to achieve the goals:</p> <p>Community Requests:</p> <ul style="list-style-type: none"> <li>- Create and test a Community Benefits Request Form to capture what community organisations are looking for support with.</li> <li>- Define roles and responsibilities of staff involved in delivering and maximising Community Benefits</li> <li>- Establish a multi-service team to review and validate requests for Community Benefits.</li> </ul> <p><b>Community Benefits Portal</b> - explore options for streamlined and unified approach to single portal for use by the public sector/Fife Partners.</p> <p><b>User's Guide/Toolkit</b> – aligned to the Community Benefits Framework, aimed to streamline processes and practices and present officers with guidance on how to apply Community Benefit Clauses (CBCs) in tenders. Engage with Fife partners to create and agree a Fife wide approach.</p> <p><b>Tracking and Reporting Community Benefits</b> – develop and test appropriate method of tracking and monitoring of community benefits, capturing requests, what has been delivered etc.</p>	Procurement (and other stakeholders as agreed)
1.3	SME and Third Sector Organisations Access to Contracts, and Local Procurement	<p>Structure contracts to remove/reduce any barriers to participation for such organisations, e.g. consideration of contract lotting etc.</p> <p>Consider the inclusion of supply chain opportunities as part of the contract requirement, and/or through award criteria.</p> <p>Consider reserving any suitable contracts for Supported Businesses.</p>	Procurement

Objective	Delivery Actions	Proposed Milestones/Steps	Owner(s)
		<p>Continue to advertise all regulated procurement opportunities on the Public Contracts Scotland website, making it easier to find and win contracts.</p> <p>Continue to support positive supplier engagement activity, such as local and national Meet the Buyer events, and Supplier Development Programme training etc.</p> <p>Consider more structured approach to supplier engagement with local businesses looking to engage in the Procurement Process.</p> <p>Increase engagement with the third sector, perhaps through the Voluntary Sector Task Group, to strengthen strategic commissioning links.</p> <p>Work with Economic Development Teams to have local suppliers update their profiles on PCS (including Supplier Finder).</p> <p>Continue to grow Build Fife Programme.</p> <p>Increase Quick Quote activity for unregulated, non-contract requirements, with conscious efforts to invite SME/Third Sector organisations, from within Fife where possible.</p> <p>Continue active participation in Reform and Recovery groups (CWB Support Group, Leading Economic Recovery Board), Local Procurement Group and Partnership Group.</p> <p>Continue to work with Economic Development on any emerging issues or opportunities.</p> <p>Seek feedback from tenderers (and organisations who did not tender) on their experience with the tender process, and act on any opportunities that arise.</p> <p>Monitor impacts of interventions and efforts, continuous improvement of qualitative data, e.g. 'Part-Local' to inform position.</p>	



Objective	Delivery Actions	Proposed Milestones/Steps	Owner(s)
1.4	Social/Ethical – Fair Work Practices/Fair Work First	<p>Include fair work first considerations in all regulated procurement exercises and seek confirmation of status of payment of the Real Living Wage.</p> <p>Where a supplier is not committed to paying the Real Living Wage, investigate the reasons for this, and actively encourage the supplier to change this position. Monitor through Contract and Supplier Management activity.</p> <p>Quantify position of suppliers committed to paying the Real Living Wage.</p> <p>Inclusion of Construction Charter and Ethical Care Charter in all applicable contracts.</p> <p>Consideration of any ethical issues as part of the contract strategy, making effort to mitigate any identified risks through relevant stage of the procurement exercise/contract, e.g., supplier selection, specification, award criteria, contract and supplier management.</p>	Procurement
1.5	<p>Climate Crisis and Environment:</p> <p>Ensure procurement strategies make informed decisions by engaging early with suppliers to create innovative solutions to positively respond to the climate challenge; eliminating waste throughout the supply chain where possible; and act in a way that will secure net zero</p>	<p>Engage with Climate Change &amp; Zero Waste colleagues and seek expert support such as Scottish Government contractor, <i>Sustainable Procurement Ltd.</i> to create case studies, educate and inform of opportunities and options within relevant and appropriate procurement exercises.</p> <p>Investigate opportunities to get Procuring Officers ‘Climate’ trained.</p> <p>Consider, where possible, the potential of reuse, repair and recycling of goods whilst scoping requirements, rather than default being to buy new.</p> <p>Engage with Supplier Development Programme and Economic Development to engage with suppliers and others to get understanding of opportunities around carbon reducing actions that can be delivered in different markets and build into specifications etc. Also to ensure that suppliers are actively engaged in supporting a Just Transition to net zero.</p>	Procurement (and other stakeholders as required)

Objective	Delivery Actions	Proposed Milestones/Steps	Owner(s)
	<p>emissions through a Just Transition and promote a circular economy.</p>	<p>Include environmental considerations in procurement activity such as Single Procurement Document (Environmental Management) and progressing with Climate Change &amp; Zero waste colleagues, the Scottish Government and Fife Partners the incorporation of Scope 3 Emissions, by incorporating into the specification and/or applying relevant selection/award criteria where relevant and proportionate to do so.</p> <p>Where possible to do so, utilise a whole-life costing approach to ensure value for money in procurement, whilst minimising environmental damage and maximising socio-economic benefits.</p> <p>Procurement shall continue to provide applicable input to the 'Public Bodies Duties Report' (PBDR) as part of fulfilment of the Council's Public Sector Climate Change Duties.</p>	

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## Strategic Driver 2 Supporting the Council's Financial Challenges

Objective	Delivery Actions	Proposed Milestones/Steps	Owner(s)
2.1	Development and implementation of Category Strategies	Spend analysis Stakeholder engagement Opportunity identification etc.	Procurement – Category Managers
2.2	Retrospective Checking – compliance and opportunities identification	Embed process and review effectiveness. Education, communication and training requirements etc.	Procurement
2.3	Effective stakeholder engagement	Stakeholder mapping and plans (internal and external, including community engagement)	Procurement
2.4	Effective Contract and Supplier Management	Ensure contract management process is adopted; provide resources to support ongoing management; monitoring and reporting; contract management learning events provided	Procurement and other lead areas of the council, e.g. DPA, Health and Social Care Partnership, BTS.
2.5	Monitoring and review of supply chain impacts	Quarterly review of risk registers Bi-annual production of Supply Chain Impacts paper	Procurement
2.6	Collaboration opportunities – sharing of information, benchmarking etc., collaborative procurement activity.	Scottish Local Government Procurement Forum Fife Partnership Neighbouring councils	Procurement

## Strategic Driver 3 Corporate Strategy, Development and Continuous Improvement of the Procurement Function

Objective	Delivery Actions	Proposed Milestones/Steps	Owner(s)
3.1	Collective ownership - Further embed Procurement as a strategic partner, ensuring procurement is considered a key enabler in the delivery of council strategies, policies and projects as well as being essential to drive compliance	<p>Representation and active participation in relevant Boards/Project Delivery Groups etc.</p> <p>Stakeholder engagement (internal and external (including engagement with the community)).</p> <p>Seek more formalised plans from Directorates/Services of non-standard procurement activity, in an effort to reduce unplanned activity and allowing more effective resource planning etc.</p> <p>Investigate opportunities to support the managing of performance of procurement timelines.</p>	Procurement Council Executive Team endorsed
3.2	Ensure awareness, knowledge and understanding of procurement.	<p>Continued deployment of Scheme of Tender Procedures, providing training and guidance to wider council services for unregulated procurement activity to maximise opportunities for sustainable outcomes.</p> <p>Consider the development of corporate eLearning.</p>	Procurement FC Service Areas Procurement Policy Team
3.3	Effective Resource Planning and Staff Development	<p>Review and contribute to corporate strategic activity such as People Plan; Our People Matter and Workforce Action Plans etc.</p> <p>Continue to deploy strategy of 'Grow our own' procurement talent, through recruitment of Modern Apprentices. Promote Procurement as a career through Careers Fairs, school visits etc.</p>	Procurement Management Team

Objective	Delivery Actions	Proposed Milestones/Steps	Owner(s)
		Explore other entry/development opportunities through national Procurement People of Tomorrow Programme, such as utilisation of Graduate Apprenticeships, trainees etc.	
3.4	Staff Development	<p>Refresh of Procurement Development Framework in 2025 to establish movement/gaps on key competencies. Target any opportunities with tailored training plans through individual Personal Development Plans.</p> <p>Continue to refine the corporate training plans and ensure effective implementation. Consider extension to areas with Delegated Procurement Authority as appropriate.</p>	Procurement Management Team
3.5	Effective governance, improved compliance and ensuring best practice utilised and best value achieved.	<p>Continued use and development of Procurement Review Board (PRB). Monitoring &amp; review of Delegated Procurement Authority List. Analysis of procurement activity – Oracle/Public Contracts Scotland. Monitoring and reporting of findings. Reviewing standard documentation to reflect regulatory changes and best practice. Continue to provide regular updates to staff on changes to regulations, case law, statutory guidance, policy and social value outcomes. Continuous reviewing and monitoring, within the procurement remit, to ensure compliance with purchase systems and procedures, including the Council Standing Orders. Regular review of audit actions, and updating of risk register and processes. Development of Compliance Policy.</p>	Procurement Management/Policy Team
3.6	Continuous Improvement	Continue to review opportunities identified through internal continuous improvement group.	Procurement Management/Policy Team

Objective	Delivery Actions	Proposed Milestones/Steps	Owner(s)
		<p>Share best practice and emerging issues through established Procurement Network group, with representation across all areas with Delegated Procurement Authority in Fife Council.</p> <p>Seek feedback from customers and tenderers on procurement exercises and consider any rectifying action or opportunities as they arise, and/or any emerging trends.</p>	
3.7	Procurement and Commercial Improvement Programme (PCIP)	<p>Take any learnings/opportunities from 2024 PCIP assessment and develop implementation plan as appropriate.</p> <p>Share best practice where identified.</p> <p>Participate in future assessment programmes as required (anticipate running every 3 years).</p>	Procurement

## Strategic Driver 4 Effective Procurement Policy, Guidance and Tools

Objective	Delivery Actions	Proposed Milestones/Steps	Owner(s)
4.1	General	<p>Create database of key policies, guidance and templates, with robust version control and annual review.</p> <p>Update any dated procedures, or where policy/processes have evolved to bring into line. Introduce a rolling programme of review.</p> <p>Review alongside national best practice guidance and minimise any duplication, e.g. Scottish Government toolkits - Procurement Journey, Construction Procurement etc.</p> <p>Ensure any corporate/new policies and guidance are incorporated into relevant documents, e.g. Whistleblowing Policy.</p> <p>Review use of national tools.</p> <p>Develop/enhance processes and guidance around Serious Organised Crime.</p>	Procurement Policy Team
4.2	Effective Procure to Pay (P2P Processes and Data)	<p>Continuous improvement to maximise efficiency and effectiveness of processes. Oracle functionality such as Catalogues/Punchout/Smart-Forms/eInvoicing/Self-Bill/Recurring Payments/Supplier Portal etc.</p> <p>Embed retrospective checking of auto-created orders, monitoring impacts of any interventions and identifying any areas of focus.</p> <p>Creation of high-level manual to bring together purpose and dependencies of various tools in use – e.g. PCS, PCS-T, Oracle Cloud (and offline such as MS Lists, spreadsheets), etc. Identify any opportunities for improvement.</p>	Procurement Policy Team (P2P SME)

Objective	Delivery Actions	Proposed Milestones/Steps	Owner(s)
		Payment Transactions Project – review of various types of payments made by the council and develop strategy for most efficient and effective approach.	
4.3	Effective Risk Management	<p>Continued use of corporate risk management processes. Quarterly review of identified functional and category specific risks, and routine consideration of risks at contract level.</p> <p>Communicate any emerging issues such as supply chain impacts to relevant stakeholders.</p> <p>Regular liaison with Internal Audit, and engagement with External Audit if/as required. Participate in any audit activity as required.</p> <p>Regular Fraud Prevention/Awareness Sessions for procuring staff, in conjunction with Corporate Fraud colleagues</p> <p>Include relevant risk mitigation strategies/processes in contracts such as:</p> <ul style="list-style-type: none"> <li>- Cyber Security</li> <li>- Serious Organised Crime</li> <li>- Ethical Sourcing</li> <li>- Health and Safety (<a href="#">OHS-C-3.G1</a>)</li> <li>- Data Protection etc.</li> </ul>	Procurement
4.4	Working Collaboratively	<p>We shall continue to engage with other organisations both within Fife Partnership and other councils to identify opportunities, share best practice and learnings etc.</p> <p>Establish and progress collaborative work with Fife Partnership.</p> <p>Continue to be active in national networks such as the Scottish Local Government Procurement Forum (SLGPF).</p>	Procurement & Fife Partnership



# Appendix C

## Glossary of Terms

### **Community Benefit Clause**

A clause included in supplier contracts which makes community benefits a contractual obligation of the supplier.

### **Contract**

An agreement between two or more parties that is legally binding.

### **Contract Management/Contract and Supplier Management**

The purpose of Contract and Supplier Management is to work closely with suppliers and internal customers to minimise the total cost of ownership and maximise supply chain efficiencies throughout the life of the contract.

### **Contract Register**

A published list of contracts put in place by a public sector organisation based in Scotland. This is a legislative requirement.

### **DPA – Delegated Procurement Authority**

The authority to conduct the process leading up to the award of a contract for goods, services and/or works.

### **Economic Operator**

Any person who offers the execution of works, the supply of products or the provision of services on the market.

### **Fair Work Practices**

Employment practices that support wellbeing e.g. training and development, equality of opportunity, payment of a fair wage etc.

### **Just Transition**

A fairer, greener future for all – and the process that must be undertaken in partnership with those impacted by the transition to net zero. It supports a net zero and climate resilient economy in a way that delivers fairness and tackles inequality and injustice.

### **Public Contracts Scotland (PCS)**

Approved tendering portal mandated for use by the Scottish Public Sector for publishing contract notices and award notices, notifying prospective suppliers of tender opportunities and contract awards.

This portal can also facilitate a secure and auditable electronic tender process by utilising the SPD module and postbox functionality for economic operators to submit their responses.

### **Real Living Wage**

The real Living Wage is the only UK wage rate based on the cost of living and whilst voluntary, is paid by employers who believe their staff deserve a wage which meets everyday needs.

It should not be confused with the Minimum Wage or the National Living Wage which are both statutory requirements.

Fife Council is an accredited Living Wage Employer.

More information can be found on this website: [What is the real Living Wage? | Living Wage Foundation](#)

### **Single Procurement Document (SPD)**

The SPD contains questions used at the selection stage of a procurement exercise i.e. it allows buyers to ask questions to identify suitably qualified and experienced bidders for their procurement.

### **SMEs**

Small and medium-sized enterprises (SMEs) are businesses which employ fewer than 250 persons.

### **Supported Business(es)**

An organisation whose main aim is the social and professional integration of disabled and disadvantaged workers and where at least 30% of their workforce are classed as disabled or disadvantaged.

### **Sustainable Procurement Duty**

[Glossary | Procurement Journey](#)

For the purposes of the Procurement Reform Act 2014, is the duty of a contracting authority-

- a) before carrying out a regulated procurement, to consider how in conducting the procurement process it can-
  - i) improve the economic, social and environmental wellbeing of the authority's area,
  - ii) facilitate the involvement of small and medium enterprises, third sector bodies and supported businesses in the process, and
  - iii) promote innovation, and
- b) in carrying out the procurement, to act with a view to securing such improvements identified as a result of paragraph (a)(i).

### **Tender**

The term used to describe the procurement process of advertising, requesting and awarding a contract.

### **Third Sector Bodies**

For the purposes of the Procurement Reform Act 2014, means organisations (other than bodies established under an enactment) that exist wholly or mainly to provide benefits for society or the environment.

### **Quick Quote**

A process used by public sector buyers in Public Contracts Scotland (website) to seek quotations for procurement requirements (normally under £50k in value, or a mini-competition from a framework).

## Equality Impact Assessment Summary Report

**Which Committee report does this IA relate to (specify meeting date)?**

Council Executive Team, 2<sup>nd</sup> October 2024

Cabinet Committee, 5<sup>th</sup> December 2024

**What are the main impacts on equality?**

- Procurement activity should promote fair and equal access to procurement opportunities.
- Fife Council is a Living Wage Accredited Employer and would aspire that its suppliers pay their employees a minimum of the Real Living Wage and adopt fair work practices.
- Procurement contracts can generate community benefits which might fit into aspects of the general equality duty.

**What are the main recommendations to enhance or mitigate the impacts identified?**

- Make effort to reduce or remove any barriers for organisations to participate in public procurement activity.
- Promote fair work practices within contracting organisations and incorporate into procurement exercises.
- Include meaningful community benefits as part of contract requirement where possible to do so.
- Follow agreed policy and process on Data Protection and Cyber Security in relevant contracts.

**If there are no equality impacts on any of the protected characteristics, please explain.**

Procurement policy and practice is in connection with external organisations and no specific relevance to individuals/any of the protected characteristics.

**Further information is available from: Name / position / contact details:**

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5 December 2024  
Agenda Item No. 9

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## **Fife Council’s Arm's Length External Organisations – Governance Arrangements**

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**Report by** Lindsay Thomson, Head of Legal and Democratic Services

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**Wards Affected:** All

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### **Purpose**

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At the Cabinet Committee meeting on 15 August 2024, it was agreed that a report be prepared to advise on how the Council and its elected members influence policy in areas where its Arm’s Length External Organisations operate.

### **Recommendation(s)**

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Members are invited to consider and note the contents of this report.

### **Resource Implications**

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None.

### **Legal & Risk Implications**

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This report is for noting purposes and as such, there are no legal risks or implications arising from this report.

### **Impact Assessment**

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

### **Consultation**

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Officers from across the council provided information to inform this report. Information was also sought directly from Fife Resource Solutions LLP.

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# 1.0 Background

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- 1.1 At its meeting on 15 August 2024, the Cabinet Committee requested that a report be presented to a future meeting setting out how the council and elected members influence policy in areas where our Arm's Length External Organisation's operate.

## **Arm's Length External Organisations (ALEOs) - general provisions**

- 1.2 An ALEO is an organisation that operates independently from a council (or other organisation) but remains subject to an element of control or influence from that council. Control and influence are established through the council's legal ownership of the company giving it the controlling interest or main stakeholder role (in the context of company law). In many cases, the council is also the major funder and has the power to make appointments to the board of directors and, depending on the arrangements, to inform the ALEO's financial and operating policies.
- 1.2.1 Although the ALEOs operate independently of councils, the council remains responsible for the delivery of the statutory functions which the ALEOs deliver, under contract for the council. The council is required to demonstrate that any public funds spent through the ALEOs represent Best Value and that the ALEOs support the council's delivery of its strategic aims and goals. In addition to the ALEOs being "wholly owned" by the council, in Fife, the council also retains ownership of the heritable assets operated by the ALEOs.
- 1.2.2 The council incorporates the financial statements of the ALEOs into its own annual accounts given the interrelated financial connection of the ALEOs and the council. The limited liability status of the ALEOs offers the council greater protection in respect of any legal or financial issues faced by the ALEO. They also afford a greater degree of flexibility in operations than otherwise would be available to the council.
- 1.2.3 Each ALEO is overseen by a Board which is appointed by the council. The Boards include elected members and "third-party" external directors appointed because they hold relevant and associated skills and experience. In the case of FRS, two council officers are additionally appointed to the Board. The ALEO's Board, together with the management team, oversees the ALEO with responsibility for the ALEO's operations, strategic decisions and management; subject to the governing contractual agreements.
- 1.2.4 Directors of ALEOs are subject to important personal legal duties under Companies legislation and, where the ALEO is a charity, under Charity regulation. They carry personal responsibility for the management and operation of the ALEO. These duties include responsibility for the financial management of the organisation, the health and safety of employees and members of the public and, where it is a charity, compliance with the ALEO's charitable objects. Charities are also regulated by the Office of the Scottish Charity Regulator (OSCR). If directors fail to discharge these duties correctly, they could incur personal liability for any associated debts and be liable for criminal prosecution, e.g. serious health and safety violations. When meeting as a Board, the Directors are legally required to consider, and act in, the best interests of the organisation, not the Council.

## **1.3 Fife Council's ALEOs**

### **Fife Sports and Leisure Trust (FSLT)**

- 1.3.1 This ALEO began trading on 1 April 2008 and gained charitable status on 28 March 2008. It is a company limited by guarantee and Fife Council is the sole member of the Company.

### **Fife Coast & Countryside Trust (FCCT)**

- 1.3.2 This ALEO is registered as a Company Limited by Guarantee with charitable status granted in March 2001. Fife Council is the sole member of the company. The Trust initially oversaw the marketing and promotion of the Fife Coastal Path (FCP) and, in June 2009, after a successful two-year pilot, it also became responsible for the Countryside Rangers, maintenance of the Lomond Hills Regional Park (East) and the Fife Coastal Path.

### **Fife Golf Trust (FGT)**

- 1.3.3 This ALEO started trading on 1 April 2011. OSCR granted charitable status on 30 March 2011. It is a company limited by guarantee and Fife Council is the sole member of the Company.

### **Fife Cultural Trust (FCT) also known as On Fife**

- 1.3.4 This ALEO started trading on 1 October 2012. OSCR granted charitable status on 27 September 2012. It is a company limited by guarantee and Fife Council is the sole member of the Company.

### **Business Gateway Fife (BGF)**

- 1.3.5 This company was established in March 2001 as a publicly funded service contributing to the economic well-being of Fife by providing access to free business advice and support services. It is a company limited by guarantee and Fife Council is the sole member of the Company. BGF is overseen by a board formed of council and independent directors, working with Fife Council's Economic Development team and agencies including COSLA, Scottish Enterprise and SDI in the delivery of services and grant giving to eligible business. As its objectives are not primarily charitable purposes, it does not have charitable status.

### **Fife Resource Solutions LLP (FRS)/Cireco (Scotland) LLP**

- 1.3.6 These are limited liability partnerships formed in 2014. FRS delivers the council's waste disposal and processing services. The law on public procurement restricts the council from providing services to third parties, so Cireco is the commercial arm of the undertaking. Its purpose is to facilitate the generation of income from services supplied to third parties. The council appoints three elected members, two council officers and three additional non-executive directors to the Boards of FRS and Cireco.
- 1.3.7 These ALEOs were constituted as Limited Liability Partnerships to ensure income is taxed according to the council's official tax status and not exposed unnecessarily to Corporation Tax.
- 1.3.8 As their objectives are not primarily charitable purposes, they do not have charitable status.

## **2.0 Oversight arrangements**

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- 2.1 The Place Directorate oversees Business Gateway Fife and Fife Resources Solutions/Cireco and the Communities Directorate oversees Fife Sport and Leisure Trust, Fife Coast and Countryside Trust, Fife Golf Trust and Fife Cultural Trust. ALEO Link Officers within the Directorates provide an important function in sharing information about council policy and processes with the ALEOs and in informally supporting the shaping and direction of ALEO's approaches. The Link Officers work within the ALEO's governance arrangements, which are variously named, including "operating agreements", "SLAs" and "service specifications" and the Link Officers are also the first point of contact

for ALEOs and for Councillors who may wish to discuss how the ALEOs operate. More detail on the formal oversight arrangements for each ALEO is provided below.

### **Business Gateway Fife (BGF)**

- 2.2 The Economic Development Service - InvestFife - provides monthly and quarterly finance reports to BGF and an annual report to the Finance, Economy and Corporate Services Scrutiny Committee. Their governance framework requires that the compliance, audit, monitoring of meetings, board meetings and team meetings be fully reported to the council on an annual basis for audit purposes and they also participate in the council's annual governance review.

### **Fife Resource Solutions (FRS)/Cireco**

- 2.3 There are a number of ways through which the council oversees this ALEO:
  - 2.3.1 Officers from Fife Council meet monthly with the ALEO's Chief Executive and Finance Manager to review performance and discuss strategic or operational issues. FRS submits an annual governance return document annually for review by council officers. The Operating Agreement requires FRS to submit an annual business plan for council approval, covering activities and finances for the forthcoming year which forms the benchmark against which performance etc will be measured.

### **FSLT, FCT, FCCT and FGT**

- 2.4 The Communities and Neighbourhood Service follows a similar approach with all four ALEOs under its remit, being:
  - 2.4.1 Six monthly meetings with the four ALEOs and the Head of Communities and Neighbourhoods Service. Quarterly meetings with each ALEO, which are attended by two council officers to review performance and discuss strategic or operational issues. Chief officers of the ALEOs meet annually with the Leader of the Administration.

### **Making changes**

- 2.5 Strategic decisions in relation to the delivery of ALEO's services (other than where those decisions are reserved to the council) are made by the ALEOs through their own governance structures. They are not, and cannot be, taken by council committees. Any strategic or business plan is usually taken forward by the ALEOs through their own governance but following consultation with Link Officers who can set out the policy framework of the council and provide advice and challenge as appropriate. Where there are regulatory or statutory requirements that apply to an ALEO, the expectation would be that ALEOs adhere to the legal requirements placed on them in the delivery of services, even where the council might not support a change to service delivery. It is usually the case that the strategic approach taken by the ALEOs is in line with the council's policy objectives and this is likely to be for several reasons: the membership of the Board, the close working relationship with council services and broader political engagement.
- 2.6 ALEOs operate in terms of the contractual arrangements that exist between them and the council. Those arrangements can be varied but variation would require the agreement of the ALEO as well as the council. There is a currently programme of review of the SLAs (or other governance documents setting out the arrangements that exist between the council and the ALEO) as reported to the Standards Audit and Risk Committee in the annual accounts for 2023/24. This review is also good practice given the length of time those agreements have been operating and the maturation of the ALEOs in that time. Proposed changes to those SLAs which are more than minor changes will be reported appropriately to the Cabinet Committee for approval.

## **Councillor considerations**

- 2.7 The role of the Councillor is defined by the Code of Conduct and associated guidance published by the Standards Commission for Scotland. This guidance focuses on the need for Councillors who are appointed to ALEOs to act in the interest of the ALEOs and to be aware of conflicts of interest. However, the general provisions in the Code apply to non-ALEO members in relation to individual Councillors' ability to influence policy and operational delivery. Additional guidance in this area for non-ALEO members would be helpful and this has been suggested to the Standards Commission. There is also additional guidance from CIPFA which is referred to as a background paper.
- 2.8 Detailed guidance can be given to Councillors in relation to the contractual arrangements for specific ALEO as contained in the various service level agreements if required.

## **3.0 Conclusions**

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- 3.1 The council operates six ALEOs to deliver functions on behalf of the council in a more flexible and financially beneficial manner. Control is retained by the council over each one of the legal entities, by means of ownership, the associated contractual agreements, representation on each Board, the financial records of each ALEOs being incorporated into the council's financial systems and audit.

### **List of Appendices**

Not applicable

### **Background Papers**

Standards Commission Advice for Councillors on Arm's Length External Organisations  
[1638361910211201AdviceNoteCouncillorsALEOsv1.pdf](#)

Accounts Commission [Councils' use of arm's-length organisations0](#) (May 2018)

### **Report Contacts**

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5 December 2024  
Agenda Item No. 10

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## **Appointment to External Organisations – Edinburgh and South East Scotland City Region Deal Elected Member Oversight Committee**

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Report by: Lindsay Thomson, Head of Legal and Democratic Services

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Wards Affected: All

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### **Purpose**

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To consider the appointment of substitutes to the Edinburgh and South East Scotland City Region Deal Elected Member Oversight Committee.

### **Recommendation(s)**

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The committee is asked to nominate two substitute members to the Edinburgh and South East Scotland City Region Deal Elected Member Oversight Committee.

### **Resource Implications**

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None.

### **Legal & Risk Implications**

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External organisations have their own governance structures and members should seek advice from the Head of Legal and Democratic Services on any concerns they have on membership of the organisations. In particular, members may be subject to other legislation such as the Companies Acts (directors' responsibilities) and charity law.

Failure to make such appointments may mean the external organisation cannot function effectively or secure a quorum at meetings.

### **Impact Assessment**

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

### **Consultation**

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The respective organisation has been consulted as appropriate.

## 1.0 Background

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- 1.1 At the Cabinet Committee on 25 August 2022, the committee were asked to appoint two members to the Edinburgh and South East Scotland City Region Deal Elected Member Oversight Committee.
- 1.2 The committee appointed Councillor Altany Craik, Spokesperson for Finance, Economy and Strategic Planning and Councillor David Alexander.

## 2.0 Current Position

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- 2.1 A request has now been received to appoint substitute members to represent the council on the Edinburgh and South Scotland City Region Deal Elected Member Oversight Committee.
- 2.2 The Standing Orders of the Edinburgh and South East Scotland Region Committee provides for the appointment of substitute members to represent Fife Council, with the appointed substitutes having the same powers at the meeting as the member they are representing.

## 3.0 Conclusion

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- 3.1 The committee will be asked to appoint two substitute members to represent the council on the Oversight Committee with Councillors Craik and Alexander having been appointed as the Fife Council's representatives.

### Background Papers

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

- Appointments to External Organisations - Report to Committee on 25 August 2022.

### Report Contact

Michelle McDermott  
Committee Officer  
Legal and Democratic Services  
Email – [michelle.mcdermott@fife.gov.uk](mailto:michelle.mcdermott@fife.gov.uk)

**Outstanding Remits from Committees**

Title	Service(s)	Comments
<b>9th January, 2025</b>		
Social Housing Net Zero Standard (SHNZS) - Scottish Government Consultation Response	Housing Services	As agreed at 07.03.24 Cabinet meeting - para. 223 of 2024.CC.122 refers - <a href="#">Cabinet Committee Minute - 7th March 2024</a> - A further report be brought back to Cabinet later in 2024.
Housing Emergency Action Plan (HEAP) 2024-27	Housing	As agreed at 06.06.24 Cabinet meeting - para. 256 of 2024.CC.138 refers - <a href="#">Cabinet Committee Minute - 6th June 2024</a> - Further reports back to Cabinet in due course on progress of HEAP.
Houses in Multiple Occupation (HMO): Review of the Overprovision Policy	Housing Services	As agreed at 04.05.23 Cabinet meeting - para 107 of 2023.CC.57 refers – <a href="#">Cabinet Committee Minute - 4th May 2023</a> - Report to be presented during 2024
<b>6 February, 2025</b>		
Procurement Process Scrutiny/Review (Legacy Systems Replacement Programme in the Place Directorate)	Environment and Building Services	As agreed at Cabinet 15th August, 2024 - Report referred to F&CS Scrutiny with a possibility of a report being referred back to Cabinet, if required - para. 269 of 2024.CC.144 refers
<b>6 March, 2025</b>		
Local Heat and Energy Efficiency Strategy Delivery Plan	Planning	As agreed at 30.11.23 Cabinet meeting - para. 176 of 2023.CC.98 refers - <a href="#">Cabinet Committee Minute - 30th November 2023</a> - Detailed Delivery Plan to be reported to Cabinet by <b>March 2025</b>
Housing Allocation Policy Review - Task & Finish Group Update	Housing	As agreed at 08.02.24 Cabinet meeting - para. 207 of 2024.CC.114 refers - <a href="#">Cabinet Committee Minute - 8th February 2024</a> - Report back to Cabinet Committee following completion of the Task and Finish Group remit in the Autumn.
Public Electric Vehicle Charging - Regional Collaboration	Roads and Transportation	As agreed at 06.06.24 Cabinet meeting - para. 258 of 2024.CC.138 refers - <a href="#">Cabinet Committee Minute - 6th June 2024</a> - Further report back to Cabinet in due course
Managing Flooding in Fife	Roads and Transportation	As agreed at 16.05.24 FC meeting - para. 130 of 2024.FC.158 refers - <a href="#">FC Minute 160524</a>

Title	Service(s)	Comments
<b>26th June, 2025</b>		
Change Planning	Chief Executive	As agreed at 07.11.24 Cabinet meeting - para. 301 of 24.CC.159 refers - Progress report to be submitted to the 26.06.25 meeting
Pay Strategy and Job Evaluation Project	Human Resources	As agreed at 30.11.23 Cabinet meeting - para. 188 of 2023.CC.103 refers - <a href="#">Cabinet Committee Minute - 30th November 2023</a> - see also para. 4.1 of report - updates to be brought back to Cabinet
<b>14th August, 2025</b>		
KIMO UK/KIMO International Annual Update	Planning Services	As agreed at 15.08.24 Cabinet meeting - para. 271 of 2024.CC.144 refers - <a href="#">Cabinet Committee Minute of 15th August, 2024</a> - Annual update to be brought back to <b>August 2025</b> Cabinet meeting providing feedback on the work of the organisation over the year.
Education Service Anti-Bullying Policy - Review	Education	As agreed at 02.11.23 Cabinet meeting – para. 169 of 2023.CC.93 refers – <a href="#">Cabinet Committee Minute - 2nd November 2023</a> - Report to be brought back in a year's time  <b>UPDATE:</b> A briefing paper to be sent to elected members requesting nominations to establish the Working Group with an update report being submitted in August 2025.
<b>9th October, 2025</b>		
Community Wealth Building - Progress Report	Property Services	As agreed at 10.10.24 Cabinet meeting - para. 293 of 2024.CC.155 refers - <a href="#">Cabinet Committee Minute - 10th October 2024</a> - Annual report to be provided of future CWB achievements.

Title	Service(s)	Comments
<b>Unallocated</b>		
Transfer of Development Land at North Fod, Dunfermline Update	Estates	<p>As agreed at Cabinet 09.03.23 – para. 92 of 2023.CC.48 refers - <a href="#">Cabinet Committee Minute - 9th March 2023</a> - Further report on the details surrounding the development of the site to be reported back in due course.</p> <p><b>UPDATE:</b> A paper to be brought back to Cabinet when a development proposal is available, however, there is no timescale available at present.</p>
Wave Trust 70/30 Campaign (Developing a Trauma Informed Workforce)	Education / Communities	<p>As agreed at 16.03.23 Fife Council meeting – para. 60 of 2023.FC.70 refers - <a href="#">Fife Council Minute - 16th March 2023</a> - Council asks officers to bring a report to a future meeting of the Cabinet Committee on how the ambitions of this campaign can best be achieved in Fife".</p> <p><b>UPDATE:</b> A report was submitted to the Cabinet Committee in September, 2023 under the title "Developing a Trauma Informed Workforce" and this met the terms of what had been previously requested and can be removed from the list - <a href="#">Cabinet Committee Agenda Papers - 7 September 2023</a> - (page 42 refers).</p>
Policy on the return of items of local, cultural or historical significance for local displays and heritage centres	Communities and Neighbourhoods	<p>As agreed at 07.09.23 Cabinet meeting - para. 147 of 2023.CC.78 refers - <a href="#">Cabinet Committee Minute - 7th September 2023</a> Fife Tourism Strategy report</p>
Pedestrian and Cyclist Access to Household Waste Recycling Centres	Environment and Building Services	<p>As agreed at 11.01.24 Cabinet meeting - para. 199 of 2024.CC.110 refers - Deferred to a future meeting.</p> <p><b>UPDATE:</b> CIRECO to undertake a full health and safety review of all their facilities. Report to Cabinet will be submitted by September 2025.</p>
Allotment & Community Growing Strategy 2024-2028 Update	Communities and Neighbourhoods	<p>As agreed at 08.02.24 Cabinet meeting - para. 209 of 2024.CC.115 refers - <a href="#">Cabinet Committee Minute - 8th February 2024</a> - Further report back to Cabinet in due course.</p>