

Minute

Policy and Resources Committee

Tuesday, 21 September 2021, 10:30.

Microsoft Teams.



Present

Councillors James W Stockan, W Leslie Manson, Stephen G Clackson, Alexander G Cowie, Norman R Craigie, Robin W Crichton, David Dawson, Andrew Drever, Barbara Foulkes, Steven B Heddle, J Harvey Johnston, Rachael A King, John T Richards, Stephen Sankey, John A R Scott, Gwenda M Shearer, Graham L Sinclair, Magnus O Thomson, Owen Tierney and Heather N Woodbridge.

Clerk

- Hazel Flett, Senior Committees Officer.

In Attendance

- John W Mundell, Interim Chief Executive.
- Stephen Brown, Chief Officer/Executive Director, Orkney Health and Care.
- Hayley Green, Interim Executive Director of Environmental, Property and IT Services.
- Gareth Waterson, Interim Executive Director of Finance, Regulatory, Marine and Transportation Services.
- James Wylie, Executive Director of Education, Leisure and Housing.
- James Buck, Head of Marine Services and Transportation.
- Colin Kemp, Interim Head of Finance.
- Karen Greaves, Head of Executive Support (for Items 1 to 12).
- Andrew Groundwater, Head of HR and Performance.
- Jim Lyon, Interim Head of Children and Families and Criminal Justice and Chief Social Work Officer (for Items 1 to 18).
- Roddy Mackay, Head of Planning, Development and Regulatory Services (for Items 1 to 18, 20 and 21).
- Gavin Mitchell, Head of Legal Services.
- Lorna Richardson, Strategic Policy and Projects Manager (for Items 1 to 9).
- Jackie Thomson, Development and Regeneration Manager (for Items 1 to 18).
- Anna Whelan, Strategy Manager (for Items 1 to 13).
- James Green, Senior Policy Planner (Development and Marine Planning) (for Items 11 to 20).
- Emma Chattington, Equalities Officer (for Items 1 to 10).
- Adele Lidderdale, Climate Change Project Officer (for Items 1 to 10).

Observing

- Susan Shearer, Planning Manager (Development and Marine Planning) (for Items 19 and 20).
- Sandra Craigie, Committees Officer (for Items 1 to 18).
- Rebecca McAuliffe, Press Officer (for Items 1 to 18).
- Lorraine Stout, Press Officer (for Items 7 to 21).

Apology

- Councillor Duncan A Tullock.

Declaration of Interest

- Councillor Gwenda M Shearer – Item 19.

Chair

- Councillor James W Stockan.

1. Disclosure of Exempt Information

The Committee noted the proposal that the public be excluded from the meeting for consideration of Items, as the business to be discussed involved the potential disclosure of exempt information of the classes described in the relevant paragraphs of Part 1 of Schedule 7A of the Local Government (Scotland) Act 1973 as amended.

2. Revenue Expenditure Outturn

2.1. Policy and Resources

After consideration of a joint report by the Chief Executive, the Interim Executive Director of Environmental, Property and IT Services and the Head of Finance, copies of which had been circulated, the Committee:

Noted:

2.1.1. The revenue expenditure outturn statement in respect of the undernoted services for financial year 2020/21, attached as Annex 1 to the joint report by the Chief Executive, the Interim Executive Director of Environmental, Property and IT Services and the Head of Finance, which indicated a deficit position of £3,449,600:

- Central Administration.
- Law, Order and Protective Services.
- Other Services.

The Committee scrutinised:

2.1.2. The explanations given, and actions proposed in respect of significant budget variances, as outlined in the Budget Action Plan, attached as Annex 2 to the joint report by the Chief Executive, the Interim Executive Director of Environmental, Property and IT Services and the Head of Finance, and obtained assurance that appropriate action was taken with regard to significant budget variances.

2.2. Summary

After consideration of a joint report by the Chief Executive and the Head of Finance, copies of which had been circulated, the Committee:

Noted the revenue expenditure outturn statement for financial year 2020/21, attached as Annex 1 to the joint report by the Chief Executive and the Head of Finance, which indicated the following:

- A total General Fund deficit of £2,106,700.
- A surplus in Sources of Funding for General Fund Services of £6,700.
- A net Non-General Fund surplus of £39,899,600.

3. Revenue Expenditure Monitoring

3.1. Policy and Resources

After consideration of a joint report by the Chief Executive, the Interim Executive Director of Environmental, Property and IT Services and the Head of Finance, copies of which had been circulated, the Committee:

Noted:

3.1.1. The revenue financial summary statement in respect of the undernoted services for the period 1 April to 30 June 2021, attached as Annex 1 to the joint report by the Chief Executive, the Interim Executive Director of Environmental, Property and IT Services and the Head of Finance, which indicated an underspend position of £102,600:

- Central Administration.
- Law, Order and Protective Services.
- Other Services.

3.1.2. The revenue financial detail by Service Area statement for the period 1 April to 30 June 2021, attached as Annex 2 to the joint report by the Chief Executive, the Interim Executive Director of Environmental, Property and IT Services and the Head of Finance.

The Committee scrutinised:

3.1.3. The explanations given and actions proposed in respect of significant budget variances, as outlined in the Budget Action Plan, attached as Annex 3 to the joint report by the Chief Executive, the Interim Executive Director of Environmental, Property and IT Services and the Head of Finance, and obtained assurance that action was being taken with regard to significant budget variances.

3.2. Summary

After consideration of a report by the Head of Finance, copies of which had been circulated, the Committee:

Noted:

3.2.1. The summary revenue expenditure statement for the period 1 April to 30 June 2021, attached as Annex 1 to the report by the Head of Finance, which indicated the following:

- A total General Fund overspend of £337,400.
- A deficit in Sources of Funding of £143,200.
- A net Non-General Fund surplus of £307,100.

3.2.2. The financial detail across individual Sources of Funding for the period 1 April to 30 June 2021, including significant variances identified as Priority Actions, attached as Annex 2 to the report by the Head of Finance.

The Committee scrutinised:

3.2.3. The explanations given and actions proposed in respect of significant budget variances, as outlined in the Budget Action Plan, attached as Annex 3 to the report by the Head of Finance, and obtained assurance that action was being taken with regard to significant budget variances.

4. Capital Expenditure Outturn

After consideration of a report by the Head of Finance, copies of which had been circulated, the Committee:

Noted:

4.1. The summary outturn position of capital expenditure incurred for financial year 2020/21 in respect of the General and Non-General Fund capital programmes, as detailed in section 3.1 of the report by the Head of Finance, which indicated a total underspend of £10,709,000 as at 31 March 2021, against approved budgets totalling £27,167,000.

The Committee scrutinised:

4.2. The detailed analysis of capital expenditure, together with project updates in respect of the General Fund and the Non-General Fund capital programmes, attached as Appendix 1 to the report by the Head of Finance, and obtained assurance with regard to significant budget variances and on progress made with delivery of the approved General and Non-General Fund capital programmes.

Signed: (Leader's signature).

Councillor James W Stockan left the meeting during discussion of the following item, as a result of IT difficulties. Councillor W Leslie Manson took the Chair.

5. Capital Slippage and Acceleration

After consideration of a report by the Head of Finance, copies of which had been circulated, the Committee:

Noted:

5.1. Net slippage amounting to £8,551,000 in relation to the approved General Fund and Non-General Fund capital programmes as at 31 March 2021.

5.2. That the Head of Finance had re-profiled the five-year General Fund and the Non-General Fund capital programmes, in order to reflect the net slippage and current timescales for completion of individual capital projects, with the revised programmes attached as Appendix 2 to the report by the Head of Finance.

5.3. That the following projects had been reprofiled into 2021/22 and beyond due to delays with project commencement or delivery:

- New Kirkwall Care Facility.
- Alterations to Garden House, Kirkwall.
- Works associated with the expansion of Early, Learning and Childcare provision.

On the motion of Councillor Graham L Sinclair, seconded by Councillor Andrew Drever, the Committee resolved to **recommend to the Council**:

5.4. That the sum of £3,459,000 be carried forward from financial year 2020/21 to financial years 2021/22 and onwards in respect of net slippage on projects contained within the General Fund capital programme.

5.5. That the sum of £5,092,000 be carried forward from financial year 2020/21 to financial years 2021/22 and onwards in respect of slippage on projects contained within the Non-General Fund capital programme.

5.6. That the revised five-year General Fund and the Non-General Fund capital programmes, attached as Appendix 1 to this Minute, be approved.

Councillor Magnus O Thomson left the meeting during discussion of this item.

6. Treasury Management – Annual Report

After consideration of a report by the Head of Finance, copies of which had been circulated, the Committee:

Noted:

6.1. That the Bank of England Base Rate decreased from 0.75% to 0.25% on 11 March 2020 and then reduced further to 0.10% on 19 March 2020 in order to counter the hugely negative impact the COVID-19 national lockdown was having on the economy.

6.2. That the reduction in the Bank of England Base Rate led to the Public Works Loans Board borrowing rates reducing correspondingly, with shorter term rates decreasing more than longer term rates.

6.3. That the Central Government and the Bank of England also introduced new programmes of supplying the banking system and the economy with significant amounts of cheap credit in order that banks could assist cash-starved businesses to survive the lockdown.

6.4. That significant amounts of finance were also passed to local authorities to pass onto businesses, which meant that, for most of the year, there was much more liquidity in financial markets than demand to borrow, meaning investment earning rates plummeted.

6.5. That, although there remained much uncertainty over interest rates, with the long-term trend prediction for rates to rise, the Council should be well placed to benefit from savings on loan charges over the longer term.

The Committee scrutinised:

6.6. The Annual Treasury Management Review for financial year 2020/21, attached as Appendix 1 to the report by the Head of Finance, and obtained assurance that the Treasury Management Practices had operated effectively.

7. Island Communities Impact Assessments

After consideration of a report by the Chief Executive, copies of which had been circulated, and after hearing a report from the Head of Legal Services, the Committee:

Noted:

7.1. The new duties that had arisen in terms of the Islands (Scotland) Act 2018 (the Act) relating to Island Communities Impact Assessments and the associated Regulations, which came into force on 23 December 2020.

7.2. That governance arrangements required to be put in place to enable the Council to comply with its statutory duties relating to Island Communities Impact Assessments.

The Committee resolved to **recommend to the Council:**

7.3. That, in order to comply with the Council's duty under Section 7 of the Act:

- An assessment shall be made by the relevant Executive Director as to whether an Island Communities Impact Assessment was required in relation to any policy, strategy or service.
- An Island Communities Impact Assessment shall be carried out, where required.
- Each existing policy, strategy and service shall be reviewed by the relevant Executive Director at regular intervals in line with agreed review periods or sooner at the discretion of the relevant Executive Director.

7.4. That all Island Communities Impact Assessments be approved and signed off by a Head of Service, unless completed by a Head of Service, in which case, they shall be approved and signed off by an Executive Director.

7.5. That requests for review of a decision in terms of Section 9 of the Act shall, where practicable, be considered by an Executive Director or Head of Service who was not involved in the original decision forming the subject of the application for review.

7.6. That information regarding the steps that the Council had taken to comply with the new statutory duties shall be reported annually in the Council's Annual Performance Report, taking into account the requirements of the Annual Reporting Return detailed in the Scottish Government publication entitled Island Communities Impact Assessments: Guidance and Toolkit.

7.7. That any request from an individual, group or organisation for the Council to submit a request to Scottish Ministers for a retrospective Island Communities Impact Assessment, shall be accompanied by information explaining why the legislation had an effect on an island community which was significantly different from its effect on other communities in Scotland; and that the decision as to whether to make such a request shall rest with the relevant Executive Director.

7.8. That the Chief Executive and the Head of Legal Services shall satisfy themselves that any new legislation, policy, strategy or service emanating from the Scottish Government satisfied Sections 7 and 8 of the Act in respect of the duty on Scottish Ministers to have regard to island communities in carrying out their functions and that an Island Communities Impact Assessment had been prepared where appropriate.

Councillor Barbara Foulkes joined the meeting during discussion of the item.

Councillors James W Stockan and Magnus O Thomson rejoined the meeting during discussion of this item.

Signed: (Depute Leader's signature).

Councillor James W Stockan resumed the Chair at this point.

8. Islands Deal – Governance Arrangements

After consideration of a joint report by the Chief Executive and the Interim Executive Director of Finance, Regulatory, Marine and Transportation Services, copies of which had been circulated, and after hearing a report from the Strategic Policy and Projects Manager, the Committee:

Noted:

8.1. That Heads of Terms for the Islands Deal were signed on 17 March 2021, confirming a joint investment of £100 million from Scottish and UK Governments, together with a list of the projects to be funded.

8.2. That Outline Business Cases were now being developed for each of the Deal projects, with the expectation of having those finalised and the Full Deal signed by Autumn 2022.

8.3. That a requirement of the funding process was that the governance structure, which would manage full implementation of the Deal, was in place to approve the Outline Business Cases prior to submission to Government for approval.

8.4. The proposed governance structure, outlined in section 4 of the joint report by the Chief Executive and the Interim Executive Director of Finance, Regulatory, Marine and Transportation Services, namely establishment of a joint committee between Orkney Islands Council, Comhairle nan Eilean Siar and Shetland Islands Council for the purposes of managing implementation of the Growth Deal for the Islands.

8.5. That, should the proposed governance structure be approved and the Joint Committee subsequently established, it was proposed that elected member appointments to the Joint Committee be considered at the General Meeting of the Council to be held on 5 October 2021.

On the motion of Councillor James W Stockan, seconded by Councillor Rachael A King, the Committee resolved to **recommend to the Council**:

8.6. That a Joint Committee be established under Section 57 of the Local Government (Scotland) Act 1973 between Orkney Islands Council, Comhairle nan Eilean Siar and Shetland Islands Council for the purposes of managing implementation of the Growth Deal for the Islands.

8.7. That, subject to any minor amendments agreed in accordance with paragraph 8.8 below, the Joint Committee Governance Agreement, attached as Appendix 2 to this Minute, be approved for agreement with Comhairle nan Eilean Siar and Shetland Islands Council.

8.8. That, should any minor amendments to the Joint Committee Governance Agreement be required as a result of final discussions with Comhairle nan Eilean Siar and Shetland Islands Council, powers be delegated to the Chief Executive to agree such amendments on behalf of the Council.

9. Climate Change Reporting Duties

After consideration of a report by the Interim Executive Director of Finance, Regulatory, Marine and Transportation Services, copies of which had been circulated, and after hearing a report from the Climate Change Project Officer, the Committee:

Noted:

9.1. The Climate Change Duties Report, attached as Appendix 1 to the report by the Interim Executive Director of Finance, Regulatory, Marine and Transportation Services, which summarised the actions undertaken by the Council during the period 1 April 2020 to 31 March 2021 to fulfil its climate change duties.

9.2. That the Climate Change Duties Report was due for submission to the Scottish Government by 30 November 2021.

The Committee resolved to **recommend to the Council**:

9.3. That the Climate Change Duties Report, attached as Appendix 3 to this Minute, be approved for submission to the Scottish Government.

10. Equalities Mainstreaming and Outcomes – Progress Report

After consideration of a report by the Executive Director of Education, Leisure and Housing, copies of which had been circulated, and after hearing a report from the Equalities Officer, the Committee:

Scrutinised the Equalities Mainstreaming and Outcomes progress report 2021 for Orkney Islands Council and Education Authority and Orkney Islands Area Licensing Board, attached as Appendix 1 to the report by the Executive Director of Education, Leisure and Housing, in so far as it related to the remit of the Council, and obtained assurance.

Councillor Magnus O Thomson left the meeting at this point.

11. The Queen’s Platinum Jubilee

After consideration of a report by the Executive Director of Education, Leisure and Housing, copies of which had been circulated, and after hearing a report from the Head of HR and Performance, the Committee:

Noted:

11.1. That the UK Government had announced an additional public holiday on Friday, 3 June 2022, to mark the Queen’s Platinum Jubilee celebrations.

11.2. That, in addition, it had been announced that the late May Bank Holiday, observed by many employers but not Orkney Islands Council, had been moved to Thursday, 2 June 2022, providing for a four day weekend to mark the Queen’s Platinum Jubilee celebrations.

11.3. That it was for individual councils to determine whether they wished to award the additional public holiday on Friday, 3 June 2022 and move any existing public holiday date to Thursday, 2 June 2022.

11.4. That the Council could choose to recognise the event by granting either:

- An additional public holiday; or
- An additional day of fixed annual leave to be granted to staff that must be taken on Friday, 3 June 2022.

11.5. That, alternatively, the Council could choose not to award the additional holiday and all employees would be expected to work as normal.

11.6. That, as the local public holiday schedule for 2022/23 had not yet been set, in respect of moving any existing public holidays to Thursday, 2 June 2022, the Council could choose to re-allocate any of the public holidays usually scheduled, with those on May Day or Dounby Show Day suggested as the most suitable.

11.7. That work was underway to co-ordinate local community events for The Queen’s Platinum Jubilee in June 2022, including the lighting of a beacon.

On the motion of Councillor James W Stockan, seconded by Councillor J Harvey Johnston, the Committee resolved to **recommend to the Council**:

11.8. That employees, in the employment of the Council on 3 June 2022, be awarded an additional day of fixed annual leave to be taken on Friday, 3 June 2022.

11.9. That those employees who were required to work on Friday, 3 June 2022 shall have a pro rata day in lieu added to their holiday entitlement for 2022/23.

11.10. That Thursday, 2 June 2022 be designated as one of the Council's 10 public holiday days for 2022/23, replacing May Day for 2022 only.

11.11. That, should the leave arrangements referred to at paragraphs 11.8 to 11.10 above be approved, the Council Offices, schools and all other services, other than those services with an operational imperative, such as care homes, should be closed on Thursday, 2 June 2022 and Friday, 3 June 2022.

12. Orkney Community Plan 2021-23

Incorporating Orkney's Local Outcomes Improvement Plan

After consideration of a report by the Chief Executive, together with an Equality Impact Assessment and an Island Communities Impact Assessment, copies of which had been circulated, and after hearing a report from the Strategy Manager, the Committee:

Noted:

12.1. That the Orkney Partnership Board had drafted a new Community Plan with a focus on short term recovery from the pandemic, covering the two years 2021 to 2023.

12.2. That the Orkney Community Plan 2021 to 2023 incorporated Orkney's statutory Local Outcomes Improvement Plan.

12.3. That the Orkney Partnership Board had carried out a public consultation which was supportive of its proposal to adopt three new strategic priorities for the Community Plan, namely:

- Connectivity.
- Community Wellbeing.
- Sustainable Recovery.

12.4. That the Orkney Partnership Board had established three new delivery groups and assigned Chairs to progress delivery in accordance with the aims, outcomes and proposed courses of action outlined for each strategic priority in the Community Plan.

12.5. That the delivery groups would work closely with the Partnership's two current short life working groups, the Child Poverty Task Force and the Economic Recovery Steering Group.

The Committee resolved to **recommend to the Council:**

12.6. That the Orkney Community Plan 2021 to 2023, incorporating the Local Outcomes Improvement Plan, attached as Appendix 4 to this Minute, be approved in so far as it applied to the Council.

13. Services for Children and Young People in Need of Care and Protection

Joint Inspection – Progress Review

After consideration of a joint report by the Chief Executive, the Chief Officer/Executive Director, Orkney Health and Care and the Executive Director of Education, Leisure and Housing, copies of which had been circulated, and after hearing a report from the Interim Head of Children and Families and Criminal Justice and Chief Social Work Officer, the Committee:

Noted:

13.1. That, between 26 August and 4 October 2019, the Orkney Community Planning Partnership was inspected in respect of its services for children and young people in need of care and protection.

13.2. That, on 25 February 2020, the Care Inspectorate published its report of the joint inspection of services for children and young people in need of care and protection in Orkney.

13.3. That, in response to the inspection report published in February 2020, an improvement plan was developed, which was regularly reviewed by the Chief Officers' Group and reported to the Integration Joint Board, the Council's Policy and Resources Committee and NHS Orkney's Clinical and Care Governance Committee.

13.4. That, between April and June 2021, a team of inspectors from the Care Inspectorate, Healthcare Improvement Scotland, Her Majesty's Inspectorate of Constabulary for Scotland and Education Scotland carried out a review of progress made in planning and implementing actions to address the priority areas for improvement identified in the Joint Inspection undertaken in 2019.

13.5. That, in August 2021, the Care Inspectorate published the Progress Review following a joint inspection of services for children and young people in need of care and protection in Orkney, attached as Appendix 1 to the joint report by the Chief Executive, the Chief Officer/Executive Director, Orkney Health and Care and the Executive Director of Education, Leisure and Housing.

13.6. The key findings arising from the Progress Review, summarised in section 5 of the joint report by the Chief Executive, the Chief Officer/Executive Director, Orkney Health and Care and the Executive Director of Education, Leisure and Housing.

The Committee scrutinised:

13.7. The key findings arising from the Progress Review, following the joint inspection of services for children and young people in need of care and protection, published by the Care Inspectorate in August 2021, attached as Appendix 1 to the joint report by the Chief Executive, the Chief Officer/Executive Director, Orkney Health and Care and the Executive Director of Education, Leisure and Housing, and obtained assurance that planning and implementing actions to address the priority areas for improvement continued to develop and improve.

14. Police and Fire Sub-committee

After consideration of the draft Minute of the Meeting of the Police and Fire Sub-committee held on 24 August 2021, copies of which had been circulated, the Committee:

Resolved, on the motion of Councillor Andrew Drever, seconded by Councillor David Dawson, to approve the Minute of the Meeting of the Police and Fire Sub-committee held on 24 August 2021, attached as Appendix 5 to this Minute, as a true record.

15. Pension Fund Sub-committee, together with Pension Board

After consideration of the draft Minute of the Meeting of the Pension Fund Sub-committee, together with the Pension Board, held on 26 August 2021, copies of which had been circulated, the Committee:

Resolved, on the motion of Councillor W Leslie Manson, seconded by Councillor James W Stockan, to approve the Minute of the Meeting of the Pension Fund Sub-committee, together with the Pension Board, held on 26 August 2021, attached as Appendix 6 to this Minute, as a true record.

16. Human Resources Sub-committee

After consideration of the draft Minute of the Meeting of the Human Resources Sub-committee held on 31 August 2021, copies of which had been circulated, the Committee:

Resolved:

16.1. On the motion of Councillor W Leslie Manson, seconded by Councillor Robin W Crichton, to approve the Minute of the Meeting of the Human Resources Sub-committee held on 31 August 2021 as a true record.

The Committee resolved to **recommend to the Council:**

16.2. That the recommendations at paragraphs 2.3 and 3.5 of the Minute of the Meeting of the Human Resources Sub-committee held on 31 August 2021, attached as Appendix 7 to this Minute, be approved.

17. Rousay, Egilsay and Wyre Heritage SCIO

Wyre Community and Heritage Centre

After consideration of a report by the Interim Executive Director of Finance, Regulatory, Marine and Transportation Services, copies of which had been circulated, and after hearing a report from the Development and Regeneration Manager, the Committee:

Noted:

17.1. That, in August 2019, a LEADER grant of £42,175.90 was awarded to Rousay, Egilsay and Wyre Heritage SCIO towards creation of a new Wyre Community and Heritage Centre.

17.2. That, in October 2019, the Community Development Fund Sub-committee awarded a grant amounting to 50% of total eligible costs, up to a maximum sum of £46,996, to Rousay, Egilsay and Wyre Heritage SCIO towards creation of a new Wyre Community and Heritage Centre.

17.3. That, following unforeseen material supply issues necessitating revision of the project costs, the LEADER grant was subsequently increased to £46,090.06, with the Community Development Fund grant increased to £51,357.

17.4. That the project was supported by Rousay, Egilsay and Wyre Development Trust who would contribute £5,268.12 to the revised total project cost of £102,715.18.

17.5. That, to date, LEADER grant funding, amounting to £5,629.16, had been paid to Rousay, Egilsay and Wyre Heritage SCIO in respect of works undertaken to date.

17.6. That, in August 2021, due to the project start date being delayed by the impacts of the pandemic and, as a consequence of ongoing pandemic impacts, the appointed contractor advised that they were now unable to start or complete the project within the timeframe permitted by the LEADER Programme.

17.7. That, as a consequence of the delayed delivery of the project, the outstanding balance of the LEADER grant, up to a maximum sum of £40,460.90, required to be decommitted, resulting in a project funding deficit.

17.8. That, should the project not secure additional funding, the offer of grant from the Community Development Fund would require to be withdrawn.

17.9. Options for funding the project deficit resulting from the loss of the remaining LEADER grant, as detailed in section 5 of the report by the Interim Executive Director of Finance, Regulatory, Marine and Transportation Services, with the preferred option being Option 4, namely the Crown Estate Fund, as the project appeared to fit well with the principles of Crown Estate funding deployment and the long-term funding allocation strategy for coastal community benefit in Orkney approved by the Council in December 2019.

On the motion of Councillor James W Stockan, seconded by Councillor Stephen G Clackson, the Committee resolved to **recommend to the Council**:

17.10. That the project funding deficit, in respect of creation of a new Wyre Community and Heritage Centre, resulting from the loss of the remaining LEADER grant, up to a maximum sum of £40,460.90, be met by a contribution from the Crown Estate Fund.

17.11. That powers be delegated to the Interim Executive Director of Finance, Regulatory, Marine and Transportation Services, in consultation with the Solicitor to the Council, to enter into an appropriate grant agreement with Rousay, Egilsay and Wyre Heritage SCIO, in respect of the funding detailed at paragraph 17.10 above.

Councillor Magnus O Thomson rejoined the meeting during discussion of this item.

18. Exclusion of Public

On the motion of Councillor James W Stockan, seconded by Councillor W Leslie Manson, the Committee resolved that the public be excluded for the remainder of the meeting, as the business to be considered involved the disclosure of exempt information of the classes described in the relevant paragraphs of Part 1 of Schedule 7A of the Local Government (Scotland) Act 1973 as amended.

Councillor John A R Scott left the meeting at this point.

19. Towage Services

Councillor Gwenda M Shearer declared a non-financial interest in this item, in that a close family member was employed in the Council's towage service, and was not present during discussion thereof.

Under section 50A(4) of the Local Government (Scotland) Act 1973, the public had been excluded from the meeting for this item on the grounds that it involved the disclosure of exempt information as defined in paragraphs 1 and 6 of Part 1 of Schedule 7A of the Act.

After consideration of a report by the Interim Executive Director of Finance, Regulatory, Marine and Transportation Services, copies of which had been circulated, and after hearing a report from the Head of Marine Services and Transportation, the Committee:

Noted:

19.1. That, since the granting of the Oil Transfer Licence by the Maritime Coastguard Agency in March 2015, the number of tanker visits to Scapa Flow had increased by 203%, from 73 in 2015/16 to 148 in 2020/21, with Ship to Ship transfers making up 36.7% of tanker revenue to the Scapa Flow Oil Port.

19.2. That an additional 20 ship to ship transfers had the potential to generate further income for the Scapa Flow Oil Port.

19.3. That, on 25 May 2021, the Harbour Authority Sub-committee recommended that the Executive Director of Development and Infrastructure should submit a report, to the Policy and Resources Committee, requesting that the Scapa Flow Oil Port net revenue budget surplus for 2021/22 be increased to £779,000.

The Committee resolved to **recommend to the Council:**

19.4. That the Scapa Flow Oil Port net revenue budget surplus of £279,000 for 2021/22 be increased to £779,000.

The above constitutes the summary of the Minute in terms of the Local Government (Scotland) Act 1973 section 50C(2) as amended by the Local Government (Access to Information) Act 1985.

20. Environmental Designations – Proposed Special Protection Areas

Under section 50A(4) of the Local Government (Scotland) Act 1973, the public had been excluded from the meeting for this item on the grounds that it involved the disclosure of exempt information as defined in paragraph 12 of Part 1 of Schedule 7A of the Act.

After consideration of a report by the Interim Executive Director of Finance, Regulatory, Marine and Transportation Services, copies of which had been circulated, and after hearing a report from the Senior Policy Planner (Development and Marine Planning), the Committee:

Noted:

20.1. That Scottish Ministers were currently considering proposals for two areas covering a large proportion of Orkney's inshore waters, known as North Orkney and Scapa Flow, as detailed on the maps attached as Appendices 2 and 3 respectively to the report by the Interim Executive Director of Finance, Regulatory, Marine and Transportation Services, for designation as Special Protection Areas.

20.2. That, in March 2015, the Council adopted a policy position to oppose the introduction of marine Special Protection Areas in Orkney waters, which was reinforced in July 2015 and confirmed in December 2018.

20.3. That, in September 2016 and January 2017, the Council submitted substantive responses to formal consultations by Scottish Natural Heritage, now NatureScot, on proposals to designate the following:

- A suite of 10 marine proposed Special Protection Areas in Scotland, including the North Orkney and Scapa Flow proposed Special Protection Areas.
- A further five proposed Special Protection Areas, including the Pentland Firth, as detailed on the map attached as Appendix 4 to the report by the Interim Executive Director of Finance, Regulatory, Marine and Transportation Services.

20.4. That, in December 2020, NatureScot advised Scottish Ministers that the North Orkney and Scapa Flow proposed Special Protection Areas should be classified as Special Protection Areas.

20.5. That, on 3 December 2020, Scottish Ministers announced the designation of 12 marine Special Protection Areas in Scottish waters excluding the North Orkney and Scapa Flow proposed Special Protection Areas.

The Committee resolved to **recommend to the Council:**

20.6. That the undernoted policy principles, originally adopted by the Council on 3 March 2015, should remain in place in relation to consideration of any new national or international environmental, natural heritage or marine related designations:

- The Council would require formal engagement with the relevant designating bodies in advance of any formal public consultation on any potential new or amended designation in Orkney.
- All the management measures which affect a proposed designation should be tabled in advance of the designation in an open and transparent manner.
- The economic and social impact of any proposed designation on local communities must be fully taken into account as a matter of paramount importance.
- Where a proposed new designation would have significant adverse economic and/or social effects on local communities, its introduction will not be supported by the Council.

20.7. That the Council reaffirm that it seeks an Island Communities Impact Assessment in respect of the designation of the North Orkney and Scapa Flow proposed marine Special Protection Areas.

The above constitutes the summary of the Minute in terms of the Local Government (Scotland) Act 1973 section 50C(2) as amended by the Local Government (Access to Information) Act 1985.

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21. Asset Management Sub-committee

Under section 50A(4) of the Local Government (Scotland) Act 1973, the public had been excluded from the meeting for this item on the grounds that it involved the disclosure of exempt information as defined in paragraphs 2, 6 and 9 of Part 1 of Schedule 7A of the Act.

After consideration of the draft Minute of the Meeting of the Asset Management Sub-committee held on 31 August 2021, copies of which had been circulated, the Committee:

Resolved, on the motion of Councillor W Leslie Manson, seconded by Councillor Robin W Crichton, to approve the Minute of the Meeting of the Asset Management Sub-committee held on 31 August 2021, attached as Appendix 8 to this Minute, as a true record.

Councillor Steven B Heddle left the meeting during discussion of this item.

22. Conclusion of Meeting

At 16:55 the Chair declared the meeting concluded.

Signed: (Leader's signature).

	Total Budget £000	2020/21 £000	2021/22 £000	2022/23 £000	2023/24 £000	2024/25 £000
General Fund Summary						
Other Housing	2,500	500	500	500	500	500
Community Social Services	12,619	960	589	6,000	5,070	0
Education	3,972	94	3,025	780	73	0
Cultural and Recreational Services	4,511	1,026	3,324	161	0	0
Roads	5,189	1,061	1,278	950	950	950
Transportation Services	479	249	230	0	0	0
Environmental services	683	63	620	0	0	0
Planning & Protective Services	468	232	236	0	0	0
Administration Services	16,827	3,353	4,418	3,114	2,971	2,971
Expenditure Total	47,248	7,538	14,220	11,505	9,564	4,421
OH1 Housing Loans	2,500	500	500	500	500	500
	2,500	500	500	500	500	500
SC9 Replacement facilities St Peter's house	924	924	0	0	0	0
SC10 New Care Facility, Kirkwall	11,695	36	589	6,000	5,070	0
	12,619	960	589	6,000	5,070	0
ED12 Extension to St Andrew's School	3,972	94	3,025	780	73	0
	3,972	94	3,025	780	73	0
LC9 Refurb. improve Scapa Flow Visitor Centre and Museum	3,587	1,002	2,424	161	0	0
LC12 St Magnus Cathedral Doors	256	24	232	0	0	0
LC13 Papdale East Play Park	668	0	668	0	0	0
	4,511	1,026	3,324	161	0	0
RD5 Cycling, Walking & Safer Routes / 20 mph scheme	260	64	196	0	0	0
RD6 Roads Asset Replacement Programme	4,750	950	950	950	950	950
RD23 Kirkwall Places and Spaces	179	47	132	0	0	0
	5,189	1,061	1,278	950	950	950
TR8 Electric vehicle charging infrastructure	27	27	0	0	0	0
TR10 Golden Mariana replacement	452	222	230	0	0	0
	479	249	230	0	0	0
CA2 IT replacement programme	2,142	488	394	420	420	420
CA4 Plant & Vehicle Replacement	6,156	952	1,604	1,200	1,200	1,200
CA12 Alterations to Garden House, Kirkwall	557	20	100	437	0	0
CA13 Disaster recovery and business continuity suite	260	0	260	0	0	0
CA16 Replacement audio-casting equipment	15	0	15	0	0	0
CA17 Replacement telephone system	240	0	240	0	0	0
	9,370	1,460	2,613	2,057	1,620	1,620
# Corporate Improvement Programme	7,457	1,893	1,805	1,057	1,351	1,351
	7,457	1,893	1,805	1,057	1,351	1,351
PL6 Stones of Stenness Car Park	221	221	0	0	0	0
PL7 Arcadia Park	29	11	18	0	0	0
PL8 Town Centre Fund	218	0	218	0	0	0
	468	232	236	0	0	0
OES2 Burial Grounds - Mainland Extensions	451	55	396	0	0	0
OES3 Burial Grounds - Mainland Major Improvements	62	2	60	0	0	0
OES4 Burial Grounds - Island Extensions	84	5	79	0	0	0
OES5 Burial Grounds - Island Major Improvements	86	1	85	0	0	0
	683	63	620	0	0	0
Non-General Fund Summary						
Housing Revenue Account	11,215	2,185	6,956	1,993	81	0
Orkney College	0	0	0	0	0	0
Scapa Flow Oil Port	15,634	6,902	4,052	4,205	325	150
Miscellaneous Piers and Harbours	4,045	1,872	1,273	300	300	300
Strategic Reserve Fund	595	119	119	119	119	119
Expenditure Total	31,489	11,078	12,400	6,617	825	569
HRA17 Carness	2,745	1,784	961	0	0	0
HRA18 Moar Road	602	4	598	0	0	0
HRA19 Repeater Road	364	108	256	0	0	0
HRA20 McDonald Park	318	164	154	0	0	0
HRA21 Garson	1,100	120	980	0	0	0
HRA22 Design and Build	3,400	5	3,395	0	0	0
HRA23 Heating upgrade	322	0	322	0	0	0

	Total					
	Budget	2020/21	2021/22	2022/23	2023/24	2024/25
	£000	£000	£000	£000	£000	£000
HRA24 Carness Phase 2	2,364	0	290	1,993	81	0
	11,215	2,185	6,956	1,993	81	0
SF5 Pilot Vessel	326	326	0	0	0	0
SF6 Replacement Tugs	6,908	6,276	632	0	0	0
SF7 Minor Improvements	835	300	85	150	150	150
SF8 Replacement Tug No 3	7,565	0	3,335	4,055	175	0
	15,634	6,902	4,052	4,205	325	150
MP1 Minor Improvements	2,325	805	620	300	300	300
MP13 Low Carbon Transport and Active Travel Hub	441	322	119	0	0	0
MP14 Hatston Pier Road Reconstruction	295	0	295	0	0	0
MP15 Hatston Terminal Passenger Walkway	492	297	195	0	0	0
MP16 Stromness Terminal Passenger Walkway	492	448	44	0	0	0
	4,045	1,872	1,273	300	300	300
SRF1 SRF Property Maintenance	595	119	119	119	119	119
	595	119	119	119	119	119



Joint Committee Governance Agreement

Islands Growth Deal

INTRODUCTION

WHEREAS

(A) Comhairle nan Eilean Siar, the local authority for Na h-Eileanan Siar constituted under the Local Government etc (Scotland) Act 1994 and having its principal offices at Council Offices, Sandwick Road, Stornoway, HS1 2BW; Orkney Islands Council, the local authority for the Orkney Islands constituted under the Local Government etc (Scotland) Act 1994 and having its principal offices at School Place, Kirkwall, Orkney, KW15 1NY; and Shetland Islands Council, the local authority for the Shetland Islands constituted under the Local Government etc (Scotland) Act 1994 and having its principal offices at 8 North Ness, Lerwick, Shetland, ZE1 0LZ (the "Constituent Authorities"), agree to establish the Growth Deal for the Islands Joint Committee ("the Joint Committee").

(B) The Constituent Authorities resolve to create a formal agreement for administration of the functions of the Joint Committee.

(C) The Constituent Authorities confirm that they have all the necessary powers and authority to enter into such a formal agreement.

(D) This document (hereinafter referred to as the Joint Committee Governance Agreement) constitutes the formal agreement to establish the arrangements for the administration and governance of the functions of the Joint Committee.

(E) The Constituent Authorities may enter into further formal agreements to determine more detailed arrangements or amend existing agreements for the implementation of any of the functions should this be considered necessary by them or by the Joint Committee.

NOW THEREFORE the Constituent Authorities agree as follows:-

We, Comhairle nan Eilean Siar, the local authority for Na h-Eileanan Siar constituted under the Local Government etc (Scotland) Act 1994 and having our principal offices at Council Offices, Sandwick Road, Stornoway, HS1 2BW; Orkney Islands Council, the local authority for the Orkney Islands constituted under the Local Government etc (Scotland) Act 1994 and having our principal offices at School Place, Kirkwall, Orkney, KW15 1NY; and Shetland Islands Council, the local authority for the Shetland Islands constituted under the Local Government etc (Scotland) Act 1994 and having our principal offices at 8 North Ness, Lerwick, Shetland, ZE1 0LZ (the "Constituent Authorities"), each agree to become a Constituent Authority of the Growth Deal for the Islands Joint Committee, which is a Joint Committee constituted under Section 57 of the Local Government (Scotland) Act 1973.

We each confirm that we have all necessary powers to participate as a Constituent Authority of the Islands Growth Deal Joint Committee and that our membership of the Islands Growth Deal Joint Committee and the operation of the Growth Deal for the Islands Joint Committee and its functions shall be governed by the following terms and conditions:-

1 INTERPRETATION

1.1 In these terms and conditions the following expressions shall have the meanings respectively ascribed to them:-

"The Clerk" means the officer nominated by the Lead Authority to act in this role.

"The Commencement Date" is set out in clause 2.1.

"Constituent Authorities" means Comhairle nan Eilean Siar, Orkney Islands Council, and Shetland Islands Council.

"The Contribution Sum" means any sum payable by each Constituent Authority in accordance with these terms and conditions, calculated in accordance with clause 11 to meet each Constituent Authority's share of the budgeted costs of work of the Joint Committee, and such other costs as the Joint Committee shall determine.

"Functions" are as defined in clause 4.2 of this Agreement and as otherwise agreed by the Constituent Authorities.

"The Joint Committee" means the Growth Deal for the Islands Joint Committee, a Joint Committee established under Section 57 of the Local Government (Scotland) Act 1973, the terms and conditions of which are set out herein.

"The Lead Authority" means Comhairle nan Eilean Siar (unless the Constituent Authorities agree otherwise) whose role and remit is more particularly described in clause 7.

"Programme Management Board" shall mean the group established in terms of clause 5 of this Agreement.

"The Programme Director" means the officer appointed by the Programme Management Board to lead and manage the Programme Management Office and have responsibility for coordinating the operational delivery of the Islands Growth Deal Programme.

"The Programme Management Office" (the PMO) shall be any officer or officers employed by or seconded to the Lead Authority to fulfil the operational tasks necessary to coordinate the delivery of the Islands Growth Deal Programme, whose role is more particularly described in clause 6.

"The Islands Growth Deal" is the Growth Deal to be agreed between the Constituent Authorities and the UK and Scottish Governments.

"The Islands Growth Deal Area" means the local government areas of Comhairle nan Eilean Siar, Orkney Islands Council, and Shetland Islands Council in their entirety.

"The Islands Growth Deal Programme" shall mean the programme of activities, projects and works in respect of the implementation of the Islands Growth Deal.

"The Treasurer" means the officer holding the responsibility of s95 Officer of the Lead Authority.

1.2 In this Agreement:-

- (a) References to the Growth Deal for the Islands Joint Committee are to be treated as references to the Joint Committee and vice versa;
- (b) References to contracts/grants entered into or awarded by the Joint Committee are references to contracts entered into or awarded on behalf of the Growth Deal for the Islands Joint Committee by the Lead Authority on the instruction of the Joint Committee or any sub-committee or officer authorised to issue such an instruction.

- 1.3 Words imparting the masculine gender only shall include the feminine gender and vice versa.
- 1.4 Words imparting the singular number shall, except where the context otherwise requires, include the plural number and vice versa.

2 COMMENCEMENT AND DURATION

- 2.1 The Agreement shall commence on the date these terms and conditions are received by the Lead Authority validly executed on behalf of all the Constituent Authorities. Subscription of these terms and conditions will not impose any legally enforceable rights or obligations on the body which has executed these terms and conditions until valid execution.
- 2.2 Once validly executed, these terms and conditions shall be legally binding upon the Constituent Authorities, subject to any lawful variation thereof, unless and until this Agreement is terminated in accordance with clause 14.

3 MEMBERSHIP & VOTING RIGHTS

- 3.1 The Joint Committee shall consist of 6 members, who shall be appointed by the Constituent Authorities from among their own members. The number of members to be appointed by the Constituent Authorities shall be: 2 by Comhairle nan Eilean Siar; 2 by Orkney Islands Council; 2 by Shetland Islands Council.
- 3.2 Each Constituent Authority shall appoint their Leader to be one of their representatives on the Joint Committee.
- 3.3 Members appointed by the Constituent Authorities to the Joint Committee shall, subject to the provisions of 3.4, hold office, during the term of the body by which they were appointed, until the next ordinary election of Councillors for the Constituent Authorities. At the first statutory meeting of the Council after an ordinary election, each Constituent Authority shall again appoint its number of members to the Joint Committee.
- 3.4 A member ceasing to be a member of the Constituent Authority which appointed him/her shall cease to be a member of the Joint Committee as at the same date. In that event, or any other time the Constituent Authority by which a member was appointed may appoint a member, to take his/her place for the remaining part of his/her period of office.
- 3.5 It will be open to each of the Constituent Authorities to replace its representatives on the Joint Committee at any time. The appointment of any substitutes and alterations to those substituted are a matter for each Constituent Authority provided that appropriate written notice is given to the Clerk of such appointment in advance.

- 3.6 The Joint Committee shall adopt its own Standing Orders. In the event of any inconsistency between Standing Orders and the provisions of this Agreement, the provisions of this Agreement shall prevail.
- 3.7 The Joint Committee shall hold a minimum of four ordinary meetings each year and may meet on such other occasions as may be necessary when a special meeting may be called in terms of Standing Orders. The venue for ordinary meetings shall be agreed by the Joint Committee, or meetings may be held by remote or virtual means. Copies of notices, agendas and minutes of all meetings of the Joint Committee shall be transmitted to Constituent Authorities and others for their information as soon as practicable.
- 3.8 The Clerk shall chair the first meeting of the Joint Committee and thereafter shall chair the first meeting after each ordinary election.
- 3.9 The Joint Committee shall appoint a Chair and Vice-Chair. The posts of Chair and Vice Chair will not be held simultaneously by members of the same Constituent Authority and will rotate annually among the Constituent Authorities on an equitable basis from the first meeting of the Joint Committee after 1st April in each year.
- 3.10 The Chair, when present, shall preside at all meetings of the Joint Committee. In the absence of the Chair the Vice-Chair shall preside and, in the absence of both, another member shall preside as the members present appoint. Where a vacancy occurs in the case of the Chair or Vice-Chair, the Joint Committee shall appoint a replacement from the Authority whom the previous Chair or Vice-Chair represented until the expiry of the outgoing Convener or Vice-Convener's terms of office.
- 3.11 Upon formal execution of this document by the Constituent Authorities, all members of the Joint Committee as appointed by their respective Constituent Authorities in terms of 3.1 (hereinafter referred to as "Voting Members") shall have full voting rights.
- 3.12 Any Voting Member of the Joint Committee may be substituted by another member of their own authority or organisation. Any such substitute shall have the same powers at the meeting as the member whom he or she is substituting for.
- 3.13 A simple majority of those Voting Members present shall be required in all voting procedures with the exception of the suspension of the standing orders, which shall require a majority of two thirds. In all voting procedures a majority (simple or otherwise) shall include no less than at least one Voting Member from each of the three Constituent Authorities.
- 3.14 The quorum for the Joint Committee shall be four Voting Members representing no less than at least one Voting Member from each of the three Constituent Authorities.
- 3.15 Should the Joint Committee appoint a Sub-Committee, such Sub-Committee shall be as proportionately representative of the Constituent Authorities as the Joint Committee is, and the membership of the Sub-Committee and its quorum shall be determined by the Joint Committee
- 3.16 The Joint Committee may appoint for an agreed period specialist advisors to represent other interests or provide specialist expertise.

4 PURPOSE AND SCOPE

- 4.1 The Joint Committee has been established for the purpose of regulating the joint discharge of the Functions by the Constituent Authorities.
- 4.2 The Functions of the Joint Committee are as follows:-
- i. Implementation of the Growth Deal for the Islands, in particular:-
- a. the approval and oversight of projects and investments to be funded through the Deal;
 - b. the approval and reporting of Business Cases in respect of those projects and investments;
 - c. making recommendations to the Scottish and UK Governments regarding modified or substitute projects under the Deal as appropriate;
 - d. the monitoring, evaluation and reporting of progress in respect of projects being delivered;
 - e. formal conclusion (“signing off”) following satisfactory completion of each project delivered under the Deal;
 - f. the approval and oversight of an agreed Joint Committee budget allocated by the Constituent Authorities in order to further the aims of the Islands Growth Deal;
 - g. acting as a strategic point of contact with the Scottish and UK Governments and providing quarterly progress reports to them in relation to the Deal;
 - h. approving governance arrangements and standing orders for the Joint Committee, Programme Management Board, and the Islands Deal Advisory Forum and other governance and procedural matters;
 - i. establishing sub-committees and working groups as appropriate and agreeing to the delegation of responsibilities of the Joint Committee to those bodies and to officers;
 - j. approval of the roles and remits of any sub-committees to which areas of authority may be delegated by Constituent Authorities; and,
 - k. seeking to provide a joined-up strategic response to common policy areas and growth opportunities for Orkney, Shetland and the Outer Hebrides that emerge either as a result of, or during the timeframe of, the Growth Deal.
- 4.3 The Joint Committee shall adopt standing orders relating to proceedings at their meetings and the meetings of any sub-committees.
- 5 PROGRAMME MANAGEMENT BOARD & ADVISORY FORUM
- 5.1 A Programme Management Board shall undertake such activities as are determined by the Joint Committee from time to time. The current Terms of Reference are attached as Schedule 1 to this agreement. In addition the Joint Committee will be supported by an Advisory Forum, Local Programme Boards, a Finance Directors’/Heads’ Group and a Legal and Governance Group. Their respective terms of reference are attached as Schedule 1 to this agreement.
- 6 PROGRAMME MANAGEMENT OFFICE (PMO)
- 6.1 The PMO shall be the team of officers employed by or seconded to the Lead Authority to coordinate the operational tasks necessary to implement the delivery of the Growth Deal Programme.

In particular the PMO will:-

- i. provide best practice styles and documentation to the Constituent Authorities;
 - ii. scrutinise proposed business cases and make recommendations to the Joint Committee via the Programme Management Board. Where necessary expertise does not exist within this team to fulfil this responsibility, external support may be commissioned and managed by the PMO;
 - iii. assess and monitor progress, process, slippage and risks in respect of projects within the Growth Deal Programme and report these to the Management Group;
 - iv. analyse the impact of the delivery of the projects within the Islands Growth Deal Programme as well as the wider economic benefits as agreed in business cases and the grant agreement and to report the same to the Joint Committee to enable them to fulfil their reporting obligations to all in accordance with commitments made to the UK and Scottish Governments as part of the Islands Growth Deal;
 - v. liaise with and co-ordinate programme delivery across other partners and National Bodies, including non-departmental public bodies, as long as such co-ordination advances the aims of the Islands Growth Deal and the functions of the Joint Committee; and
 - vi. develop and implement communications and stakeholder engagement strategies.
- 6.2 The Programme Director shall be appointed by the Management Group to lead and manage the PMO and have responsibility for co-ordination of the operational delivery of the Growth Deal Programme.
- 6.3 The Programme Director shall be employed by or seconded to the Lead Authority.
- 6.4 The Programme Director shall work under the direction of the Programme Management Board and shall be accountable to the Joint Committee, through the Programme Management Board, for the operational delivery of the Growth Deal Programme.
- 6.5 Through the Programme Management Board, the Programme Director shall provide quarterly updates and an annual report to the Joint Committee advising on the progress, performance, slippage and risks in respect of all active projects within the Growth Deal Programme.
- 7 LEAD AUTHORITY
- 7.1 The Constituent Authorities have agreed that Comhairle nan Eilean Siar shall be the Lead Authority.
- 7.2 The Lead Authority shall be the employing or secondee authority for the Programme Director, the PMO and any other person appointed by the Joint Committee, unless otherwise agreed by the Joint Committee.
- 7.3 The Clerk to the Joint Committee may appoint a depute or deposes as appropriate.
- 7.4 The Treasurer to the Joint Committee may appoint a depute or deposes as appropriate.
- 7.5 The Lead Authority shall provide or arrange the provision of such administrative, professional and technical support services as may be required, which services shall include financial, legal,

audit, human resources, communications, information technology systems and security and any other professional or technical support services as required to enable the Joint Committee and the PMO to deliver its functions.

7.6 In particular the Lead Authority shall:-

i. develop, in consultation with the Heads of Governance and Legal Services or equivalent of the other Constituent Authorities, all necessary governance documents for the effective operation of the Joint Committee;

ii. ensure that the PMO budget and funding are used legally and appropriately;

iii. prepare regular consolidated budget monitoring statements for consideration of the Joint Committee;

iv. prepare the annual report and accounts for the Joint Committee and arrange for audit of the said accounts;

v. ensure that any decisions in delivering the Functions conform with relevant legal requirements including equalities, environment, sustainability and best value;

vi. hold the Islands Growth Deal grant funding, allocate and account for distribution of Islands Growth Deal grant income, enter into grant agreements and make disbursements on behalf of the Joint Committee, with the Constituent Authorities, and Third Parties in respect of the specified projects required to deliver the Growth Deal Programme;

vii. account for these funds under a separately identified budget line to ensure transparency and clarity, and report on progress to Scottish and UK Governments as required in accordance with the Grant Offer Letter;

viii. prepare and circulate all meeting agenda, reports and minutes;

ix. publish the Joint Committee processes and outcomes;

x. facilitate engagement with the UK and Scottish Governments; and

x. manage Joint Committee communications including the Islands Growth Deal website.

8 CONSTITUENT AUTHORITIES

8.1 Constituent Authorities will play a key role in supporting the delivery of the overall Programme through a range of activities including: supporting the development of Green Book compliant Business Cases for projects in their area or for those cross-island projects they are the lead authority for, participating in all Support Group activities and work plans; designing and delivering Programme-wide approaches and strategies; identifying and sharing best practice; identifying and collaborating on joint working opportunities. Constituent Authorities shall deliver approved projects in accordance with their Project Business Case and the terms of the grant agreement entered into with the Lead Authority.

8.2 Constituent Authorities will be required to provide project progress and monitoring information as required by the PMO in order to meet reporting requirements to Government and to the Joint Committee.

- 8.3 Constituent Authorities will work with relevant working groups to assist with the realisation and maximisation of relevant project benefits where required.
- 8.4 Constituent Authorities will work with the Equalities and Human Rights Commission and others to explore opportunities to maximise the impact of the Deal to deliver inclusive growth.
- 8.5 Constituent Authorities will work with Scottish Government and others to explore opportunities to maximise the impact of the Deal on achieving national and UK targets for net zero emissions.

9 THIRD PARTIES

- 9.1 Third Parties are organisations, other than Constituent Authorities, which receive a grant from the Lead Authority to deliver approved projects as part of the Programme as agreed by the Joint Committee.
- 9.2 Third Parties will be required to comply with the same grant funding conditions as Constituent Authorities.

10 ISLANDS GROWTH DEAL FUNDING OBLIGATIONS

- 10.1 All funding in respect of a project under the Islands Growth Deal Programme shall be subject to a formal grant agreement, which shall be entered into by the Lead Authority on behalf of the Joint Committee, with the relevant Constituent Authority or other Third Party ("Grant Recipient").
- 10.2 Grant Recipients will be required to provide a statement of compliance with the Grant Agreement. Islands Growth Deal Project income and expenditure, which is accounted for within Constituent Authorities' own accounts, will be subject to audit by an individual authority's own external auditors.
- 10.3 Where the Grant Recipient is one of the Constituent Authorities, it is the responsibility of the Constituent Authority to ensure that the grant agreement complies with the requirements of the Financial Regulations and other relevant governance requirements of that Authority.
- 10.4 Grant Recipients shall deliver agreed projects under the Islands Growth Deal Programme in accordance with the terms of their grant agreement.
- 10.5 Where a Grant Recipient is failing to deliver a project under the Islands Growth Deal Programme in accordance with the terms of the grant agreement, the Grant Recipient shall report to the Management Group and agree mitigating actions to ensure successful completion of the project.
- 10.6 Grant Recipients shall provide all information requested of them within the prescribed timescales to enable the Joint Committee to fulfil its functions.
- 10.7 Should the Grant Recipient fail to comply with any relevant clause of this agreement or a material condition of the grant agreement, the Joint Committee will have the delegated power to:-

- i. Suspend any further payment of grant funding until suitable resolution is found;
- ii. Terminate the relevant grant agreement;
- iii. Remove the particular project from the Islands Growth Deal Programme;
- iv. Recalculate the grant award; and
- v. Recover from the Grant Recipient any grant monies already paid and additional costs incurred or losses suffered by the Joint Committee or its Constituent Authorities arising from that failure.

11 JOINT COMMITTEE BUDGET

- 11.1 The Joint Committee shall as soon as reasonably practicable following the valid execution of this agreement have delegated authority to approve a budget to 31 March 2022 in respect of the operational running costs of the Joint Committee (hereinafter referred to as the "JC Operational Costs"), which shall include the PMO costs and the reasonable costs, expenses and outgoings incurred by the Lead Authority in providing the administrative, professional and technical support services as outlined in clause 7 above.
- 11.2 Thereafter, in each year and prior to 31 March, the Joint Committee shall have delegated authority to consider and approve a budget prepared jointly by the Programme Director and the Treasurer in terms of the Lead Authority's budgetary requirements, for the JC Operational Costs in the following financial year.
- 11.3 The Constituent Authorities shall defray the JC Operational Costs in accordance with This Agreement. The Contribution Sum shall be paid quarterly in advance in accordance with arrangements made by the Treasurer.
- 11.4 The Constituent Authorities each agree to pay their Contribution Sum in accordance with this clause.
- 11.5 The Constituent Authorities will each pay an equal share of the JC Operational Costs.
- 11.6 The Treasurer shall prepare the audited financial statement and accounts of the Joint Committee for approval by the Joint Committee prior to 30 September immediately following the financial year to which the accounts relate. Any deficit arising shall be paid by the Constituent Authorities in accordance with arrangements made by the Treasurer. Any surplus will be reimbursed to Constituent Authorities in accordance with the pro rata Contribution Sums.
- 11.7 No change to the Contribution Sums of any Constituent Authority may be made without prior approval of the Joint Committee following consultation with those Constituent Authorities whose Contribution Sum is affected.
- 11.8 The Treasurer shall keep or cause to be kept full and accurate accounts through the currency of this agreement, or any replacement thereof. The detailed records will be available for the following periods:
 - (a) for the JC operational Costs detailed records will be held for a period of three years;

(b) for Grant Receipt and allocation, detailed records will be retained for the period of time required by the Scottish Government.

- 11.9 The Constituent Authorities and their auditors shall be entitled, on giving reasonable prior notice, to inspect such accounts and records and to make any examination which they may desire and for this purpose, the Treasurer shall forthwith on demand produce to the Constituent Authorities all relevant information or vouchers as a Constituent Authority may reasonably request.

12 INDEMNITY AND INSURANCE

- 12.1 The Constituent Authorities shall indemnify each other in respect of any claim, demand, loss, damage, injury, cost or expense (including any liability to their legal advisers) arising from any act or omission of the other party or parties in the course of their obligations under this Agreement.

- 12.2 The Lead Authority shall arrange for the taking out of such policies of insurance as the Treasurer considers appropriate in relation to the carrying out of the functions on behalf of the Joint Committee which insurances shall include without prejudice to the foregoing generality, employers liability, public liability and professional indemnity insurance and the cost of taking out such policies shall be defrayed by the Constituent Authorities as part of the Contribution Sums with each Constituent Authority's share of the costs being calculated by reference to the Contribution Sums.

13 TERMINATION

- 13.1 This Agreement shall be subject to periodic review and be reviewed at least every 3 years but otherwise shall continue in full force and effect until the whole Islands Growth Deal Programme as defined in Clause 1 has been concluded.

14 PREMISES

- 14.1 The PMO shall be located in premises approved by the Joint Committee.
- 14.2 If applicable, the costs of any premises occupied by the PMO shall be met in accordance with this Agreement.

15 CONFIDENTIAL INFORMATION

- 15.1 The Constituent Authorities shall at all times use their reasonable endeavours to keep confidential (and to procure that their respective employees, agents, consultants and sub-contractors shall keep confidential) all Confidential Information concerning the Joint Committee, the Functions of the Joint Committee or the business and affairs of the other Constituent Authorities which may now or at any time hereafter be in its possession and shall not disclose it except with prior written consent of the other Constituent Authorities or where the Confidential Information relates only to one Constituent Authority the consent of that Constituent Authority.

- 15.2 “Confidential Information” means information imparted to any of the Constituent Authorities or their employees, agents, consultants or sub-contractors (“the Receiving Party”) which was imparted to the Receiving Party on the basis that it is to be kept confidential or would by its nature normally be regarded as being confidential or to the knowledge of the Receiving Party was obtained by the other Constituent Authorities on the basis that it was to be kept confidential or is of commercial value in relation to the Joint Committee but shall not include any information which is:
- i. already in the public domain otherwise than by reason of its wrongful disclosure by the Receiving Party; or
 - ii. already in the possession of the Receiving Party without restrictions as to its use; or
 - iii. the disclosure of which is required by statute or court order; or
 - iv. is provided for the purpose of obtaining professional advice; or
 - v. is received from a third party who lawfully acquired it and who is under no obligation restricting its disclosure; or
 - vi. which is information independently developed without access to the Confidential Information including audit and assessing best value.
- 15.3 This clause is subject always to the obligations of a Constituent Authority to comply with the Freedom of Information (Scotland) Act 2002, the Environmental Information (Scotland) Regulations 2004, the UK General Data Protection Regulation, the Data Protection Act 2018 and any other relevant legislation. A Constituent Authority shall not be in breach of this clause where information is released by that Constituent Authority to comply with the aforementioned legislation.
- 16 FREEDOM OF INFORMATION
- 16.1 Each Constituent Authority acknowledges that the other Constituent Authorities are subject to the requirements of the Freedom of Information (Scotland) Act 2002 and the Environmental Information (Scotland) Regulations 2004 (“FOI”).
- 16.2 Each Constituent Authority shall assist and co-operate with other Constituent Authorities to enable the other Constituent Authorities to comply with their information disclosure obligations under FOI.
- 16.3 Where a Constituent Authority receives a request for disclosure of information under FOI which that Constituent Authority holds in connection with or as a result of its membership of the Joint Committee or its participation in any of the grants awarded through the Joint Committee, that Constituent Authority shall bring the receipt of such a request to the attention of the Clerk.
- 16.4 The Constituent Authority receiving a request under FOI shall be responsible for determining whether to disclose the information requested and where it is decided not to release any of the information requested, which of the exemptions in terms of FOI it is relying on. However, before making any determination in terms of this clause the Constituent Authority shall give the Clerk a reasonable opportunity taking into account any statutory time limit for

determining such a request to make representations regarding how the Clerk considers the request under FOI should be dealt with.

16.5 Where a Constituent Authority receives a request for information in relation to information which it is holding on behalf of any of the other Constituent Authorities in connection with its participation in the Joint Committee, it shall:-

(a) transfer the request for information to the relevant Constituent Authority as soon as practicable after receipt; and

(b) provide all necessary assistance as reasonably requested by the relevant Constituent Authority to enable the Constituent Authority to respond to the request for information within the time for compliance set out in FOI.

17 GIFTS AND HOSPITALITY

17.1 Each member of the Joint Committee shall follow their respective council policies and procedures in relation to the acceptance of gifts and hospitality.

18 AUDIT AND SCRUTINY

18.1 The Lead Authority shall submit unaudited accounts to the auditor no later than 30th June immediately following the financial year to which they relate.

18.2 The Lead Authority shall submit to the Joint Committee the unaudited annual accounts as submitted to the auditor no later than 31st August immediately following the financial year to which the annual accounts relate.

18.3 The Lead Authority shall have audited the accounts of the Joint Committee and prepare an annual report to 31st March in each year which will be submitted to the Joint Committee no later than 30th September following for approval.

18.4 The first audit will take place year ending 31st March 2022 and will subsequently take place on an annual basis.

18.5 Islands Growth Deal project income and expenditure which is accounted for within Constituent Authorities' own accounts will be subject to audit by an individual authority's own external auditors.

19 CONFLICTS OF INTEREST

19.1 The members of the Joint Committee will act in the interests of the Islands Growth Deal area as a whole when making decisions in relation to the Growth Deal Programme.

19.2 Members of the Joint Committee will be governed by their Councillor Code of Conduct.

20 VARIATION

20.1 These terms and conditions may only be varied by execution of a minute of variation signed by all of the Constituent Authorities.

21 RESOLUTION OF DISPUTES

- 21.1 Any dispute between Constituent Authorities arising in connection with its membership of the Joint Committee which cannot be resolved by discussion between the Constituent Authorities in dispute shall be referred to an independent mediator appointed by the Law Society of Scotland. The fees and expenses of the mediator shall be borne equally by the parties involved in the mediation. In the event the parties fail to reach an agreement within 30 days after the commencement of the mediation, then the matter may be determined by an arbitrator.
- 21.2 Arbitration in terms of this clause may be initiated by any of the Constituent Authorities in dispute after the 30 day period referred to in clause 21.1. The arbitrator shall be mutually agreed by the parties in dispute failing which the arbitrator shall be approved by the Law Society of Scotland on the written application of any Constituent Authority.
- 21.3 The decision of the Arbitrator on the matter in dispute and on any award of expenses relating to the arbitration shall be final and binding on all parties involved in the arbitration.
- 21.4 The operation of Rule 69 of the Arbitration (Scotland) 2010 Act is excluded. The Constituent Authorities also agree not to make a referral to the Outer House all in terms of Section 41 of the Arbitration Act 2010.

22 ASSIGNATION

- 22.1 No rights or obligations arising from these terms and conditions may be assigned except by the prior written consent of the Joint Committee.

23 SERVICE OF NOTICES

- 23.1 In any provision within the Agreement, where reference is made to the serving of notices if such notices are registered or recorded delivery post, receipt of such notices will be deemed to have occurred the day after the date of posting.

24 INCONSISTENCY

- 24.1 If any Constituent Authority shall find any discrepancy in or divergence between any of the following, including a divergence between parts of any one of them, namely:

- a) The Joint Committee Governance Agreement;
- b) Any subsequent or ancillary agreements pursuant to the Joint Committee Governance Agreement.

The Constituent Authority shall without undue delay give to the Clerk a written notice specifying the discrepancy or divergence and the Constituent Authorities shall negotiate in good faith to agree any relevant modifications or amendments to the foregoing documents as may be required.

25 THIRD PARTY RIGHTS

- 25.1 This Agreement does not and is not intended to confer any contractual benefit on any person pursuant to the terms of the Contract (Third Party Rights) (Scotland) Act 2017.

26 AGREEMENT

- 26.1 Subject to clause 2.1 the execution of these terms and conditions creates a legally binding agreement between the three Constituent Authorities of the Joint Committee.

IN WITNESS WHEREOF these presents consisting of this and the preceding 14 pages together with the Schedules annexed hereto are subscribed as follows:-

SUBSCRIBED for and on behalf of Comhairle nan Eilean Siar

at

on the day of 2021 by

..... Authorised Signatory

..... Authorised Signatory's Full Name (Block capitals)

..... Witness' Signature

..... Witness' Full Name (Block capitals)

..... Witness' Address

.....

SUBSCRIBED for and on behalf of Orkney Islands Council

at

on the day of 2021 by

..... Authorised Signatory

..... Authorised Signatory's Full Name (Block capitals)

..... Witness' Signature

..... Witness' Full Name (Block capitals)

..... Witness' Address

.....

SUBSCRIBED for and on behalf of Shetland Islands Council

at

on the day of 2021 by

..... Authorised Signatory

..... Authorised Signatory's Full Name (Block capitals)

..... Witness' Signature

..... Witness' Full Name (Block capitals)

..... Witness' Address

.....

Schedule 1

This is the Schedule 1 referred to in the foregoing agreement between Comhairle nan Eilean Siar, Orkney Islands Council and Shetland Islands Council.

Growth Deal for the Islands: Programme Management Board

Terms of Reference

1. Purpose

The Programme Management Board supports the Joint Committee in the delivery of the Islands Growth Deal Programme. It oversees cross-regional strategic activities outlined in the Heads of Terms. It also acts as a sounding board for the Programme Management Office (PMO) and local Projects, and provides feedback for activity that the PMO is undertaking.

The purpose of the Programme Management Board is to:

- support the Joint Committee in the delivery of the Deal, ensuring that it is aligned towards achieving its inclusive growth ambitions;
- ensure that the proper processes and procedures are in place in the delivery of the Deal;
- monitor financial spend against profile and delivery of milestones against agreed timescales;
- bring together intelligence and expertise to identify priorities and develop solutions to maximise private sector investment in the region and secure sustainable and inclusive growth;
- provide guidance to Local Programme Boards in Orkney, Shetland and the Outer Hebrides;
- capture and communicate business requirements for changes to, and development of economic policy and commission associated appropriate interventions;
- work collaboratively with all partners, to address barriers to inclusive economic growth and drive efficiency; and
- work to create an environment to support business growth ensuring appropriate mechanisms exist through which, as a co-ordinated voice, the private sector can inform and influence the shape and future direction of local, regional and national Government policy.

2. Membership

Membership comprises:

- Chief Executives of the three Islands Councils
- The Directors for Development, or equivalent, of the three Islands Councils
- HIE Senior Management representative
- 3 Representatives of the Islands Growth Deal Advisory Forum (1 Business, 1 Academic, 1 Community/Third Sector)
- Section 95 Officer of the Lead Authority (Comhairle nan Eilean Siar)

The Programme Director will have a standing invitation and right to attend all meetings; and Scottish Government and UK Government representatives have a standing invitation and right to attend as observers.

The posts of Chair and Vice Chair will be held by one of the Chief Executives of the Constituent Authorities and will rotate annually among the Constituent Authorities on an equitable basis, aligning with the Constituent Authority of the Chair and Vice Chair of the Joint Committee.

3. Meeting Frequency

It is proposed that the Programme Management Board meets monthly. Meeting frequency will be reviewed as requested by members, or depending on requirements of the overall Programme.

Growth Deal for the Islands: Advisory Forum

Terms of Reference

1. Purpose

The overarching purpose of the Growth Deal for the Islands Advisory Forum is to involve the business, academic and community sectors in guiding the implementation of the Islands Growth Deal. While the projects and financial arrangements have already been agreed in the Heads of Terms and ultimately, in the Deal Document, the Forum will support the Deal partners (local authorities, universities / colleges and government / public sector agencies), towards a shared ambition for achieving sustainable and inclusive economic growth for the region. It will do this in the following ways:

- use its knowledge and expertise to influence the Joint Committee and Programme Management Board to make spending and investment decisions that maximise benefits for the region's economy and its people;
- engage with wider business and third sector networks across Orkney, Shetland and the Outer Hebrides to ensure that a wide range of views are captured; and
- champion the Islands Growth Deal nationally and internationally to encourage further investment opportunities.

2. Principles

- The group will augment, and build on, existing business forums or similar structures without superseding them.
- Individuals will be required to act in the best interests of the Islands Growth Deal in its broadest sense.
- Members will be responsible for ensuring that views of existing business, academic, community, and other networks are captured, and that there is no duplication between the group's activity and these networks.

3. Governance and decision-making

The group will not have decision-making power, but its advice will be submitted to the Programme Management Board and, via the Programme Board, to the Joint Committee.

4. Membership

- Private sector representation, seeking to ensure an appropriate balance of membership, in terms of:
 - Geography: each of the 3 local authorities will be represented by at least one business organisation with significant operations in their area.
 - Sector: organisations which operate in key industry areas that are relevant to the economy will be represented.
 - Size: SME representation, potentially through Chamber of Commerce representation.
- Youth representation through appropriate mechanism, eg MSYP, for each area.
- Chair of the Islands Deal Programme Management Board.
- HIE Area Team Managers for Orkney, Shetland and Innes Gair.
- Skills Development Scotland Islands Manager.
- Academic partners in the Deal – UHI, HWU and RGU.
- 2 members from each Council area, representing third / community sector, nominated by each Council.

5. Meeting Frequency

It is proposed that the Advisory Forum meets quarterly, the frequency of meetings to be reviewed as requested by members or depending on requirements of the overall Programme.

Growth Deal for the Islands: Local Programme Boards (Orkney, Shetland and Outer Hebrides)

Outer Hebrides Local Programme Board (Example for Reference)

Terms of Reference

1. Purpose

To bring together lead officers involved in the development and implementation of the Islands Deal in the Outer Hebrides (OH) in order to support successful progression of all aspects of the Islands Deal for the Outer Hebrides, maximizing local benefit and impact.

2. Reporting & Operational Support

Comhairle nan Eilean Siar will act as Lead Agency for the Programme Board and will provide administrative and secretarial support. The Responsible Officer within Comhairle nan Eilean Siar will be Calum Iain MacIver, Director for Communities.

3. Remit and Focus

- Ensure OH projects within the Islands Deal move consistently to Outline and Full Business Case in line with requirements.
- To seek to ensure that the necessary governance and project management measures are applied to all OH Islands Deal projects.
- To provide a forum for joint-working and guidance to Project Leads and delivery bodies in relation to OH Islands Deal projects.
- To provide feedback to the PMO on OH spend profile, risks and other matters which may impact on the successful implementation of the Islands Deal in the OH.
- Promote collaboration and communication among organisations involved in taking forward the different strands within the Islands Deal in the Outer Hebrides, and to promote positive and accurate communication within the wider island community.
- Support the identification and exploitation of further opportunities for the Outer Hebrides as a result of the Islands Deal investment.

4. Membership

The following have been asked to join the Programme Board

- Director for Communities, CNES
- Head of Economic Development and Planning, CNES
- Head of Accountancy and Exchequer Services, CNES
- Communications Manager, CNES
- Area Manager, Highlands and Islands Enterprise Innse Gall
- Principal, Lews Castle College UHI
- Islands Deal Outer Hebrides Project Leads

5. Meeting Frequency

It is proposed that the group initially meets fortnightly, the frequency of meetings to be reviewed as requested by members or depending on requirements of the overall Programme.

Growth Deal for the Islands - Finance Directors'/Heads' Group

Terms of Reference

1. Membership

The group will comprise:

- Finance Directors or equivalent of each Constituent Authority.

It will be chaired by the Section 95 Officer of the Lead Authority (Comhairle nan Eilean Siar) and be supported by the PMO.

2. Purpose

The group will:

- support the PMO, the Programme Management Board and the Joint Committee in overseeing the Deal's finances;
- ensure that the Deal monies are spent in accordance with the Financial Plan for the Growth Deal;
- ensure that financial risk, audit and assurance are assessed and addressed effectively throughout the process;
- ensure compliance with current financial regulations and accountancy best practice; and
- consider quarterly financial reports and escalate any risks to the Programme Management Board.

3. Meeting Frequency

It is proposed that the group initially meets monthly, the frequency of meetings to be reviewed as requested by members or depending on requirements of the overall Programme.

Growth Deal for the Islands – Legal and Governance Group

Terms of Reference

1. Membership

The group will comprise:

- Heads of Legal Services or equivalent of each Constituent Authority.

2. Purpose

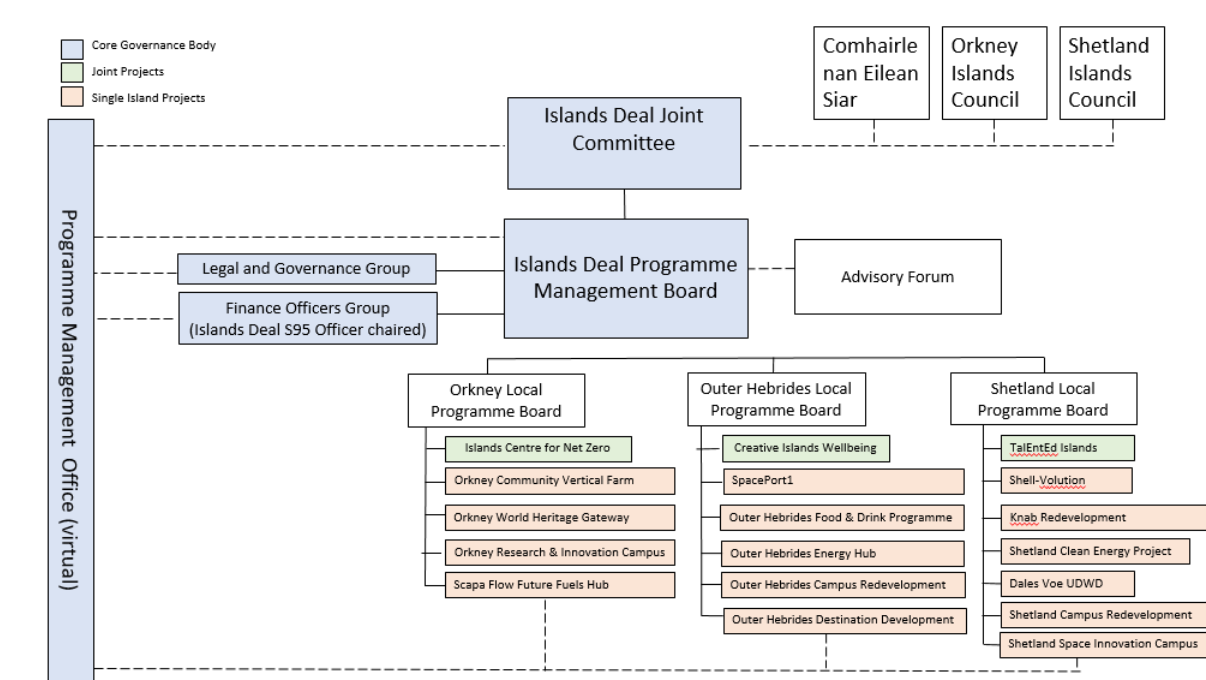
The group will:

- support the PMO, the Programme Management Board and the Joint Committee by providing advice and oversight on legal, governance and procurement matters as these relate to the Islands Growth Deal,
- ensure that any legal risks are identified and escalate these as appropriate,
- seek to ensure that the Joint Committee and other governance levels within the Deal comply with relevant legislation, the requirements of the Constituent Authorities (including schemes of delegation and contract regulations), and the Joint Committee Governance Agreement,
- advise on potential conflicts of interest where these arise,
- advise on the development of standing orders and other requirements for the governance of the Joint Committee,
- advise on data protection, FOI, and information security matters relating to the Islands Growth Deal.

3. Meeting Frequency

It is proposed that the group meets as requested by members or depending on requirements of the overall Programme.

Governance Diagram



Public Sector Report on Compliance with Climate Change Duties 2021 Template

PART 1 Profile of Reporting Body

1a Name of reporting body

Provide the name of the listed body (the "body") which prepared this report.

Orkney Islands Council

1b Type of body

Select from the options below

Local Government

1c Highest number of full-time equivalent staff in the body during the report year

1640

THIS MUST BE COMPLETED

1d Metrics used by the body

Specify the metrics that the body uses to assess its performance in relation to climate change and sustainability.

Metric	Units	Value	Comments
Please select from drop down box			
Other (please specify in comments)	Absolute Emissions Values	26,290	tCo2e - less marine fuel

1e Overall budget of the body

Specify approximate £/annum for the report year.

Budget

£97,353,800

Budget Comments

GF Revenue budget £86,464,800
GF Capital budget £10,889,000

1f Report type

Specify the report year type

Report type

Financial

Report year comments

THIS MUST BE COMPLETED

1g Context

Provide a summary of the body's nature and functions that are relevant to climate change reporting.

Orkney Islands Council provides the public with a range of services that are statutorily required of Scotland's local authorities. Additional the Council provides a range of inter-island ferries and air flights to link the North and South Islands of Orkney with the Orkney Mainland. Municipal wastes is either recycled or shipped to Shetland for incineration which powers a district heating scheme in the main town of Lerwick. The authority provides pilotage and towage services for oil and gas at Flotta oil terminal and provides a base within Scapa Flow for ship to ship transfers of oil. It also provides a berth for visiting cruise liners. The Council operates the Orkney wildlife Information and Records Centre.

PART Governance, Management and Strategy

Governance and management

2a How is climate change governed in the body?

Provide a summary of the roles performed by the body's governance bodies and members in relation to climate change. If any of the body's activities in relation to climate change sit outside its own governance arrangements (in relation to, for example, land use, adaptation, transport, business travel, waste, information and communication technology, procurement or behaviour change), identify these activities and the governance arrangements. Provide a diagram / chart to outline the governance structure within the body.

Action on Climate change is managed through the carbon management programme and the strategic environmental impact assessment (SEA) process at present. Other policies and projects are developed and delivered on an ad hoc basis per policy or project at present. There are a number of related member/officer working groups that liaise around climate change projects, plans and strategies. The Council is a facilitating member of the Orkney Partnership which maintains Orkney's community Plan and the Council's Corporate Plan 2018-2023. The Council plan shares the mission of 'Working together for a better Orkney'. the shared values of both plans are: Resilience, Enterprise, Equality, Fairness, Innovation, Leadership and Sustainability. Additionally the Councils strategic priorities were developed with the Orkney community, and are: Connected Communities, Caring Communities, Thriving Communities, Enterprising Communities and Quality of Life.

A delivery plan has been developed which lists the key actions and projects that will deliver the target outcome under each strategic priority theme. The delivery plan indicates which actions and projects are wholly in the control of the Council, and those which rely on external factors. It also contains some actions which are carried over from the previous Council Plan and the Council's response to the recommendations of the Accounts Commission contained in the Best Value Assurance Report of December 2017.

Climate change mitigation within Orkney Islands Council is led by its Strategic Projects team which, in turn, forms part of the Development & Infrastructure Service. At the Community level, the Council is responsible for community planning, along with its partner organisations.

Both the Council's Corporate Asset Management Plan 2019-2023 and its Fleet and Plant Asset Management Plan 2013-2018 highlight energy performance as one of the key drivers which, when correctly interpreted, offer the 'building blocks' for sound decision making. The Corporate Asset Management Plan establishes an asset management framework to drive the development of service plans and promotes the principles of corporate reporting and investment prioritisation.

A Capital Planning and Asset Management Strategy Group provides co-ordination, direction and operational asset management planning; and the Senior Management Team, acting as an Officers' Capital Working Group, provides an oversight of the management of corporate assets within the Council, as well as a decision-making gateway to ensure that management decisions are undertaken in a corporate manner. Significant work is already underway in several of ten sectoral asset categories, where implementation of the energy database system monitoring and recording energy and water usage as part of the carbon emissions reduction programme are included under the Property category.

The Fleet and Plant Asset Management Plan reports on asset management performance, providing energy performance and environmental impact data for the Council's fleet vehicles and plant equipment. It also notes that, although work is already underway to reduce carbon emissions, further consideration must be given to this issue, given that the strategic approach to replacement is MEAT (Most Economically Advantageous Tender) focused at present. Equally, looking at the type of fleet we purchase, in fuel terms (i.e. fossil vs. alternatives), this is currently under review to consider the opportunities that are available to lessen the Council's carbon footprint by progressive replacement of the fleet with funded alternatives (i.e. hydrogen or electrically powered hybrids or single power sources). This may be influenced by the ongoing Local Authority participation in any Scottish Government requirements to discharge their duties in terms of the Climate Change (Scotland) Act 2009.

The updated Sustainable Procurement Strategy 2017 is due for a period of public consultation in preparation for the integration of the requirement of the forthcoming National Performance Framework and incorporating updates to climate change and Sustainability legislative changes. These include: The Equality Act 2010, the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012, The Fairer Scotland Duty, Equality Act (Part 1 of the Equality Act 2010) – commenced 2018, The Climate Change (Emissions Reduction Targets) (Scotland) Order 2015, Climate Change (Emissions Reduction Targets) (Scotland) Act 2019, Climate Change (Duties of Public Bodies: Reporting Requirements) (Scotland) Amendment Order 2020. The updated Sustainable Procurement Policy has incorporated the Scottish Procurement Policy Note issued by the Scottish Government taking account of Climate and Circular Economy Considerations (SPPN) 01/2021 and the Implementation of Fair Work First in Scottish Procurement (SPPN) 03/2021.

The Council's Economic Development Section promotes innovation in renewable energy generation and usage to support climate change mitigation throughout Orkney. It also, on behalf of the wider Orkney Community, facilitated the consultation and drafting of the Orkney Sustainable Energy Strategy which was launched in September 2017 and which aspires to lead a transition to a low carbon economy. A Sustainable energy Action Plan will be forthcoming in the next reporting period. During 2016 a Hydrogen Economic Strategy was prepared and this document has been reviewed and updated in 2018-2019. The resulting draft Orkney Hydrogen Strategy underwent a period of public consultation during summer 2019 and has now been published to support the continuation of green hydrogen projects in the area.

2b How is climate change action managed and embedded in the body?

Provide a summary of how decision-making in relation to climate change action by the body is managed and how responsibility is allocated to the body's senior staff, departmental heads etc. If any such decision-making sits outside the body's own governance arrangements (in relation to, for example, land use, adaptation, transport, business travel, waste, information and communication technology, procurement or behaviour change), identify how this is managed and how responsibility is allocated outside the body. Provide a diagram to show how responsibility is allocated to the body's senior staff, departmental heads etc.

Orkney Islands Council's Carbon Management Programme 2016-26, Section 7 Governance, Ownership and Management explains how climate change action is managed by the authority: The Chief Executive, or his appointed delegate, will be the main driver for policy input to the Carbon Management Programme. They are responsible for setting the strategic direction for carbon management, agreeing the resources to be devoted to the Implementation Plan and reviewing the progress against the objectives outlined in the Plan. In May 2019 Orkney Islands Council joined organisations around the world in declaring a climate emergency. During 2020 a new post of Climate Change Officer was approved and recruitment commenced end of March 2021.

The Carbon Management Programme is now part of the Council's operations and is also a consideration as part of the budget setting process. Any scale of project or energy efficiency innovation bid will be presented to Elected Members (Policy and Resources Committee) through other channels on a case by case basis. The Programme will be reported to Members annually.

The Carbon Management Group reports all actions to the Head of Infrastructure and Strategic Projects, who in turn reports to the Council's Corporate Management Team. This link ensures progress is maintained by quickly identifying any risks to the programme to Officers who are able to make the necessary provisions to keep the programme on track.

The Energy Manager is responsible for evolving and implementing the Carbon Management Plan and for achieving its targets.

The Carbon Management team comprises: Head of Finance, Head of Infrastructure and Strategic Projects, Head of Schools, Fleet Manager, Waste Manager, Ferry Services Manager, Transport Manager, Service Manager of Community Social Services.

A Local Heat and Energy Efficiency Strategy (LHEES) Officer was appointed to deliver a draft LHEES report as part of a pilot. The was completed mid-2020.

The strategic projects team are developing a number of community wind farm projects, support renewable energy generation, a needs case for a substantial electricity cable between Orkney and Mainland Scotland and potential to generate green revenue for the community.

Strategy

2c Does the body have specific climate change mitigation and adaptation objectives in its corporate plan or similar document?

Provide a brief summary of objectives if they exist.

Wording of objective	Name of document	Document Link
Encourage renewable and carbon-neutral transport (future aspiration)	The Council Plan	https://www.orkney.gov.uk/Council/C/corporate-strategic-plan-2018-2023.htm
Continue to develop strategic projects, particularly to capitalise on the renewable sector (Top Priority)	The Council Plan	https://www.orkney.gov.uk/Council/C/corporate-strategic-plan-2018-2023.htm
Increase in use of renewable fuels for Council transport and buildings (future Aspirations)	The Council Plan	https://www.orkney.gov.uk/Council/C/corporate-strategic-plan-2018-2023.htm
• Achieve a carbon neutral economy within Orkney (Future Aspirations)	The Council Plan	https://www.orkney.gov.uk/Council/C/corporate-strategic-plan-2018-2023.htm
Orkney Islands Council supports the use of renewable and low carbon technologies to heat and power our homes, workplaces and	Orkney Local Development Plan	https://www.orkney.gov.uk/Service-Directory/O/Orkney-Local-Development-Plan.htm

community facilities and seeks to facilitate appropriate developments associated with a variety of types of renewable energy generation.		
The development of renewable and low carbon energy schemes, including the onshore infrastructure and/or buildings required for offshore marine renewable energy developments, and related transmission infrastructure, will be supported where it has been demonstrated that the proposal will not result in significant adverse effects on known constraints	Orkney Local Development Plan	https://www.orkney.gov.uk/Service-Directory/O/Orkney-Local-Development-Plan.htm
New development will not generally be supported in areas that are vulnerable to adverse effects of coastal erosion and/or wider coastal change	Orkney Local Development Plan	https://www.orkney.gov.uk/Service-Directory/O/Orkney-Local-Development-Plan.htm

2d Does the body have a climate change plan or strategy?

If yes, provide the name of any such document and details of where a copy of the document may be obtained or accessed.

forthcoming 2021/22

2e Does the body have any plans or strategies covering the following areas that include climate change?

Provide the name of any such document and the timeframe covered.

Topic area	Name of document	Link	Time period covered	Comments
Adaptation	N/a			
Business travel	Carbon Management Programme	https://www.orkney.gov.uk/Council/C/Carbon-Management-Programme.htm	2016-2026	
Staff Travel	Carbon Management Programme	https://www.orkney.gov.uk/Council/C/Carbon-Management-Programme.htm	2016-2026	
Energy efficiency	Carbon Management Programme	https://www.orkney.gov.uk/Council/C/Carbon-Management-Programme.htm	2016-2026	
Fleet transport	Carbon Management Programme	https://www.orkney.gov.uk/Council/C/Carbon-Management-Programme.htm	2016-2026	
ICT	n/a			
Renewable energy	The Council Plan	https://www.orkney.gov.uk/Service-Directory/Performance/council-plan.htm	2018-2023	
Sustainable/renewable heat	Carbon Management Programme	https://www.orkney.gov.uk/Council/C/Carbon-Management-Programme.htm	2016-2026	
Waste management	Orkney and Shetland Area waste Plan	https://www.orkney.gov.uk/Service-Directory/R/policies-and-plans-waste-and-recycling.htm		
Water and sewerage	Kirkwall Surface Water	https://www2.sepa.org.uk/frmstrategies/pdf/pva/PVA_03_05_Full.pdf		

	Management Plan			
Land Use	N/a			
Other (please specify in comments)	Carbon Management Programme	https://www.orkney.gov.uk/Council/C/Carbon-Management-Programme.htm	2016-2026	Street lighting
Other (please specify in comments)	The Council Plan	https://www.orkney.gov.uk/Service-Directory/Performance/council-plan.htm	2018-2023	Improve cycle and walkway paths in the county
Other (please specify in comments)	Orkney Green Travel Plan	https://www.orkney.gov.uk/Files/Transport/Green_Travel_Plan.pdf		Adoption of Plug in Vehicles and Active travel
Other (please specify in comments)	Verge Maintenance Plan	https://www.orkney.gov.uk/Council/P/verge-maintenance.htm		Inhibit the growth of dangerous weeds (weeds Act 1959), To manage the roadside verges in a manner that promotes biodiversity by conserving, wherever possible, special wildlife habitats and wild flowers.
Other (please specify in comments)	The Council Plan	https://www.orkney.gov.uk/Service-Directory/Performance/council-plan.htm		Eliminate Single use Plastics
Other (please specify in comments)	Orkney Flood Risk Management Plan	https://www2.sepa.org.uk/frmstrategies/pdf/pva/PVA_03_05_Full.pdf		Flood Risk Management strategies
Other (please specify in comments)	Procurement Strategy 2018-2021	https://www.orkney.gov.uk/Files/Business-and-Trade/Procurement/Procurement_Strategy_Final.pdf	2019-2021	reference to Orkney Sustainable Procurement Policy
Other (please specify in comments)	The Council Plan	https://www.orkney.gov.uk/Service-Directory/Performance/council-plan.htm	2018-2023	Housing and Fuel Poverty
Other (please specify in comments)	The Council Plan	https://www.orkney.gov.uk/Service-Directory/Performance/council-plan.htm	2018-2023	Develop Strategic renewable development projects
Other (please specify in comments)	Carbon Management Plan	https://www.orkney.gov.uk/Council/C/Carbon-Management-Programme.htm	2016-2026	Emissions reduction
Other (please specify in comments)	Orkney harbours Master Plan	https://orkneyharboursmasterplan.com/	2019 - 2030 onwards	Phase 1 & Phase 2

2f What are the body's top 5 priorities for climate change governance, management and strategy for the year ahead?
Provide a brief summary of the body's areas and activities of focus for the year ahead.

Develop a climate change strategy and associated plan
Support the growth of the Net Zero element of the Islands Growth Deal
Develop a programme to increase knowledge and gather opinions
Support the publication of the Sustainable Energy Action Plan
Continue Development of Community Wind Projects and projects as part of the Orkney Hydrogen Strategy

2g Has the body used the Climate Change Assessment Tool (a) or equivalent tool to self-assess its capability / performance?

If yes, please provide details of the key findings and resultant action taken.

(a) This refers to the tool developed by Resource Efficient Scotland for self-assessing an organisation’s capability / performance in relation to climate change.

N/a

Further information

2h Supporting information and best practice

Provide any other relevant supporting information and any examples of best practice by the body in relation to governance, management and strategy.

N/a

PART 3 Corporate Emissions, Targets and Project Data

Emissions

Emissions from the start of the year which the body uses as a baseline (for its carbon footprint) to the end of the report year

3a

Complete the following table using the greenhouse gas emissions total for the body calculated on the same basis as for its annual carbon footprint / management reporting or, where applicable, its sustainability reporting. Include greenhouse gas emissions from the body’s estate and operations (a) (measured and reported in accordance with Scopes 1 & 2 and, to the extent applicable, selected Scope 3 of the Greenhouse Gas Protocol (b). If data is not available for any year from the start of the baseline year to the end of the report year, provide an explanation in the comments column.

(a) No information is required on the effect of the body on emissions which are not from its estate and operations.

(b) This refers to the document entitled “The greenhouse gas protocol. A corporate accounting and reporting standard (revised edition)”, World Business Council for Sustainable Development, Geneva, Switzerland / World Resources Institute, Washington DC, USA (2004), ISBN: 1-56973-568-9.

ENSURE QUESTION 1f IS COMPLETED BEFORE STARTING THIS SECTION, THEN SELECT APPROPRIATE BASELINE YEAR

Reference year	Year	Year type	Scope 1	Scope 2	Scope 3	Total	Units	Comments
Baseline Year	2005/06	Financial	17,019	5,807	477	23,303	tCO ₂ e	
Year 1 carbon footprint	2006/07	Financial	16,202	5,773	549	22,524	tCO ₂ e	
Year 2 carbon footprint	2007/08	Financial	15,695	5,992	563	22,250	tCO ₂ e	
Year 3 carbon footprint	2008/09	Financial	15,617	5,606	495	21,717	tCO ₂ e	
Year 4 carbon footprint	2009/10	Financial	16,251	5,955	550	22,757	tCO ₂ e	

Year 5 carbon footprint	2010/11	Financial	15,997	5,443	550	21,991	tCO ₂ e
Year 6 carbon footprint	2011/12	Financial	15,033	5,507	470	21,011	tCO ₂ e
Year 7 carbon footprint	2012/13	Financial	15,853	5,780	428	22,062	tCO ₂ e
Year 8 carbon footprint	2013/14	Financial	14,674	6,543	457	21,675	tCO ₂ e
Year 9 carbon footprint	2014/15	Financial	16,531	7,030	649	24,210	tCO ₂ e
Year 10 carbon footprint	2015/16	Financial	16,293	6,998	692	23,983	tCO ₂ e
Year 11 carbon footprint	2016/17	Financial	16,278	5,320	1,049	22,647	tCO ₂ e
Year 12 carbon footprint	2017/18	Financial	16,370	4,535	1,128	22,033	tCO ₂ e
Year 13 carbon footprint	2018/19	Financial	16,345	3,381	1,023	20,748	tCO ₂ e
Year 14 carbon footprint	2019/20	Financial	16,059	2,869	978	19,906	tCO ₂ e
Year 15 carbon footprint	2020/21	Financial	14,287	2,743	520	17,550	tCO ₂ e

3b Breakdown of emissions sources

Complete the following table with the breakdown of emission sources from the body's most recent carbon footprint (greenhouse gas inventory); this should correspond to the last entry in the table in 3(a) above. Use the 'Comments' column to explain what is included within each category of emission source entered in the first column. If there is no data consumption available for an emission source enter the emissions in kgCO₂e in the 'Consumption' column of one of the "Other" rows and assign the scope and an emission factor of 1.

(a) Emissions factors are published annually by the UK Department for Business, Energy & Industrial Strategy

Emission Factor Year

2020

The emission factor year is assigned based on your answer to Q1f, if you think it is incorrect please contact SSN.

User defined emission sources and sources where only emissions are known should be entered at the bottom of the table in the space provided

Emission source	Scope	Consumption data	Units	Emission factor	Units	Emissions (tCO ₂ e)	Comments
Grid Electricity (generation)	Scope 2	326,699	kWh	0.23314	kg CO ₂ e/kWh	76.2	Electricity - Metered
Grid Electricity (generation)	Scope 2		kWh	0.23314	kg CO ₂ e/kWh	-	Electricity - unmetered
Grid Electricity (transmission & distribution losses)	Scope 3	326,699	kWh	0.02005	kg CO ₂ e/kWh	6.6	Grid Electricity (Tx and Dist Losses)
Gas Oil litre	Scope 1	45,883	litres	2.75776	kg CO ₂ e/litre	126.5	Heating Gas Oil

LPG litres	Scope 1		litres	1.55537	kg CO2e/litre	-	LPG
Average Car - Unknown Fuel	Scope 3	12,058	km	0.17140	kg CO2e/km	2.1	Business Mileage
Domestic flight (average passenger)	Scope 3	38,671	passenger km	0.24430	kg CO2e/passenger km	9.4	Domestic Flights
International flights (average passenger)	Scope 1	-	passenger km	0.18181	kg CO2e/passenger km	-	Longhaul flights
Ferry (average passenger)	Scope 1	22,466	passenger km	0.11286	kg CO2e/passenger km	2.5	Ferry
Homeworking emissions	Scope 3	27.25%	percentage of total FTEs home-based	0.30000	tCO2e/FTE/annum	126.7	
						370.9	

3c Generation, consumption and export of renewable energy
Provide a summary of the body's annual renewable generation (if any), and whether it is used or exported by the body.

Technology	Renewable Electricity		Renewable Heat		Comments
	Total consumed by the body (kWh)	Total exported (kWh)	Total consumed by the body (kWh)	Total exported (kWh)	
Ground Source Heat Pump			1,351		
Air Source Heat Pump					
Wind					
Solar PV	108,182				

3d Organisational targets
List all of the body's targets of relevance to its climate change duties. Where applicable, overall carbon targets and any separate land use, energy efficiency, waste, water, information and communication technology, transport, travel and heat targets should be included.

Name of target	Type of target	Target	Units	Boundary/scope of target	Year used as baseline	Baseline figure	Units of baseline	Target completion year	Progress against target	Comments
Reduce our Total Carbon Dioxide emissions in the financial year 2025 by 42% of the baseline year 2004-05	percentage	42% Co2 reduction by 2025	total % reduction	All emissions	2005/06	26,290	tonnes	2024/25	34% reduction exc. Marine fuel) 19% Reduction including Marine Fuel	Year on year reduction trend on baseline value (Marine fuel excluded)

Projects and changes

3e Estimated total annual carbon savings from all projects implemented by the body in the report year

If no projects were implemented against an emissions source, enter "0".

If the body does not have any information for an emissions source, enter "Unknown".

If the body does not include the emissions source in its carbon footprint, enter "N/A".

Emissions source	Total estimated annual carbon savings (tCO ₂ e)	Comments
Electricity		
Natural gas		
Other heating fuels		
Waste		
Water and sewerage		
Travel		
Fleet transport		
Other (please specify in comments)		

3f Detail the top 10 carbon reduction projects to be carried out by the body in the report year

Provide details of the 10 projects which are estimated to achieve the highest carbon savings during report year.

Project name	Funding source	First full year of CO ₂ e savings	Are these savings figures estimated or actual?	Capital cost (£)	Operational cost (£/annum)	Project lifetime (years)	Primary fuel/emission source saved	Estimated carbon savings per year (tCO ₂ e/annum)	Estimated costs savings (£/annum)	Behaviour Change	Comments
		Please select from drop down box	Please select from drop down box				Grid Electricity (generation)			Please select from dropdown box	

3g Estimated decrease or increase in the body's emissions attributed to factors (not reported elsewhere in this form) in the report year

If the emissions increased or decreased due to any such factor in the report year, provide an estimate of the amount and direction

Emissions source	Total estimated annual emissions (tCO ₂ e)	Increase or decrease in emissions	Comments
Estate changes		Please select from drop down box	
Service provision		Please select from drop down box	
Staff numbers		Please select from drop down box	
Other (please specify in comments)		Please select from drop down box	

3h Anticipated annual carbon savings from all projects implemented by the body in the year ahead

If no projects are expected to be implemented against an emissions source, enter "0".
 If the organisation does not have any information for an emissions source, enter "Unknown".
 If the organisation does not include the emissions source in its carbon footprint, enter "N/A".

Emissions source	Total estimated annual carbon savings (tCO ₂ e)	Comments
Electricity		Unknown
Natural gas		Unknown
Other heating fuels		Unknown
Waste		Unknown
Water and sewerage		Unknown
Travel		Unknown
Fleet Transport		Unknown
Other (please specify in comments)		Unknown

3i Estimated decrease or increase in emissions from other sources in the year ahead

If the body's corporate emissions are likely to increase or decrease for any other reason in the year ahead, provide an estimate of the amount and direction.

Emissions source	Total estimated annual emissions (tCO ₂ e)	Increase or decrease in emissions	Comments
Estate changes		Please select from drop down box	
Service provision		Please select from drop down box	
Staff numbers		Please select from drop down box	
Other (please specify in comments)		Please select from drop down box	

3j Total carbon reduction project savings since the start of the year which the body used as a baseline for its carbon footprint

If the body has data available, estimate the total emissions savings made from projects since the start of that year ("the baseline year").

Total savings	Total estimated emissions savings (tCO ₂ e)	Comments
Total project savings since baseline year		

Further information

3k Supporting information and best practice

Provide any other relevant supporting information and any examples of best practice by the body in relation to corporate emissions, targets and projects.

PART 4 Adaptation

Assessing and managing risk

4a Has the body assessed current and future climate-related risks?

If yes, provide a reference or link to any such risk assessment(s).

The local Flood Risk management plan assesses climate related flood risks and impacts on the shoreline https://www.orkney.gov.uk/Files/Planning/Flooding/Section_37_Orkney_Report_Accessible.pdf. The interim report on the Orkney Flood Risk Management Plan was published in March 2019 and tracks progress on the actions identified in the Plan. This report is available at https://www.orkney.gov.uk/Files/Planning/Flooding/Section_37_Orkney_Report_Accessible.pdf. Within the 2020-2021 reporting period OIC has worked with Flood Risk Partners including SEPA and Scottish Water on the development of the 2nd Cycle Orkney Flood Risk Management Plan and the progression of the Kirkwall Surface Water Management Plan. OIC works with flood risk management partners SEPA and Scottish Water to ensure that, as actions are undertaken, the best climate change and drainage system data is used appropriately. Orkney Islands Council continues to contribute to the North of Scotland Regional Resilience Partnership Community Risk Register. This focuses on the risks taken from the Partnerships 3 Local Resilience Groups and prioritises them in terms of likelihood and impact. A copy of the Community Risk Register can be found at http://www.firescotland.gov.uk/media/864538/north_crr_version_1.2.pdf Promotion of wider flood awareness continues to be undertaken by the Orkney Local Emergency Co-ordination Group, through local media, promotion of Floodline and in response to members of the public regarding proposed development. Nature Based approaches to capital project designs, like housing and public spaces to improve biodiversity, increased resilience to flooding and promote active travel and use of green spaces. <https://www.orkney.gov.uk/OIC-News/Papdale-Park-improvements-granted-planning-permission.htm>

4b What arrangements does the body have in place to manage climate-related risks?

Provide details of any climate change adaptation strategies, action plans and risk management procedures, and any climate change adaptation policies which apply across the body.

Detailed plans and policies are due to be devised across the organisation in the next reporting period with specificity to climate change adaptation and mitigation. OIC worked with SEPA on the development of the revised coastal flood warning system for Orkney. This SEPA system has been live since September 2018. The coastal flood warning system drives public alerts and warnings and operational discussions between OIC and SEPA at times of heightened flood risk. The Kirkwall Harbour Flood Protection Scheme and associated works were completed in 2018. Operation of the scheme is triggered when threshold values are reached for Kirkwall in the coastal flood warning system. In February 2021 the outputs from the St Margaret's Hope Flood Protection Study Options Report were presented to St Margaret's Hope and Burray Community Council. A Member/Officer seminar on flood risk is to take place in September 2021 with public events involving the Scottish Flood Forum on the subject of property flood protection to take place around the same time. Kirkwall Surface Water Management Plan, prepared by OIC in consultation with flood risk partners, was issued to SEPA in December 2019. Progression of the actions identified, and related work to enable development, took place within the reporting period with further modelling of surface water flows to be taken forward. OIC maintains a schedule of all clearance and repair works undertaken throughout the county as required under section 18 of the Flood Risk Management (Scotland) Act 2009 and are developing water and flooding guidance to developers in Orkney in order to ensure that flood risk management requirements are met and make sure that opportunities for environmental enhancement, promotion of biodiversity and mitigation of the effects of future climate change are not missed. During the period of review, we undertook additional risk preparedness workshops within our island communities, resulting in the formation of Local Resilience Groups being established, who are developing their community resilience plans. The review of the national risk register has been completed with the national planning assumptions review almost complete. This will then form the basis of the North of Scotland Community Risk Register (CRR) which similar to previous years will be published online. The Kirkwall Flood Prevention Scheme is operational. These events resulted in the Orkney Local Emergency Co-ordinating Group activating a multi-agency response across multiple locations, using assets from HMCD, SFRS, Police Scotland and OIC. Each event was reviewed, and any lessons learnt incorporated in the respective plan.

Taking action

4c What action has the body taken to adapt to climate change?

Include details of work to increase awareness of the need to adapt to climate change and build the capacity of staff and stakeholders to assess risk and implement action.

A series of stakeholder workshops is due to take place in the next reporting period. Workshops and seminars will take place across the organisation and will form part of the detailed adaptation planning. Floodline warning scheme operated by the Orkney Local Emergency Co-Ordinating Group to ensure communities are aware of the alerts and warnings associated with localised flooding as well as advice around appropriate flood protection and prevention measures being enacted where appropriate.

4d Where applicable, what progress has the body made in delivering the policies and proposals referenced N1, N2, N3, B1, B2, B3, S1, S2 and S3 in the Scottish Climate Change Adaptation Programme(a) (“the Programme”)?

If the body is listed in the Programme as an body responsible for the delivery of one or more policies and proposals under the objectives N1, N2, N3, B1, B2, B3, S1, S2 and S3, provide details of the progress made by the body in delivering each policy or proposal in the report year. If it is not responsible for delivering any policy or proposal under a particular objective enter “N/A” in the ‘Delivery progress’ column for that objective.

(a) This refers to the programme for adaptation to climate change laid before the Scottish Parliament under section 53(2) of the Climate Change (Scotland) Act 2009 (asp 12) which currently has effect. The most recent one is entitled “Climate Ready Scotland: Scottish Climate Change Adaptation Programme” dated May 2014

Objective	Objective reference	Theme	Policy / Proposal reference	Delivery progress made	Comments
Understand the effects of climate change and their impacts on the natural environment.	N1	Natural Environment	N1-8	During 2020/21 OIC has continued to work with SEPA and flood risk management partners on the preparation of the second cycle Orkney Local Flood Risk Management Plan.	Public consultation on the actions proposed for the second flood risk management cycle closes on 31st October.
Understand the effects of climate change and their impacts on the natural environment.	N1	Natural Environment	N1-10	During 2020 the Council’s Engineering Service worked closely with the Marine and Planning Services to masterplan development sites to the west of Kirkwall. The main objectives of this joint working were to ensure that surface water flood risk can be addressed sustainably and make sure that every opportunity is taken to enjoy the multiple benefits of sustainable drainage, integrated with public amenity and active travel networks. It is anticipated that similar joint working will be undertaken for other new development areas in future.	The Council shares tide level information on request with SEPA, recorded on OIC tide gauges, to continually update knowledge and awareness of sea levels in the locality and monitor the risk of flooding.
Support a healthy and diverse natural environment with capacity to adapt.	N2	Natural Environment	N2-2	The Council's Open Space Strategy highlights the benefits, goods and services provided by areas of open space / green spaces (blue/green infrastructure) These include natural flood risk management, benefits for biodiversity and for public health and well-being. Papdale East Play Park planning application submitted. Design based around Nature based solutions for flooding. biodiversity support and active travel.	The Council's Open Space Strategy highlights the benefits, goods and services provided by areas of open space. These include natural flood risk management, benefits for biodiversity and for public health and well-being. The Vision and Action Plan includes the following objectives: 1. Protecting and

					improving open space; 2. Improving open space networks and linkages; 3. Enabling greater access to open space; 4. Providing opportunities to improve health, well-being and education; 5. Protecting and enhancing biodiversity; 6. Enabling business and community involvement; and 7. Monitoring and managing open space strategy objectives.	
	Support a healthy and diverse natural environment with capacity to adapt.	N2	Natural Environment	N2-11	The Local Development Plan 2017 seeks to support a healthy and diverse natural environment with capacity to adapt. Its Policy 9 Natural Heritage & Landscape includes the following sub-sections: A Natural Heritage Designations; B Protected Species; C Wider Biodiversity and Geodiversity; D the Water Environment; E Peat and Soils; F Trees and Woodland.	Further guidance on implementing Policy 9 is included in Supplementary Guidance Natural Environment (2017).
	Support a healthy and diverse natural environment with capacity to adapt.	N2	Natural Environment	N2-17	The Orkney Local Development Plan 2017 outlines the Council's duty as a responsible authority to protect and, where possible, improve the water environment. Policy 9D: The Water Environment seeks to ensure that planning decisions contribute to the achievement of River Basin Management Planning objectives. See also Orkney surface Water management Plan.	Further guidance on implementing Policy 9 is included in Supplementary Guidance Natural Environment (2017)
	Support a healthy and diverse natural environment with capacity to adapt.	N2	Natural Environment	N2-18	The Orkney Local Flood Risk Management Plan was published in June 2016. During 2020 and 2021 OIC has continued to work with SEPA and flood risk management partners on the preparation of the second cycle Orkney Local Flood Risk Management Plan.	
	Support a healthy and diverse natural environment with capacity to adapt.	N2	Natural Environment	N2-20	The Pentland Firth and Orkney Waters Marine Spatial Plan, published in 2016, includes General Policy 5B: Coastal Processes and Flooding	The Plan will support proposals for development and/or activities, including any linked shore-based requirements, that demonstrate: 1. compliance with Scottish Planning Policy; 2. that they will not exacerbate present or future risks of flooding or erosion; 3. that sensitive uses should generally not be located in areas shown to be at risk of flooding unless appropriate measures are in place; 4. how resilience and adaptation strategies have been incorporated within proposed developments over their lifetime to adapt to the effects of climate change, coastal erosion and

					coastal flooding. Any development must not compromise the objectives of the Flood Risk Management Act.
	Understand the effects of climate change and their impacts on buildings and infrastructure networks.	B1	Buildings and infrastructure networks	B1-13	The Orkney Local Flood Risk Management Plan was published in June 2016. Work on the second Orkney Flood Risk Management Plan has been ongoing through 2020 and 2021.
	Understand the effects of climate change and their impacts on buildings and infrastructure networks.	B1	Buildings and infrastructure networks	B1-14	River Basin Management Planning is addressed in the Orkney Local Development Plan 2017 through Policy 9 Natural Heritage and Landscape; Policy 12 Coastal Development; and Policy 13 Flood Risk, SuDS and Wastewater Drainage.
	Understand the effects of climate change and their impacts on buildings and infrastructure networks.	B1	Buildings and infrastructure networks	B1-19	The Kirkwall Surface Water Management plan, developed by OIC in consultation with flood risk partners, was issued to SEPA in December 2019. Actions from the Plan and to enable proposed new development in new areas are ongoing.
	Increase the resilience of buildings and infrastructure networks to sustain and enhance the benefits and services provided.	B3	Buildings and infrastructure networks	B3-6	<p>For private sector domestic properties: The 2020/21 project year marks the commencement of a new multi-year managing agent contract. A Managing Agent has been contracted to deliver energy surveys, technical surveys, installations and attract Energy Company Obligation (ECO) funding for the Council's EES: ABS programme. The Council's 2020/21 EES: ABS funding allocation is £1.8M and we originally projected that this would support 162 households. Eligible measures are external wall, internal wall, loft & under-floor insulation. With support for high heat retention storage heaters too. We are also preparing the EES: ABS 2021/22 programme of works. OIC engaged with the Scottish Flood Forum (SFF) during the reporting period with regard to communication of flood risk, formation of community flood action Groups, property surveys and advice on property level protection. OIC to continue to work with SFF in future and undertake public engagement events as covid allows it.</p>
					<p>Other locations within Orkney that suffer from surface water flooding will be monitored and responded to on a reactive basis.</p> <p>The construction sector in Orkney has complied with national guidelines for the COVID-19 pandemic and has faced many challenges in delivering projects; from standstill periods, supply chain issues and customer engagement.</p> <p>The Scottish Government has authorised an extension to the installation deadline, to 31 October 2021.</p>

	Increase the resilience of buildings and infrastructure networks to sustain and enhance the benefits and services provided.	B3	Buildings and infrastructure networks	B3-7	<p>The Council reports on the Energy Efficiency Standard for Social Housing (ESSH) within the Annual Return on the Charter (ARC), which is submitted to the Scottish Housing Regulator.</p> <p>Sustained progress is being made to meet the ESSH. As at 31 March 2021: Total stock - 951; Pass - 838; Exemption - 34; Fail – 79.</p> <p>Works continue to be progressed to bring properties up to the ESSH. Also, as properties are returned to us by tenants (void events), we assess and install relevant energy efficiency upgrades prior to a new tenancy commencing. These upgrades range from modest insulation measures, such as a loft top-up or under floor installations, to more significant internal wall insulation and heating system upgrades.</p> <p>Recent changes to ECO may present opportunities to attract external funding and consider new capital programmes.</p>	<p>ESSH2 presents a new longer-term target; to maximise the number of social rented homes meeting an EPC Band B by 2032.</p> <p>We also note that the ESSH2 milestone is likely to include air quality and environmental impact requirements, following an expected review in 2025.</p>
	Increase the resilience of buildings and infrastructure networks to sustain and enhance the benefits and services provided.	B3	Buildings and infrastructure networks	B3-8	<p>Scottish Housing Quality Standards (SHQS): All properties were required to meet the SHQS by April 2015, and properties should continue to meet it thereafter. An additional standard, the Energy Efficiency Standard for Social Housing (ESSH) was introduced, with the initial targets to be achieved by 2020.</p> <p>The Council’s energy efficiency surveys and upgrades inform both SHQS works and ESSH planning and reporting.</p> <p>However SHQS covers other building elements (roofs, windows, bathrooms, kitchens, etc.).</p> <p>The reporting of SHQS, which is part of the Annual Return against the Charter (ARC), considers a few more classifications than simply pass / fail.</p> <p>As at 31 March 2021: Total stock - 951; Pass – 892; Exemption - 19; Abeyances - 15; Fail - 25 (energy efficiency criterion).</p>	<p>A property may be classified as being in abeyance when work cannot be done for ‘social’ reasons relating to tenants’ or owner-occupiers’ behaviour, for example where owner-occupiers in a mixed ownership block do not wish to pay a share of a secure door entry system and do not consider it to be necessary. Another example would be where the tenant is elderly or suffering from a medical condition that has led them to feel that they do not wish work to be undertaken on their home at this point in time. A property can be classified as an exemption where the property is capable of meeting the SHQS on a particular element but the landlord believes it is not possible to meet it for technical or legal reasons or because the cost is considered disproportionate.</p>

	Increase the resilience of buildings and infrastructure networks to sustain and enhance the benefits and services provided.	B3	Buildings and infrastructure networks	B3-3	The Orkney Local Development Plan 2017 seeks to increase the resilience of the built environment to the effects of climate change. The Council's policy on flood risk aligns closely with Scottish Planning Policy 2014 and is included in Policy 13 Flood Risk, SuDS and Wastewater Drainage. Coastal erosion is addressed through Policy 12 Coastal Development.	
	Increase the awareness of the impacts of climate change to enable people to adapt to future extreme weather events.	S2	Society	S2-5	The Council continues to assist communities through the Community Resilience Groups in the development of their community resilience plans.	Water and flooding guidance currently under development will include direction on property resilience for existing properties at risk of flooding. Guidance will include information on risk assessment requirements, property surveys, flood resistance and recovery and mitigation measures, in line with current UK best practice.
	Support our health services and emergency responders to enable them to respond effectively to the increased pressures associated with a changing climate.	S3	Society	S3-5	The Council commissioned training in Integrated Emergency Management that has enhanced our understanding of multiagency working during an incident.	

4d
(optional)

Where applicable, what contributions have been made to the (SCAAP2) Programme?

4e What arrangements does the body have in place to review current and future climate risks?

Provide details of arrangements to review current and future climate risks, for example, what timescales are in place to review the climate change risk assessments referred to in Question 4(a) and adaptation strategies, action plans, procedures and policies in Question 4(b).

As part of the work it does with flood risk management partners over each 6 year cycle as set by the 2009 Flood Risk Management (Scotland) Act, OIC assesses changing flood risk throughout Orkney. A number of actions from the first cycle remain to be completed by 2022 and work on identifying actions for the 2nd cycle are currently underway. Each of the forthcoming Flood Protection Studies will be based upon current climate information and guidance. From the end of 2019 all studies will be based on UKCP18 information along with current mapping and, where needed, surveys. SFRS continue to develop the Community Risk Register for the Highlands and Islands. This includes the National Planning Assumptions. This is used to develop the North of Scotland Regional Resilience Partnership Community Resilience Plan. The previous iteration of the plan can be found online at http://www.firescotland.gov.uk/media/864538/north_crr_version_1.2.pdf

4f What arrangements does the body have in place to monitor and evaluate the impact of the adaptation actions?

Please provide details of monitoring and evaluation criteria and adaptation indicators used to assess the effectiveness of actions detailed under Question 4(c) and Question 4(d).

The Kirkwall Harbour Flood Prevention Scheme (KHFPS) is activated in relation to adverse weather reports. Any incidents are recorded by our staff in conjunction with interpretation of the SEPA telemetry which exists in Kirkwall Bay. There hasn't been a need to activate the scheme during the reporting period.

Future priorities for adaptation

4g What are the body's top 5 climate change adaptation priorities for the year ahead?

Provide a summary of the areas and activities of focus for the year ahead.

Orkney Islands Council will be developing a Climate Change Adaptation Plan in the next reporting period in conjunction with community partners.
Orkney Islands Council aim to develop a more detailed appraisal of the management approach to flood and asset risk within the shoreline
Orkney Islands Council seek to prepare a Council Climate Change Strategy and Associated Action Plan within the next reporting period
Orkney Islands Council will proactively engage with community stakeholders around the topics of Climate Change mitigation and Adaptation
Orkney Islands Council will continue to support our community Resilience Groups in identifying local solutions, through workshops and suitable Funding opportunities.

Further information

4h Supporting information and best practice

Provide any other relevant supporting information and any examples of best practice by the body in relation to adaption.

OIC will continue to work with relevant external partners to deliver actions associated with climate change this includes community stakeholders, private companies, The Orkney Partnership and other public bodies such as SEPA, NatureScot and the National Health Service.

OIC will continue to support the development of biodiversity projects and principles across proposed developments. We will continue to engage with government on relevant consultation Responses and share knowledge on best practice with groups such as COSLA and SOLACE as well as opportunities to deliver presentations to other interested stakeholders.

A Climate Change Project Officer was appointed end of March 2021 to January 2023. The remit of this officer is to support the development of a climate related programme to support identification and mitigation of climate related risks.

PART 5 Procurement

5a How have procurement policies contributed to compliance with climate change duties?

Provide information relating to how the procurement policies of the body have contributed to its compliance with climate changes duties.

The Council's Procurement Strategy 2019-21 was updated following a consultation process and published in January 2019 and an updated implementation plan created with actions complete noted and revised accordingly. The implementation plan, actions and targets are now uploaded to the Council's Performance and Risk Management System with 6 monthly reporting through the Corporate Management team.

The Council also has a duty to prepare an Annual Report to publish its progress towards meeting the targets stated in its Procurement Strategy, including its progress towards meeting the outcomes stated in the Sustainable Procurement Policy on an annual basis. The procurement strategy was developed utilising the Scottish Government's proforma template to meet the Council's Statutory requirement to publish an up to date Council wide procurement strategy and includes a section on sustainability. Progress in meeting the aims of the Procurement Strategy is reported on in the Council's Procurement Annual Report and is published on the Council's Website at <http://www.orkney.gov.uk/Service-Directory/P/procurement-annual-report.htm>.

The Council's third Procurement Annual Report for the reporting period up to the end of March 2020 has been published - <https://www.orkney.gov.uk/Service-Directory/P/procurement-annual-report.htm>

An updated Sustainable Procurement plan is due for consultation in mid 2021 reflect the requirements of the Public Contracts (Scotland) Regulations 2015, the Procurement Reform (Scotland) Act 2014 and the Procurement (Scotland) Regulations 2016, the Concession Contracts (Scotland) Regulations 2016, the Utilities Contracts (Scotland) Regulations 2016 and the Public Contracts (Scotland) Amendment Regulations 2016. These and other major pieces of legislation including the Equality Act 2010, the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012, the Fairer Scotland Duty, Equality Act (Part 1 of the Equality Act 2010) – commenced 2018), have informed the Council's Contract Standing Orders, details of which are contained in the Procurement Strategy.

5b How has procurement activity contributed to compliance with climate change duties?

Provide information relating to how procurement activity by the body has contributed to its compliance with climate changes duties.

The detailed risks and opportunities in the sustainable procurement tools align with Scotland's National Performance Framework (NPF) and Scotland's National Outcomes and Indicators achieving a line of sight between procurement activity and local and national strategic priorities:

- Climate Change.
- Materials.
- Waste.
- Hazardous materials.
- Biosecurity.
- Biodiversity.
- Heritage.
- Water.
- Employment, skills and training.
- Communities.
- Equality.
- Fair Work.
- Fairly and Ethically Traded.
- Health & Wellbeing.
- Security & Crime.

The Council's approach to sustainable procurement is as follows:

- We will ensure that our procurement of goods, services and works contributes to achieving our vision of a truly sustainable supply chain.
- We will ensure that our procurement minimises its contribution to climate change and supports goods, services and works that are well-adapted to the consequences of a changing

climate.

- We will deliver value for money by realistically assessing, where appropriate, the whole life-cycle costs of our procurement and not simply considering the initial purchase price.
- We will ensure that what we intend to purchase is necessary and that, where appropriate, there is a business case for doing so. We will specify our requirements so as to meet the needs of users and to avoid purchasing more than is needed.
- We will carry out sustainable procurement activities whilst complying within the public procurement legal framework which is intended to promote fair and open competition.
- We will ensure that when developing our requirements for goods, services and works we assess the possible social, economic and environmental impacts of our procurement and actively seek to contribute to the social, economic and environmental well-being of our remote and fragile island communities. Where appropriate to the subject matter of the contract, this to be undertaken as part of pre-market engagement and consultation.
- We will not knowingly procure goods, services and works that impact negatively on places, people and other species both locally and elsewhere.
- Where appropriate, we will consult with the people whose needs we aim to meet through our procurement to ensure that we procure goods, services and works that meet their needs.
- We will not intentionally discriminate against specific groups of people when undertaking our procurement activities and will promote equality in line with legislative requirements.
- We will support the aims of the Modern Slavery Act 2015 and ensure that our suppliers provide us with confirmation of their compliance with the Act.
- Where it is appropriate and proportionate to do so we will procure goods and services in line with the best practice guidance set out in the Scottish Government Procurement Journey and any other relevant best practice guidance. Each contract is considered on a case by case basis and sustainability criteria are included as appropriate. The preparation of a procurement strategy / commodity strategy for each procurement above £50K for goods and services is increasingly used across the organisation. The document includes a section which considers sustainability issues at the outset of the project and requires signing off by the Service Director before the procurement can proceed. Revised OIC Contract Standing Orders issued in June 2016 make it mandatory for a commodity strategy to be completed for all Regulated Procurements (i.e. over £50K for goods and services and £2m for works) and for EU Regulated procurements. <http://www.orkney.gov.uk/Council/C/Contract-Standing-Orders.htm>

In addition to this, the Council's approach to the Sustainable Procurement Duty is detailed in the procurement Strategy and the Council's Contract Standing Orders as below:

Further information

5c Supporting information and best practice

Provide any other relevant supporting information and any examples of best practice by the body in relation to procurement.

Before undertaking a Tendering exercise the Chief Executive, Executive Directors or Chief Officer shall take into account the social, economic and environmental impacts of the proposed Contract and whether the Contract will contribute to the achievement of sustainable development in accordance with the Sustainable Procurement Duty and the Council's Sustainable Procurement Policy. For any procurement equal to or greater than £4,000,000, the Council must consider whether to impose community benefit requirements as part of the procurement. The Chief Executive, Executive Directors or Chief Officer will consider only factors that are relevant and proportionate to the proposed Contract. Sustainable procurement - Sustainability test: The Procurement Officer must provide details of the following social, economic and environmental elements of the proposed procurement that should be addressed through the Specification / Evaluation Criteria / Key Performance Indicators, e.g.:

- Is there any legislation that could affect the specification of this procurement, e.g. Health & Safety legislation?
- Do Government Buying Standards specifications apply to this procurement?
- Is there a more effective method of invoicing and payments, e.g. are purchasing cards or lodged purchasing card appropriate methods of payment for this procurement?
- Are Community Benefits achievable as a result of this procurement?
- Are there any diversity issues that need to be considered, for example accessibility needs, religious needs, differing diets etc.
- Is this procurement suitable as a reserved contract? The Council's Procurement Manual has been updated and circulated to staff in April 2019 and, in particular, to officers who have delegated authority to carry out procurement exercises. The Procurement Manual includes a section on Community Benefits and details the requirements in terms of completing the contract notice and provides the following guidance to procurement officers.

PART 6 Validation and Declaration

6a Internal validation process

Briefly describe the body's internal validation process, if any, of the data or information contained within this report.

The Report is presented for approval to a meeting of the Council's Policy and resources Committee. Including members of the corporate management team.

6b Peer validation process

Briefly describe the body's peer validation process, if any, of the data or information contained within this report.

The Report is then presented for approval to a meeting of the Full Council at Committee.

6c External validation process

Briefly describe the body's external validation process, if any, of the data or information contained within this report.

External validation of waste data is undertaken by SEPA. This is done on an annual basis of the Calendar year 1st January to 31st December.

6d No Validation Process

If any information provided in this report has not been validated, identify the information in question and explain why it has not been validated.

6e Declaration

I confirm that the information in this report is accurate and provides a fair representation of the body's performance in relation to climate change.

Name:	Adele Lidderdale
Role in the body:	Climate change Project officer
Date:	19/08/2021

Recommended Reporting: Reporting on Wider Influence

Wider Impact and Influence on GHG Emissions

Q1) Historic Emissions (Local Authorities Only)

Please indicate emission amounts and unit of measurement (e.g. tCO₂e) and years. Please provide information on the following components using data from the links provided below. Please use (1) as the default unless targets and actions relate to (2).

(1) UK local and regional CO₂ emissions: **subset dataset** (emissions within the scope of influence of local authorities):

(2) UK local and regional CO₂ emissions: **full dataset**:

<https://data.gov.uk/dataset/723c243d-2f1a-4d27-8b61-cdb93e5b10ff/emissions-of-carbon-dioxide-for-local-authority-areas>

Local Authority:(Please State)	Orkney Islands														
BEIS Dataset:(full or sub-set)	Full														
Source	Sector	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	Units	Comments
BEIS Sectors	Total Emissions	342.55	327.19	339.79	325.25	324.57	316.72	309.83	296.78	287.56	281.42	282.21	277.22	ktCO2	
	Industry and Commercial	75.48	71.43	79.16	74.52	74.88	74.02	74.79	68.05	64.71	63.24	66.93	65.95	ktCO2	
	Domestic	80.84	73.27	78.90	70.94	72.73	67.10	59.39	54.62	49.16	45.34	44.20	41.99	ktCO2	
	Transport total	30.00	29.50	29.40	28.70	28.00	28.49	29.58	30.68	32.12	32.59	31.76	31.06	ktCO2	
	Per Capita	16.52	15.63	16.01	15.18	15.08	14.69	14.36	13.70	13.16	12.79	12.72	12.45	ktCO2	
Other Sectors	Please select from drop down box													Please select from drop down box	

2a) Targets
Please detail your wider influence targets

Sector	Description	Type of Target (units)	Baseline value	Start year	Target	Target/End year	Saving in latest year measured	Latest Year Measured	Comments
Please select from drop down box		Please select from drop down box		Please select from drop down box		Please select from drop down box		Please select from drop down box	

2b) Does the organisation have an overall mission statement, strategies, plans or policies outlining ambition to influence emissions beyond your corporate boundaries? If so, please detail this in the box below.

Orkney Islands Council has facilitated and participated in the development of a number of wider community, Orkney Hydrogen Strategy strategies that have an impact on climate change action in the region. These include: Orkney Electric Vehicle Strategy, Orkney Sustainable Tourism Strategy (Draft).

Q3) Policies and Actions to Reduce Emissions

Please detail any of the specific policies and actions which are underway to achieve your emission reduction targets

Sector	Start year for policy/action implementation	Year that the policy/action will be fully implemented	Annual CO ₂ saving once fully implemented (tCO ₂)	Latest Year measured	Saving in latest year measured (tCO ₂)	Status	Metric/indicators for monitoring progress	Delivery Role	During project/policy design and implementation, has ISM or an equivalent behaviour change tool been used?	Please give further details of this behaviour change activity.	Value of Investment (£)	Ongoing Costs (£/year)	Primary Funding Source for Implementation of Policy/Action	Comments
Please select from drop down box	Please select from drop down box	Please select from drop down box		Please select from drop down box		Please select from drop down box		Please select from drop down box	Please select from drop down box				Please select from drop down box	

Q4) Partnership Working, Communications and Capacity Building

Please detail your Climate Change Partnership, Communication or Capacity Building Initiatives below.

Key Action Type	Description	Organisation's project role	Lead Organisation (if not reporting organisation)	Private Partners	Public Partners	3rd Sector Partners	Outputs	Comments
Partnership Working	Climate Change Emergency Short Life Working Group	Participant	Orkney Partnership		OIC, NatureScot, NHS Orkney			
Partnership Working	Orkney Renewable Energy Forum	Participant		EMEC, Aquatera, Heriot Watt	Orkney Islands Council	Community Energy Scotland	Various sustainable energy strategies in the area, networking and consultation response	
Partnership Working	Scottish Flood Forum member	Participant	Scottish flood forum					Attend working group meetings

Other Notable Reportable Activity

Q5) Please detail key actions relating to Food and Drink, Biodiversity, Water, Procurement and Resource Use in the table below

Key Action Type	Key Action Description	Organisation's Project Role	Impacts	Comments
Resource Use	Orkney Islands Council participates and facilitates a number of high profile hydrogen projects including: BIGHIT, HySeas3, HyDime. This aims to demonstrate the production and use of green hydrogen across various sectors of energy use including heat, power and transport (terrestrial, aviation and marine). There are ~2MW of green hydrogen capacity, a refueling station at 350bar, 5x mobile storage units (1.25tn storage) and 2x electrolysis sites. The Council own and operate 5x symbio hydrogen fuel cell vans as part of the fleet. ~£45m project value.	Participant	Demonstrating use of hydrogen, global case study, identifying barriers to implementation and understanding community impacts. Orkney College has develop a hydrogen safety awareness training suitable for onshore and marine stakeholders to enable safe handling of hydrogen as a cargo and as a fuel.	
Resource Use	Community Wind Farm projects - up to 86Mw of wind development across various sites in Orkney. A number of sites have been submitted for planning permission. As well as having the potential to bring Orkney to a NET carbon zero (not total reduction in fossil fuel use) they support the needs case for an improved grid connection between Orkney and the Scottish Mainland. The projects also have the potential to generate significant revenue for the community in Orkney.	Lead	supports NET zero emissions and delivers community economic benefit, support other forms of renewable development. New onshore wind projects are estimated to offset around 1.35kt/CO2 per year per MW. A new interconnector for Orkney with 135MW of wind would offset around 182kt/CO2 per year.	
Resource Use	Orkney Islands Council is a participant and facilitating partner in the Orkney £26.5m ReFLEX UKRI funded project. ReFLEX Orkney is pioneering an integrated, affordable, low-carbon energy system for the future. ReFLEX (Responsive Flexibility) Orkney is a £28.5 million project aiming to create an integrated energy system (IES) in Orkney, Scotland. Funded by UKRI through the Industrial Strategy Challenge Fund, the project is led by the European Marine Energy Centre (EMEC) with cross-	Participant	The project will interlink local electricity, transport and heat networks into one controllable, overarching system, digitally connecting distributed and variable renewable	

		sector partners including Aquatera, SMS, Community Energy Scotland, Heriot-Watt University and Orkney Islands Council.		generation to flexible demand.	
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Q6) Please use the text box below to detail further climate change related activity that is not noted elsewhere within this reporting template



DRAFT

779

Appendix 4.

The Orkney Partnership

Working together for a better Orkney

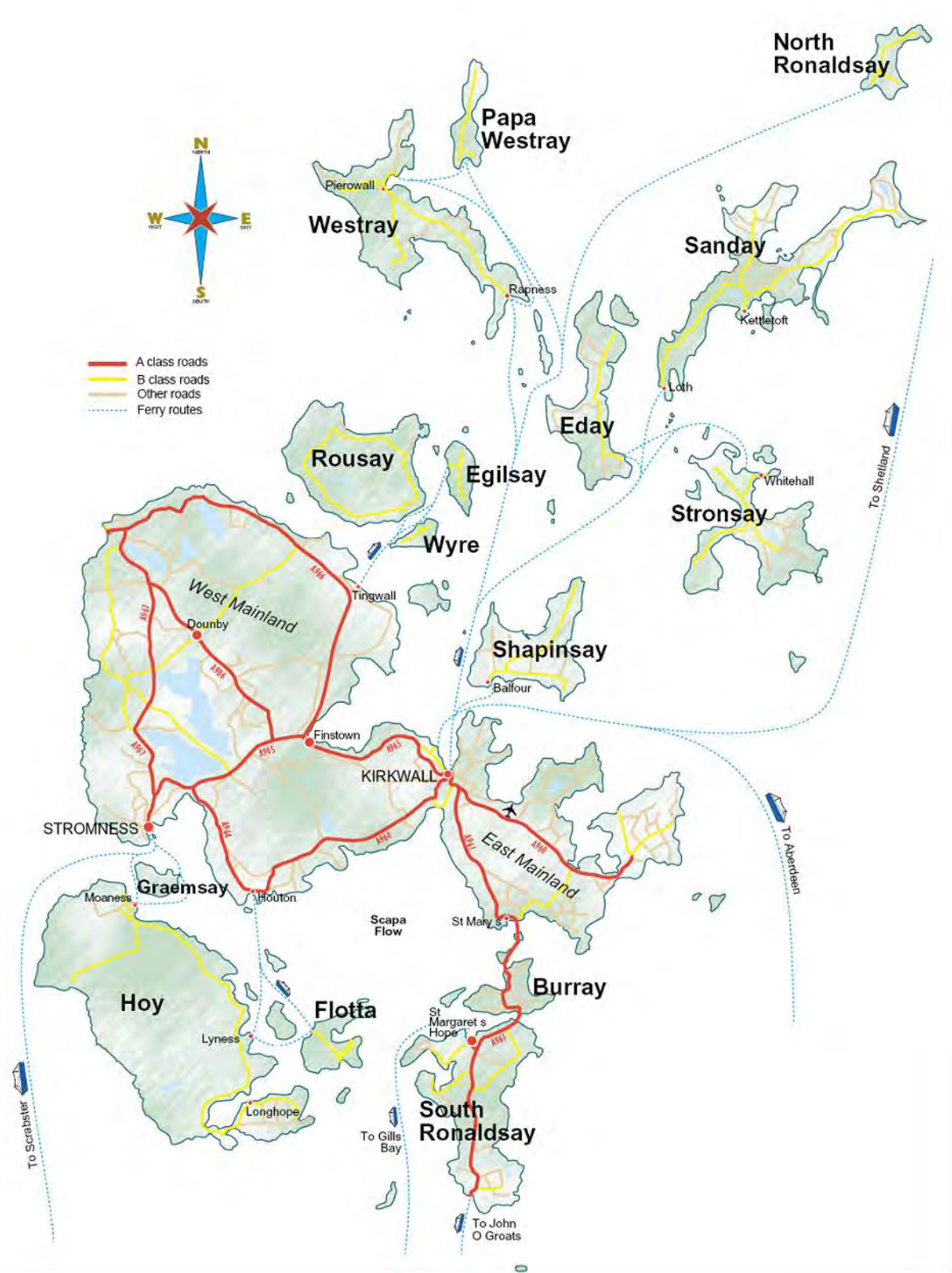


Orkney Community Plan

Incorporating Orkney's

Local Outcomes Improvement Plan

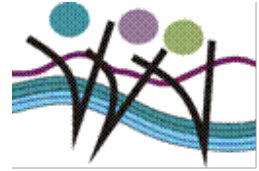
2021 to 2023



If you would like this plan in a different language or format, please contact the Community Planning Business Manager, Orkney Islands Council, School Place, Kirkwall KW15 1NY. Tel: 01856 873535 ext 2153. Email: corporateservices@orkney.gov.uk

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1. Introduction

Welcome to Orkney's Community Plan for 2021-23.

The purpose of community planning is for providers of public services to work together with the community to improve outcomes for individuals, families, and communities, and especially to combat long-term inequality and disadvantage. Orkney's Community Plan incorporates our Local Outcomes Improvement Plan, which all community planning partnership must publish. It describes what the members of the Orkney Partnership aim to achieve by working together, and how this adds value to what we can achieve as individual organisations.

Our plan this year reflects the extraordinary challenges that Orkney has faced during the past year. An unprecedented number of people in our community have experienced hardship and distress due to the combined impacts of the Covid-19 pandemic, successive lockdowns and associated socio-economic disruption. Many businesses have seen their turnover reduced to a fraction of its usual volume. The challenge which the Partnership is undertaking in this plan is the biggest of most of our lifetimes – it is to rebuild Orkney's economy, communities and lives.

Orkney Partnership Board has agreed that the focus of this plan should be on much shorter-term outcomes than usual, hence its timescale of two years rather than the usual three. Following consultation, the Board has adopted a new set of strategic priorities which reflect the need for urgent action to address the immediate problems facing Orkney's people and communities, without losing sight of the Partnership's long-term ambitions:

- Connectivity
- Community Wellbeing
- Sustainable Recovery

Connectivity addresses both digital connectivity and transport. These have been important priorities for the Partnership for many successive plans but have gained a new urgency from the impact of lockdown. Home working and education have highlighted digital inequality, due to both the inadequacy of Orkney's broadband and mobile infrastructure and to the inability of some families to afford laptops for remote learning. The suspension of most of our transport network during lockdown underlined Orkney's vulnerability to any interruption in these lifeline services and our urgent need for modernised transport infrastructure.

Unexpected poverty due to loss of income and increased living costs has hit many families, especially on the smaller isles where local food prices and fuel costs are high. Mental health has taken a battering and many people are exhausted after more than a year of emergency measures, family separation and relentless bad news.

Community Wellbeing will focus on both individual and community wellbeing and what we can do to help everyone retake control of their lives.

Our third priority, Sustainable Recovery, brings together two complementary strategies which the Partnership has developed over the past year. The first is ASPIRE Orkney: a blueprint for Orkney's recovery from the pandemic, created by the Economic Recovery Steering Group. To build a better future, Orkney must aspire to be Ambitious, Sustainable, Prosperous, Inclusive, Resilient and Enterprising; to achieve this, we will direct resources to local growth industries, invest in Orkney businesses and generate opportunities for local employment and enterprise. Coupled and integrated with this agenda is the Partnership's strategy to combat climate change and support Scottish Government's "Just Transition" principles in moving towards a more sustainable Orkney for all. This plan includes measures to move Orkney towards net zero as well as the development of an adaptation strategy for climate change.

Early in spring 2021 we consulted Orkney residents on our proposals for this plan. There was overwhelming support for our new priorities, and hundreds of creative ideas were offered. Many of these have been worked into this plan. If you have a stake in Orkney's future, this is your plan.

Through this Community Plan, we commit to working together to tackle the challenges that lie ahead, and to provide the services that our communities need.

Councillor James Stockan
Chair

Meghan McEwen
Vice Chair

Orkney Partnership Board



SCOTTISH
FIRE AND RESCUE SERVICE
Working together for a safer Scotland



sportscotland



2. Our mission, values and priorities

The shared mission of the Orkney Partnership is:

Working together for a better **Orkney**

Our seven key values guide the way we work, together or independently, and influence everything we do:

R e s i l i e n c e
 E n t e r p r i s e
 E q u a l i t y
 F a i r n e s s
 I n n o v a t i o n
 L e a d e r s h i p
 S u s t a i n a b i l i t y

The Orkney Partnership is designed to focus the collective resources of the Partnership on a small number of strategic priorities at any one time. Orkney Partnership Board selects its strategic priorities in the light of a number of criteria, including the evidence base set out in section 4, community consultation feedback, issues in need of joint action and/or joint resourcing, problems which no existing agency or partnership can solve on their own, the need for preventative action to limit future demand on services and our shared mission to tackle inequalities.

In this plan our strategic priorities focus on Orkney's recovery from the Covid-19 pandemic and its social and economic impacts. Each of our strategic priorities is assigned to a dedicated delivery group to progress. For 2021-23, these are:

Connectivity Delivery Group

Chair: Graeme Harrison, Highlands and Islands Enterprise

The aim of this group is to improve Orkney's connectivity by resolving the issues holding up the delivery of 21st century mobile, broadband and transport networks to all of Orkney's communities.

Community Wellbeing Delivery Group

Chair: Gail Anderson, Voluntary Action Orkney

The aim of this group is to support Orkney's individuals and communities to withstand and recover from the Covid-19 pandemic and its socio-economic impacts.

Sustainable Recovery Delivery Group

Chair: Graham Neville, NatureScot

The aim of this group is to exploit the synergy between two linked priorities: Orkney's economic recovery from the Covid-19 pandemic and combatting the climate emergency.

3. How the Orkney Partnership works



Orkney's community planning partnership has been in existence since 2000. Membership of the Orkney Partnership Board comprises all the statutory partners specified in the Community Empowerment (Scotland) Act 2015, plus some local and co-opted partners. Current Board members are listed on page 5 of this plan.

The Executive Group supports the Board and comprises the five partners with an additional duty to facilitate community planning in Orkney: Orkney Islands Council, NHS Orkney, Police Scotland, Highlands and Islands Enterprise and Scottish Fire and Rescue Service, plus Voluntary Action Orkney. In addition to our three Delivery Groups, the Partnership currently maintains two short life working groups: the Child Poverty Task Force and the Economic Recovery Steering Group, which work closely with their associated delivery groups. The Partnership is supported by the Community Planning Business Manager, a post jointly funded by the facilitating partners.

The Orkney Partnership is networked with other local partnerships: for example the Integration Joint Board for Health and Social Care and the Orkney Community Justice Partnership each have a seat on the Orkney Partnership Board, while the Local Employability Partnership is a key contributor to the Sustainable Recovery Delivery Group.

All of our plans, terms of reference, reports and more can be found on the Orkney Partnership's website at <http://www.orkneycommunities.co.uk/communityplanning/> and the Partnership also maintains a Facebook page @OrkneyPartnership.

4. A profile of Orkney's population

Orkney comprises 70 or so islands and skerries, of which up to 19 may be inhabited depending on the time of year. The total land area of approximately 1,000 square kilometres raises some of the best livestock in Scotland, and Orkney enjoys an outstanding natural environment with clean air and water, fine scenery, diverse wildlife and a unique cultural heritage. But Orkney is not immune to the difficulties facing other remote and rural communities, including an ageing population, under-employment, low wages, a high cost of living, limited affordable housing, fuel poverty and access to essential services.

Demographic balance is an issue of concern across all of Scotland's islands, as highlighted in the [National Islands Plan](#)¹. The most recent National Records of Scotland statistics² give an estimate of Orkney's demographic profile in 2020 and projections for the future.

- As at 30 June 2020, the estimated population of Orkney was 22,400. This was an increase of 0.6% from 22,270 in 2019. Over the same period, the population of Scotland did not increase significantly. By 2030, the population of Orkney is projected to fall slightly to 22,239.
- National Records of Scotland forecast that Orkney's population will peak in 2025 before falling off steadily. By 2043, the total population is forecast to have fallen to 21,828, with 20% of residents aged over 75.
- In 2020, there were 183 births in Orkney. This is an increase of 0.5% from 182 births in 2019. Of these 183 births, 95 (51.9%) were female and 88 (48.9%) were male.
- In 2020, there were 254 deaths registered in Orkney. This is a 9.5% increase from 232 deaths in 2019. Of these 254 deaths, 128 (50.4%) were female and 126 (49.6%) were male.
- Life expectancy at birth was higher for females (82.3 years) than for males (79.0 years) in 2017-19 (these figures have not been updated since then). Life expectancy in Orkney is higher than in Scotland overall for both females and males.
- In the period 2019-20, the level of migration into Orkney was 700, a decrease of 13.6% from 810 in 2018-19. The level of migration out of Orkney was 530, a decrease of 19.7% from 660 in 2018-19. Net in-migration was 170 people, an increase of 13.3% from 150 in 2018-19.
- In 2020, 53 marriages were registered in Orkney, a 31.2% decrease from 77 in 2019.
- In 2020, the estimated number of households in Orkney was 10,635, a 0.4% increase from 10,589 households in 2019. There are 976 more households than in 2010, an increase of 10.1%. On recent trends, the number of households in Orkney is projected to increase to 11,010 by 2028, and to 11,346 by 2043.

The most reliable source of detailed demographic information about Orkney's isles populations is Scotland's Census. The census planned for 2021 has been delayed to

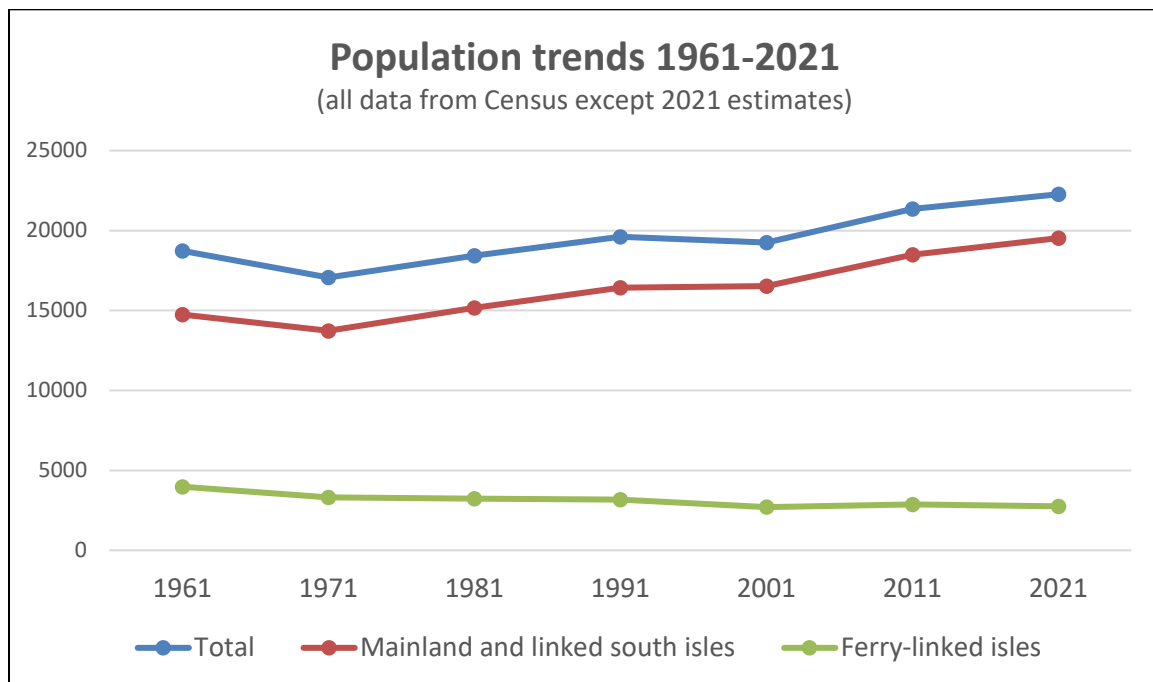
¹ <https://www.gov.scot/publications/national-plan-scotlands-islands/>

² <https://www.nrscotland.gov.uk/statistics-and-data>

2022 due to the pandemic, so this data is now outdated. Local estimates were put together in January 2021, as follows:

Isles populations by age group (estimated at January 2021)			
Age group	Mainland and linked south isles	Ferry-linked isles	Orkney Total
0 - 15	3,189	393	3,582
16 - 59	10,525	1,250	11,775
60 - 74	3,781	700	4,481
75+	2,032	400	2,432
Total	19,527	2,743	22,270

The drift in population from the ferry-linked isles to the mainland has been a concern for many years. Adding the figures above to Census data from 1961-2011 shows that this trend is continuing.

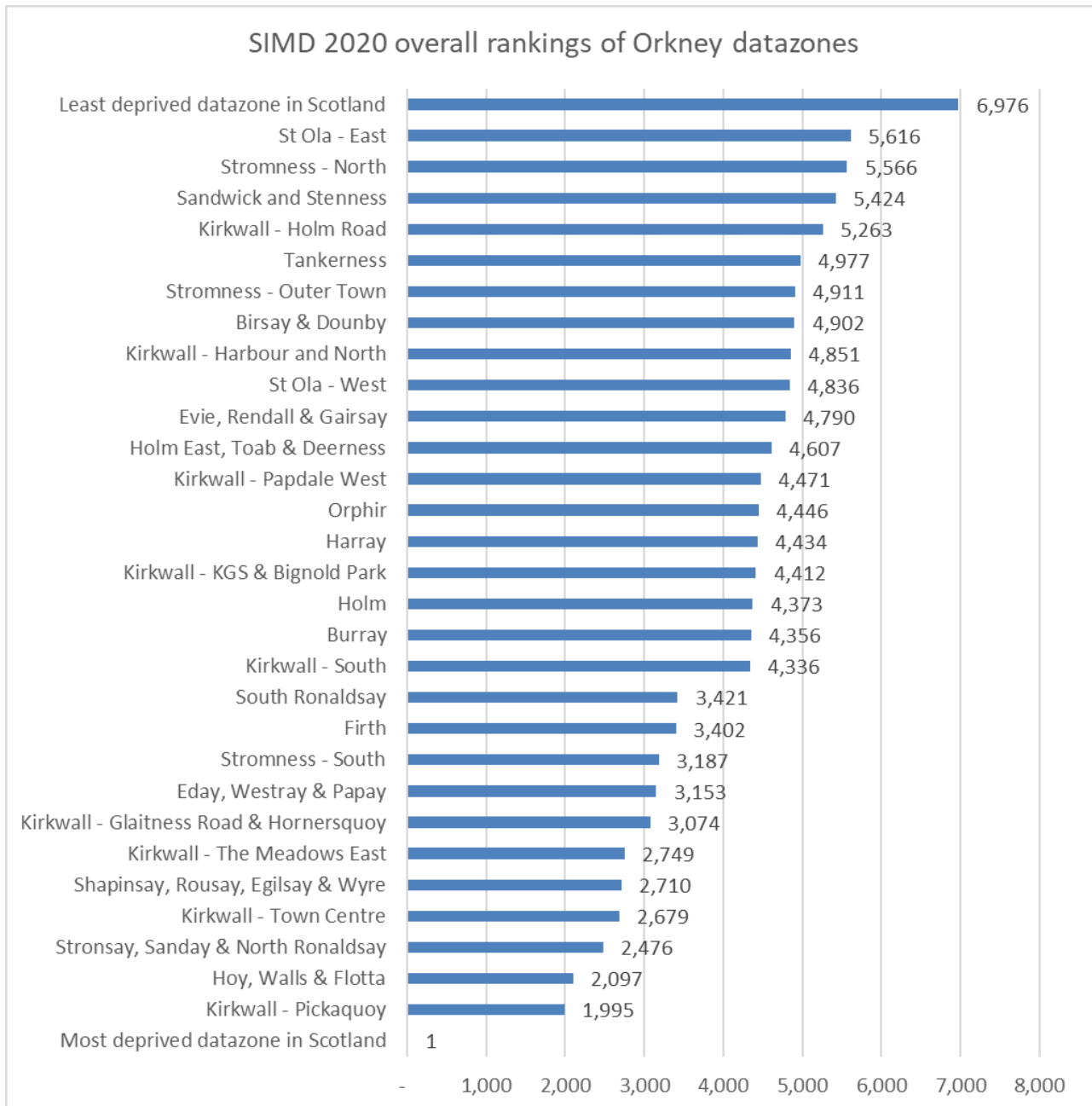


Peripherality—being on the edge—is a significant equality issue in Orkney. Residents are disadvantaged in accessing national services due to the high travel costs of crossing the water: isles residents doubly so. The Islands (Scotland) Act 2018 introduced a requirement for Island Communities Impact Assessment to be conducted on new national and local policy at the developmental stage, in order to identify and mitigate any unfair or unintended consequences. The Orkney Partnership routinely “isles-proofs” its own policy and an ICIA has been conducted on this Community Plan.

The effects of unequal life circumstances can be seen in the Scottish Index of Multiple Deprivation, updated every four years. The SIMD measures relative deprivation against seven domains: income, employment, health, education, skills and training, geographic access to services, crime and housing. It divides Scotland into 6,976 data zones and ranks them using a suite of indicators for each domain.

Orkney has 29 datazones, each containing around 350 households, which vary in size from a few streets in central Kirkwall to several of the outer isles grouped together. In the 2020 release of the SIMD, the overall measures for Orkney's data zones range in position from 1,995 (Kirkwall - Pickaquoy) to 5,616 (St Ola – East).

The ferry-linked isles score badly on access to services and housing, and were chosen as the subject of the Partnership's first [Locality Plan 2018-21](#)¹. A second Locality Plan will be developed during the lifetime of this Community Plan.

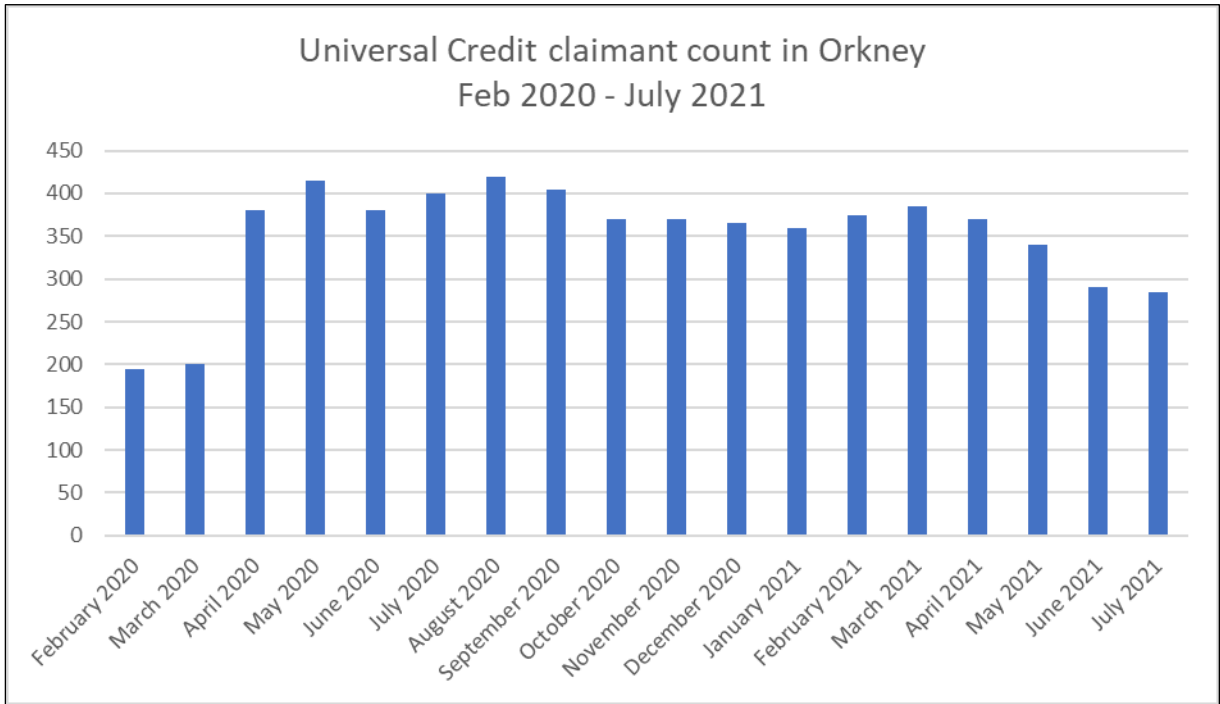


The employment rate in Orkney has historically been better than the Scottish average, and over Jan-Dec 2019 averaged 87.1% among those aged 16-64 compared with 74.8% for Scotland. The total included 9,800 who were employees and 1,200 self-employed. Over Jan-Dec 2020 the employment rate for the same group fell to 82.4%.

¹ <http://www.orkneycommunities.co.uk/communityplanning/index.asp?pageid=681664>

In the year to December 2020, the unemployment rate in Orkney rose from 1.3% to 2.8%. By December 2020, 370 people were unemployed and 800 were furloughed. 75 young people were unemployed, a rate of 5.3%, indicating that youth employment was disproportionately impacted by the difficult labour market.

Data for Universal Credit claimants shows the number of additional claims over the duration of the pandemic. From a baseline of 195 in February 2020, claims doubled in the first lockdown and peaked at 420 in August 2020, remaining well above the baseline at 285 in July 2021.



5. Priority 1: Connectivity

5.1 What we aim to achieve

Our aim is to improve Orkney's connectivity by resolving the issues holding up the delivery of 21st century mobile, broadband and transport networks to all of Orkney's communities.

Our target outcomes are:

- Equal or better standards of digital connectivity than elsewhere in the UK, with mobile and broadband services available and affordable to all in Orkney.
- Integrated, sustainable and affordable transport services which meet the needs of Orkney's residents, businesses and visitors.

5.2 Where we are now

The sudden demand to live, work and learn remotely during lockdown threw a spotlight on digital inequality. National and local agencies responded with an acceleration in online service provision: hugely welcome to most but inaccessible to those living in remote rural and island areas with no mobile signal and/or slow and unreliable broadband. The digital divide has made access to essential goods and services more difficult – and sometimes more expensive – for those with poor connectivity. Nearly 97% of Orkney households now have internet at home¹ but one third of all families with school-age children reported difficulties with digital access to learning during school closures. It is likely that an element of home working and learning will remain for many during the recovery period and beyond. Without urgent investment in both infrastructure and affordability, the digital divide will widen still further.

In an emergency, things can be done quickly. The Council's IT team delivered a remote working programme originally scheduled to take 2-3 years within as many months. Scottish Government provided emergency funding for the purchase of digital devices and mobile data for school pupils. Orkney's Third Sector switched overnight to online and telephone provision of many essential services. But far more significant investment is needed to achieve infrastructure equality, and it is needed much faster than the timescale of the UK Government's R100 scheme, which promises 100% access to superfast broadband but has been slow to reach Orkney. We want to see a rapid acceleration in the national rollout of full fibre connectivity in order to support our students, workers and businesses to recover.

Transport is also a critical barrier to recovery for island communities. The pandemic underlined Orkney's vulnerability to any sort of interruption in our lifeline services. Our outer isles were – and are – profoundly disadvantaged by the comparatively small sizes of their inter-island ferries, substantially limiting passenger numbers even without the need for social distancing measures. Our ferry fleet is old, polluting, unreliable and fails dismally to meet acceptable standards for modern public transport

¹<https://www.strath.ac.uk/media/1newwebsite/departmentsubject/law/strathclydecentreforenvironmentallawandgovernance/pdf/national-islands-plan-survey-final-report.pdf>

with regard to accessibility or carbon footprint. This is a serious and longstanding equality failure for those living on, or travelling to, the ferry-linked isles.

Food insecurity emerged as an early issue in the first lockdown, with families unable to afford to buy in the isles shops where prices are inflated by the high cost of freight. Without enough capacity to move people and freight in and out of Orkney, and internally between our islands, then our tourism, agriculture, food and drink, and many other sectors cannot operate at a sustainable level. These are in many cases very small and marginally profitable family businesses which make the difference between a family being able to make a living on, or having to move away from, the islands.

Connectivity has long been a priority for the Orkney Partnership. The pandemic has demonstrated that connectivity is fundamental to equality, and inequality is widening. Collectively, the Partnership must resolve the issues holding up the modernisation of our transport and digital infrastructure, if we want all of our islands to be sustainable places for everybody to live, into the 21st century.

5.3 Consultation findings

Regarding digital connectivity, a huge number of people asked for better, faster broadband as soon as possible, with parity for the isles and rural locations, especially where business and employment depended on it. There was a sense of anxiety in these comments, that the current situation is unsustainable and solutions may not be in place as recovery begins in earnest. The Covid-19 pandemic has exacerbated an already fragile dependency on incomplete infrastructure.

“If we were designing a transport system for the isles tomorrow - what would it look like?”

“Better broadband and a reliable telephone system would reduce the need to travel for many outer islanders”

There were a few comments about the perceived dangers of 5G technology. These fears may be groundless but should be addressed.

Poor digital communication skills – among young people as well as older people – were highlighted, as was community access in care homes and libraries. The cost of technology and online access is a big problem, especially for already disadvantaged people.

Regarding transport, most comments were about inter-isles ferries and buses. Users of these services would like to see new ferries, and a new fleet of buses; along with joined up bus and ferry timetables for services

within Orkney and for Scottish mainland ferries and air services. There is strong demand for reduced ferry fares, with Road Equivalent Tariff (RET) on all services, and parity with Scottish mainland ferry fares. Several commentators asked for local people to be prioritised over visitors on ferries and buses. Respondents pointed out accessibility issues on these services.

Several comments about walkers and cyclists asked for safer pathways that would encourage people to be more active and less polluting. This is relevant to all three of our delivery groups.

“Broadband is simply abysmal in many areas of Orkney”

5.4 Our plans for Connectivity

There is already considerable work taking place to address Connectivity, which is being undertaken by various groups and partner agencies. Listed here are the main areas of activity through which the Connectivity Delivery Group will contribute.

Digital connectivity

- Work with Scottish Government to accelerate the roll out of the R100 programme, which commits to provide access to superfast broadband of 30 Megabits per second to every home and business in Scotland.
- Lobby for changes to regulations to enable sustainable broadband and mobile networks using alternative technologies.
- Support communities and residents with information and advice on the Scottish Government broadband voucher scheme.

Transport connectivity

- Continue to engage with Scottish Government to secure either (i) guaranteed and permanent full funding for the inter-island ferry service or (ii) a Transfer of Responsibility for Orkney's lifeline inter island ferry services at no net detriment to the Council (the current service provider).
- Following completion of the Outline Business Case currently in preparation, engage with Scottish Government on the sourcing and funding of an accessible and "green" replacement ferry fleet for Orkney's inter island ferry services.
- Consider a third aircraft for Orkney's Inter Island Air Services to improve island connectivity.
- Improve connectivity by integrating air, ferry and bus travel where possible (a budget uplift would be required to enhance services beyond current levels).

5.5 Measuring progress in Connectivity

The indicators below have been selected to show how well we are progressing towards the outcomes we want for Connectivity in Orkney. They do not evaluate directly the actions of any particular partner or group, but they indicate whether collective local and national action is moving us in the right direction.

Ofcom's Connected Nations report¹ is published annually and matches information on service availability provided by network operators, against a database of addresses in the UK. In Orkney the "premise base" numbered 12,218 addresses at the reference date of 1st September 2020. The Scottish Household Survey² is also conducted annually and in 2019 the survey base comprised 590 persons in 260 households across Orkney.

¹ <https://www.ofcom.org.uk/research-and-data/multi-sector-research/infrastructure-research/connected-nations-2020>

² <https://www.gov.scot/publications/scottish-household-survey-2019-annual-report/>

The National Islands Plan Survey 2020¹, conducted in October 2020 and published in July 2021, uniquely differentiates between households in the Orkney mainland and linked south isles, and the ferry-linked isles. A total of 4,347 responses were received in all from individuals aged from 18-75, with 630 categorised as “Orkney Mainland” and 160 as “Orkney Outer Isles”. It is planned to repeat this survey every two years, potentially providing a wealth of longitudinal data to help inform the planning, and report on the progress, of service provision across Scotland’s islands.

% Orkney premises unable to access 10Mbps/s Broadband (Source: Ofcom Connected Nations 2020)		
2020-21 Baseline	2021-22 Milestone	2022-23 Target
20.7%	10%	0%
% Orkney premises unable to access 30Mbps/s Broadband (Source: Ofcom Connected Nations 2020)		
2020-21 Baseline	2021-22 Milestone	2022-23 Target
31.5%	15%	0%
% Orkney residents whose internet connection at home is fast enough to do what they want online (Source: National Islands Plan Survey Report 2020 and online results explorer tool)		
	2020-21 Baseline	2022-23 Target
Orkney Mainland	70%	100%
Ferry-linked isles	45%	100%
% Orkney residents who have a good mobile phone signal at home (Source: National Islands Plan Survey Report 2020 and online results explorer tool)		
	2020-21 Baseline	2022-23 Target
Orkney Mainland	78%	100%
Ferry-linked isles	27%	100%
% of people in Orkney very or fairly satisfied with the quality of public transport (Source: Scottish Household Survey 2019 and Data Explorer)		
2020-21 Baseline	2021-22 Milestone	2022-23 Target
61%	70%	80%

¹ <https://www.gov.scot/binaries/content/documents/govscot/publications/research-and-analysis/2021/07/national-islands-plan-survey-final-report/documents/national-islands-plan-survey-final-report/national-islands-plan-survey-final-report/govscot%3Adocument/national-islands-plan-survey-final-report.pdf?forceDownload=true>

% of Orkney residents who agree “When I make journeys to or from my home, it is easy connecting between different forms of transport” (Source: [National Islands Plan Survey Report 2020](#) and [online results explorer tool](#))

	2020-21 Baseline	2022-23 Target
Orkney Mainland	46%	60%
Orkney Outer Isles	29%	50%

6. Priority 2: Community Wellbeing

6.1 What we aim to achieve

Our aim is to support Orkney's individuals and communities to withstand and recover from the Covid-19 pandemic and its socio-economic impacts.

Our target outcomes are:

- Individuals and communities benefit from enhanced support to recover and renew.
- Orkney's fragile communities become more resilient and sustainable.

6.2 Where we are now

Orkney's resilience is rooted in its strong communities, represented by a network of community councils, development trusts, community associations, voluntary organisations and communities of interest. Orkney's community council network is the most active in Scotland, with all 20 areas normally contested. Eleven local development trusts, each focused on one island or mainland locality, initiate and manage new community development, business ventures, social enterprises and other projects. The [Community Directory](#) maintained by Voluntary Action Orkney lists around 600 local organisations, of which more than 90 maintain active websites on the [Orkney Communities](#) platform.

All of these bodies worked as one during the pandemic to support individuals and families in their communities through successive lockdowns. They co-operated seamlessly with the Local Resilience Partnership set up in accordance with statutory emergency procedures, the Orkney branch of the online CV Mutual Aid network and the Orkney Coronavirus Community Support Hub hosted by the Pickaquoy Centre. A diverse team of volunteers was mobilised within days to deliver food, collect medication, walk dogs and offer telephone support to those shielding.

Loss of income and unexpected extra costs meant that many families found themselves unable to manage financially, some for the first time. The Council issued food vouchers to support isles residents with the additional cost of shopping locally. Third Sector agencies experienced a huge increase in requests for support with fuel costs, emergency food and counselling services. A year on, many agencies were struggling financially and Voluntary Action Orkney approached the Orkney Partnership for help. The Third Sector Covid-19 Emergency Fund was set up in response, to operate alongside national schemes to support individuals, families and businesses.

As we enter the recovery phase, it is clear that there will be ongoing need for some time to come. The strain of the pandemic and its aftermath is showing up in rocketing demand for health and wellbeing services. Mental health has taken a battering and young people have suffered huge disruption to their education and social lives. Poverty – always present but not always visible – has become more openly acknowledged in the community, and there is a new awareness of the impact of hardship on the everyday lives of children and future prospects of young people.

The Partnership recognises that meeting this level of demand will take more than continuing dependence on goodwill. The Community Wellbeing Delivery Group will bring together the statutory, voluntary and community bodies who have been


operating throughout the emergency response and consider how their collective efforts can be consolidated and co-ordinated in order to avoid duplication, fill gaps in provision, pull in new resources and better support those who have been working so tirelessly to support others.

Complementary to this short term imperative is the Partnership's long term goal to improve the sustainability of Orkney's remote and isles communities. Over the past few decades we have seen Orkney's population rise as a whole, but fall steadily on the ferry-linked isles. Scotland's islands in general have an older age profile, lower incomes and poorer access to services than the mainland, and the consequent demographic imbalance was a key driver behind the Scottish Government's National Islands Plan. Orkney's first Locality Plan 2018-21 focused on the socio-economic inequality of the ferry-linked isles, but the progress we have made is likely to have been set back by the effects of the pandemic.

This perspective will shape the work done by the Delivery Group and help us to ensure that short term measures taken to aid recovery are compatible with, and help to progress, the Partnership's longer-term ambition to improve the resilience, sustainability and prosperity of the ferry-linked isles, through recovery and beyond.

6.3 Consultation findings

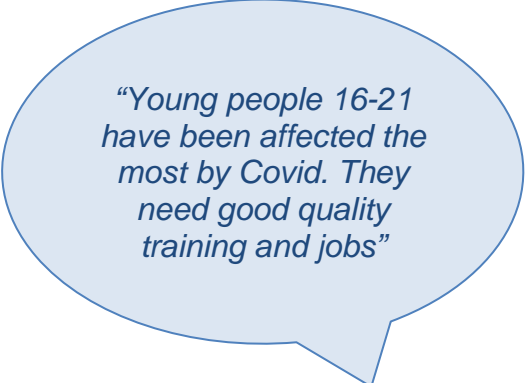
General approval for this priority was supplemented by specific concerns about access to services, unemployment and loss of income during the pandemic. Respondents wished to see more full time job opportunities and training programmes. There was concern about progression in employment and young people leaving Orkney to find work. Lack of provision for childcare was a major concern, as was care work, support for new mothers, support for older people, disabled people and other vulnerable groups. Poverty was a major concern, with food, fuel and child poverty highlighted.



"We have a wellbeing officer on Shapinsay and the difference she has made in just over a year is fantastic"

Several respondents wanted more focus on farming, while others championed Orkney's potential for renewable energy, seeing a great and sustainable future for the isles in green industries.

People were keen for Covid-19 testing to protect our communities where possible, with requests for public information campaign to address local concerns. Individual health improvements, including exercise, healthy eating and smoking cessation, were felt to contribute to community wellbeing. There were deep concerns about mental health provision in Orkney and the impact of isolation during successive pandemic lockdowns, together with loss of income, on individuals and families. Respondents noted issues of concern including limited access to counselling and the closure of the Men's Shed.



"Young people 16-21 have been affected the most by Covid. They need good quality training and jobs"

There was a call for leadership to create a joined up community campaign for recovery, linking Development Trusts, Community Councils, local clubs, Wellbeing coordinators, community businesses etc.

“The pandemic has resulted in a sense of isolation for many. The community needs ways to reach out to those vulnerable individuals.”

6.4 Our plans for Community Wellbeing

There is already considerable work taking place to address community wellbeing, which is being undertaken by various groups and partner agencies. Listed here are the main areas of activity through which the Community Wellbeing Delivery Group will contribute.

We will support individuals and communities through recovery and renewal by collaborative working to:

- Expand the Isles Wellbeing Project to all ferry linked islands.
- Identify funding to support the reopening of community spaces and support re-establishment/establishment of community activities.
- Establish and deliver an isles self-management network for people with long term conditions.
- Identify and promote safe social spaces for those who are socially anxious.
- Strengthen our response to individual/family food insecurity.
- Oversee the implementation of an action plan to deliver Orkney’s Child Poverty Strategy 2021-23.
- Identify community wellbeing actions from local strategies that would benefit from a partnership approach in the arts, community learning and health.
- Identify where collaborative action is required to support the alleviation of poverty, combat fuel poverty and promote financial inclusion

To support the resilience and sustainability of Orkney’s fragile communities, we will:

- Follow up and augment the West Mainland/Kirkwall Place Standard Consultation and identify collaborative solutions to issues raised by communities.
- Organise a conference to celebrate and build on successful collaborative approaches established during the Covid-19 pandemic.
- Support/develop activities within communities to enhance individuals’ sense of wellbeing.
- Explore the value of establishing work/learning hubs in rural and island areas.
- Collaborate with all partners to establish joint mechanisms for dialogue with communities.
- Contribute to the closing report for the Locality Plan 2018-21 and carry out a repeat Place Standard Survey of the ferry-linked isles as a follow-up to the survey carried out in 2016/17.

6.5 Measuring progress in Community Wellbeing

The indicators below have been selected to show how well we are progressing towards the outcomes we want for Community Wellbeing in Orkney. They do not evaluate directly the actions of any particular partner or group, but they indicate whether collective local and national action is moving us in the right direction.

The Scottish Household Survey¹ is conducted annually and in 2019 the survey base comprised 590 persons in 260 households across Orkney. The Scottish House Condition Survey² has a smaller survey base (80 households in Orkney) so data is averaged over three years to improve accuracy. It includes data for fuel poverty, which was redefined nationally in 2019. A household is in fuel poverty if total fuel costs necessary to maintain a satisfactory heating regime are more than 10% of the household's net income (after certain deductions) and the remaining income is insufficient to maintain an acceptable standard of living. Extreme fuel poverty follows the same definition except that a household would have to spend more than 20% of its net income.

The National Islands Plan Survey 2020³, conducted in October 2020 and published in July 2021, uniquely differentiates between households in the Orkney mainland and linked south isles, and the ferry-linked isles. A total of 4,347 responses were received in all from individuals aged from 18-75, with 630 categorised as “Orkney Mainland” and 160 as “Orkney Outer Isles”. It is planned to repeat this survey every two years, potentially providing a wealth of longitudinal data to help inform the planning, and report on the progress, of service provision across Scotland’s islands.

How households are managing financially in Orkney (Source: Scottish Household Survey 2019 and Data Explorer)			
	2020-21 Baseline	2021-22 Milestone	2022-23 Target
Managing very well or quite well	66%	66%	66%
Get by all right	31%	32%	34%
Don't manage very well and have some financial difficulties	3%	2%	0%

¹ <https://www.gov.scot/publications/scottish-household-survey-2019-annual-report/>

² <https://www.gov.scot/publications/scottish-house-condition-survey-local-authority-analysis-2017-2019/pages/6/>

³ <https://www.gov.scot/binaries/content/documents/govscot/publications/research-and-analysis/2021/07/national-islands-plan-survey-final-report/documents/national-islands-plan-survey-final-report/national-islands-plan-survey-final-report/govscot%3Adocument/national-islands-plan-survey-final-report.pdf?forceDownload=true>

Percentage of adults (18-75) who in the past year have had to choose between keeping their home warm and buying food or essentials for themselves and their family (Source: National Islands Plan Survey Report 2020 and explorer tool)			
	2020-21 Baseline	2021-22 Milestone	2022-23 Target
Orkney Mainland	71.9%	75%	78%
Ferry-linked isles	56.4%	60%	63%
Percentage of dwellings in Orkney in Fuel Poverty 2017-19 (Source: Scottish House Condition Survey Local Authority Analysis 2019)			
2020-21 Baseline	2021-22 Milestone	2022-23 Target	
30.5% (Scottish average 24.4%)	Reduce	Same as Scottish average	
Percentage of dwellings in Orkney in Extreme Fuel Poverty 2017-19 (Source: Scottish House Condition Survey Local Authority Analysis 2019)			
2020-21 Baseline	2021-22 Milestone	2022-23 Target	
21.8% (Scottish average 11.9%)	Reduce	Same as Scottish average	
Population of the ferry-linked isles (Source: Scotland's Census)			
2020-21 Baseline		2022-23 Target	
2,862 (Census 2011)		Maintain or increase (Census 2022)	
Percentage of adult residents (18-75) planning to stay on the island for the next 5 years (Source: National Islands Plan Survey Report 2020 and explorer tool)			
	2020-21 Baseline	2022-23 Target	
Orkney Mainland – Yes	87.2	Increase	
No	4.4	Decrease	
Don't know	8.4	Decrease	
Ferry-linked isles – Yes	79.0	Increase	
No	8.7	Decrease	
Don't know	12.3	Decrease	
Percentage of adults participating in some form of sport or exercise, including walking, in previous 4 weeks (Source: Scottish Household Survey 2019 and Data Explorer)			
2020-21 Baseline	2021-22 Milestone	2022-23 Target	

86%	87%	88%	
Percentage of adult residents (18-75) who agree that islanders' creative talents are supported and nurtured (source: National Islands Plan Survey Report 2020 and explorer tool)			
	2020-21 Baseline	2021-22 Milestone	2022-23 Target
Orkney Mainland	71.9%	75%	78%
Ferry-linked isles	56.4%	60%	63%

7. Priority 3: Sustainable Recovery

7.1 What we aim to achieve

Our aim is to exploit the synergy between two linked priorities: Orkney's economic recovery from the Covid-19 pandemic and combatting the climate emergency.

Our target outcomes are:

- A demonstrable upturn in Orkney's economy, supported through co-ordination and implementation of the ASPIRE Orkney action plan.
- A "Just Transition" towards a well-being economy with a focus on climate change, fair work, and diversity.
- Measurable progress towards Scotland's target of net zero emissions by 2045.
- An adaptation strategy to protect our citizens, businesses, habitats and wildlife from the effects of climate change.

7.2 Where we are now

The Orkney landscape looks very different as we emerge from the pandemic. We are facing a reset of the economy, new ways of living, and new ways of working. Many of our businesses are experiencing a significant reduction in turnover and employment; some have already closed and jobs have been lost. The economic impact of Covid-19 is affecting individual, family, and community well-being. Furthermore, our pre-Covid challenges have not gone away, not least the long-term impact of Brexit and the imperative to do our part to combat the climate emergency.

The Economic Recovery Steering Group, a short life working group led by Orkney's business community, was tasked by the Orkney Partnership Board in June 2020 to develop a strategy for Orkney's economic recovery from the pandemic. ASPIRE Orkney is the resulting strategy and has an associated action plan which the Sustainable Recovery Delivery Group will take forward in tandem with the Economic Recovery Steering Group, ensuring that all workstreams in the action plan are progressed.

Many of the themes in ASPIRE Orkney align with the imperative to support carbon reduction and combat climate change. The Climate Change (Emissions Reduction Targets) (Scotland) Act 2019 set a target date for net zero emissions of all greenhouse gases by 2045. The Scottish Government has adopted three principles to underpin a "Just Transition" towards a sustainable Scotland for all:

- plan, invest and implement a transition to environmentally and socially sustainable jobs, sectors and economies, building on Scotland's economic and workforce strengths and potential.
- create opportunities to develop resource efficient and sustainable economic approaches, which help address inequality and poverty.
- design and deliver low carbon investment and infrastructure, and make all possible efforts to create decent, fair and high value work, in a way which does not negatively affect the current workforce and overall economy.

In 2019, Orkney Islands Council joined other local authorities worldwide in declaring a climate emergency. The Orkney Partnership Board convened a short life working group, led by NatureScot, with a brief to champion and promote existing activity on low carbon issues and amplify Orkney’s collective response to the challenge of climate change. In May 2021 the Orkney Partnership Board adopted the recommendations made by the group. Relevant actions will be co-ordinated by the Sustainable Recovery Delivery Group alongside ASPIRE Orkney. This will avoid duplication and allow the synergy between the two agendas to be exploited to the full.

Other initiatives pre-dating the pandemic will also support sustainable recovery, notably the [Islands Growth Deal](#)¹. This agreement, between the UK and Scottish governments, Comhairle nan Eilean Siar, Orkney Islands Council and Shetland Islands Council, commits to a £100m deal focused on placing the islands at the forefront of the transition to net zero, supporting growth in key sectors of opportunity such as tourism, food and drink, space and creative industries, and supporting thriving, sustainable communities. The 10-year programme has the ambitious target of creating up to 1,300 jobs and reversing depopulation. Initiatives based in Orkney which will benefit from the Islands Deal include the Islands Centre for Net Zero, Scapa Flow Future Fuels Hub Project, Orkney World Heritage Gateway, Orkney Community Vertical Farm and the Orkney Research and Innovation Campus.

7.3 Consultation findings

“I would place this as number one...”

Opinions on this issue are mainly strongly supportive, although some deny the existence of climate change – doubters want to see evidence and action. Covid-19 has encouraged many to see working remotely as a positive development, as long as high quality digital connectivity is implemented across the isles.

Green energy projects and electric vehicles are widely supported. Housing insulation is mentioned a lot, as is waste management and recycling, new approaches to agriculture and food production.

Inequalities are of concern, with a focus on fuel poverty and the role of THAW. Respondents are concerned about vulnerable people in our society

being left behind.

“It is not taken as seriously as is necessary which is a huge concern”

“An amazing opportunity to focus on a ‘Green Recovery’”

There is also some concern about tourism returning, especially a wish to limit cruise ships.

¹https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/970193/Islands_Growth_Deal_Heads_of_Terms_SIGNED_English_version_1.1_.pdf

7.4 Our plans for Sustainable Recovery

There is already considerable work taking place to address sustainable recovery, which is being undertaken by various groups and partner agencies. Listed here are the main areas of activity through which the Sustainable Recovery Delivery Group will contribute.

ASPIRE Orkney

The ASPIRE Orkney strategy is our blueprint for Orkney's economic recovery from the pandemic. Full details of the strategy, action plan, projects and progress, along with other resources, can be found on ASPIRE Orkney's dedicated website¹.

To recover from the pandemic, and build a better future, Orkney must aspire to be **Ambitious, Sustainable, Prosperous, Inclusive, Resilient, and Enterprising.**

Ambitious

- Value and harness the county's natural, cultural, and human resources
- Take control of our own economic future
- Take control of our demographic future
- Innovate, experiment, improve.

Sustainable

- Commit unequivocally to an environmentally sustainable future
- Invest in sustainable enterprises and skills
- Develop a circular economy that keeps more money in Orkney for longer

Prosperous

- Aim high: become global leaders in the sectors we can truly excel in
- Create quality jobs
- Work to eradicate fuel poverty
- Provide local investment opportunities
- Campaign for increased Westminster and Holyrood funding
- Discover and secure new ways of attracting inward investment into Orkney.

Inclusive

- Make sure no one in our community is left behind
- Welcome new ideas and people, wherever they come from
- Increase transparency so everyone can understand and endorse decisions taken by their local authority and associated organisations.

Resilient

- Carry out scenario planning for future changes and challenges
- Invest in robust technology and systems to help Orkney spring back from adversity
- Attract and retain a highly skilled, adaptable workforce

Enterprising

- Unify and utilise the different skills of the public, private, and third sectors
- Gather data, analyse it, act on it – and update it constantly
- Make bold, well-informed decisions in planning, training, and investment
- Invest in and support enterprises and organisations that embody the ASPIRE principles, whether private, third sector, voluntary, or community.

¹ <https://www.aspireorkney.com/>

The Climate Emergency

In May 2021, Orkney Partnership Board adopted the action plan outlined below to combat the climate emergency and improve Orkney's resilience to climate change.

- **Increase active travel opportunities in order to reduce emissions and provide health, equitable access and wellbeing benefits.**

Investment in active travel is relatively cheap and contributes to a Just Transition by providing fair and equitable access to all in society. We will seek to implement active travel opportunities already identified in and around Orkney including those in the Stromness and Kirkwall place plans.

- **Collaborate on zero/low emission fleet and install more electric vehicle charging points across Orkney, including the isles.**

We will increase the use of electric vehicles (EV) and charging points, potentially with shared fleet. An important part of this work will be to install EV charge points in the outer isles, increasing the practicality of EV use in public service or private use in the isles.

- **Promote the case for new lower carbon ferries.**

Together with the Connectivity Delivery Group, we will campaign for the upgrading of Orkney's inter-island ferry fleet with lower carbon fuel alternatives such as hydrogen, and exploit the potential for synergy with the Surf 'n' Turf project based in Eday, developing systems to convert and store tidal and wind energy as hydrogen and establish a hydrogen supply chain.

- **Optimise uptake of the Renewable Heat Incentive and other schemes which both decarbonise and address fuel poverty, alongside generating investment in green recovery from the Covid-19 pandemic.**

The Renewable Heat Incentive (RHI) is a UK Government scheme aiming to encourage uptake of renewable heat technologies amongst householders, communities and businesses through financial incentives. It has the added benefits of addressing inequalities and fuel poverty as well as increasing the use of local renewable energy.

- **Establish a baseline of emissions amongst Partnership members with a view to creating a single shared target for the Partnership in line with the trajectory required to reach Net Zero by 2045.**

All public bodies in Orkney have a reporting duty to Sustainable Scotland on emissions, and an aggregated joint target could in future be adopted by the Partnership. Currently there is scope for combined reporting against individual targets but further work is needed to allow true shared targets to be adopted.

- **Establish a Climate Adaptation Plan for Orkney**

Adaptation planning is about ensuring that a place is as resilient and ready to cope with the changes expected from the climate as it can be. A collaborative approach is crucial to ensure all elements are included in a successful adaptation plan. We will work with Adaptation Scotland to develop a Climate Adaptation Plan for Orkney which will help organisations and communities to adapt to climate change.

7.5 Measuring progress in Sustainable Recovery

The indicators below have been selected to show how well we are progressing towards the outcomes we want for Sustainable Recovery in Orkney. They do not evaluate directly the actions of any particular partner or group, but they indicate whether collective local and national action is moving us in the right direction.

The indicators in this section come from a wide range of sources and some depend on data collected locally; for example the school travel survey is conducted by the Council's Road Safety Officer on behalf of the Scottish Government, which publishes the data. House completions include those built by the Council, Orkney Housing Association Ltd and private developers, both commercial and individuals. House building was severely impacted by lockdown and continues to be affected in 2021 by the prevailing shortage and high price of building materials.

In view of the longer perspective taken by the Sustainable Recovery Delivery Group, we have included five-year targets for the indicators in this section. For CO₂ emissions, different bodies and sectors have varying timescales to reach Net Zero. 2045 is the Scottish Government's target, while the Islands Centre for Net Zero is aiming for 2030 for Orkney overall.

Employment rate (16-64 years) (source: NOMIS official labour market statistics , Labour Market Profile – Orkney Islands)			
2020-21 Baseline	2021-22 Milestone	2022-23 Target	Five-year target 2026-27
82.4% Jan-Dec 2020	>85%	>85%	>88%
% of 16-19 year olds participating in education, employment or training (source: Skills Development Scotland, Annual Participation Measure)			
2020-21 Baseline	2021-22 Actual	2022-23 Target	Five-year target 2026-27
94.7% Reported August 2020	93.4% Reported August 2021	Improve	95%
Businesses in the Highlands and Islands that are optimistic over their future prospects in the next 12 months (Source: HIE Business Panel June 2021 report)			
2020-21 Baseline	2021-22 Milestone	2022-23 Target	Five-year target 2026-27
75% Jan/Feb 2020	80% June 2021	Maintain or improve	>80%

House build completions in Orkney, all sectors (source: Scottish Government housing statistics ; source for 2020-21: OIC Development and Marine Planning)				
2020-21 Baseline	2021-22 Milestone	2022-23 Target	Five-year target 2026-27	
92	100	130	225	
% Orkney pupils' journeys to school by walking/cycling/scooter/skate (all schools excluding nursery) (Source: Sustrans Hands Up Scotland Survey 2020)				
2020-21 Baseline	2021-22 Milestone	2022-23 Target	Five-year target 2026-27	
33.7%	Improve	Improve	>40%	
% Walking journeys to work as a proportion of all journeys in Orkney (Source: Scottish Government 2019 Transport – Travel to Work and Other Purposes)				
2020-21 Baseline	2021-22 Milestone	2022-23 Target	Five-year target 2026-27	
27%	Improve	Improve	>35%	
Local Authority territorial CO₂ emissions estimates 2019 (kilotonnes CO₂) (Source – UK Government local authority and regional carbon dioxide emissions national statistics)				
	2020-21 Baseline	2021-22 Milestone	2022-23 Target	Five-year target 2026-27
Commercial	8.9 kt	Reduction commensurate with achieving NetZero by 2045	Reduction commensurate with achieving NetZero by 2045	Reduction commensurate with achieving NetZero by 2045
Public Sector	2.6 kt			
Domestic	42.0 kt			
Transport	31.1 kt			
LULUCF*	135.6 kt			
Total Orkney	277.2 kt			
*Land Use, Land Use Change and Forestry				

Appendix: Linked plans and strategies

Minute

Police and Fire Sub-committee

Tuesday, 24 August 2021, 14:00.

Microsoft Teams.



Present

Councillors Andrew Drever, David Dawson, Alexander G Cowie, J Harvey Johnston, Gwenda M Shearer, Magnus O Thomson and Heather N Woodbridge.

Clerk

- Sandra Craigie, Committees Officer.

In Attendance

- Gareth Waterson, Interim Executive Director of Finance, Regulatory, Marine and Transportation Services.
- Hayley Green, Interim Executive Director of Environmental, Property and IT Services.
- Les Donaldson, Safety and Resilience Manager.
- Georgette Herd, Solicitor.

Police Scotland:

- Chief Inspector Alastair Garrow, Area Commander.

Scottish Fire and Rescue Service:

- Raymond Fallon, Group Manager.

Observing

- Rebecca McAuliffe, Press Officer.

Declaration of Interest

- Councillor Andrew Drever – Item 3.

Chair

- Councillor Andrew Drever.

1. Form of Voting

The Sub-committee resolved that, should a vote be required in respect of the matters to be considered at this meeting, notwithstanding Standing Order 21.4, the form of voting should be by calling the roll (recorded vote).

2. Performance Against Orkney Fire and Rescue Plan

After consideration of a report by Iain Macleod, Local Senior Officer, copies of which had been circulated, and after hearing a report from Raymond Fallon, Group Manager, the Sub-committee:

Scrutinised the statistical performance of the Scottish Fire and Rescue Service, Orkney Islands area, for the period 1 April to 30 June 2021, detailed in the Quarterly Performance Report, attached as Appendix 1 to the report by the Local Senior Officer, and obtained assurance.

3. Performance Against Local Policing Plan

Councillor Andrew Drever declared a non-financial interest in this item, in that he was Chair of Orkney Drugs Dog, but as the matter was not discussed in detail, he did not leave the meeting.

After consideration of a report by Chief Inspector Alastair Garrow, Area Commander, copies of which had been circulated, the Sub-committee:

Scrutinised performance in respect of the Orkney Islands Local Policing Plan 2020-23, for the period 1 April to 30 June 2021, attached as Appendix 1 to the report by the Area Commander, and obtained assurance that progress was being made against the objectives.

Councillor Magnus O Thomson joined the meeting during discussion of this item.

4. Conclusion of Meeting

At 14:58 the Chair declared the meeting concluded.

Signed: A Drever.

Minute

Pension Fund Sub-committee, together with Pension Board

Thursday, 26 August 2021, 10:00.

Microsoft Teams.



Present

Pension Fund Sub-committee:

Councillors W Leslie Manson, Alexander G Cowie, Barbara Foulkes, Steven B Heddle, Rachael A King, Stephen Sankey and James Stockan.

Pension Board:

Employer Representatives:

Councillors J Harvey Johnston, Owen Tierney and Duncan A Tullock, Orkney Islands Council.

Andrew Blake, Orkney Ferries Limited.

Trade Union Representatives:

Karen Kent (Unison) and Eileen Swanney (Unison).

Clerk

- Sandra Craigie, Committees Officer.

In Attendance

- Gareth Waterson, Interim Executive Director of Finance, Regulatory, Marine and Transportation Services.
- Colin Kemp, Interim Head of Finance.
- Shonagh Merriman, Accounting Manager (Corporate Finance).
- Paul Maxton, Solicitor.

Audit Scotland:

- Claire Gardiner, Senior Audit Manager.

Observing

- Rebecca McAuliffe, Press Officer.

Not Present

Pension Board:

Trade Union Representatives:

- Eoin Miller (Unite).
- Mark Vincent (GMB).

Declarations of Interest

- No declarations of interest were intimated.

Chair

- Councillor W Leslie Manson.

1. Form of Voting

The Sub-committee resolved that, should a vote be required in respect of the matters to be considered at this meeting, notwithstanding Standing Order 21.4, the form of voting should be by calling the roll (recorded vote).

2. Pension Fund – Draft Financial Statements

After consideration of a report by the Interim Executive Director of Finance, Regulatory, Marine and Transportation Services, copies of which had been circulated, and after hearing a report from the Interim Head of Finance, on the motion Councillor W Leslie Manson, seconded by Councillor James W Stockan, the Sub-committee:

Resolved, in terms of delegated powers:

2.1. That the Annual Governance Statement, comprising pages 16 to 22 of the draft Annual Report and Accounts of the Orkney Islands Council Pension Fund for financial year 2020/21, attached as Appendix 1 to the report by the Interim Executive Director of Finance, Regulatory, Marine and Transportation Services, be approved.

2.2. That the draft Annual Report and Accounts of the Orkney Islands Council Pension Fund for financial year 2020/21, attached as Appendix 1 to the report by the Interim Executive Director of Finance, Regulatory, Marine and Transportation Services, be approved.

3. Conclusion of Meeting

At 10:35 the Chair declared the meeting concluded.

Signed: W Leslie Manson.

Minute

Human Resources Sub-committee

Tuesday, 31 August 2021, 14:15.

Microsoft Teams.



Present

Councillors W Leslie Manson, Alexander G Cowie, Robin W Crichton, Steven B Heddle, John T Richards, Gwenda M Shearer, James W Stockan and Duncan A Tullock.

Clerk

- Sandra Craigie, Committees Officer.

In Attendance

- Gareth Waterson, Interim Executive Director of Finance, Regulatory, Marine and Transportation Services.
- James Wylie, Executive Director of Education, Leisure and Housing.
- Stephen Brown, Chief Officer/Executive Director, Orkney Health and Care.
- Gavin Mitchell, Head of Legal Services.
- Andrew Groundwater, Head of HR and Performance.

Observing

- Hazel Flett, Senior Committees Officer.
- Lorraine Stout, Press Officer.

Declarations of Interest

- No declarations of interest were intimated.

Chair

- Councillor W Leslie Manson.

1. Form of Voting

The Sub-committee resolved that, should a vote be required in respect of the matters to be considered at this meeting, notwithstanding Standing Order 21.4, the form of voting should be by calling the roll (recorded vote).

2. Maternity and Paternity Policy

After consideration of a report by the Executive Director of Education, Leisure and Housing, copies of which had been circulated, and after hearing a report from the Head of HR and Performance, the Sub-committee:

Noted:

2.1. That the Council's policy in respect of Maternity and Paternity provisions was last reviewed in April 2015.

2.2. The revised Maternity and Paternity Policy, attached as Appendix 1 to the report by the Executive Director of Education, Leisure and Housing, which had been amended to ensure it was fully compliant and up to date with relevant employment law, statutory provisions and existing terms and conditions of employment.

The Sub-committee resolved to **recommend to the Council:**

2.3. That the revised Maternity and Paternity Policy, attached as Appendix 1 to this Minute, be approved.

3. Policy on Overtime and Time off in Lieu (TOIL)

After consideration of a report by the Executive Director of Education, Leisure and Housing, together with an Equality Impact Assessment, copies of which had been circulated, and after hearing a report from the Head of HR and Performance, the Sub-committee:

Noted:

3.1. That current overtime and time off in lieu (TOIL) provisions applicable to Council employees were governed by Scottish Joint Council agreements, however the specific terms were subject to local agreement and contained within the overarching local Single Status Terms and Conditions agreement and included in employees' contracts of employment.

3.2. That it was considered beneficial to have a specific policy document to clearly describe both employees' entitlements and also the principles and procedures that should be adhered to in terms of approval of overtime or TOIL by managers.

3.3. That, at this stage, should the proposed new policy, attached as Appendix 1 to the report by the Executive Director of Education, Leisure and Housing, be approved, it would be temporary in nature until 31 March 2023, pending consideration of a wider review of terms and conditions of employment.

3.4. That the proposed new policy included a recommendation to raise the threshold for which overtime could be claimed by employees from Single Status spinal column point 40 (£30,585) and below to Single Status spinal column point 50 (£38,195) and below.

The Sub-committee resolved to **recommend to the Council:**

3.5. That the Overtime and Time Off in Lieu (TOIL) Policy and Procedures, attached as Appendix 2 to this Minute, be approved on a temporary basis until 31 March 2023.

4. Conclusion of Meeting

At 14:44 the Chair declared the meeting concluded.

Signed: W Leslie Manson.



Maternity and Paternity Policy

August 2021

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Document Control Sheet.

Review / approval history.

Date.	Name.	Position.	Version Approved.
2015.	General Meeting of the Council.	n/a.	Version 1.0.
TBC.	General Meeting of the Council	n/a.	Version 2.0.

Change Record Table.

Date.	Author.	Version.	Status.	Reason.
Next due for review in 2026.				

1. Policy Statement

This policy sets out the statutory rights and responsibilities of employees who are pregnant or have recently given birth and gives details of the arrangements for antenatal care, pregnancy-related illness, and maternity leave and pay.

Orkney Islands Council recognises that, from time to time, employees may have questions or concerns relating to their maternity rights. It is the Council's policy to encourage open discussion with employees to ensure that questions and problems can be resolved as quickly as possible. As the maternity / paternity provisions are complex, if an employee becomes pregnant they should clarify the relevant procedures with their Manager or Human Resources to ensure that they are followed correctly.

Executive Directors and the Head of Human Resources and Performance are responsible for arranging appropriate training and briefing on the use of this policy and the maintenance and updating of records to facilitate its smooth operation.

Employees should be made aware of the policy and have ready access to it.

This policy has been produced in line with existing best practice and the legislative requirements as well as the relevant provisions from National Conditions of Service including the Scottish Negotiating Committee for Teachers Handbook of Conditions of Service.

2. Scope of the Policy

This policy will apply to all employees of Orkney Islands Council and its subsidiary companies including: Scottish Joint Council (SJC) / Single Status employees including Heads of Service, employees covered by Scottish Negotiating Committee for Teachers (SNCT) conditions of service, Orkney College Academic staff, Executive Directors and the Chief Executive.

The policy will be reviewed by the Head of Human Resources and Performance or their nominated representative in conjunction with recognised trade unions in line with the schedule for the review of all Council Human Resources Policies and Procedures, normally every 5 years. Should changes to employment law, best practice recommendations or schemes of Conditions of Service dictate, a review within this timescale can be carried out by agreement with the Head of Human Resources and Performance.

Where the provision differs for teaching and other employees covered by SNCT conditions of service this will be shown separately.

For the purpose of this policy, all "days" referred to within are calendar days.

3. Entitlement to Maternity Leave

All employees, regardless of length of service or weekly hours, are entitled to 52 weeks maternity leave consisting of 26 weeks Ordinary Maternity Leave (OML) and 26 weeks Additional Maternity Leave (AML) or as much of that period as they wish to

take. However, a minimum of 2 weeks maternity leave must be taken. In the case of employees engaged in certain types of manual work a minimum of 4 weeks maternity leave must be taken.

If an employee has less than 26 weeks' continuous service by the beginning of the qualifying week, they will be entitled to 52 weeks leave (unpaid).

The qualifying week is the 15th week before the expected week of childbirth (EWC).

If an employee has 26 weeks or more continuous service by the beginning of the qualifying week, they may be entitled to 39 weeks paid leave and a further 13 weeks unpaid leave (immediately following the initial 39 weeks), provided they meet the criteria contained within paragraph 6 of this policy.

4. Maternity Risk Assessment

The workplace risk assessment should already consider any risks to employees of childbearing age and, in particular, risks to new and expectant mothers (for example, from working conditions, or the use of physical, chemical or biological agents). Any risks identified must be included and managed as part of the general workplace risk assessment.

When a manager is notified that an employee is pregnant, breastfeeding or has given birth within the last six months, they should check the workplace risk assessment to see if any new risks have arisen. If risks are identified during the pregnancy, in the first six months after birth or while the employee is still breastfeeding, they must take appropriate, sensible action to reduce, remove or control them.

While it is a legal obligation for employers to regularly review general workplace risks, there is actually no legal requirement to conduct a specific, separate risk assessment for new and expectant mothers.

5. Notification to take Maternity Leave

The notification of the intention to take maternity leave must be given in writing to the line manager by the employee no later than the first working day of 15th week before the EWC. This letter should also state the duration of maternity leave which the employee intends to take.

SNCT employees including Teachers:
The notice must be given no less than 21 days before the intended date to commence maternity leave.

The employee must provide medical evidence of their EWC in the form of a maternity certificate (MAT B1) which is available from their GP or midwife after the 21st week of pregnancy and must be sent to Human Resources as soon as possible.

The employee may change the date on which maternity leave commences by giving 28 days' notice if this is reasonably practicable.

Human Resources will reply in writing within 28 days to confirm receipt of notification and confirm with the employee their rights to leave and expected date of return from maternity leave.

6. Maternity Pay

If an employee has less than 26 weeks continuous service by the qualifying week, they will be entitled to 52 weeks leave, with no pay. The employee may, however, be entitled to Maternity Allowance (see paragraph 8).

To qualify for Statutory Maternity Pay (SMP) an employee must:

- Have average weekly earnings not less than the lower earnings limit for National Insurance contribution liability.
- Continue to be employed during all or part of the Qualifying Week.
- Have continuous employment with the Council, other local authority or other recognised body for at least 26 weeks before the end of the Qualifying Week.
- Continue to be pregnant at the 24th week of pregnancy.
- Have stopped work wholly or partly because of pregnancy or childbirth.
- Give appropriate notice of intention to take maternity leave.
- Submit a Maternity Certificate (MATB1) stating the expected week of childbirth.

An employee with at least 26 weeks' continuous service at the beginning of the 15th week before the EWC is entitled to be paid:

- First 6 weeks at 9/10ths of normal weekly pay (including SMP).
- Following 12 weeks at half pay (plus SMP) provided the total cost does not exceed the normal full pay.
- Following 21 weeks at SMP (or 90% of average weekly earnings (whichever is lower) with any further maternity leave with no pay (up to a maximum of 13 weeks).

Payments made by the Council during maternity leave will be made on the understanding that the employee will return to work for a period of at least 3 months and in the event of the employee not doing so, they will refund the monies paid excluding those elements of SMP. Periods of annual leave, sick leave or parental leave which directly follow maternity leave will count as a return to work.

Employees who have indicated that they will not be returning to work will be paid for the first 6 weeks at 9/10ths of normal weekly pay and then SMP for the remaining 33 weeks.

SNCT employees including Teachers:

Where an employee satisfies the conditions above and is eligible to receive SMP, they will be entitled to 39 weeks paid leave, as follows:

- First 13 weeks at full pay (including SMP).

- Following 26 weeks at SMP, with any further maternity leave with no pay (up to a maximum of 13 weeks).

7. Exclusion from receiving Maternity Pay

An employee is excluded from receiving SMP if, at the beginning of the Maternity Pay Period, they fail to meet the qualifying conditions outlined above.

An employee would also be excluded from receiving SMP if, at any time during the Maternity Pay Period, they are in legal custody or work for another employer.

Those who do not qualify for SMP may be entitled to maternity allowance (see paragraph 8).

An employee will be advised of entitlement to maternity pay when notification of pregnancy is received.

8. Maternity Allowance

If an employee is excluded from Statutory Maternity Pay for any reason, the Council will return the MATB1 certificate and an SMP1 form which explains the reason that Statutory Maternity Pay cannot be paid.

If the employee meets qualifying conditions based on recent employment and earnings they may receive up to 39 weeks Maternity Allowance. Further information on eligibility to claim Maternity Allowance is available from the Department for Work and Pensions.

9. Employee who has reserved their position – Excluding SNCT employees

Where an employee wishes to reserve their position about returning to work, this should be confirmed in writing. The employee should also confirm the EWC and the date on which it is intended to commence maternity leave.

The employee will still be entitled to receive 90% of their salary for the first 6 weeks and 33 weeks at the lower rate of SMP but will not receive the additional 12 weeks at half pay. This will be paid in a lump sum on return to work, providing it is the intention to return to work for a period of at least 3 months.

Should the employee decide to resign, notice should be given as detailed in the employment contract and should run during the maternity leave period.

10. Employee on a temporary contract

Where the employee is on a temporary contract with an end date which will not allow them to return to work for the required period of 3 months following maternity leave they will receive 90% of their salary for the first 6 weeks and 33 weeks at the lower rate of SMP as long as they meet the qualifying conditions but will not receive the additional 12 weeks at half pay.

If their contract is extended for a period which will allow them to return to work for a period of at least 3 months, then this will be paid in a lump sum on return to work.

11. Antenatal Care

Employees are entitled to reasonable paid time off for ante-natal care during working hours, on the advice of a medical practitioner, midwife or registered health worker, to attend any appointments they have made for this purpose. Employees will need to produce their appointment card to their supervisor / manager so that the time off can be confirmed. Antenatal care may include relaxation and parent craft classes that the employee's doctor, midwife or health visitor has advised her to attend, in addition to medical examinations.

Time off will be granted for non-essential ante-natal care, for example aqua-natal classes, but this is dependent on the exigencies of the service. Any time taken in this respect should be deducted from annual leave or accrued flexitime.

The employee should endeavour to give her line manager as much notice as possible of antenatal appointments and, wherever possible, try to arrange them as near to the start or end of the working day as possible.

An individual who has a qualifying relationship with the employee, which includes the employee's husband or civil partner and the father of the expected child, is eligible to take unpaid time off to accompany the employee at up to two antenatal appointments.

12. Sickness during pregnancy

If an employee is sick during pregnancy medical certificates should be submitted in accordance with normal sickness procedures.

However, if the employee is sick for any reason connected with pregnancy or childbirth after the beginning of the 4th week before the EWC, and has not yet started maternity leave, this period of sickness will automatically trigger the beginning of maternity leave for the employee. In this instance Human Resources should be informed as soon as is practicable, and a medical certificate should be submitted in the normal way.

13. Beginning Maternity Leave

Maternity leave may not begin before the beginning of the 11th week before the EWC. The employee may choose when to begin maternity leave any time after this date.

The employee may continue to work up to the EWC provided that they are fit to carry out normal duties. This is subject to the requirements to undergo a medical examination if it is considered that the employee is prejudicing their health by continuing to work.

Maternity leave will automatically start on the day following childbirth if this occurs before the date on which the employee has notified they wish their maternity leave to commence.

14. Notification of return to work after Maternity Leave

If the employee wishes to change their return to work date, 8 weeks' notice of the change must be given.

SNCT employees including Teachers:

Teaching and other employees covered by SNCT conditions of service wishing to return to work earlier than the end of the maternity leave period, a minimum of 28 days' notice is required.

If an employee wishes to return to work early from OML, the Council should review the position carefully including carrying out a risk assessment. It may be necessary to ask the employee to seek medical clearance from their GP and / or Occupational Health to return early should there be any concerns over the employee's fitness to return.

It should be noted that an employee is required to take 2 weeks compulsory maternity leave immediately following the birth of their child.

15. Right to return to the same or similar job

Where the employee is taking OML only and is returning to work they will return to exactly the same job which they left.

If the employee is taking AML they will normally be entitled to return to the same job as they left. However, if it is not reasonably practicable, the employee will be offered another job on the same terms and conditions as the job they left.

The only instance where this is not the case is during organisational change in accordance with the Council's redundancy policy. However, employees on maternity leave will be considered preferentially for redeployment opportunities should this occur. Please refer to the Council's Redundancy and Redeployment Policies for further information.

16. Keeping in touch days

To assist employees to keep in touch with the workplace during their maternity leave, they can, in agreement with their line manager, arrange to work up to 10 days. These days can be used for specific events, training, or anything which has been previously agreed by both parties. No keeping in touch days can be taken during the 2 weeks immediately following the birth.

Keeping in touch days can only be worked during the maternity leave period and cannot be worked and claimed after the employee has returned to work or during a period of annual leave.

Any work carried out on a particular day, be it a few minutes or a full day, constitutes a whole keeping in touch day. Hours worked on these days will be paid following submission of an authorised timesheet.

Please note that the employee is not required to work these 10 days, nor is the employer obliged to offer them. The full 10 day entitlement applies and is not dependent on the duration of maternity leave. If work is performed on more than 10 days, entitlement to statutory maternity leave ends.

17. Part-time and Flexible Working

Where an employee wishes to return to work but is unable to do so on a full-time basis, or wishes to work flexibly, serious consideration will be given to the request in line with the service requirements.

A request for flexible working should be made in writing to the Line Manager no later than 8 weeks before the expected return to work date.

In the event the request cannot be granted, an explanation will be given to the employee. Please see Flexible Working Policy for more information.

18. Annual Leave / Public Holidays

Annual leave which is accrued prior to going on maternity leave should be taken before the maternity leave period commences wherever possible.

Entitlement to annual leave and public holidays is unaffected by maternity leave and it is accrued as if the employee was at work. These accrued holidays should be taken, wherever possible, prior to returning to work.

Should the employee return to work on reduced hours (i.e. on a part-time basis), the annual leave entitlement will be calculated based on a period of full-time service up to the date that they have returned from maternity leave, and then based on a period of part-time service, from the date that the employee commences part-time hours.

Should the employee not return to work after maternity leave, they will be entitled to a proportion of the year's annual leave up to the end of the maternity leave period and to any public holidays which arose before that date.

SNCT employees including Teachers:

Annual leave will continue to be accrued during ordinary and additional maternity leave.

On return from maternity the employee shall take any remaining statutory leave (28 days pro-rata for part-time) in that leave year. Where it is not practicable to take the leave in full or in part any balance, will be carried forward into the next leave year, but must be taken as leave.

The timing of this leave shall take account of the needs of the service and:

In the case of teachers and music instructors, should normally be taken in the terms in which the return to work takes place, or within the following term; or

In the case of education support officers, quality improvement officers and educational psychologists should normally be taken as soon as possible following the return to work.

The balance of annual leave, in excess of statutory leave, accrued during the period of maternity leave shall be taken following the end of the maternity/adoption support leave period. The timing of this leave is subject to the overriding needs of the service; and

In the case of teachers and music instructors, the accrued leave can be directed to be taken during the days of school closure, with payment to be arranged in accordance with Section 5, Paragraph 5.7 of the SNCT Handbook, with any remaining leave to be taken in the term in which the return to work takes place, or within the following term; or

In the case of education support officers, quality improvement officers and educational psychologists should normally be taken as soon as possible following the return to work.

19. Tax-Free Childcare

A scheme to help families in Scotland with childcare costs is available. Parents and carers that are either employed or self-employed with children aged up to the age of 12 years old or 17 years old if the child has disabilities.

To be eligible to use this scheme, you and your partner (if applicable) must earn a certain amount over the next 3 months. This is at least the National Minimum Wage or Living Wage for 16 hours a week on average. You are also eligible if you are on maternity leave, paternity leave, adoption leave or unable to work due to disability or caring responsibilities. You will not be eligible if you are earning £100,000 or more.

20. Returning to Work – Breastfeeding / Expressing Milk

The Council will ensure that pregnant employees and new mothers are allowed reasonable flexibility in their working hours to allow them to make use of the organisation's facilities. An employee who wishes to request flexibility to, for example, go home to feed their baby (if they live close to the workplace), should speak to their line manager.

It is recommended that, where practical, and where the individual wishes, the following should be provided within work to support new mothers breast feeding/expressing milk:

- Access to a private room in which to express milk. A medical room or toilet is not considered appropriate for this due to the risk of contamination.
- Use of secure, clean refrigerators for storing expressed milk and facilities for washing, sterilising and storing receptacles.
- Reasonable time off (without loss of pay or benefits, and without fear of penalty) to express milk or breastfeed.

While the Council cannot guarantee that it will be able to agree to every request for flexibility, it will give favourable consideration to requests and endeavour, within reason, to accommodate employees' wishes.

21. Transfer of maternity leave

Shared parental leave.

Shared parental leave enables mothers to commit to ending their maternity leave and pay at a future date, and to share the untaken balance of leave and pay as shared parental leave with their partner.

To be able to take shared parental leave, an employee and their partner must meet various eligibility requirements and have complied with the relevant curtailment, notice and evidence requirements. This includes the mother curtailing her maternity leave.

The Council provides a separate policy on shared parental leave.

22. Stillbirth, miscarriage or if your baby dies

Where a child is stillborn 24 weeks or more into the pregnancy, the employee will retain their entitlement to maternity leave and pay provided that they meet the qualifying conditions.

A stillbirth or miscarriage prior to this date will mean that the employee will not have the right to maternity leave or pay. Instead, the employee will be entitled to statutory sick pay provided that the qualifying conditions are met.

Where an employee gives birth early and the child lives for a short period of time only, the employee will retain their full rights to maternity leave and pay, irrespective of the timing of the birth.

If the child is unfortunately stillborn, the law regarding return to work after the birth still applies.

23. Ordinary Paternity Leave

An employee whose wife, civil partner or partner gives birth to a child, or who is the biological father of the child, is entitled to two weeks' ordinary paternity leave (OPL) provided they:

- Have or expect to have responsibility for the child's upbringing; and
- Have 26 weeks' continuous service by the week ending with the 15th week before the baby is due.

OPL is also available to adoptive parents where a child is matched or newly placed with them for adoption. Either the adoptive father or the adoptive mother may take OPL where the other adoptive parent has elected to take adoption leave. In respect of an adopted child, the employee must have 26 weeks' continuous service by the

week in which the child's adopter is notified of having been matched with the child for adoption. Please see Adoption policy for further information.

OPL is granted in addition to an employee's normal annual holiday entitlement. OPL must be taken in a single block of one or two weeks within eight weeks of the birth or adoption of the child. If the child is born early, it can be taken from the time of the birth but within eight weeks of the expected date of childbirth. OPL can start either from the date the child is born or placed for adoption or from a chosen number of days or weeks after that date.

24. Ordinary Paternity Pay

Employees will receive full pay for the period of OPL.

SNCT employees including Teachers:

Teachers and other SNCT employees will receive full pay for the first week of OPL and the Statutory Paternity Pay rate for the second week.

25. Notification to take Ordinary Paternity Leave

The notification of the intention to take OPL in respect of a birth child must be given in writing to the line manager no later than 15 weeks before the date on which their partner's baby is due. This letter should include length of OPL they wish to take and the date on which they wish the leave to commence.

In the case of an adopted child, the employee must give written notice of their intention to take OPL no later than 7 days after the date on which notification of the match with the child was given by the adoption agency. The notice must specify the date the child is expected to be placed for adoption, the date the employee intends to start OPL, the length of the intended OPL they wish to take and the date on which the adopter was notified of having been matched with the child.

The employee must also complete and sign a self-certificate declaring that they are entitled to OPL and ordinary statutory paternity pay.

The employee may change the date on which OPL commences by giving no less than 28 days' notice if this is reasonably practicable.

Please note that additional paternity leave and pay has been replaced with shared parental pay. Full details on shared parental leave are available in the shared parental leave policy.

26. Parental Bereavement Leave (Statutory entitlement)

Parents and primary carers i.e. adopters, foster parents, guardians and those classed as kinship carers (those that have assumed responsibility for looking after a child in the absence of parents) who have lost a child under 18 and parents that have suffered a still birth (after 24 weeks of pregnancy) have a right to two weeks statutory parental bereavement leave. Please refer to the Leave of Absence Policy for further details.



Overtime and Time Off in Lieu (TOIL) Policy and Procedures

Temporary until March 2023

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Document Control Sheet.

Review / approval history.

Date.	Name.	Position.	Version Approved.
TBC.	General Meeting of the Council.	n/a.	Version 1.0.

Change Record Table.

Date.	Author.	Version.	Status.	Reason.

1. Introduction

1.1. Orkney Islands Council recognises that on occasion employees will be needed to work outside their normal working hours and outside the parameters of the flexi-time policy. As an employer, the Council is committed to protecting the health and safety of its employees by ensuring that they do not work excessive hours and that any additional hours are agreed in advance, monitored and used appropriately.

1.2. In order to deliver this objective, non-contractual overtime will be permitted only where all other options have been explored, considered and deemed not to meet clear service needs and where there is budget provision. Where contractual overtime is in place, this must be the subject of review at regular intervals, to ensure that working patterns do not impact detrimentally on the health and safety of employees and that it is the most appropriate and cost effective way of meeting service objectives.

1.3. In authorising the accrual and taking of Time Off In Lieu (TOIL) the Council requires that managers give regard to the work / life balance of employees, and the need to minimise disruption to service provision.

2. Scope of the Policy

2.1. This policy outlines the payments made by Orkney Islands Council to employees who work overtime at the request of their manager, or where contractual overtime is in place. It, and the accompanying procedures, also set out the process for authorisation of non-contractual overtime and TOIL.

2.2. It applies to Orkney Islands Council employees covered by the Scottish Joint Council for Local Government Employees National Agreement on Pay and Conditions of Service.

2.3. Please note that employees in posts paid at Grade 11 and above are considered to work on an all-inclusive basis and are therefore not eligible to claim overtime through the normal application of this policy. Exceptional situations involving employees at this pay level may be considered through the Change in Establishment process.

3. Definitions

Overtime.

3.1. Overtime payments will be paid for all authorised overtime hours worked in excess of 37 hours per week. Hours worked in addition to an employee's contractual hours up to 37 in any one week, will be regarded as flat rate additional hours.

3.2. Employees are not obliged to work non-contractual overtime.

3.3. Overtime rates for employees paid at salary point 50 and below are an enhancement of half of an employee's basic hourly rate. That means that there is a single overtime rate of time-and-a-half for everyone, for authorised hours worked

beyond 37 hours per week and up to 45. For hours worked beyond 45 in one week then double time applies.

For example, if an employee's basic rate is £10 per hour they will be paid £15 per hour for any overtime worked up to 45 hours in a week, and £20 per hour for any hours beyond that.

3.4. Employees for whom it is a condition of their contract of employment that they are required to work a fixed number of hours in addition to the standard 37-hour week shall be entitled to payments for these hours. These contracted overtime hours will be paid as salary and used to calculate salary for pension, annual leave and sick pay entitlement.

3.5. Where authorised, as set out in the Single Status Collective Agreement, employees will work at least 15 continuous minutes extra for it to be considered overtime. Overtime will be counted in completed blocks of 15 minutes. Accordingly, if an employee works 20 minutes overtime, they will only be paid the overtime rate for the completed 15 minute block.

3.6. A week for overtime purposes runs from Monday to Sunday.

3.7. It is recognised that some services work a shift and / or rota system, which means for example that one week they are scheduled to work more than 37 hours per week and the next week they are scheduled to work less than 37 hours per week. Overtime rates should only be considered where work in excess of 37 hours per week is required and overtime authorised during the shift/rota reckoning period.

3.8. If employees have to travel to their work to carry out authorised non-contractual overtime, outwith their normal travel pattern, they will be entitled to mileage (and to reclaim any travel expenses such as air or ferry fares) to and from work at the appropriate rate. Overtime payments, where authorised, start when an employee arrives at their place of work.

3.9. The overtime entitlements from the Council's collective agreements are as follows:

Work in excess of the Standard Working Week will be discouraged and in particular employees will not be required consistently to work overtime unless where subparagraph (iii) below applies. Part time workers shall not be entitled to any enhanced rate for overtime until their hours exceed 37 in any one week or reference period (see below).

Employees paid at salary point 51 and above shall be regarded as working on an all-inclusive basis and shall not be entitled to separate recognition for any overtime worked as pay or time off in lieu.

The standard hours may be worked over any reference period e.g. one week, 148 hours over four weeks or annualised hours, with due regard for compliance with employment legislation such as the Working Time Regulations and wider social considerations such as the work life balance.

Where overtime is found to be unavoidable and previous approval has been given by a senior officer to whom this power has been delegated, payment shall be calculated on the following basis:

- (i) The hourly overtime rate of pay will be derived from an employee's spinal column hourly rate.
- (ii) Extra time of less than 15 minutes on any day shall not rank for overtime.
- (iii) Employees for whom it is a condition in their contract of employment that they shall work a fixed number of hours in addition to the standard 37 hour week shall be entitled to overtime payments for those hours. Contracted hours will be regarded as permanent unless they are specifically approved for a temporary period, and will be paid as salary and be used to calculate final salary for pension purposes.
- (iv) Employees for whom it is not a condition of their contract of employment that they work fixed hours longer than the standard 37 per week, and are required to work overtime, compensatory leave (Time Off In Lieu) (TOIL) on a straight time basis may be agreed with the individual as an alternative to payment.
- (v) Hours worked between 37 and up to and including 45 in any one week (or averaged as above) will be paid at the rate of time and one half.
- (vi) Hours worked beyond 45 in any one week (or averaged as above) will be paid at the rate of double time.
- (vii) Overtime worked on a general or public holiday will be paid at the rate of double time in complete recompense except where that work takes place on Christmas Day and New Year 's Day when they fall on 25th December and 1st January respectively. No other enhancements will be paid for work on a general or public holiday and where the Christmas and New Year's Day holidays are transferred to other days in the week.

3.10. When an employee makes a timesheet claim for non-contractual overtime, and this is authorised, a top-up payment of 8.4% will be applied to compensate for the accrual of holiday pay for that work. This 8.4% top up will not be paid when the overtime is worked on a public holiday.

3.11. Overtime can only be claimed, where authorised, for each post that it is worked in. For instance, if an employee has two jobs or more with the Council, overtime is only payable, where authorised, for the post in which they work more than 37 hours per week.

3.12. Where a part-time employee is required to work additional hours these can be claimed by timesheet at the standard hourly rate, up to 37 hours per week, or taken as TOIL, where flexi-time is not appropriate, subject to the agreement of the manager.

Time Off in Lieu (TOIL).

3.13. TOIL is time off granted with pay. This is time off granted with pay at straight time to compensate when additional hours are worked outwith normal working hours or outwith the parameters of the flexi-time scheme. Managers should ensure that TOIL can be used appropriately and service needs can still be met. TOIL hours should be authorised in advance.

3.14. Any TOIL that has been accrued by an employee should be used within 2 months of the date on which it was accrued, or it shall be deemed as lost.

3.15. Employees must ensure that they have a nil TOIL balance when they resign from the post in which it was accrued. This applies when the employee leaves the Council's employment or if they transfer to another post within the Council.

4. Principles

4.1. Non-contractual overtime should only be considered by a manager when all other options have been explored and considered. These alternatives include:

- Rescheduling workloads.
- Increasing the hours of part-time employees.
- Using relief staff (where appropriate).
- Recruiting or seconding staff on a temporary or permanent basis.
- Introduction of alternative working arrangements / patterns.
- Using flexi time and / or TOIL.

4.2. Services should ensure that the working of non-contractual overtime is on a short term basis and is driven by the urgent needs of the service. Non-contractual overtime should not be worked on a routine basis, or seen as a default option.

4.3. Therefore, agreement to permit overtime working/payment must be sought in advance. An operational line manager at a designated level (e.g. Head Teacher, Team Leader or equivalent manager who is the authorised budget holder) may authorise overtime for a fixed period. The maximum period allowed for ongoing overtime should be one month with the need reviewed thereafter.

4.4. It is acknowledged that there may be exceptional circumstances where additional hours are required to be worked at short notice and there is insufficient time for an employee or supervisor to request approval through the normal route. Where this cannot be delivered through flexitime, overtime / accrual of TOIL can be permitted.

4.5. Anticipated circumstances where prior approval may not be possible is:

- When emergency work must be done without delay because of circumstances for which the employer could not reasonably have been expected to make provision and which cannot be performed by the employee during their normal hours of work.

- Other emergency works, including health and safety related work.
- Protecting the safety of vulnerable people.
- Ensuring the continuation of services required in support of essential or life line services.

4.6. Approval arrangements for these circumstances must be sought retrospectively and at the earliest opportunity.

4.7. Managers should be mindful that where employees take part in standby or on-call systems, that hours worked may result in an employee working overtime. Where this is applicable, managers should ensure that the principles of this policy are adhered to.

4.8. All claims must be made using the appropriate payroll timesheet.

5. Standby Duty

5.1. The nature of the post held by certain employees makes it necessary for them to be prepared to carry out standby duties. Such employees will therefore be contractually required to undertake standby duty on a roster if so requested by the authority and to carry out emergency work as and when the need arises. Those employees who receive a standby allowance will have it included in their contract of employment that they will have specific responsibilities when being called in.

5.2. Standby employees are under an obligation outside their normal working hours (including Saturdays, Sundays and Public Holidays) to remain on call and to be available to be consulted and if necessary to be called out for emergency duty.

5.3. Employees who are required to undertake standby duty, will be entitled to payment in accordance with the applicable standby rates, as varied by local and national collective agreements.

5.4. All overtime undertaken whilst on Standby shall be paid as follows:

- Up to 37 hours in any one week: Flat rate.
- Hours 37 to 45 in any one week: Time and one half.
- Hours beyond 45 in any one week: Double Time.

6. Authorisation

6.1. Overtime must be approved in advance by the relevant manager / budget holder.

6.2. Once overtime has been authorised managers who have relevant budget holder responsibilities have the authority to approve overtime claims submitted on the relevant Payroll timesheet.

6.3. Managers also have the authority to pre-authorise TOIL and the authority to authorise when the time off is taken within the limits set out in the policy.

7. Exceptional Cases

7.1. It is acknowledged that in very exceptional cases there may be requirements for staff who are paid at Grade 11 and above to undertake specific pieces of work where the working time required will be well above and beyond usual contracted hours, and involve extensive weekend and evening work outwith and in addition to normal hours.

7.2. The most appropriate way to deal with such situations will be considered on their individual circumstances. The provision of TOIL in agreement with the Service Director should be the first option.

7.3. Where TOIL is not considered practical, advance approval for overtime may be sought via the exceptional overtime route. This involves completing a Change in Establishment form which must be signed off by the Service Director, HR, Finance and the Chief Executive before any overtime can be claimed.

8. Working Time Regulations

8.1. Managers and employees should adhere to the Working Time Regulations 1998 as there are conditions that relate to a variety of health and safety issues including working times, rest periods and breaks.

9. Responsibilities

9.1. Employee Responsibilities

- To be aware of the working time regulations and take responsibility for ensuring that s/he takes breaks and does not exceed working hours.
- To accurately complete the overtime / TOIL claim forms.
- To claim overtime or take TOIL only where this work has been requested by the Line Manager, and within the prior authorisation set out above.
- To ensure that s/he has a nil TOIL balance when leaving the post in which it was accrued.

9.2. Manager Responsibilities

- To ensure that all overtime / accrual of TOIL has been agreed in advance by a designated manager.
- To ensure that any overtime / TOIL requested and authorised is in the interest of the Council and that the benefits outweighs the costs.
- To ensure that there is equality of opportunity in the management and approval of overtime / TOIL.
- To be aware of the working time regulations and take responsibility for ensuring that staff are taking required breaks and do not exceed working hours.
- To review any contractual overtime arrangements regularly, and at least annually, to ensure it meets the principles of the overtime policy.
- To adhere to the provisions set out in the Overtime and TOIL policy and procedures and ensure that the policy is applied consistently.

9.3. Human Resources Responsibilities

- To provide advice and guidance to employees and managers on the consistent and fair application of the policy and procedure.
- To ensure the policy is made available to staff and communicated widely including via electronic means.
- To regularly review the policy and how it functions and to make any recommendations for change to the Senior Management Team.

10. Misuse

10.1. The Overtime and TOIL policy and procedure and its operation depend on mutual trust. An employee or manager who is found to have abused the scheme may have it withdrawn and may be subject to disciplinary action up to and including dismissal. Managers should refer to the Disciplinary Procedure or contact Human Resources for further guidance and advice.

10.2. Overall levels of overtime undertaken within the Council will be subject to monitoring via Human Resources and the Senior Management Team.

Minute

Asset Management Sub-committee

Tuesday, 31 August 2021, 10:30.

Microsoft Teams.



Present

Councillors W Leslie Manson, Norman R Craigie, Robin W Crichton, Andrew Drever, Steven B Heddle, John A R Scott and James W Stockan.

Clerk

- Sandra Craigie, Committees Officer.

In Attendance

- Gareth Waterson, Interim Executive Director of Finance, Regulatory, Marine and Transportation Services.
- Hayley Green, Interim Executive Director of Environmental, Property and IT Services.
- Colin Kemp, Interim Head of Finance.
- Michael Scott, Solicitor.
- Graeme Christie, Estates Manager.
- Kenny MacPherson, IT Service Manager.
- Ian Rushbrook, Capital Programme Manager.
- Jackie Thomson, Development and Regeneration Manager (for Items 8 to 13).

Observing

- Keith Foubister, Works and Inspection Manager (for Items 3 to 9).
- Hazel Flett, Senior Committees Officer.
- Rebecca McAuliffe, Press Officer.

Declarations of Interest

- No declarations of interest were intimated.

Chair

- Councillor W Leslie Manson.

1. Form of Voting

The Sub-committee resolved that, should a vote be required in respect of the matters to be considered at this meeting, notwithstanding Standing Order 21.4, the form of voting should be by calling the roll (recorded vote).

2. Disclosure of Exempt Information

The Sub-committee noted the proposal that the public be excluded from the meeting for consideration of Items 10 to 12, as the business to be discussed involved the potential disclosure of exempt information of the classes described in the relevant paragraphs of Part 1 of Schedule 7A of the Local Government (Scotland) Act 1973 as amended.

3. Revenue Expenditure Outturn

After consideration of a report by the Head of Finance, copies of which had been circulated, the Sub-committee:

Noted:

3.1. The revenue expenditure outturn statement, in respect of service areas for which the Asset Management Sub-committee was responsible, for financial year 2020/21, attached as Annex 1 to the report by the Head of Finance, indicating an underspend of £516,800.

The Sub-committee scrutinised:

3.2. The explanations given, and actions proposed in respect of significant budget variances, as outlined in the Budget Action Plan, attached as Annex 2 to the report by the Head of Finance, and obtained assurance that appropriate action was taken with regard to significant budget variances.

4. Revenue Expenditure Monitoring

After consideration of a report by the Head of Finance, copies of which had been circulated, the Sub-committee:

Noted:

4.1. The revenue financial summary statement, in respect of service areas for which the Asset Management Sub-committee was responsible, for the period 1 April to 30 June 2021, attached as Annex 1 to the report by the Head of Finance, indicating a budget overspend position of £334,200.

4.2. The revenue financial detail by service area statement, in respect of service areas for which the Asset Management Sub-committee was responsible, for the period 1 April to 30 June 2021, attached as Annex 2 to the report by the Head of Finance.

The Sub-committee scrutinised:

4.3. The explanations given and actions proposed in respect of significant budget variances, as outlined in the Budget Action Plan, attached as Annex 3 to the report by the Head of Finance, and obtained assurance that action was being taken with regard to significant budget variances.

5. Corporate Asset Improvement Programmes – Expenditure Outturn

After consideration of a report by the Interim Head of Finance, copies of which had been circulated, the Sub-committee:

Noted:

5.1. The summary outturn position of capital expenditure incurred for financial year 2020/21 in respect corporate asset capital improvement and replacement programmes, as detailed in section 4.1 of the report by the Head of Finance.

The Sub-committee scrutinised:

5.2. The detailed analysis of expenditure figures and project updates, attached as Appendix 1 to the report by the Head of Finance, and obtained assurance that appropriate action was taken with regard to significant budget variances, together with progress made with delivery of the approved corporate asset capital improvement and replacement programmes for 2020/21.

6. Corporate Asset Improvement Programmes – Expenditure Monitoring

After consideration of a report by the Head of Finance, copies of which had been circulated, the Sub-committee:

Noted:

6.1. The summary position of expenditure incurred, as at 30 June 2021, against the approved corporate asset capital improvement and replacement programmes for 2021/22, as detailed in section 4.1 of the report by the Head of Finance.

The Sub-committee scrutinised:

6.2. The detailed analysis of expenditure figures and project updates, attached as Appendix 1 to the report by the Head of Finance, and obtained assurance that action was being taken with regard to significant budget variances, together with progress being made with delivery of the approved corporate asset capital improvement and replacement programmes for 2021/22.

7. Corporate Asset Maintenance Programmes – Expenditure Outturn

After consideration of a report by the Head of Finance, copies of which had been circulated, the Sub-committee:

Noted:

7.1. The summary position of expenditure incurred against the approved corporate asset revenue maintenance programmes for financial year 2020/21, as detailed in section 4.1 of the report by the Head of Finance.

The Sub-committee scrutinised:

7.2. The summary of larger works undertaken as reactive repairs, attached as Appendix 1 to the report by the Head of Finance, and obtained assurance that action was taken with regard to significant budget variances, together with progress made with delivery of the approved corporate asset revenue maintenance programmes.

8. Corporate Asset Maintenance Programmes – Expenditure Monitoring

After consideration of a report by the Head of Finance, copies of which had been circulated, the Sub-committee:

Noted:

8.1. The summary position of expenditure incurred, as at 30 June 2021, against the approved corporate asset revenue maintenance programmes, as detailed in section 4.1 of the report by the Head of Finance.

The Sub-committee scrutinised:

8.2. The summary of larger works undertaken as reactive repairs, attached as Appendix 1 to the report by the Head of Finance, and obtained assurance that action was being taken with regard to significant budget variances, together with progress being made with delivery of the approved corporate asset revenue maintenance programmes.

9. Exclusion of the Public

On the motion of Councillor W Leslie Manson, seconded by Councillor James W Stockan, the Sub-committee resolved that the public be excluded for the remainder of the meeting, as the business to be considered involved the disclosure of exempt information of the classes described in Part 1 of Schedule 7A of the Local Government (Scotland) Act 1973 as amended.

10. Request to Purchase Site at Hatston Industrial Estate, Kirkwall

Under section 50A(4) of the Local Government (Scotland) Act 1973, the public had been excluded from the meeting for this item on the grounds that it involved the disclosure of exempt information as defined in paragraphs 2, 6 and 9 of Part 1 of Schedule 7A of the Act.

After consideration of a joint report by the Interim Executive Director of Finance, Regulatory, Marine and Transportation Services and the Interim Executive Director of Environmental, Property and IT Services, copies of which had been circulated, the Sub-committee:

Resolved, in terms of delegated powers, what action should be taken with regard to a request to purchase a site at Hatston Industrial Estate.

The above constitutes the summary of the Minute in terms of the Local Government (Scotland) Act 1973 section 50C(2) as amended by the Local Government (Access to Information) Act 1985.

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11. Request to Purchase Site at Hatston Industrial Estate, Kirkwall

Under section 50A(4) of the Local Government (Scotland) Act 1973, the public had been excluded from the meeting for this item on the grounds that it involved the disclosure of exempt information as defined in paragraphs 2, 6 and 9 of Part 1 of Schedule 7A of the Act.

After consideration of a joint report by the Interim Executive Director of Environmental, Property and IT Services and the Interim Executive Director of Finance, Regulatory, Marine and Transportation Services, copies of which had been circulated, and after hearing a report from the Estates Manager, the Sub-committee:

Resolved, in terms of delegated powers, what action should be taken with regard to a request to purchase a site at Hatston Industrial Estate.

The above constitutes the summary of the Minute in terms of the Local Government (Scotland) Act 1973 section 50C(2) as amended by the Local Government (Access to Information) Act 1985.

Councillor James W Stockan left the meeting at this point.

12. Request to Purchase Site at Garson Industrial Estate, Stromness

Under section 50A(4) of the Local Government (Scotland) Act 1973, the public had been excluded from the meeting for this item on the grounds that it involved the disclosure of exempt information as defined in paragraphs 2, 6 and 9 of Part 1 of Schedule 7A of the Act.

After consideration of a joint report by the Interim Executive Director of Environmental, Property and IT Services and the Interim Executive Director of Finance, Regulatory, Marine and Transportation Services, copies of which had been circulated, and after hearing a report from the Estates Manager, the Sub-committee:

Resolved, in terms of delegated powers, what action should be taken with regard to a request to purchase a site at Garson Industrial Estate.

The above constitutes the summary of the Minute in terms of the Local Government (Scotland) Act 1973 section 50C(2) as amended by the Local Government (Access to Information) Act 1985.

13. Conclusion of Meeting

At 12:34 the Chair declared the meeting concluded.

Signed: W Leslie Manson.