

INQUIRY ACTION PLAN
NOTIFICATION OF COMPLETED ACTION

Strategic Officer	Lead	Clair Hepburn (Director – People, performance and Change) Nuala McKinlay (Chief Legal Officer & Monitoring Officer)
Recommendation		10 – that the Council revisits its consideration of the need to make a referral in terms of the protection of Vulnerable Groups (Scotland) Act 2007
Outcome number and summary		13 – ensure that the Council is compliant with its statutory responsibilities
Action		<ul style="list-style-type: none"> a) Establish the actions undertaken in 2018/19 and conclusion reached b) Consider the appropriateness of the above decision c) Consider whether any further action is required
Deadline Plan	within	May 2022

1. MEASURES TAKEN

Detail here the specific actions taken to meet the identified outcome.

(1.1) CH established that at the time of the Council's investigation into matters concerning this employee, it was determined that the criteria set out in the 2007 Act were not met, and therefore that no referral to Disclosure Scotland should be made.

(1.2) The Council's Monitoring Officer has considered the actions taken in 2018/19 and the terms of the legislation. The Council's Monitoring Officer has concluded that this decision of the SBC was appropriate and has noted that Disclosure Scotland has confirmed in writing the appropriateness of this decision.

(1.3) Following the sheriff court conviction of the employee in May 2021, Disclosure Scotland invited the Council to re-consider making a referral in terms of the 2007 Act. The Council did so, and thereafter, in April 2022 referred the matter to Disclosure Scotland in terms of the 2007 Act.

(1.4) The Monitoring Officer has confirmed that, given the action taken in April 2022, no further action is required.

1B. ASSOCIATED DOCUMENTS

Note here any documents attached as being relevant to this action

(i) N/A

2. BENCHMARKING

Explain what steps have been taken to measure the actions taken against best practice.

(2.1) The Council has received communication from Disclosure Scotland which confirms the appropriateness of the action taken by the Council.

3. EXTERNAL AGENCY INVOLVEMENT

Where the Action Plan identifies a third party dependency, explain here the involvement and approval of any such party.

(3.1) N/A

4. ONGOING MONITORING ARRANGEMENTS

Where relevant, what steps have been put in place to ensure ongoing review of this action?

(4.1) No ongoing review is necessary

5. HOW DOES THE ACTION MEET THE OUTCOME?


Explain briefly how the steps taken will achieve the desired objective?

(5.1) This objective related to the particular circumstances of this case, and was aimed at ensuring that the Council had acted in accordance with the legislation regarding vulnerable groups, and that no action remained incomplete or outstanding.

The Council's Monitoring Officer, with reference to Disclosure Scotland (which body has the responsibility for administering the statutory scheme) has confirmed that the Council has fulfilled its statutory responsibilities in respect of the 2007 Act.

Approval by Review Group:

Date:	15 June 2022
Comments/amendments:	
Was the action completed within the Action plan timeframe?	Yes, action completed by the end of May, with reporting to the Review Group on 1 June 2022.

Signature of Chair:	
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Approval by Council:

Date:	
Comments/amendments:	
Signature of Chair:	