

**MINUTE of MEETING of CENTRAL SCOTLAND VALUATION JOINT BOARD  
held within HILLSIDE HOUSE, LAURELHILL, STIRLING on FRIDAY 1  
FEBRUARY 2008 at 10.00 a.m.**

**PRESENT:** Depute Provost McLaren; Councillors Biggam, Blackwood, Campbell, Goss, Hughes, Jackson, C MacDonald, McNeil, Nimmo, Patrick and Simpson.

**CONVENER:** Councillor Simpson.

**APOLOGY:** Councillor Carleschi.

**ATTENDING:** Assessor, Assistant Assessors (East and West Divisions); Treasurer and Assistant to the Clerk (B Douglas).

**VJB20. MINUTE**

There was submitted (circulated) and **APPROVED** Minute of Meeting of Central Scotland Valuation Joint Board held on 2 November 2007.

**VJB21. REVENUE BUDGET 2007/08 – REVIEW AS AT 30.11.07**

There was submitted Report (circulated) by the Treasurer advising Members of the forecast outturn for the financial year ending 31 March 2008.

**NOTED** the contents of the Report.

**VJB22. DRAFT REVENUE BUDGET 2008/2009 TO 2010/2011**

There was submitted joint Report (circulated) 22 January 2008 by the Assessor and the Treasurer detailing (a) the draft Revenue Budget 2008/09; (b) draft Revenue Budgets for financial years 2009/2010 and 2010/2011; and (c) the share of the net expenditure to be requisitioned for each of the constituent authorities.

**AGREED:-**

- (1) to approve the Valuation Joint Board Revenue Budget for 2008/2009 of £2,632,050 as detailed in Appendix A to the Report; and
- (2) to requisition the constituent authorities for their share of the net expenditure as outlined in paragraph 3.2 of the Report.

**VJB23. DISCLOSURE SCOTLAND POLICY**

There was submitted Report (circulated) dated 22 January 2008 by the Assistant Assessor (East Division) providing an update on progress relative to the disclosure check of members of the Valuation Joint Board staff.

**AGREED** to approve the contents of the Report.

**VJB24. DISABILITY EQUALITY SCHEME**

There was submitted Report (circulated) dated 21 January 2008 by the Assistant Assessor (West Division) advising of the Annual progress Report in respect of the Board's Disability Equality Scheme and enclosing as an Appendix, a copy of the Disability Equality Scheme Annual Report.

**AGREED** to approve the Disability Equality Scheme Annual Report.

## **AGENDA ITEM**

### **CENTRAL SCOTLAND VALUATION JOINT BOARD**

**Subject: ELECTORAL REGISTRATION REPORT**  
**Meeting: CENTRAL SCOTLAND VALUATION JOINT BOARD**  
**Date: 18<sup>TH</sup> JUNE, 2008**  
**Author: RUSSELL TAYLOR, DEPUTE ELECTORAL  
REGISTRATION OFFICER**

#### **1.0 INTRODUCTION**

This report deals with the recent collection of Personal Identifiers for absent voters

#### **2.0 LEGISLATION**

The Representation of the People (Scotland) (Amendment) Regulations 2008 were eventually enacted on 8<sup>th</sup> February after a number of delays. The legislation was originally planned for 1<sup>st</sup> January. Similar legislation is currently progressing in the Scottish Parliament for local government elections.

The Regulations required that the Electoral Registration Officer write to all current postal, proxy and postal proxy voters and advise them of the new requirement to provide their signature and date of birth.

If electors did not provide the details on either the original form or a reminder form within 49 days the ERO must cancel the current absent vote arrangements of every elector who failed to supply their personal identifiers.

Any elector who was unable to sign their application, due to a disability or inability to read or write, could apply for a waiver. Waiver application forms were designed and posted to electors or their agents who indicated that electors would not be able to sign in a consistent manner.

#### **3.0 POSTAL VOTES**

After discussion with our software suppliers and our selected printers we decided to issue a fresh application form to every absent voter each time we sent a letter. An initial issue letter, a reminder and a cancellation letter were created as well as the form and notes. These forms were also added to our electoral system software to allow in-house production for new applicants and when re-issues are required in future.

A data file of 21, 851 postal voters' names and addresses was supplied to our selected printers and the letters and forms were posted on 12<sup>th</sup> March

By 1<sup>st</sup> April over 12,000 had been returned and each return form had been scanned

On 8<sup>th</sup> April 7572 forms were outstanding and a data file was sent to our printers to produce reminder letters and a further form. These were posted on 16<sup>th</sup> April.

We allowed slightly longer than 49 days for the return of forms however 4252 electors were issued with postal vote cancellation letters and yet another application form on 13<sup>th</sup> May by our printers.

Since the cancellation letters were issued hundreds of forms have been received and are being updated daily as received.

As at 28<sup>th</sup> May we currently have 17,548 postal voters including 104 who have been granted a waiver (all waiver applications have been telephoned or visited to confirm the applicant cannot sign their form)

Our return rates and number of cancellations issued is similar to other ERO's who issued in these timescales.

#### **4.0 PROXY & POSTAL PROXY VOTERS**

As we had only 149 proxy voters and 29 proxy voters who had a postal vote, forms and letters to electors who had appointed a proxy were issued directly from our office.

As many of these proxy voters are service electors and overseas electors, more time has been allowed for the return of the forms and reminders have been sent this month to 62 proxy voters and 14 postal proxy voters.

Cancellation letters will be sent in July if no replies are received

#### **5.0 PUBLICITY**

Press releases were sent to local newspapers and Central FM to help publicise the fact that forms were being issued and the need to return them or electors would risk losing their absent vote.

A further press release was sent at the time of the cancellation letter

All major retirement homes with absent voters of more than 10 residents were informed by letter of the new requirements and an offer to come and help the residents to complete forms was made. Only one residential home (in Dunblane) took up the offer of help.

## **6.0 EXPERIENCES**

Over 1200 application forms had to be re-issued as numerous electors did not sign the forms in black ink in the box provided on the form and/or supply their date of birth in the required format.

Because of the delays in legislation the clerical staff's workload increased considerably during March, April and May, dealing with the returned postal vote forms and batching, scanning and checking these forms. They also had to deal with forms returned undelivered by Royal Mail, printing and re-issuing over 1200 forms and dealing with telephone calls asking for assistance and enquiries and making over 200 calls to electors to clarify information on forms or explain why forms were being re-issued.

It was to the staff's credit that they managed to maintain the tight timetable as well as dealing with all other aspects of Electoral, valuation and Council Tax work.

## **7.0 ELECTIONS**

For any election after 7 August 2008, Returning Officers will require to verify (currently at least 20%) of all postal votes returned at each election to ensure that the signature and date of birth "match" the personal identifiers on the latest form held by the ERO.

Should they not match the RO must disregard the ballot paper returned by that elector.

Returning Officers are now purchasing software, hardware, and the training necessary, to ensure that they can view and carry out a match on the personal identifiers that we supply.

Liaison will be required as soon as possible to ensure that any queries on the images scanned and information supplied can be resolved quickly to minimise problems at future elections and to ensure electoral canvass workload is not affected.

## **8.0 FUTURE IMPLICATIONS**

As every application needs to be reviewed and new applications made before 5 years expire, future work in this area can be spread over several years and timed to avoid election dates. This exercise need not be repeated on this scale.

The Electoral Commission intends to review the system for effectiveness, and further changes are possible.

Although numbers of absent voters are down, it is as yet not known whether the new arrangements with the added identifiers will encourage or deter electors from applying for absent votes as elections approach. Experience from England where the collection of identifiers began in January 2007 has been that by the following elections the postal vote numbers returned to approximately the same level as before the collection notices were issued.

## **9.0 RECOMMENDATION**

The Joint Board is asked to note the report.

.....  
Russell Taylor  
Depute Electoral Registration Officer

## **AGENDA ITEM**

### **CENTRAL SCOTLAND VALUATION JOINT BOARD**

**Subject:** Assessor's Best Value Report  
**Meeting:** Central Scotland Valuation Joint Board  
**Date:** 18<sup>th</sup> June 2008  
**Author:** Ian Ballance, Depute Assessor

#### **1.0 INTRODUCTION**

- 1.1 Reports on performance have been submitted to Central Scotland Valuation Joint Board since the adoption of the Best Value regime in 2000. This report covers 2007/2008, and shows performance levels on work completed between 1<sup>st</sup> April 2007 and 31<sup>st</sup> March 2008.

#### **2.0 KEY PERFORMANCE INDICATORS**

- 2.1 A key part of Best Value is measuring and monitoring performance. A report detailing the performance indicators was submitted to Central Scotland Valuation Joint Board on 6<sup>th</sup> October 2000. These indicators were agreed with the Scottish Executive and the Accounts Commission.
- 2.2 Targets Set – Valuation Roll (Non Domestic)  
Amending the Roll

<b>Amendments to the Valuation Roll as a % of all changes</b>			
Year	2005/06	2006/07	2007/08
In less than 3 months	66%	70%	75%
In less than 6 months	85%	86%	91%
In more than 6 months	15%	14%	9%

### 2.3 Performance Achieved

Total No. of Entries 10,911

Amended Entries 1132

<b>Changes Made</b>	<b>Achieved 2005/06</b>	<b>Achieved 2006/07</b>	<b>Achieved 2007/08</b>
In less than 3 months	79%	83%	82%
In less than 6 months	91%	93%	93%
More than 6 months	9%	7%	7%

It is seen that the Assessor has more than achieved the targets set in the “up to three months” category with the other categories also well ahead. This performance in the 0–3 month category should be looked at in the context of a very busy year in the quinquennium dealing with outstanding revaluation appeals.

### 2.4 Council Tax

The key performance indicator for Council Tax is a measure of how long it takes for a new house to enter the Valuation List. It is in the taxpayer's interest that the property appears in the List as soon as possible after completion to avoid a backdated bill. It is in the Council's interest to collect the tax as soon as possible. The number of entries in the List at 31.03.08 was 137,755.

### 2.5 Targets Set – Council Tax

New Entries:

<b>New Entries on the Valuation List as a % of all new entries</b>			
Year	2005/06	2006/07	2007/08
In less than 3 months	94%	95%	95%
In less than 6 months	99%	99%	99%
In more than 6 months	1%	1%	1%



## 2.6 Performance Achieved

Total new entries 2007/2008: 1421

<b>New Entries on the Valuation List as a % of all new entries</b>			
Year	Achieved 2005/06	Achieved 2006/07	Achieved 2007/08
In less than 3 months	95%	97.5%	97%
In less than 6 months	99%	99%	99%
In more than 6 months	1%	1%	1%

Working on maintaining the Council Tax List has a high priority throughout the year. It is particularly important for Electoral Registration that all properties are in the property file as this assists with the issue of electoral canvass documents. If the Valuation List is up to date the Electoral Register will also be up to date.

It is pleasing that such a high standard has been achieved with 97% of all new houses in the List within three months. This is a tribute to the hard work of the staff. However we consider that to try and increase the target from the very high figure of 95% within three months would require a disproportionate use of resources and would not be Best Value. The targets set for 2008/2009 are shown in paragraph 2.7.

Efforts in improving Council Tax performance will be aimed at trying to reduce the average time to make an entry for a new house. The average time is currently under six weeks.

## 2.7 Targets for 2008/09

### Valuation Roll – Target 2008/2009

<b>Amendments to the Valuation Roll as % of all changes</b>	
Year	2008/09
In less than 3 months	75%
In less than 6 months	91%
In more than 6 months	9%

I propose to maintain the targets for 2008/09 to allow resources to be available for the preparatory work for the 2010 Revaluation and dealing with the few remaining but highly contentious 2005 appeals.

### Valuation List – Target 2008/2009

<b>Amendments to the Valuation Roll as % of all changes</b>	
Year	2008/09
In less than 3 months	95%
In less than 6 months	99%
In more than 6 months	1%

One of the tenets of Best Value is the measurement of performance and the achievement of improvement. The targets set for this year (2008/09) have been maintained despite the need to carry out the 2010 non-domestic revaluation. In relation to Council Tax, the targets for 2008/09 reflect the high level of performance achieved in 2007/2008.

### **3.0 PUBLIC PERFORMANCE REPORTING**

The Public Performance Reports have previously been published on the Councils' web sites. This was in order to make the information as widely available as possible at a reasonable cost. This year they will be available on the Central Scotland section of the Assessors' Portal as well as from the office.

### **4.0 SUMMARY**

The Best Value regime has allowed Central Scotland Assessor to formally measure performance against indicators agreed with the Scottish Executive and Audit Scotland. Since undertaking Best Value, the Assessor's Office has generally shown consistent improvement and this year, performance in relation to the targets set has been exceptionally good. It is very satisfying in this year to have exceeded every target set. This is the result of hard work by many people within the organisation. I believe that high standards will continue to be achieved.

## **5.0 RECOMMENDATIONS**

It is recommended that the Valuation Joint Board note the continuing progress in terms of Best Value.

.....  
**Ian Ballance**  
**Depute Assessor**  
**Date: 2 June 2008**

### **List of Background papers**

1.0 Best Value – Performance indicators dated 6<sup>th</sup> October 2000



## **AGENDA ITEM**

### **VALUATION JOINT BOARD FOR CENTRAL SCOTLAND**

**Subject:** Best Value - Performance Indicators  
**Meeting:** Central Scotland Valuation Joint Board  
**Date:** 6<sup>th</sup> October, 2000  
**Author:** K D Scott, Assessor & Electoral Registration Officer

#### **1. INTRODUCTION**

- 1.1 This Report presents the Key Performance Indicators [KPI's] submitted to the Scottish Executive by the Assessor on behalf of the Valuation Joint Board.
- 1.2 This Report follows on from the Best Value Submission to the First Minister by the Assessor and Electoral Registration Officer in October 1999 as reported to the Board in November 1999.

#### **2. PERFORMANCE MEASURING**

- 2.1 Section 5 of the Best Value Submission dealt with Performance Measuring and Monitoring of the Valuation and Registration Service and Section 5.4 noted specifically that "Key Performance Indicators need to be established and nationally agreed".
- 2.2 The Scottish Assessors' Association has now reached agreement with the Scottish Executive on indicators for two of the three functions of the Valuation Joint Board – Valuation for Rating and Council Tax. With the expected change from a fixed Electoral Register to a rolling Register imminent, KPI's for Electoral Registration have not yet been settled.

### 3. KEY PERFORMANCE INDICATORS

#### 3.1 Valuation Roll

The Valuation Roll contains an entry for every non-domestic subject within the valuation area. The range of values is very wide from large properties like B.P. Refinery with a rateable value of several million pounds to small workshops or sheds with values of only a few hundred pounds. Two separate indicators have been established for non-domestic rating work.

The **first** measures how quickly we respond to changes in properties by amending the Valuation Roll. Ratepayers have a keen interest in having changes made as soon after the event as possible – either to reduce their rates liability or, more often, to avoid having a large back dated rates bill. Local Authorities are also interested in minimising delay in altering the Valuation Roll – to avoid having to issue back-dated bills and to improve cash-flow. Non-domestic rates are, of course, pooled nationally but administered locally. The **second** indicator measures the amount of rateable value lost from the Valuation Roll as a result of appeal settlements within each financial year.

#### 3.2

## Valuation Roll                      Key Performance Indicators

### Amending the Roll

Number of entries in the 2000/2001 Valuation Roll **11,300**

Amendments to the Valuation Roll as a % of all changes			
Year	2000/2001	2001/2002	2002/2003
In less than 3 months	50%	53%	55%
In 3 to 6 months	25%	25%	25%
In more than 6 months	25%	22%	20%

### Dealing with Appeals

Number of entries in the 2000/2001 Valuation Roll **11,300**  
Total Rateable Value **£244,000,000**

Estimated loss on appeal as a % of Total Rateable Value			
Year	2000/2001	2001/2002	2002/2003
Estimated loss on appeal	1.0%	2.5%	3.5%

### 3.3 Council Tax

The Council Tax Valuation List contains an entry for every domestic subject in the valuation area. These are mainly dwellinghouses. Unlike non-domestic subjects, the valuations of houses are not subject to change when the property is altered, only when the house is sold. While a great many houses are sold in a year, and all sales need to be investigated, most are sold at prices within the price band at which they appear in the Valuation List so very few bands need to be altered. New houses do need to be entered onto the List, however, and the performance indicator for Council Tax is the speed at which new properties are added to the List. Taxpayers are keen to avoid having a Council Tax bill back-dated for a long time and local authorities are interested in minimising delay and improving cash flow. Council Tax makes an important contribution to the budgets of the three local councils.

### 3.4

## Council Tax Key Performance Indicators

### Dealing with new houses

Number of entries in the 2000/2001 Valuation List

**125,318**

New entries on the Valuation List as a % of all new entries			
Year	2000/2001	2001/2002	2002/2003
In less than 3 months	78%	80%	80%
In 3 to 6 months	15%	14%	15%
In more than 6 months	7%	6%	5%

## 4. COMPARISON WITH OTHER AREAS

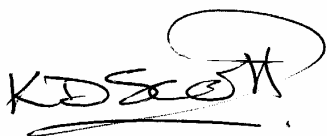
- 4.1 While the purpose of the KPI's is to measure the performance of the service and to chart the improvements achieved against targets set, there is merit in comparing the performance of Central Scotland against other Valuation Joint Boards.
- 4.2 The spreadsheet attached shows the starting position of all Assessors in Scotland – the number of entries in each Valuation Roll and the total rateable value. Also shown are each Assessor's estimates of how quickly they will react to a change by altering the Valuation Roll, this is shown as a percentage of changes made within three months of a change happening, from three to six months and over six months. As well as estimates for the current year, targets for the following two years are given. The target is to reduce the delay in altering the Valuation Roll.

Also shown on spreadsheet A is an estimate of the potential loss in rateable value due to appeals against entries in the Valuation Roll in each of the next three years. The vast majority of these appeals arise as a result of the 2000 Revaluation. The statutory timetable for dealing with these appeals stretches over three financial years.

- 4.3 Spreadsheet B shows the position of all Assessors in Scotland at the start of the financial year – the number of entries on the Council Tax List, as a whole number and adjusted to a Band D equivalent number. Also shown are each Assessor's estimates of the time taken to make an entry in the Valuation List after a house is occupied in this current year and an indication of how they seek to improve over the next two years.

## **5. RECOMMENDATION**

- 5.1 The recommendation is that the Joint Valuation Board approves the Key Performance Indicators submitted by the Assessor and directs the Assessor to report annually on the progress of continual improvement in performance with the service.

A handwritten signature in black ink, appearing to read 'KDS', with a large circular flourish above it and a horizontal line underneath.

.....  
Assessor/Electoral Registration Officer

Date : 19<sup>th</sup> September 2000

## **LIST OF BACKGROUND PAPERS**

1. Best Value submission – October 1999  
(see minute of 26<sup>th</sup> November, 1999 of Valuation Joint Board)





## **AGENDA ITEM**

### **CENTRAL SCOTLAND VALUATION JOINT BOARD**

**Subject: Domestic Properties Audit Report**  
**Meeting: Central Scotland Valuation Joint Board**  
**Date: 18th June 2008**  
**Author: Brian Byrne, Assessor**

#### **1.0 INTRODUCTION**

- 1.1 This report is to inform the Valuation Joint Board that Clackmannanshire Council Internal Audit has carried out a review of the Assessor's Domestic Properties system. The review covered the controls in place to ensure that domestic properties are correctly entered in the Valuation List.
- 1.2 The review highlighted several areas of good practice. In particular, the procedures for ensuring new and amended properties are correctly identified and included in the Valuation List as well as those procedures for ensuring there is appropriate back-up information to support the valuation.

#### **2.0 RESULTS FROM REVIEW**

- 2.1 There were four recommendations resulting from the review, two of which were rated as Priority 1 and a further two as Priority 2. Only one of the recommendations is under the control of the Assessor.
- 2.2 The two Priority 1 recommendations related to differences which had been identified by the Assessor between the valuation system and Clackmannanshire Council's Council Tax system which had not been investigated by the Council and resolved. It was recommended that all differences between the valuation and Council Tax systems be investigated and resolved as soon as possible after being identified.
- 2.3 One Priority 2 recommendation is similarly a matter for all three Councils and each has agreed to feedback to the Assessor on the results of annual reconciliation of Council Tax records.

- 2.4 The other Priority 2 recommendation is the only one that relates directly to the Assessor and concerns the risk that there could be residual accounts on systems after someone leaves or changes their role within the Assessor's organisation. The recommendation that annual user verifications (rather than ad hoc checks) are undertaken has been accepted and actioned.

### **3.0 RECOMMENDATION**

- 3.1 The Valuation Joint Board is asked to note this report.

.....  
**B Byrne**  
**Assessor/Electoral Registration Officer**  
**Date : 5<sup>th</sup> June, 2008**

### **LIST OF BACKGROUND PAPER :**

1. Internal Audit Report Valuation of Domestic Property

## **AGENDA ITEM**

### **CENTRAL SCOTLAND VALUATION JOINT BOARD**

**Subject: Anti Harassment Policy & Code of Practice Report**  
**Meeting: Central Scotland Valuation Joint Board**  
**Date: 18<sup>th</sup> June, 2008**  
**Author: Peter Wildman, Assistant Assessor (West Division)**

#### **1.0 INTRODUCTION**

- 1.1 This report is to advise members of the Valuation Joint Board of the proposed introduction of an Anti- Harassment Policy and Code of Practice to cover Central Scotland Valuation Joint Board and its staff. The approval of Joint Board members of the Policy and to its introduction is sought.

#### **2.0 BACKGROUND**

- 2.1 Under the Race Relations Act 1976, Race Relations Amendment Act 2000, Disability Discrimination Act 1995, Disability Discrimination Act 2005, Sex Discrimination Act 1975 and the Equality Act 2006 the Joint Board has a duty to prevent harassment on the grounds of race, disability and gender.
- 2.2 The Employment Equality (Sexual Orientation) Regulations 2003, Employment Equality (Religion or Belief) Regulations 2003, and the Employment Equality (Age) Regulations 2006 make it illegal for an employer to allow a member of staff on to be harassed at work on grounds of their age, religious belief or sexual orientation
- 2.3 Irrespective of the legal duties the Joint Board as a conscientious employer should do all it can to ensure that its employees operate in a working environment free from the fear of harassment.

### **3.0 CURRENT POSITION**

- 3.1 There is no recognised problem within the Joint Board that requires to be addressed. The proposed introduction of the policy is simply a safeguard to ensure that there is an effective mechanism to handle perceived harassment should a case arise.
- 3.2 The policy also sends a clear signal to staff and stakeholders that harassment in any form will not be tolerated by Central Scotland Valuation Joint Board
- 3.3 The policy will be published on the internet and a copy will be displayed in the reception area of its offices at Hillside House. This will help to ensure that service users are aware of the policy. If a particular service user is perceived as potentially harassing staff then they will be formally made aware of the policy.
- 3.4 The policy has been circulated to current staff members and their views have been sought and given on the proposed policy

### **4.0 RECOMMENDATION**

- 4.1 Members are asked to approve and adopt the proposed Anti Harassment Policy and Code of Practice.

.....  
**Peter Wildman**  
**Assistant Assessor (West Division)**  
**Date: 10<sup>th</sup> June 2008**

### **LIST OF BACKGROUND PAPER :**

- 1. Proposed Central Scotland Valuation Joint Board - Anti Harassment Policy and Code of Practice.



## **Central Scotland Valuation Joint Board Anti Harassment Policy & Code of Practice**

## **CONTENTS**

- 1.0 AIM OF THE POLICY**
- 2.0 DEFINITION OF HARASSMENT**  
**Examples of Harassment**
- 3.0 THE POLICY**
- 4.0 CODE OF PRACTICE**  
**Rights and Responsibilities**  
**Managerial Responsibilities**  
**Staff Responsibilities**  
**Joint Board Member Responsibilities**  
**Customer Responsibilities**
- 5.0 PROCEDURES**  
**Avoiding Risks**  
**Records**  
**Informal Action by Managers**  
**Harassment Advisers**  
**Third Person Complaints**  
**Information and Training**

## **1.0 Aim of the Policy**

- 1.1 Harassment is a form of discrimination, it is unlawful behaviour contrary to the Sex Discrimination Act 1975, the EC Code of Practice on the Dignity of Men and Women at Work, the Race Relations Act 1976, the Fair Employment (NI) Act 1989, and the Disability Discrimination Act 1995. It is also improper and inappropriate behaviour which undermines the health and safety of people at work.
- 1.2 The aim of the policy is to ensure that staff and members of the Joint Board are aware of the type of behaviour which may constitute harassment. It also aims to ensure that they are aware of their rights and responsibilities under the policy, the necessity to take steps to prevent harassment in the workplace and the need to deal with any complaints fairly and confidentially.
- 1.3 This policy is set within the context of the Joint Board's Equal Opportunities Policy and takes account of all forms of harassment. The policy covers all Joint Board staff and members.

## **2.0 Definition of Harassment**

- 2.1 There is no textbook definition of harassment. It is, however, described in general terms by the European Commission, in its recommendation of 27 November 1991 on the protection of dignity of women and men at work as:

*“conduct that is unwanted, unreasonable and offensive to the recipient and that creates an intimidating, hostile or humiliating work environment.”*

### **Examples of Harassment**

- 2.2 Examples of harassment include:

- Physical Conduct

Unwanted physical conduct including touching, patting, pinching or brushing against another's body, insulting or abusive behaviour or gestures.

- Verbal Conduct

Unwelcome advances, including: propositions or remarks, innuendo, lewd comments or abusive language.

- Non-Verbal Contact

The display of pornographic or suggestive pictures, posters, objects or written materials. Display of racially offensive written materials. Display of racially offensive written or visual materials including graffiti and the display of emblems or other unacceptable non-verbal conduct which denigrates a person for whatever reason. The open display or discreet presence of any such material in the working environment is completely unacceptable.

- Bullying and Intimidation

This can be the misuse of power, position or even perceived power which intimidates or ridicules an individual. This can take the form of inappropriate and/or threatening behaviour which is directed at individuals. Isolation or non co-operation at work, exclusion from work-based social activities, encouraging others to behave in an offensive way, the setting of impossible deadlines, unfair allocation of work, taking credit for another's initiatives and achievements, constantly changing the remits and responsibilities of others beyond what is reasonable.

- 2.3 Extreme forms of harassment, such as sexual or racial assault which constitute offences under the criminal law are clearly recognisable. Harassment can also be subtle and/or unintentional.
- 2.4 The possible grounds on which harassment may occur are numerous and include those listed in the equal opportunities policy, i.e. gender, marital status, race, nationality, political belief, age etc.
- 2.5 Frivolous complaints are rare and usually show themselves quickly. On the other hand serious harassment often goes unreported.
- 2.6 Managing a member of staff's work by properly investigating and dealing with such things as poor performance, poor attendance or misconduct does not constitute harassment.



### **3.0 The Policy**

- 3.1 It is the policy of the Joint Board to provide a safe working environment free from harassment and intimidation. Harassment is recognised as a legitimate grievance and such incidents will be quickly and effectively dealt with and treated with the utmost confidentiality. The Joint Board will develop procedures which will give those who allege harassment and those accused of harassment support and choice about how to deal with offending behaviour. It is the Joint Board's intention to ensure that such incidents are taken seriously and thoroughly investigated.
- 3.2 Harassment is a disciplinary offence which may constitute gross misconduct and result in the dismissal of the member of staff.
- 3.3 The Joint Board's policy places on each member of staff and Joint Board members a responsibility to ensure that by their comments or behaviour they do not harass others. Managers have a particular responsibility to make staff aware of the Joint Board's policy on harassment, to be alert to conduct or behaviour which may contribute to incidents of harassment and to take prompt action to stop harassment as soon as it is identified.
- 3.4 The Joint Board will ensure that no individual is victimised for bringing a complaint of harassment in good faith or acting as a witness in such a case. It also recognises it has a similar responsibility in respect of the alleged harasser. A fair hearing will be provided for both parties.
- 3.5 Victims of harassment or the alleged harasser may also contact their trade union representative for help or support and are entitled to such representation at any stage or raising the complaint including representation during any disciplinary procedure.
- 3.6 The above procedures do not remove an individual's statutory rights at a court of law or industrial tribunal.
- 3.7 Anyone can be subject to harassment. Certain individuals may be more vulnerable for a variety of reasons, including their:-
- apparent vulnerability, e.g. position as a subordinate;
  - race, ethnic origin, nationality or skin colour;
  - sex or sexual orientation;

- religious or political convictions;
- willingness to challenge harassment, leading to victimisation;
- membership, or non-membership, of various organisations such as a trade union;
- disabilities, sensory impairments or learning difficulties;
- status as ex-offenders;
- age; and
- real or suspected infection with HIV.

## **4.0 Code of Practice**

### **Rights and Responsibilities**

#### **4.1 The Joint Board's staff and members:**

- have the right to work in an environment free from harassment;
- have a right to make a complaint, and to expect the complaint to be properly investigated, in accordance with this policy;
- have a duty not to undermine trust and confidence,
- should expect not to suffer harassment or victimisation as a result of making a complaint,
- staff have a responsibility to ensure that they do not cause harassment.

### **Managerial Responsibilities**

- 4.2 It is the duty of supervisors and managers to implement the Joint Board's policy and bring it to the attention of our workforce/clients so that the unacceptability of harassment is in no doubt. Supervisors and managers will receive training so that they become skilled at recognising harassment and the procedures to be followed to deal with it.

### **Staff Responsibilities**

- 4.3 Everyone should be alert to the various forms of harassment and be prepared to recognise that sometimes common forms of behaviour and attitudes can unintentionally create an intimidating and negative working environment. The perpetrator may not be aware of the effect and may have to have it pointed out. The Joint Board will develop procedures which will give complainants and those accused of harassment both support and choice about how to deal with offending behaviour.
- 4.4 All staff are responsible for ensuring standards of conduct/behaviour which are compatible with this policy and the Goals and Values of the Joint Board. Our workforce should conduct themselves at all times in keeping with the intentions of this policy.

### **Joint Board Members' Responsibilities**

- 4.5 Elected members of the Valuation Joint Board should familiarise themselves with the Policy and have a responsibility to ensure that they themselves do not harass anybody. Members who are aware, or made aware of any alleged harassment have a duty to bring the matter to the attention of the relevant manager.

### **Complaints Responsibilities**

- 4.6 It is recognised that the alleged harasser may not be an employee of the Joint Board but nevertheless such action as is possible will be taken by the Assessor to protect individuals from harassment. In all cases the Joint Board is committed to protecting staff from harassment during the course of their work. When cases are proven, the Joint Board will not hesitate to pursue legal or other relevant action.
- 4.7 Members of the public should be made aware of the Harassment Policy and the expectation that customers will demonstrate similar standards of behaviour.

## **5.0 PROCEDURES**

5.1 There are a number of options open to anyone who believes that they have been harassed ranging from a direct approach to the alleged harasser to taking formal action under the Joint Board's grievance procedures. Different options may be appropriate for different cases. The following represent steps that individuals can take to resolve the matter. It should be noted that any of these steps can be invoked at any stage:-

5.2 The key options are:-

- making a direct approach to the alleged harasser
- asking your manager to make a direct approach
- approaching a harassment adviser for support
- making use of existing Joint Board grievance procedures.

### **Avoiding Risk**

5.3 Central Scotland Valuation Joint Board will recognise its responsibilities towards its staff and will design procedures to minimise staff exposure to harassment. Staff will be trained in how to avoid risks and what to do if they experience some form of harassment. As a first step the Joint Board will adopt a policy on harassment and an action plan.

### **Records**

5.4 Staff who consider that they are being harassed should maintain a diary of incidents of alleged harassment which includes the time, date, place and nature of the incident, how they felt at the time and the names of any witnesses present.

5.5 If staff feel confident about speaking to the alleged harasser on their own, they can tell them how they feel and ask them to stop. Before approaching the harasser staff should consider the advisability/safety of doing so on their own. If staff approach the harasser at this stage and the unacceptable behaviour does not stop, one of the other options should be pursued.

5.6 Whenever possible the complainant should make it clear that the behaviour is unwelcome and ask the alleged harasser to stop.

- 5.7 In circumstances where it is too difficult or embarrassing for the individual to approach the alleged harasser directly the initial approach may be made by a line manager, trade union representative or work colleague.
- 5.8 It is advisable that both complainer and alleged harasser should keep a note of the details, including the date and time of the approach.

### **Informal Action by Managers**

- 5.9 This is particularly useful when the individual feels that the alleged harasser is unaware that his/her behaviour is unacceptable.
- 5.10 A manager should only use the Informal Action Procedure where they feel such an approach will cause the alleged harassment to stop immediately. Any person who is the subject of a complaint dealt with under this procedure will not have been found guilty of harassment, but its use may be referred to in any future case within the Joint Board's agreed disciplinary procedures.
- 5.11 An individual whose behaviour is causing offence will be told by their manager:
- of the impact of their behaviour; and
  - of the required standards of behaviour

In proven cases of harassment they should be told:

- that their behaviour is contrary to the harassment policy;
- the likely consequences of continuing such behaviour

### **Harassment Advisers**

- 5.12 Harassment Advisers should be recruited from all levels of the Joint Board. The intention is to form a network of advisers, representative of job grade and other factors which appear in the harassment policy.

5.13 The key role of the advisers will be to:

- provide a supportive first point of contact for individuals who feel that they have been harassed, and for those accused of harassment
- describe to individuals who have been harassed and those accused of harassment the possible options open to them in terms of resolving the incident
- assist the person who has been harassed and the individual accused of harassment to reach a decision about which course of action to take
- with the agreement of both parties involved, arrange a supported meeting to attempt to resolve the situation
- monitor the number of contacts made to them by staff, the time involved, the nature of the complaint etc. using a proforma to be developed

5.14 Advisers will attend preliminary and refresher training as required in order to develop and maintain the skills needed for the role.

5.15 An individual has the right to make a complaint of harassment, and to have it dealt with using existing grievance procedures.

5.16 If the harassment persists or the case warrants it the complainant should make a formal complaint to their line manager.

5.17 In the case of the alleged harasser being the complainant's immediate supervisor, the complainant shall have the option of complaining to any member of the Management Team.

5.18 Harassment is a serious disciplinary offence therefore disciplinary action can be taken against offenders. This could result in dismissal in serious or repeated cases.

5.19 If a member of the Joint Board is the cause of serious or repeated harassment the Joint Board will consider the circumstances as a confidential item and decide an appropriate course of action. A complainant will be entitled to full support and representation. This would be the equivalent of referral to the Formal Grievance/Disciplinary Procedure in a case where a member of staff is the alleged perpetrator.

### **Third Person Complaints**

- 5.20 Sometimes an individual does not wish to make a complaint, or to take any action. Whilst the wishes of the individual should be respected, it has to be left to the judgement of any third party observer or witness about whether to bring the alleged harasser's behaviour to the attention of the manager, or other person in a position of authority. It may be possible for third parties to use the Informal Action Procedure to prevent any repetition of behaviour.

### **Information and Training**

- 5.21 After this policy is approved the Joint Board will undertake appropriate training in order that staff are aware of and can implement the policy.
- 5.22 Information and training will be provided to ensure that staff, particularly managers, understand what harassment is, their rights and duties to take action to stop it and the procedures to be followed where such cases occur. This training should be a mandatory part of both the formal induction process and the ongoing staff development programme for all members of staff. It is anticipated that Joint Board members will be appropriately trained by their own Councils.
- 5.23 The Joint Board will develop procedures which will give victims and those accused of harassment both support and choice about how to deal with the offending behaviour. In addition it should be recognised that individuals who are deemed guilty of harassment will have training needs to reform their behaviour.
- 5.24 The Board will publicise its policy on harassment and the procedures for redress. A translation of the Policy can be arranged and should be requested via the Office Manager.





## **AGENDA ITEM**

### **CENTRAL SCOTLAND VALUATION JOINT BOARD**

**Subject: Gender Equality Scheme Report**  
**Meeting: Central Scotland Valuation Joint Board**  
**Date: 18<sup>th</sup> June, 2008**  
**Author: Peter Wildman, Assistant Assessor (West Division)**

#### **1.0 INTRODUCTION**

- 1.1 This report is to advise members of the Valuation Joint Board of the Annual Progress Report in respect of the Board's Gender Equality Scheme and seeks the Board's approval of the Annual Report.

#### **2.0 BACKGROUND**

- 2.1 The Sex Discrimination Act 1975 as amended by the Equality Act 2006 places both General and Specific Duties on public bodies including the Valuation Joint Board in respect of promoting gender equality and taking action to prevent acts of gender discrimination before they occur.
- 2.2 The Specific Duties required the Valuation Joint Board to prepare and publish a Gender Equality Scheme. The Joint Board's Scheme was published in June 2007. The Scheme is a timetabled and realistic plan, setting out our arrangements for meeting the General and Specific Duties in terms of gender equality.
- 2.3 The Specific Duties also require the Valuation Joint Board to report annually on the progress it has made towards meeting its obligations under the duties.

#### **3.0 CURRENT POSITION**

- 3.1 In order for the Valuation Joint Board to meet its obligations under the duties a proposed Annual Report has been produced.
- 3.2 The Annual Report is required to be published so that it is publicly available and accessible to all sectors of the community. It is proposed to publish the Report on the internet and also to provide

copies to local libraries. We will also provide it in large font, audiotape or Braille format on request

- 3.3 By publishing the Annual Report the Board is not only ensuring that its legal obligations are met but it is also sending a clear signal of the Board's commitment and determination to actively promote equality of opportunity for each gender.

#### **4.0 RECOMMENDATION**

- 4.1 Members are asked to approve the proposed Gender Equality Scheme Annual Report.

.....  
**Peter Wildman**  
**Assistant Assessor (West Division)**  
**Date: 10<sup>th</sup> June 2008**

#### **LIST OF BACKGROUND PAPER :**

1. Proposed Central Scotland Valuation Joint Board - Gender Equality Scheme Annual Report



**Central Scotland Valuation Joint Board  
Gender Equality Scheme  
Annual Progress Report**

**June 2008**



# Gender Equality Scheme

## **Introduction**

The Gender Equality Duty builds on and extends our commitment to equal opportunities. The Gender Equality Scheme, along with its associated action plan, is part of the overall development of equal opportunities within the Central Scotland Valuation Joint Board area.

The promotion of opportunity and the elimination of discrimination, in relation to gender is a process to which I am personally committed. This has required changes to our operations in the past year and will require further actions in the years to come. This report details the progress made to date and highlights the way forward.

**Brian Byrne**  
**Assessor and Electoral Registration Officer**  
**Central Scotland Valuation Joint Board**

**June 2008**

## **The year to June 2008**

### **1. Making sure the Gender Equality Scheme works**

- Equalities Champion chosen to promote all equalities issues to all stakeholders
- Publication of the scheme notified to all staff for their consideration
- Issues highlighted regularly at Management Team meetings
- Scheme published on the CSVJB website at <http://www.saa.gov.uk/resources/217527/GenderEqualityScheme.pdf>
- All recruitment panels are gender balanced

### **2. Identifying the relevant functions and policies**

- A process to review all VJB Policies to ensure that they do not contain any barriers to the promotion of gender equality is being established
- New policies are being impact assessed for gender

### **3. Employment**

- The following items are monitored for gender:
  - All retirements, resignations and redundancies as required
  - All applicants for new posts
  - All staff training
  - All applications for promotion
  - All grievance and disciplinary cases
- Gender pay gap is being monitored
- All staff who have left have received an exit interview

### **4. Training Staff**

- Key staff were identified and they attended a training course run in conjunction with Clackmannanshire Council

### **Actions for year to June 2009**

- Through the Management Team the VJB will ensure that equalities' issues remain to the fore and that all staff remain committed to ensure that the delivery of services is not discriminatory and promotes equality.
- Training of staff will continue with accent on the early awareness of the Gender Equality Scheme in the induction procedures
- Review of VJB policies is to commence
- Investigate what options are available to increase flexible working
- Customer satisfaction surveys to be reviewed to ensure any gender issues are identified
- Investigate possible audit and KPI measures to ensure compliance with the duty.
- Increase use of staff intranet to promote equality and provide more training opportunities
- Review the results of last year's monitoring
- Compare our gender balance with other Assessors' offices
- Introduce an Anti Harassment policy to encourage reporting of discrimination

## Results of Monitoring

### Applications for New Posts (includes temporary canvasser)

Year	No of Posts Advertised	No of Applicants	No of Male Applicants	No of Female Applicants	No of Successful Candidates	No of Male Successful Candidates	No of Female Successful Candidates
2006	4	111	35	76	3	2	1
2007	32	60	39	21	30	16	14

### Retirals, Resignations and Redundancies

Year	No of Resignations, Retirals and Redundancies	No of Males	No of Females
2006	2	2	0
2007	2	2	0
2008	3	2	1

### Staff Training

Year	Number of Courses	Number of Males on each Course	Number of Females on each Course
2006	12	22	9
2007	7	53	42
2008 (part)	3	8	10



**CSVJB Staff by Gender**

Year	Total Number of Staff	Male Staff	Female Staff
2007	59	29	30
2008	58	28	30