

Minute of Meeting

Performance Review and Scrutiny Committee
Tuesday, 7 November 2023
Item No: 4.1



Performance, Review and Scrutiny

Date	Time	Venue
Tuesday, 19 September 2023	11.00 am	Hybrid meeting held in the Committee room at Midlothian House and virtually via Microsoft Teams

Present:

Councillor Imrie (Interim Chair)	Councillor Bowen (left at 13:12)
Councillor Drummond	Councillor Russell
Councillor McKenzie	Councillor Pottinger
Councillor Small (left at 12:56)	Councillor Virgo
Councillor Winchester (Virtually)	Councillor Curran (Virtually) (joined at 11:12)
	Councillor McCall (Virtually) (joined at 11:45)

In attendance:

Grace Vickers, Chief Executive
Derek Oliver, Chief Officer Place
Saty Kaur, Chief Officer Corporate Solutions (Acting)
Michelle Strong, Education Chief Operating Officer
Joan Tranent, Chief Social Work Officer & Chief Officer Children's Services, Partnerships and Communities
Morag Barrow, Director of Health & Social Care: Midlothian HSCP / Chief Officer to Midlothian IJB
Nick Clater, Head of Adult and Social Care Services

Grace Cowan, Head of Primary Care & Older People's Services

Gary Leadbetter, Democratic Services Officer

Hannah Forbes, Democratic Services Assistant

1 Welcome, Introductions and Apologies

Gary Leadbetter, Democratic Services Officer, welcomed Members and Officers to the Performance, Review and Scrutiny Committee and noted that apologies were offered from the Chair, Councillor Milligan and Councillor McEwan, and that Councillor Curran and Councillor McCall had indicated that they would be delayed and would join virtually.

Due to the absence of the Chair, Gary enquired if there was a motion to nominate another Member to be interim Chair for the purposes of this meeting. Councillor Drummond nominated Councillor Imrie, with Councillor Russell seconding.

2 Order of Business

The Order of Business was as detailed in the agenda.

3 Declarations of interest

No declarations of interest were received.

4 Minutes of Previous Meetings

- 4.1 The Minute of the Meeting of the Performance Review and Scrutiny Committee held on 20 June 2023 was submitted and approved as correct record.
- 4.2 The Action Log was noted.

5. Reports

Agenda No.	Report Title	Presented by:
5.1	Adult Health and Social Care Q1 2023/24 Performance Report	The Head of Adult and Social Care Services, Nick Clater and the Head of Primary Care and Older People's Services, Grace Cowan
Outline of Report and Summary of Discussion		

The Head of Adult and Social Care Services, Nick Clater and the Head of Primary Care and Older People's Services, Grace Cowan presented the Adult Health and Social Care Q1 2023/24 Performance Report, providing an overview and highlighting achievements and challenges outlined within the report.

Nick noted that, at the end of their update, they would provide an update on drug and alcohol related death figures, as well as suicide rates, as they were recently published.

The Chair thanked Nick and Grace C for their Report and opened it up to questions.

The following questions and comments were raised and responded to where appropriate:

- To a query from the Chair about whether the drugs & alcohol figures were resulting from the Council's position on preventative intervention, Nick noted that there is fluctuation, however a degree of credit can be given to the preventative model the Council have implemented.
- The Chair further raised a question about the management of pressure on staff, due to the demanding nature of the services, alongside related recruitment challenges. Nick noted that recruitment can be challenging, particularly in relation to mental health nurses, explaining that there are always around one to two vacancies. Nick explained that they were exploring temporarily converting these posts to social worker or occupational therapist posts to secure full staffing. Nick and Grace C both spoke to some of the support provided to staff, acknowledging that it is, however, a difficult area to work within.
- Councillor Smaill noted that in a previous Council meeting there was a general agreement that there ought to be a seminar on drug use and raised that it would be useful to hold this.
- Councillor Russell raised a question in relation to the impact on staff when Normandy Court opens. Grace C noted there was still work to be completed, but that it will positively impact travel time for staff.
- Councillor Pottinger noted the need for additional training around drugs for Members. Councillor Pottinger raised a question around whether there were links between the four drug deaths in terms of relationship and substance type. Nick explained that the circumstances of these deaths were still being explored, so could not provide additional information in relation to this.
- Councillor Virgo raised a question in relation to engagement and communication with staff in order to improve the support provided to them. Nick noted that, in terms of the substance abuse service, there is a high level of supervision and managerial support of and for these staff. More widely, Nick spoke to the communication and engagement strategy in

relation to staff and planned improvement work.

- In relation to a question from Councillor Winchester regarding i-matters, Grace C confirmed that this is used across all services, with action plans being developed which are passed through to the Heads of Services.
- Councillor Pottinger raised a query regarding the justice service and the impact/potential detriment of unpaid-work/volunteers within the Food Facts Friends service on other services. Councillor Pottinger also queried whether the community cooperative would be the one-stop shop and if the ownership would sit with Midlothian. Nick, noted in relation to the latter that they would have to check and in terms of the former they were not aware there was an overlap but they can double check.

Decision

Members noted the Report.

Consider a training session on drugs for Members.

Provide answers in relation to Councillor Pottinger's questions (see above).

Action

The Head of Adult and Social Care Services, Nick Clater and the Head of Primary Care and Older People's Services, Grace Cowan

Agenda No.	Report Title	Presented by:
5.2	Children's Services Partnerships and Communities Q1 2023/24 Performance Report	Chief Officer Children's Services, Partnerships and Communities

Outline of Report and Summary of Discussion

Chief Officer Children's Services, Partnerships and Communities, Joan Tranent presented the Children's Services Partnerships and Communities Q1 2023/24 Performance Report, highlighting achievements and challenges contained within the report.

The Chair thanked Joan for the Report and opened it up to questions.

The following questions and comments were raised and responded to where appropriate:

- Councillor Winchester queried whether there was any action that could be taken to support families who are waiting for a CAMHS referral. Joan highlighted numerous avenues of support in place although recognised that there is a significant number of referrals. On a follow-up question regarding online resources families might use, Joan responded that they would take this question away and bring back an answer.
- Councillor Smail inquired as to funding for non-Ukrainian asylum-seekers/refugees and any impact on Midlothian Council from any absence of such funding. Joan confirmed that the UK Government provided funding

for young persons, although noted that there were challenges experienced in assessing and confirming ages. Further noted that funding decreasing when people move out of foster or residential care.

- Councillor Drummond raised a question in relation to support provided to parents who are waiting for their children to receive a diagnosis. In response, Joan noted some of the support available, whilst recognising the gap and the national scale of this issue.
- Councillor Pottinger raised a question in relation to foster carer numbers and any potential age limits in respect of foster carers. Councillor Pottinger further queried whether exploration had taken place about pan-Lothian/Edinburgh partnership working in respect of foster carers. Joan noted that they would check age limits and report back and further noted that the pan-Lothian and Edinburgh has been explored previously but is unlikely to materialise, yet work does occur with East Lothian.

Decision

Members noted the Report.

Provide an answer in relation to Councillor Winchester's question (see above).

Provide an update on foster carer age limits.

Action

Chief Officer Children's Services, Partnerships and Communities

Agenda No.	Report Title	Presented by:
5.3	Corporate Solutions Q1 2023/24 Performance Report	Chief Officer Corporate Solutions (Acting)

Outline of Report and Summary of Discussion

The Chief Officer Corporate Solutions (Acting), Saty Kaur, provided an overview of the Corporate Solutions Q1 2023/24 Performance Report, emphasising key areas.

The following questions and comments were raised and responded to where appropriate:

- Councillor Virgo asked for clarity on the pay-gap information presented in the report. Saty noted that the pay gap is influenced by the fact that some roles may, for a variety of reasons, still be considered more attractive to certain genders and so the impact of this is that it is difficult to get this percentage to zero. Saty highlighted however that there were no particular areas of concern here and if there was to be, action would be taken.
- Councillor Virgo further queried why there was a drop in female employees in top 5% from Q4 2022/2023 to Q1 2023/2024. Saty noted that more analysis was required on this to understand this.
- Councillor Smail queried whether staff are encourage to take flu & covid

inoculations. Grace Curran, in response, confirmed that staff are encouraged to do so.

- The Chair raised a question around expansion of library services and the planning service offered in libraries. Saty noted that they will take the planning services question away and provide an answer in due course. Saty spoke to current and planned expansions of library services and the ongoing and reoccurring exploration of future potential expansions.
- Councillor Curran asked about enhancements for staff which may be realised from the MS Office 365 rollout. Saty noted that some of the transformation, in terms of implementation and realised benefits, had been slower than intended. Saty spoke to benefits of the rollout and plans going forward in terms of the implementation.

Decision

Members noted the Report.

Provide an answer regarding planning service in libraries.

Action

Chief Officer Corporate Solutions (Acting)

Agenda No.	Report Title	Presented by:
5.4	Education Q1 2023/24 Performance Report	Executive Director Children, Young People and Partnerships

Outline of Report and Summary of Discussion

The Executive Director Children, Young People and Partnerships, Michelle Strong presented the Education Q1 2023/24 Performance Report, advising on key areas and recognising that there are aspects that do not show positive trends.

The Chair thanked Michelle for the Report and opened it up for questions.

The following questions and comments were raised and responded to where appropriate:

- The Chair raised questions in relation to a truancy database, home education and the approval mechanisms/tests in relation to this and whether there is a law or mechanism by which school attendance can be enforced. Michelle stated that there is a management information system tracking school attendance, the data of which is used rigorously to address truancy concerns. In terms of home education, Michelle explained that applications for home education needed to be submitted and approved, with this being reviewed on an annual basis. Michelle further noted, in terms of promoting school attendance, work that is undertaken with parents and guardians to ensure regular attendance and engagement.
- Councillor Drummond queried whether engagement through digital devices

from home, given its challenges, is being investigated. Councillor Drummond also questioned whether lack of attendance is more prevalent within later school years. In response to the former question, Michelle highlighted the benefits of maximising the use of digital device use to support attendance in specific circumstances. Responding to the question on prevalence, Michelle confirmed there is greater concern around attendance in secondary school, however, noted that there are variances between schools and so it cannot be pinned down to certain year groups. Noted that there are reports of some attendance issues resulting from pupils taking up employment.

- Councillor Pottinger queried whether planned absences, such as holidays out with the regular school holiday calendar are recorded and whether half-day absences are recorded within the system. Councillor Pottinger noted that there would be a benefit to providing a breakdown of absence per school year. Councillor Pottinger further queried the performance in relation to absences compared to other local authorities. In relation to the half-day question, Michelle confirmed that the system allowed for this, so patterns of attendance could be seen and support given where appropriate. In respect of planned absences, Michelle also confirmed that the system allowed for a range of reasons for the absence to be recorded. Finally, Michelle noted that many local authorities are not experiencing pre-pandemic levels of attendance data and national discussions are occurring on how this can be improved.

Decision

Members noted the Report.

Action

Agenda No.	Report Title	Presented by:
5.5	Place Q1 2023/24 Performance Report	Chief Officer Place

Outline of Report and Summary of Discussion

Chief Officer Place, Derek Oliver presented the Place Q1 2023/24 Performance Report, outlining the main achievements and providing an overview of the areas for improvement.

The Chair thanked Derek for the Report and opened it up to questions.

The following questions and comments were raised and responded to where appropriate:

- Councillor Smail raised questions in relation to the decision-making on which Midlothian parks are to be improved and the low uptake of meals in secondary schools. In relation to the former, Derek noted that the Report submitted to Council which laid out the funding application and funding secured from Scottish Government included a programme of which parks

were to be improved in both this and future years. Noted that this could be provided again and if there were certain areas of concerns then a reassessment could occur. In terms of the second question, Derek confirmed that there was ongoing work to drive uptake.

- Councillor Curran, in relation to the rapid rehousing transition plan, requested an increase going forward in the delivery of education talks. Councillor Curran also raised a question in relation to food waste uplifts in rural areas. Derek noted that the education talks would be picked up again, now that covid restrictions had been removed. In relation to the food waste, Derek stated that the aim is to include rural areas and routes are currently being drafted and once formalised will be distributed to councillors.

Decision

Members noted the Report.

Action

Agenda No.	Report Title	Presented by:
5.6	Midlothian Council Q1 2023/24 Performance Report	Chief Executive

Outline of Report and Summary of Discussion

Chief Executive, Grace Vickers, presented the Midlothian Council Q1 2023/24 Performance Report which provides a summary of actions outlined in the meeting that are in line with the Single Midlothian Plan.

The Chair thanked Grace V for the Report and opened it up to questions.

Decision

Members noted the Report.

Action

Agenda No.	Report Title	Presented by:
5.7	Lawfield Primary School Inspection Report	Executive Director Children, Young People and Partnerships

Outline of Report and Summary of Discussion

Executive Director Children, Young People and Partnerships, Michelle Strong, presented the Lawfield Primary School Inspection Report. The report outlines the outcome of the above inspection as carried out by Education Scotland in January 2023.

The Chair thanked Michelle for the report and opened it up to questions.

The following questions and comments were raised and responded to where

appropriate:

- Councillor Drummond noted that it would be beneficial for this matter to come before the committee more regularly, given the longevity of the issues.
- Councillor Pottinger raised several questions relating to the management structure, information on ASN numbers and recruitment issues. Michelle confirmed they were happy to provide regular updates on the improvement progress. Michelle further stated that ASN numbers are complex, although happy to categorise this and detail the range of support the school has in place. Michelle noted that they were happy to share the range of factors in relation to recruitment as well.
- The Chair queried whether the additional post being created for a second deputy head teacher met with the agreed structure for management in the school and, if so, why no-one was in this post previously. The Chair further questioned whether the headteacher in place would remain. Michelle explained that an experienced teacher had been asked to take on the role to pick up the action plan, further explaining that it had been acknowledged there needed to be temporary additional capacity in the senior leadership team to move forward at pace. Michelle noted that it is not unusual for a new headteacher to be in post for a limited timeframe before an inspection takes place. Michelle further commented that the issues did not sit with the headteacher alone but the whole school.
- Councillor Virgo noted that if there was anything Members could do to support the school with flourishing, to let Members know.

Noted that the connection dropped temporarily for Members attending virtually. Confirmed that the meeting was still being webcast and recorded despite this.

Decision

Members noted the Report.

Action

Agenda No.	Report Title	Presented by:
5.8	Moorfoot Primary School Inspection Report	Executive Director Children, Young People and Partnerships,
Outline of Report and Summary of Discussion		
Executive Director Children, Young People and Partnerships, Michelle Strong, presented the Moorfoot Primary School Inspection Report. The report outlines the outcome of the above inspection as carried out by Education Scotland which was communicated in their report of December 2022.		
The Chair thanked Michelle for the report and opened it up to questions.		
Decision		

Members noted the Report.

Action

Agenda No.	Report Title	Presented by:
5.9	Care Inspectorate Inspections of Day Care of Children August 2022, April 2023	Executive Director Children, Young People and Partnerships

Outline of Report and Summary of Discussion

Executive Director Children, Young People and Partnerships, Michelle Strong, presented the Care Inspectorate Inspections of Day Care of Children August 2022, April 2023. The report concerns a range of funded providers that were inspected including private nurseries and local authority settings and provides a summary of the outcomes of the inspections, outlined in the report, in Early Learning and Childcare settings for three- and four-year-olds as carried out by the Care Inspectorate.

The Chair thanked Michelle for the report and opened it up to questions.

Decision

Members noted the Report.

Action

Agenda No.	Report Title	Presented by:
5.10	Newbyres Care Home Inspection Report	Head of Primary Care & Older People's Services

Outline of Report and Summary of Discussion

Head of Primary Care & Older People's Services, Grace Cowan, presented the Newbyres Care Home Inspection Report. This report provides an overview of the recent Care Inspectorate report for Newbyres Village Care Home from 5th May 2023, and the subsequent unannounced follow up visit on 4th August 2023

The Chair thanked Grace C for the Report and opened it up to questions.

The following questions and comments were raised and responded to where appropriate:

- The Chair raised a question around what more can be done, given that the matter has fluctuated in terms of positive and negative for some time. The Director of Health & Social Care: Midlothian HSCP / Chief Officer to Midlothian IJB, Morag Barrow, noted that the concerns are shared, highlighting that there is still work to be done in terms of the model, culture and securing a strong leadership team. Morag spoke to a commissioned piece of work that will review all of the beds across Midlothian, explaining

that the model being operated had been inherited, and this work will look at what changes are necessary. Morag further noted that there will be further discussions that will be brought back as to what model will be retained going forward.

- Councillor Russell stated that she was unable to support Newbyres Care Home in its current situation, running through her concerns in relation to this. Morag noted Councillor Russell's concerns, stating that there was indeed more to be done as it was not currently in a desirable circumstance. Grace C explained that Newbyres was set up as a residential care placement, however, over half of the residents now meet nursing requirements. Grace C highlighted that this required a different level of care to be provided, which is more complex for social care staff given that they are now having to flag clinical requirements. Grace C noted that there was ongoing trade union and management work to support the staff to take this forward, including the need for lessons learned work to allow improvement. Grace C further noted the difficulties of doing so when staff need to consistently provide care to a significant number of residents and there needed to be a balance between the two aspects, which was currently being worked through.
- Councillor Russell further raised a question as to whether working group, as had been set up in the past on this matter, would be helpful. Councillor Russell also raised a question around involvement and input of residents and families in relation to this matter. Morag explained that a Social Work Assurance Group had been set up, which is led and Chaired by the Chief Social Work Officer & Chief Officer Children's Services, Partnerships and Communities, Joan Tranent with the Head of Adult and Social Care Services, Nick Clater as deputy Chair. It has monitoring and oversight responsibilities in relation to the improvement of Newbyres Care Home. Morag then spoke to involvement of families, residents and staff throughout the process. Morag also mentioned that a Friends of Newbyres Group had also been established.
- Councillor Pottinger noted that a reoccurring issue is staff vacancies, raising queries as to agency staff reliance and staff turnover. Grace C noted that there is not a high turnover of staff, yet there is still reliance on agency staff to provide additional care due to the acuity of care for residents having increased.
- Councillor Virgo raised a question in relation to a medium-term plan, indicating a desire to have sight of this. Grace C confirmed this could be brought back to the Committee and welcomed the Members to visit Newbyres.
- The Chair stated that regular reports to the Committee on Newbyres would be welcomed.
- Councillor Drummond queried how the upward trajectory of improvement will be maintained and whether there were markers in place to ensure that things do not revert. Grace C noted that audit cycles had been implemented

and now go before the Social Work Assurance Group every fortnight and that the Service Manager is required to bring the Action Plan to this Group as well. Grace C also spoke to the movement from reactive to proactive action and the work both around and resulting from this, in relation to maintaining and increasing the upward trajectory.

- Councillor Drummond further questioned whether, once a satisfactory level had been reached, ongoing monitoring was still in place to ensure things did not worsen again. Grace C highlighted and explained the role of the newly established Social Work Assurance Group, noting that this will help going forward. Morag spoke to the commissioned work reviewing beds in Midlothian in relation to this matter.

Decision

Members noted the Report.

Medium-term plan to be brought to Committee.

Action

Head of Primary Care & Older People's Services

6 Private Reports

No items for discussion

7 Date of the Next

The next meeting will be held on 7 November 2023.

The meeting terminated at 13:52.