

# Notice of Meeting and Agenda



## Midlothian Council

**Venue:** Council Chambers,  
Midlothian House, Dalkeith, EH22 1DN

**Date:** Tuesday, 07 May 2019

**Time:** 11:00

### Director, Resources

#### Contact:

Clerk Name: Verona MacDonald

Clerk Telephone: 0131 271 3161

Clerk Email: [verona.macdonald@midlothian.gov.uk](mailto:verona.macdonald@midlothian.gov.uk)

#### Further Information:

This is a meeting which is open to members of the public.

**Privacy notice: Please note that this meeting may be recorded. The recording may be publicly available during and following the meeting. If you would like to know how Midlothian Council collects, uses and shares your personal information, please visit our website: [www.Midlothian.gov.uk](http://www.Midlothian.gov.uk)**

## **1 Welcome, Introductions and Apologies**

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## **2 Order of Business**

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Including notice of new business submitted as urgent for consideration at the end of the meeting.

## **3 Declaration of Interest**

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Members should declare any financial and non-financial interests they have in the items of business for consideration, identifying the relevant agenda item and the nature of their interest.

## **4 Deputations**

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None received.

## **5 Minutes**

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Minute of Meeting of Midlothian Council of 26 March 2019 submitted for approval as a correct record

Minutes of Meetings for noting, information and consideration of any recommendations contained therein - Minute Volume attached.

Minute Volume Index 5 - 6

## **6 Questions to the Council Leader**

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None received.

## **7 Motions**

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- |            |  |         |
|------------|--|---------|
| <b>7.1</b> | Motion by Councillor Muirhead, seconded by Councillor Russell  | 7 - 8   |
| <b>7.2</b> | Motion by Councillor Imrie, seconded by Councillor Wallace     | 9 - 10  |
| <b>7.3</b> | Motion by Councillor Cassidy, seconded by Councillor Alexander | 11 - 12 |
| <b>7.4</b> | Motion by Councillor Hardie, seconded by Councillor Smail      | 13 - 14 |
| <b>7.5</b> | Motion by Councillor Munro, seconded by Councillor Hardie      | 15 - 16 |

## **8 Public Reports**

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- |            |   |         |
|------------|---|---------|
| <b>8.1</b> | School Session Dates for the Academic Year 2020/21 - Report by Acting Head of Education | 17 - 20 |
|------------|---|---------|

<b>8.2</b>	Early Learning and Childcare Expansion Update and Admission Policy - Report by Director, Education, Communities and Economy	21 - 30
<b>8.3</b>	Learning Estate Strategy Update - Report by Director, Education, Communities and Economy	31 - 48
<b>8.4</b>	Idox Uniform Upgrade to Hosted Platform - Report by Head of Finance and Integrated Support Services	49 - 54
<b>8.5</b>	Volunteering with Midlothian - Report by Strategic Service Redesign Manager (Services with Communities)	55 - 84

**(A) TO CONSIDER RESOLVING TO DEAL WITH THE UNDERNOTED BUSINESS IN PRIVATE IN TERMS OF PARAGRAPHS 4, 6, 8 AND 9 OF PART 1 OF SCHEDULE 7A TO THE LOCAL GOVERNMENT (SCOTLAND) ACT 1973 - THE RELEVANT REPORTS ARE THEREFORE NOT FOR PUBLICATION; AND  
(B) TO NOTE THAT NOTWITHSTANDING ANY SUCH RESOLUTION, INFORMATION MAY STILL REQUIRE TO BE RELEASED UNDER THE FREEDOM OF INFORMATION (SCOTLAND) ACT 2002 OR THE ENVIRONMENTAL INFORMATION REGULATIONS 2004.**

## **9 Private Reports**

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- 9.1** Destination Hillend: Proposed Redevelopment of Midlothian Snowsports Centre - Report by Head of Property and Facilities Management
- 6. Information relating to the financial or business affairs of any particular person (other than the authority).
  - 8. The amount of any expenditure proposed to be incurred by the authority under any particular contract for the acquisition of property or the supply of goods or services.
  - 9. Any terms proposed or to be proposed by or to the authority in the course of negotiations for a contract for the acquisition or disposal of property or the supply of goods or services.
- 9.2** Acquisition of Land in Shawfair Town Centre from Network Rail – Report by Director, Resources
- 6. Information relating to the financial or business affairs of any particular person (other than the authority).
  - 8. The amount of any expenditure proposed to be incurred by the authority under any particular contract for the acquisition of property or the supply of goods or services.
  - 9. Any terms proposed or to be proposed by or to the authority in the course of negotiations for a contract for the acquisition or disposal of property or the supply of goods or services.

**9.3** Revenue Budget: Millerhill Low Carbon District Heating Project - Report by Head of Property and Facilities Management

- 6. Information relating to the financial or business affairs of any particular person (other than the authority).

**9.4** Rosewell Community Hub Update - Report by Director, Resources

- 4. Information relating to any particular applicant for, or recipient or former recipient of, any financial assistance provided by the authority.
- 6. Information relating to the financial or business affairs of any particular person (other than the authority).

**9.5** Proposed Affordable Housing Provision from External Developer – Report by Head of Property and Facilities Management (To Follow).

**10** **Date of Next Meeting**

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The next meeting will be held on 25 June 2019 at 11.00am

# Midlothian Council Minute Volume



**Presented to the Meeting  
of Midlothian Council  
on Tuesday, 07 May 2019**

## **1 Minutes of Meetings submitted for Approval**

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Midlothian Council 26 March 2019 3 - 14

## **2 Minutes of Meetings submitted for Consideration**

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### **Approved Minutes for Noting, Information and Consideration of any recommendations contained therein**

Petitions Committee 18 September 2018 15 - 18

Appeals Committee 17 December 2018 19 - 22

General Purposes Committee 22 January 2019 23 - 30

Planning Committee 19 February 2019 31 - 40

Cabinet 26 February 2019 41 - 50

Local Review Body 5 March 2019 51 - 56

## **3 Minutes of Meetings submitted for Information**

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### **Approved Minutes of Outside Organisations to which Council appoints representatives**

Midlothian Integration Joint Board 14 February 2019 57 - 68

Special Midlothian Integration Joint Board 14 March 2019 69 - 76

# Midlothian Council

## Labour Group

Midlothian Council  
Tuesday 7 May 2019  
Item No 7.1

**Midlothian Council**  
**Tuesday 7 May 2019**

### **Notice of Motion**

#### **The International Fair Trade Charter**

The International Fair Trade Charter is a comprehensive document that lays out the purpose and aims of Fair Trade, as agreed by the World Fair Trade Organisation and Fairtrade International, two of the biggest global Fair Trade organisations.

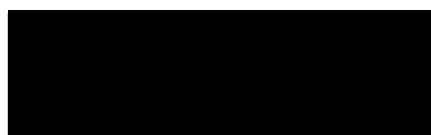
The objectives of the Charter are:-

- 1. To support the work of Fair Trade Organizations in raising awareness among consumers and citizens of the importance and impact of Fair Trade, so that more people will be inspired to join and support it.**
- 2. To facilitate collaboration among Fair Trade Organizations by connecting their specific missions and strategies with the common philosophy of the movement, and to promote collaboration with the solidarity economy, organic agriculture movements and others that fight for similar goals to the Fair Trade movement.**
- 3. To enable others who work with Fair Trade Organizations (in government, academia or the private sector) to recognise the values and approaches that unite the global movement.**

Signing up to the Charter allows organisations such as this Council to strengthen its support for the principles of Fair Trade in the local area, whilst strengthening the role of the Charter itself.

Midlothian Council therefore agrees in principle to support the aims and objectives of the charter and instructs that officers bring a report to the August Council meeting detailing any possible implications there may be, financial or otherwise, prior to Midlothian Council formally adopting the charter.

Moved:



**Councillor Jim Muirhead**

Seconded:



**Councillor Margot Russell**





**Midlothian Council**  
**Tuesday 7 May 2019**

**Notice of Motion**

**CONSTRUCTION CHARTER**

As a Local Authority we are responsible for the procurement of a multitude of construction projects. It is therefore appropriate that we, as a responsible client, enter into this agreement and commit to working with the appropriate trade unions, in order to achieve the highest standards in respect of; direct employment status, health & safety, standard of work, apprenticeship training and the implementation of appropriate nationally agreed terms and conditions of employment. The following shall be a requirement for all contractors and their supply chain engaged by this authority:-

1. All parties recognise that the highest level of compliance with current HMRC regulations must be achieved where public funds are utilised. It is therefore a contractual requirement that all operatives are directly employed on a PAYE basis under a contract of employment. Furthermore the use of an intermediary pay roll company will be prohibited on all contacts.
2. Health and Safety of workers on all our construction projects is paramount. It is therefore a requirement that all contractors rigorously implement and adhere to our minimum standards for health and safety, as set out in our procurement documents. In addition we require all contractors to provide quality welfare facilities fit for purpose in accordance with the Construction Design and Management Regulation of 2015.
3. It is a recognised fact that the presence of trade union safety representatives significantly improves safety in the workplace. Contractors and their supply chain are required to work collaboratively with the appropriate trade unions to identify and implement reasonable real-world initiatives.
4. The Authority requires all projects to be completed to the highest standard, so as to meet the aspirations of the residents of this Authority. In order to achieve this it is recognised that it is necessary that all workers are competent and have the appropriate level of skill to carry out the work they are employed to do. To assist in the achievement of this goal the Authority's contractors and their supply chain will ensure they retain documented evidence that all workers are competent to carry out the work they have been employed to do. They will ensure that such evidence is retained in a way as to allow the Authority, or its nominees, to audit the documentation. Possession of the recognised industry skills/grade card such as JIB or CSCS will be considered acceptable evidence.
5. The Authority is mindful of the industry skills shortage and the need to address this through appropriate apprenticeships, including adult training in up skilling. The Authority's contractors and supply chain will, in consultation with the Authority and other interested parties, develop and implement a programme that addresses the skills shortage and provides training opportunities to local residents.
6. The Authority recognises the right of all construction workers to be employed under and to be protected by the appropriate national industry collective agreement. The Authority requires full compliance with all appropriate national agreements applicable to the construction industry.

7. All contractors and their supply chain will accept the right of any trade union that is a signatory to an appropriate national agreement, to appoint shop stewards, workplace health and safety representatives and union learning reps. All trade union accredited representatives will be granted appropriate time and facilities to carry out their responsibilities.
8. The Authority, its contractors and their supply chain are committed to a fair and transparent recruitment policy. All contractors and their supply chain will actively ensure that the engagement of labour is based on the individual's ability to meet the needs of the project and the specific tasks for which they are recruited to undertake.
9. The Authority, its contractors and their supply chain, agree it's not acceptable for anyone to use or make reference to any form of blacklist.
10. The Authority recognises the benefit trade unions bring to the workplace and the rights of workers to hear from trade union representative. The Authority's contractors and their supply chain are required to allow access to nominated trade union officer from trade unions that are signatories to the appropriate national agreements. Access shall mean access to welfare facilities during working times so as to allow them to consult with their members and potential members.
11. All relevant construction contracts will be required to comply with the Sustainable Buying Standard for Highways and Construction Materials, which requires structural steel and other relevant materials to be covered by BES 6001 Responsible Sourcing of Construction Product certification, or equivalent.
12. The Scottish Future Trust's Non Profit Distributing (NPD) programme alternatively known as HUBCOs, was developed to deliver infrastructure projects for the Scottish Government. As such they must include proper local community benefits, in particular local jobs and apprenticeships and help local SMEs develop the capacity to take on those infrastructure projects. The Scottish Government should work with Local Authority to produce strong and clear guidelines on Community Benefit Clauses for externally awarded contracts through HUBCOs and that those contracts uphold the working practices contained herein. Employment and skills,

We, therefore, call on Midlothian Council to agree to adopt the Construction Charter.

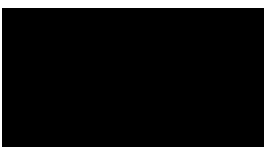
Moved:



**Councillor Russell Imrie**

Seconded:

**Councillor Joe Wallace**





**SNP Group**

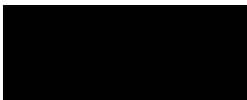
**Notice of Motion**

Glyphosate weed killers are being widely used by our Land and Countryside Services at Midlothian Council. This is a herbicide that has a very controversial history so much so it has been banned from use in France due to safety concerns. Recently I have had complaints about our Council spraying Dandelions in the Midlothian area. Dandelions are the first food that bees feed on at the beginning of spring, we as a council have a responsibility to ensure the continuation of our wildlife and natural habitats.

I would therefore urge elected members to support a ban on the use of these chemicals by Midlothian Council.

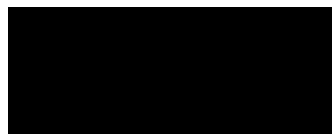
Proposed By:

Councillor Colin Cassidy  
Insert signature



Seconded By:

Councillor Dianne Alexander  
Insert Signature



19 April 2019





## Midlothian Council Conservative Group

Midlothian Council recognises that it is essential to maintain elected member involvement in significant decision making, as a way of implementing effective community input within the planning framework.

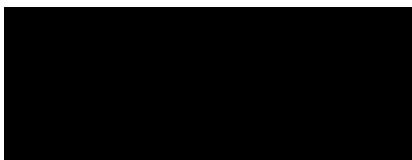
As such, the Council believes that councillors should have a greater input over the application of developer contributions. Communities in Midlothian are faced with growing numbers of housing developments and it is essential that Councillors are able to fully represent their electorates as to potential for community benefit, and ensure that the interests of ward members are represented at the setting of developer contributions.

It is therefore appropriate that Midlothian, as is the practice in some other Councils, should consider establishing a committee to consider and set developer contributions. Council recognised the 5 tests that are used as the basis for acceptable developer contributions and that this committee would act within those 5 tests and in the interests of local residents.

Council resolves to:

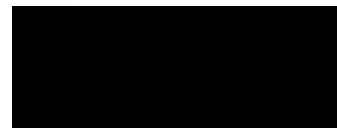
1. To investigate creating a developer contributions committee.
2. Instructs the Director, Resources to bring forward a paper to Council before summer recess 2019 with proposals and options for a sections 75/developer contributions committee.

Proposed by:



Councillor Andrew Hardie

Seconded by:



Councillor Peter Smail

Date: 23 April 2019





## Midlothian Council Conservative Group

Midlothian Council recognises the concerns of local residents due to litter, dog fouling and problem parking. The council further understands the limited resources in order to tackle these issues. While the council has limited resources to tackle these issues, it is important to adopt a flexible and smart approach to tackling problems.

The council resolves that officers should investigate merging the functions of parking wardens and litter/dog fouling wardens into a new role of Community Enforcement Officer with responsibilities and powers to issue fines for Littering, illegal parking and dog fouling.

Council resolves to:

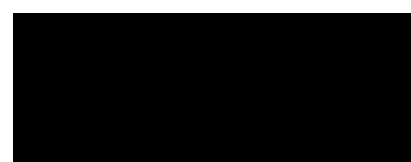
1. Investigate the feasibility and cost implication of merging the roles of Parking Warden, Dog Fouling Warden to create a new Community Enforcement Officer role; as is the case in some other councils.
2. Investigate giving the Community Enforcement Officer powers to issue on the spot fines for Parking infractions, littering, dog fouling
3. Instructs the Director, Resources to report to council after summer recess with a paper detailing the potential proposals.
4. Instructs officers to investigate further functions which could be mandated to Community Enforcement Officers.

Proposed by:



Councillor Kieran Munro

Seconded by:



Councillor Andrew Hardie

Date: 23 April 2019





## **School Session Dates for the Academic Year 2020/21**

### **Report by Maria Lloyd, Acting Head of Education**

#### **1 Introduction**

The authority is required to set school session dates each year with regard to statutory attendance. The purpose of this report is to confirm the session dates for the 2020/21 academic year.

#### **2 Background**

Consultation has been undertaken with the appropriate teaching unions, schools and Parent Councils to draw up a scheme of session dates for Midlothian schools for the academic year 2020/21. The proposed scheme is attached to this report as Appendix 1.

Officers from Edinburgh, East Lothian and Midlothian Councils endeavour to ensure we synchronise session dates with our neighbouring council areas wherever possible bearing in mind some differences in local holidays.

City of Edinburgh has already consulted and published school session dates for 2020/21 and 2021/22, East Lothian propose to take their dates to their Education Committee in March, the 2020/21 school session dates proposed for Midlothian have been set to align with these as far as possible.

The school session dates proposed for 2020/21 coincide with both Edinburgh and East Lothian on the timing of the return to school in August and on the timing of the October, Christmas, February and Easter breaks. The last day of the school session will be Thursday 1<sup>st</sup> July 2021 in Midlothian compared with Friday 2<sup>nd</sup> July in Edinburgh and East Lothian.

#### **3 Report Implications**

##### **3.1 Resource**

There are no resource issues arising from this report.

##### **3.2 Risk**

By aligning with neighbouring authorities risk implications are mitigated with regard to pupil attendance at school.

3.3 Single Midlothian Plan and Business Transformation  
Themes addressed in this report:

- Community safety
- Adult health, care and housing
- Getting it right for every Midlothian child
- Improving opportunities in Midlothian
- Sustainable growth
- Business transformation and Best Value
- None of the above

3.4 Impact on Performance and Outcomes

Session dates have been designed to maximise attendance by minimising the number of broken weeks for staff and pupils.

3.5 Adopting a Preventative Approach

Not applicable

3.6 Involving Communities and Other Stakeholders

Discussions have been held with the appropriate teaching unions and school establishments and efforts have been made to synchronise session dates with the City of Edinburgh and East Lothian Council as far as possible.

3.7 Ensuring Equalities

The proposed report will have a neutral effect on equalities groups.

3.8 Supporting Sustainable Development

This proposal takes into account the need to deliver an educational service across Midlothian which anticipates and acknowledges the needs and views of stakeholders.

3.9 IT Issues

There are no IT issues arising from this report.

## 4 Recommendation

It is recommended that Midlothian Council notes that the Cabinet at its meeting on 9th April 2019 approved the school session dates for 2020/21 as set out in the attached appendix.

Report Contact: Sandra Banks                      **Tel No:** 0131 271 3727  
**E-mail** [sandra.banks@midlothian.gov.uk](mailto:sandra.banks@midlothian.gov.uk)

Background Papers: Appendix 1 – School Session Dates 2020/2021

**MIDLOTHIAN COUNCIL**  
**EDUCATION, COMMUNITIES AND ECONOMY**  
**SCHOOL SESSION DATES 2020 /21**

<b>TERM 1</b>	Staff Resume	Monday **	17	August	2020
	Pupils Resume	Wednesday	19	August	2020
	Autumn Holiday	Friday	18	September	2020
		Monday	21	September	2020
<b>Mid Term</b>	All Break	Friday	16	October	2020
	Staff Resume	Monday*	26	October	2020
	Pupils Resume	Tuesday	27	October	2020
	Term Ends	Wednesday	23	December	2020
<b>TERM 2</b>	All Resume	Wednesday	6	January	2021
<b>Mid Term</b>	All Break	Friday	5	February	2021
	Staff Resume	Monday*	15	February	2021
	Pupils Resume	Tuesday	16	February	2021
	Term Ends	Thursday	1	April	2021
	<i>Good Friday</i>	<i>2<sup>nd</sup> April</i>			
	<i>Easter Monday</i>	<i>5<sup>th</sup> April</i>			
<b>TERM 3</b>	All Resume	Tuesday	20	April	2021
	May Day Holiday	Monday	3	May	2021
	Victoria Day	Monday*	24	May	2021
	Term Ends	Thursday	1	July	2021

\* **Staff In-Service Days:** Monday 17<sup>th</sup> & Tuesday 18<sup>th</sup> August 2020, Monday 26<sup>th</sup> October 2020, Monday 15<sup>th</sup> February 2021 & Monday 24<sup>th</sup> May 2021



## **Early Learning and Childcare Expansion Update and Admission Policy**

### **Report by Dr Mary Smith, Director, Education, Communities and Economy**

#### **1 Purpose of Report**

- 1.1 The purpose of this report is to provide an update on progress with the expansion in early learning and childcare (ELC) to 1140 hours, advise of an increase in the hourly rate paid to funded providers, advise of the council becoming a signatory to the national position statement on outdoor learning, and recommend a change in the council's admission policy with effect from academic year 2019/20 so that children born between March and August become entitled to a place from August.

#### **2 Background**

- 2.1 The Children & Young People (Scotland) Act 2014 increased the number of hours of free early learning and childcare provided to parents and carers from 475 hours per year to 600 hours and introduced an entitlement for certain 2 year olds, both in 2014. The further increase to 1,140 hours has not yet been set in legislation however the Scottish Government has committed to the expansion, to be fully implemented by August 2020. Previous reports to Cabinet and Council have set out the changes and challenges to the council in implementing the expansion as well the funding distribution to Midlothian from the Scottish Government, which was detailed in the paper 2020 Vision for Early Years, Early Learning and Childcare Expansion Plan presented to the June 2018 Council.

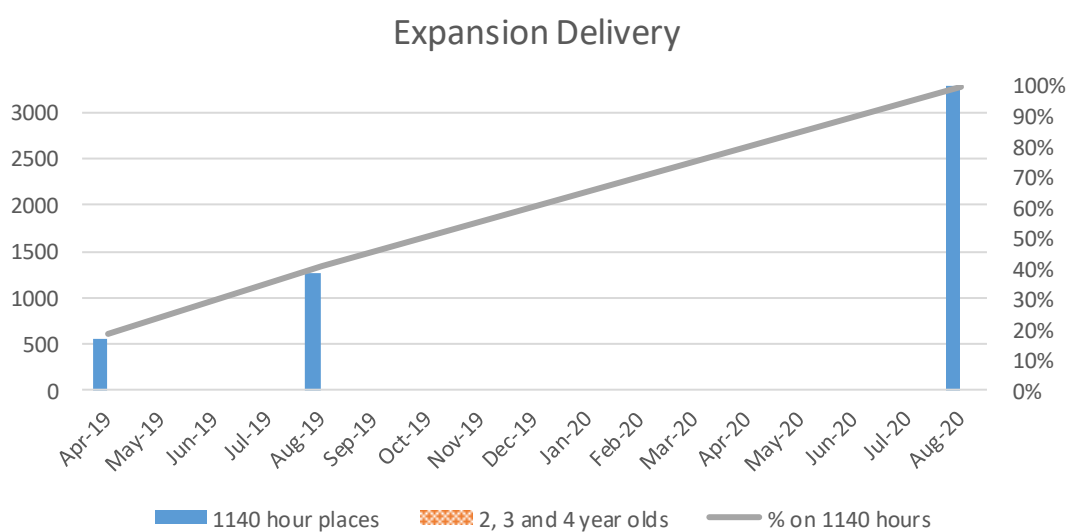
#### **3 1140 Hours Expansion Progress**

- 3.1 Planning for the expansion is embedded within the Learning Estate Strategy to ensure a joined-up approach and enable maximum efficiency, as well as aligning short term plans with long term strategy. Considerable progress has been made towards implementing the increase in hours, although much work remains to be done.
- 3.2 As the transition towards all places becoming 1140 hours progresses it is important that the impact of providing 1140 hour places at a council setting is considered in a wider context as the successful delivery of the expansion programme requires all funded providers: council settings; childminders; private and voluntary settings. The 1140 hour places are clearly attractive to parents who are or would have to pay for hours above the current 600, therefore care must be taken to balance the number of 1140 hour places across all types of ELC provider in an area to avoid all parents moving to, for example, a council setting resulting in a voluntary provider becoming financially unsustainable.

**3.3** The council is now in the fourth phase of piloting expanded hours places and the learning from each phase is shared with settings in the next phase to assist them in their preparations, as well as the support provided by the central early years team. In addition to expanded hours places at council settings, funded provider settings have been commissioned to provide 155 places and 18 children are topping up to 1140 hours with childminders. 1140 hour places are allocated in line with criteria which prioritise children in order of need.

**3.4** The table and graph below set out progress towards implementation in Midlothian, detailing the number of places that will be delivered by April 2019 and the number planned to be delivered in August 2019. This is in line with the Scottish Government's expectation that if they are on track towards successfully delivering the expansion, local authorities should have achieved 40% of places as 1140 hours by August 2019.

	<b>April 2019</b>	<b>August 2019</b>
<b>Children receiving ELC</b>	<b>2,995</b>	<b>3,145</b>
<b>1140 hour places - council</b>	<b>392</b>	<b>946</b>
<b>1140 hour places – funded provider settings and childminders</b>	<b>169</b>	<b>328</b>
<b>% of places which are 1140 hours</b>	<b>19%</b>	<b>41%</b>



**3.5** There are constraints that limit the ability to make more 1140 hour places available during academic year 2019/20, including:

- At sessional council settings, one 1140 hour place replaces two 600 hour places
- The legislative requirement to have 600 hour places available remains
- A number of projects are in progress which will deliver additional physical capacity from 2020 (Burnbrae Early, St Mary's, Danderhall and Sacred Heart Primary Schools etc.)
- The lead in time to change a council setting from sessional to all year – consultation with staff, recruitment etc.
- The expansion in funded providers' capacity enabled by the capital grants scheme projects will be delivered through the year
- The Modern Apprentices training and staff recruitment is phased in (in line with the capacity to deliver training and mentoring)
- Ongoing work to bring more childminders in to partnership with the council
- The funding provided by the Scottish Government

- 3.6** The capital grant scheme for funded providers is due to be launched very shortly. This will make £1.5m available to providers to expand their capacities in readiness for 2020.
- 3.7** Preparations are ongoing for the first two council outdoor early learning and childcare settings. The first will be opened in Vogrie Country Park and sites being explored for the second in the west of the county. The General Services Capital Plan (GSCP) includes a provisional budget of £200k for each outdoor setting and reports for each project will be submitted to Council for full approval in the GSCP.
- 3.8** It is intended to implement central administration of admissions to ELC with effect from August 2020. This will enable the allocation of places and hence staffing to be done centrally to achieve effective resource planning for the year as well as enhancing the information available to parents on the availability of delivery models and places in their area. Rather than the rolling application and waiting list process that is currently in place, parents will register by a certain point in the year for the children coming in to ELC the following year, similar to the process for Primary 1 registration.
- 3.9** The hourly rate paid to funded providers in Midlothian for 3 and 4 year old places has remained at £3.70 for a number of years. In addition to the impact of inflation since this was last revised, one of the conditions to become a funded provider is that all staff delivering 1140 hours must be paid at least the real living wage. During the transition to full implementation parents may move their children to settings where 1140 hour places are available and this may reduce the number of hours parents pay for, which will impact upon the business model of providers. In recognition of these factors and the need to ensure the sustainability of funded provider settings and childminders during the transition to full 1140 hours, this rate will be increased to £4.50 per hour.
- 3.10** All providers of funded early learning and childcare will be subject to the same National Standard and must receive inspection ratings of Good or above from the Care Inspectorate. As a result, parents can be assured that their children will receive the same quality of ELC no matter which provider they choose. This is an important message for parents as, with the reduction in the number of children who can be accommodated in many council settings as a result of the increase in hours, children will transition in to Primary 1 from a variety of funded providers. The traditional expectation of children attending a school setting for their pre-school year will no longer apply as parents will be choosing a provider for the model of delivery that best suits their needs.
- 3.11** In the financial template submitted to the Scottish Government the council's own population projections were used to estimate the number of children entitled to places and hence the cost of expansion. The paper 2020 Vision for Early Years, Early Learning and Childcare Expansion Plan presented to Council 26 June 2018 set out the funding distribution from the Scottish Government as a result of the financial template. This distribution is less than the council's estimate due to the Government's use of National Records for Scotland's population forecast for Midlothian. The additional funding for the implementation of 1140 hours is ring-fenced but it is expected that when 1140 hours becomes "business as usual" it will become part of the Grant Aided Expenditure (GAE) process by which the Scottish Government distributes revenue funding to local authorities.

- 3.12** GAE is the needs-based methodology used to allocate the pre-determined Spending Review funding totals equitably amongst local authorities. It is important to note that the individual service GAE allocations are not budgets or spending targets, but are simply an allocation methodology designed to distribute the overall levels of resources to be made available. They are not intended to be used by local authorities to allocate resources. The decisions about the amounts allocated to individual services are made entirely by the local authority on the basis of local needs, having first fulfilled its statutory obligations and the jointly agreed set of national and local priorities.
- 3.13** The figures calculated for each local authority by the GAE changes each year in response to changes in local authorities' characteristics including demographics and population. The data used is the most recently available which means that there is a delay in changes having an impact upon the GAE calculation.
- 3.14** The GAE and the Special Islands Needs Allowance feed in to the calculation of the final General Revenue Grant (GRG) amount which is given to local authorities. The GRG includes a funding floor which protects against large year on year changes. This funding floor limits the drop in funding to local authorities which would receive less under the GAE, but as a corollary it limits the increase to local authorities which would receive more. As a result local authorities where circumstances change which would increase their funding, such as an increase in level of deprivation or a growing population, will have the rate of funding increase slowed down and spread over a number of years.

## 4 Entitlement Start Date

- 4.1** Legislation sets out that children become entitled to early learning and childcare, broadly speaking, from the term following their third birthday, or second birthday for those eligible for a Good Time to be 2 (GTTB2) place. To be eligible for a GTTB2 place the child must either be looked after or their family has a low income, such as being in receipt of Universal Credit. The table below is from the mygov.scot website and includes information on the number of terms of ELC children are entitled to.

### Start and end dates

The date you can start claiming funded early learning and childcare depends on your child's birthday.

If your child's birthday is on or between these dates	They will be eligible from these school terms	Total number of terms for 3 and 4 year olds	Your child will start school at this age
1 March – 31 August	August (autumn term) that year	6 terms	5 years and 0-6 months
1 September -31 December	January (spring term) following their birthday	5 terms (you can request another 3 terms in a deferred year)	4 years and 8-11 months or, 5 years and 8-11 months if deferred
1 January – last day February	March/April (summer term) following their birthday	4 terms (you are entitled to another 3 terms in a deferred year if requested)	4 years and 6-7 months; or, 5 years and 6-7 months if deferred



- 4.2** The statutory guidance to the Children and Young People (Scotland) Act 2014 provides local authorities with discretionary powers to bring forwards children's start dates. It encourages commencing closer to children's third birthdays to support longer term aims to increase the amount of ELC where there is capacity within the system.
- 4.3** Following challenges by parents on the length of time some children have to wait after their third birthday before they can start ELC, e.g. if a child becomes 3 years old in September they may not start until January, CMT decided in October 2015 to change Midlothian's Pupil Administration Policy:  
*To offer commencement dates to children from the month after their 3rd birthday where there is capacity to do so.*
- 4.4** This means that children eligible to start ELC do not have a delay in doing so for longer than two months, apart from time over the summer break. It also reduced the number of children starting at one time, for example only three months' birthdays started in August rather than 6 under the legislation. The education service budget provided for full staffing within council ELC settings therefore for places within council settings the additional demand was met within the existing service budget. The admission policy is available on the council's website:  
[https://www.midlothian.gov.uk/download/downloads/id/950/admissions\\_to\\_early\\_learning\\_and\\_childcare.pdf](https://www.midlothian.gov.uk/download/downloads/id/950/admissions_to_early_learning_and_childcare.pdf)

## **5 Expansion to 1140 Hours**

- 5.1** The expansion to 1140 hours will require more staff and physical capacity across all providers, whether they be council, private or voluntary, and these are two of the key challenges and risks to the council's successful implementation of the expansion to 1140 hours. In order to deliver the expansion the council is recruiting staff, increasing the capacity of settings and working with funded provider settings and childminders to increase their capacity. All local authorities across Scotland are recruiting staff at this time in order to build their workforce for the expansion.
- 5.2** The policy of granting places from the month following a child's birthday throughout the year grants children born in March and April a place during the academic year prior to their legislative entitlement. This is at the point in the year when the greatest number of children are receiving ELC and as a result increases the number of staff and physical capacity that is required.
- 5.3** As a rough guide, there are 1,200 children of each year of age in Midlothian, or 100 born in each month. The "month following" policy granting places to March and April birthdays equates to 200 additional children being entitled in May and June. Under 1140 hours this will require 200 additional registered places and 25 additional staff across all ELC providers. This would incur additional expenditure which is not included in the Scottish Government's funding for expansion. Currently around 80% of children take up places at council settings. If this continued under 1140 hours building an additional 160 council places would require £2.784m (using the same assumptions as the Financial Template) and 20 additional Childcare Development Workers would require £0.546m per annum (staff to child ratio is 1:8 for sessions of more than 4 hours).

- 5.4 Granting entitlement to March and April birthdays from the month following therefore increases the challenge to successful implementation of the expansion and increases the risk that the council will be unable to meet its legislative duty.
- 5.5 For the remainder of the year granting places from the month following does not increase the capacity or staff required at council settings as staff are employed on permanent year-round contracts. It also slightly reduces the disparity in the number of sessions that children receive, based on their birthday month.
- 5.6 At funded providers the position is more complex. The month following start date results in additional children receiving funded ELC throughout the year, at a cost to the council. In terms of the peak number of children and hence staffing and capacity requirements, some of these children will already be at the provider, paid for by their parents, so the additional staff and capacity is not clear-cut.

## 6 Hybrid Start Date

- 6.1 It is recommended that the admission policy is revised with effect from academic year 2019/20 so that children turning 3 from March to August start from August and that the rest of the year continue with the month following. Two year olds would remain month following for the whole year: these are children from more disadvantaged backgrounds therefore retaining the month following policy throughout the year aligns with the Community Planning Partnership’s key priority to reduce the gap in learning outcomes.
- 6.2 3 and 4 year olds born from March to August would be entitled to 6 sessions of ELC: their legislative entitlement. It would, however, reduce the peak number of children at council settings, therefore reducing the physical capacity that must be added as part of the expansion and reducing the number of additional staff that must be recruited and trained.

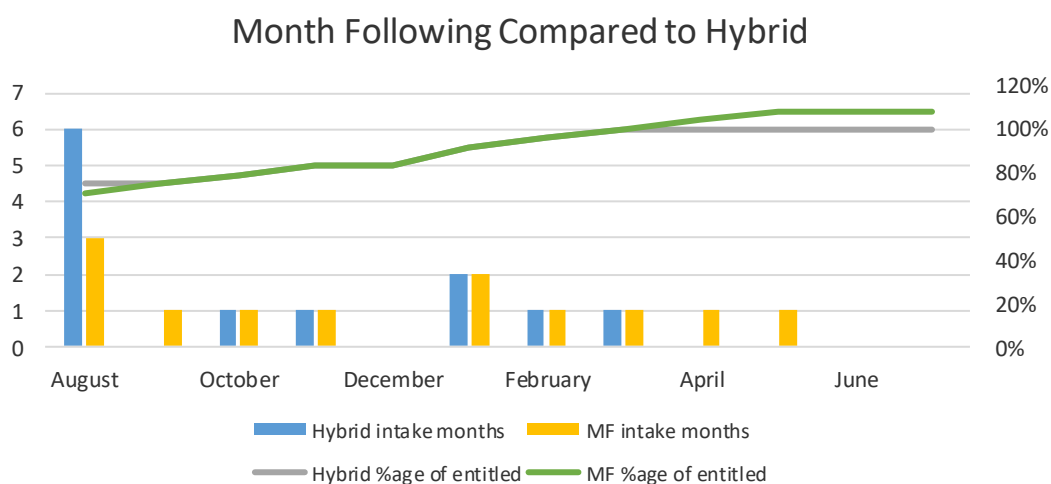
Birth date	Total number of terms for 3 and 4 year olds		
	Legislation	Month following	Hybrid
1 March – 30 April	6 terms	6+ terms	6 terms
1 May – 31 August	6 terms	6 terms	6 terms
1 September – 31 December	5 terms	5+ terms	5+ terms
1 January – last day February*	4 terms	4+ terms	4+ terms

\* These children can start school aged 4½

**6.3** The delay in ELC start date for March and April birthdays would apply to funded provider places too. All Good Time to be 2 children receive their ELC through funded providers rather than council settings, therefore a delay in commencing their entitlement to a 3 year old place will mean they continue to be entitled to a GTTB2 place for longer, for which a higher hourly rate is paid. As a result the net effect of changing the start date to the recommendation is relatively balanced as the reduction in payments due to the later start of three year olds will be offset by Good Time to be 2 children remaining for longer, although the precise balance will be impacted by the take up rate of two year olds which is variable.

**6.4** The hybrid start date will increase the number of children commencing ELC in August and as a result ELC providers will need to enhance their transition planning and consider extending the period over which children phase in to ELC.

**6.5** The following graph compares the month following start date policy with the hybrid policy. It shows the number of birthday months commencing ELC through the year as columns (left axis) and the percentage of legislatively entitled children taking up a place as lines (right axis). Where the month following line goes above 100% this is the point at which additional capacity and staff are required, over and above that required by the legislation.



## **7 Start Dates: the National Picture**

**7.1** Of the 27 other local authorities where the 2 year old entitlement start date policy could be found, only one starts March and April birthdays prior to August. This is Angus Council where children born between the first of March and the last day of the Easter holiday start on the first day of the summer term (after Easter).

**7.2** The start date policies for 3 year olds was found for all 31 other local authorities and only two start March and April birthdays prior to August. They are Angus, where the policy is the same as for 2 year olds, and Glasgow where children start from the beginning of the term in which they turn 3.

**7.3** This analysis demonstrates that reverting to starting children turning 3 in March and April in August will align Midlothian with the policies of almost all other local authorities in Scotland.

## 8 Scotland's Outdoor Play & Learning Coalition Position Statement

- 8.1 The Scottish Government and Inspiring Scotland, along with a range of organisations, have signed up to a national position statement to make playing and learning outdoors an everyday activity for Scotland's children and young people. The statement asserts the health, wellbeing and educational benefits of playing and learning outdoors and commits signatories to help widen access to natural and communal spaces and to enriching urban spaces for children and families to play in.
- 8.2 The position statement sets out principles that align with the ethos of Midlothian Council's Early Years therefore the council has become a signatory to the position statement.

The press release about the statement is here:

<https://www.inspiringscotland.org.uk/news/tv-presenter-signs-outdoor-play-pledge-play-guide-launched/>

And the position statement itself is available here:

<https://www.inspiringscotland.org.uk/wp-content/uploads/2019/03/Scotlands-Coalition-for-Outdoor-Play-and-Learning-Position-Statement.pdf>

## 9 Financial Information

- 9.1 The funding provided by the Scottish Government for the implementation of 1140 hours was detailed in the paper 2020 Vision for Early Years, Early Learning and Childcare Expansion Plan to Council 26 June 2018. The expenditure discussed in this paper will be funded through this.

## 10 Resource Implications

- 10.1 The resource implications are discussed earlier in this paper.

## 11 Risk

- 11.1 The increase in the hourly rate paid to funded provider settings and childminders will strengthen their sustainability during the transition to 1140 hours, reducing the risk that the council is unable to meet its legislative requirement to have 600 hour places available in 2019/20 and 1140 hour places in 2020/21.
- 11.2 The recommendation to alter Midlothian's admission policy will reduce the risk to the successful implementation of 1140 hours.

## 12 Single Midlothian Plan and Business Transformation

Themes addressed in this report:

- Community safety
- Adult health, care and housing
- Getting it right for every Midlothian child
- Improving opportunities in Midlothian
- Sustainable growth
- Business transformation and Best Value
- None of the above

## 13 Key Priorities within the Single Midlothian Plan

The expansion is relevant to all of the GIRFEMC outcomes for 2017/18 to 2019/20:

- Children in their early years and their families are being supported to be healthy, to learn and to be resilient
- All Midlothian children and young people are being offered access to timely and appropriate support through the named person service
- All care experienced children and young people are being provided with quality services
- Children and young people are supported to be healthy, happy and reach their potential
- Inequalities in learning outcomes have reduced

### a. Impact on Performance and Outcomes

The expansion will impact upon all five of the GIRFEMC outcomes.

### b. Adopting a Preventative Approach

The provision of high quality, flexible, accessible and affordable Early Learning and Childcare is by its very nature preventative, and sets the foundation upon which future outcomes for the children as they grow up and progress through the education system and then onto adulthood are based.

### c. Involving Communities and Other Stakeholders

The change in policy will be communicated to stakeholders through the early years and expansion newsletters as well as being embedded in the publicity that will be undertaken as part of the change to central administration of admissions, giving all parties the greatest possible notice of the change. As the recommendation is to change the policy with effect from academic year 2019/20 the publicity will be timed to avoid any confusion for parents of children who turn three in March and April 2019 and will be entitled to ELC in April and May 2019, prior to the policy change coming in to effect.

### d. Ensuring Equalities

An Integrated Impact Assessment has been carried out and found that the hybrid start date will have a greater negative impact upon a small number of single parents, who are predominantly female, who have children born in March and April, however it will comply with the legislation on entitlement start date and will reduce the risk of the council not complying with the requirement to implement 1140 hours. Continuing with the month following policy for Good Time to be 2 will reduce this small number of parents negatively impacted as those with lower incomes will be entitled to a GTTB2 place and will continue to be entitled until their 3 year old place starts.

### e. Supporting Sustainable Development

The current policy of month following start dates applies an additional demand upon the council resources, capacity and staffing that is not required by the legislation. The recommendation will remove this additional demand and support more sustainable implementation of the expanded hours.

The increase in hourly rate paid to funded providers for 600 hour places during academic year 2019/20 will support their sustainability and development as the transition to 1140 hours progresses.

**f. IT Issues**

No IT implications.

**14 Recommendations**

It is recommended that Midlothian Council notes that the Cabinet at its meeting on 9<sup>th</sup> April 2019 agreed to:

- (a) Note the progress towards implementation of the expansion to 1140 hours of early learning and childcare.
- (b) Note the increase in hourly rate for 3 and 4 year old 600 hour places at funded provider settings and childminders to £4.50 from August 2019.
- (c) Revise the admission policy to the hybrid model with effect from academic year 2019/20, whereby children who turn three between March and August become entitled to an early learning and childcare place from August and children born in the remaining months (with the exception of November, who start in January) become entitled from the month following their birthday.
- (d) Note that Midlothian Council has become a signatory to Scotland's Outdoor Play & Learning Coalition Position Statement.
- (e) Pass this report to Council for noting.

**Date: 15 April 2019**

**Report Contact:**

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**Background Papers:**

Admission to Early Learning and Childcare for 3 and 4 year olds  
Amendment to Pupil Administration Policy - CMT – 20151028

2020 Vision for Early Years, Early Learning and Childcare Expansion Plan presented to Cabinet on 10 October 2017

2020 Vision for Early Years, Early Learning and Childcare Expansion Plan presented to Cabinet 10 March 2018

2020 Vision for Early Years, Early Learning and Childcare Expansion Plan to Council 26 June 2018

## **Learning Estate Strategy Update**

### **Report by Dr Mary Smith, Director, Education, Communities and Economy**

#### **1 Purpose of Report**

The purpose of this report is to provide Council with an update on the work which has been undertaken in further developing the Learning Estate Strategy including an assessment of the costs and funding gap associated with its implementation.

The report provides an update with regard to:

- Costs of implementing the Learning Estate Strategy;
- Possibility of Scottish Government Funding;
- Statutory Consultations to be undertaken

A briefing for elected members on the Learning Estate Strategy Update is scheduled for 1 May 2019.

#### **2 Background**

In September 2017 Council agreed in principle the elements of the Learning Estate Strategy (LES) required to meet the essential learning estate requirements over the period through to 2023 and instructed officers to undertake further work on the financial implications of the short term strategy so that these could be considered as part of the Council's Capital Strategy and General Services Capital Plan report.

The 2017 LES was focused on providing the additional school capacity required to support the delivery of the Midlothian Local Development Plan (MLDP). It did not address the improvements required to a number of our older school buildings in order to bring them up to an appropriate standard of condition and suitability. Nor did it fully reflect the spaces we will require for Early Years Expansion. Furthermore, since 2017, a number of significant housing development masterplans and social housing sites have been brought forward which are not reflected in the MLDP. The work which has been undertaken in the interim has taken all of these matters into consideration in developing the cost information provided later in the report.

The consequent changes to the 2017 LES are in summary:

- A third non-denominational school for Dalkeith, located at Kippielaw, two-stream (Council, 8 May 2018);
- A third non-denominational school for Mayfield Easthouses, located on the former site of Newbattle High School, two-stream (Council, 12 February 2019);
- The replacement of the Mayfield School Campus (Council 8 May 2018);

- An extension to Newtongrange Primary School to bring it up to three-stream (Council, 12 February 2018);

Since 2017 there has been considerable development across our Learning Estate:

Modular units have been procured and installed to provide additional early years' capacity at Mayfield Nursery School, Burnbrae and Danderhall Primary Schools, and to provide additional primary capacity at Lasswade and St David's Primary Schools. The provision of additional primary class space at St David's will enable some of the existing school space to be converted to an Early Learning and Childcare setting in the course of 2019/20.

Planning is in place for the extension of Cuiken Primary School and the extension and refurbishment of Sacred Heart Primary School including the expansion of Early Years provision at Sacred Heart. Plans are progressing for the provision of two additional classrooms using prefabricated units at Burnbrae Primary School, two additional classrooms at Lawfield Primary School and to provide space for three additional classrooms at the Mayfield School Campus by incorporating the former library space and undertaking some refurbishment. The additional capacity should become available at all schools during the course of the 2019/20 school year.

Since August 2017 the Council has provided home to school transport for pupils residing in the Loanhead area who choose to attend Beeslack High School rather than Lasswade, which is their catchment secondary school. This has had some success in easing the pressure of pupil numbers at Lasswade with 50% of pupils attending Loanhead and 30% attending Paradykes Primary Schools opting to attend Beeslack in 2018/19. However, pupil numbers attending Lasswade remain above 1,500 and we plan to address the shortfall in some of the schools facilities so the school can continue to accommodate its current pupil numbers, including the complex needs provision.

The Newbattle Campus opened in 2018 with capacity for 1,200 secondary pupils which will enable the pupil roll at Newbattle High School to grow by more than 30%. The construction of the Hopefield School campus is progressing which will provide a new building for St Mary's Primary School and much needed additional capacity for Burnbrae Primary School. Planning for the new Danderhall Primary School is also progressing which will provide additional capacity to accommodate some of the children arising from housing developments at Danderhall and Shawfair. Design development of the new primary school at Easthouses is underway which will allow some of the Council's strategic social housing sites to be developed.

### **3 The learning estate strategy by learning community**

The Education Service, with support from officers across the Council, has assessed the feasibility and cost of delivering each of the projects identified in the following tables. The estimated capital costs and developer contributions are based on SFT metrics for new school buildings and on cost estimates provided by Building Services for projects involving extension of existing school buildings. All sums are estimated based on current prices.



The primary pupil product used in Midlothian for new housing development has been 30.8 pupils per 100 units i.e. 0.308, this accounts for all pupils in the catchment, including denominational. However we are experiencing levels of growth in some areas higher than the 0.308 therefore a higher pupil product has been applied to the following areas:

- Bonnyrigg 0.47
- Mayfield 0.38
- Danderhall/Shawfair 0.38
- Newton Farm/Cauldcoats 0.38

### 3.1 Danderhall/Shawfair Learning Community

There are over 5,000 new homes planned for the wider Danderhall/Shawfair area:

Catchment	2016 Housing Stock	New Housing	Projected Housing Stock
Danderhall	1,397	490	1,887
Shawfair	13	3,481	3,494
Cauldcoats		550	550
Newton Farm		700	700
	1,410	5,221	6,631

We assume that it will take over twenty years to complete the development of Shawfair and we estimate that over this time pupil numbers will grow to about 600 pre-school, 2,000 primary and 1,600 secondary aged pupils, based on 0.38 primary pupils per new house. In the MLDP we said this would require a larger primary school at Danderhall as well as a family learning centre, primary and secondary school at the heart of Shawfair and three additional primary schools, one at Shawfair, one at Cauldcoats and one at Newton Farm. The MLDP states that sites for the provision of primary schools will be safeguarded at both Cauldcoats and Newton Farm.

Our current workings are based on accommodating all primary pupils between Danderhall Primary School and two larger primary schools, one part of the Shawfair Town Centre Campus and the other located to the other side of the railway, possibly adjacent to Newton Village.

Danderhall/Shawfair	Capacity Required By	Estimated Capital Cost	Developer Funding	Net Gap
		£'000	£'000	£'000
Shawfair Secondary - 1600 places	2026	43,351	37,752	5,598
Shawfair special needs provision	2026	3,251	-	3,251
Shawfair Town Centre Primary - 3 stream	2029	15,567	15,567	-
Shawfair Newton Village Primary - 3 stream	2034	15,567	12,728	2,839
Expansion to Town Centre School	2042	5,189	-	5,189
<b>Total Shawfair</b>		<b>82,924</b>	<b>66,047</b>	<b>16,877</b>

A 20% funding gap of £16.9 million arises because the estimated developer contributions for Shawfair are based on 0.308 primary pupils per house whereas we anticipate that growth in the short to medium term will be at a rate of 0.38 primary pupils per house, approximately 20% higher. There are no developer contributions applied to the secondary capacity required to accommodate pupils from the existing Danderhall community. In addition we have not to date collected developer contributions towards the cost of special school provision.

Further modelling needs to be done to see if the decline in pupil numbers as the development matures will happen more quickly than we have projected and so reduce the overall need to build additional capacity.

### 3.2 Dalkeith Learning Community

Much of the housing development across Dalkeith has already been completed with over 2,000 new homes completed since 2001 and approximately 800 houses yet to be built.

Catchment	Housing Stock 2001	Housing Stock 2018	New Housing	Projected Housing Stock
Kings Park	3,063	3,345	440	3,785
Tynewater	832	954	50	1,004
Woodburn	1,673	3,466	320	3,786
	5,568	7,765	810	8,575

We estimate that pupil numbers will increase to approximately 500 pre-school, 1,800 primary and 1,400 secondary aged pupils. Projections show that this will require two and a half streams of additional primary school capacity and an extension to 1,400 places at Dalkeith High School.

In the costings we have allowed for a new two stream primary school, refurbishment and extension of King's Park and St David's to bring them up to 3-stream and 1-stream respectively, and a 350 place extension to Dalkeith High School.

Dalkeith	Capacity Required By	Estimated Capital Cost	Developer Funding	Early Years Funding	Net Gap
		£'000	£'000	£'000	£'000
Woodburn Primary 3-stream	2019	1,477	-	-	1,477
St Davids Primary 1-stream	2020	2,258	149	352	1,756
Kings Park Primary 3-stream	2020	13,275	3,962	1,508	7,806
New primary school 2-stream	2022	12,880	3,516	1,508	7,856
Dalkeith High 1,400 places	2029	9,483	5,537	-	3,946
Pathhead ASN refurbishment		1,008	-	-	1,008
<b>Total Dalkeith</b>		<b>40,381</b>	<b>13,165</b>	<b>3,367</b>	<b>23,849</b>

Approximately £15 million of the capital costs relate to upgrading existing school buildings for which there is no developer contribution. Most of the remaining funding gap has arisen because we have collected insufficient developer contributions.

### 3.3 Newbattle Learning Community

Almost 2,000 new homes have been built in these areas since 2001 with over 4,000 more houses planned.

Catchment	Housing Stock 2001	Housing Stock 2018	New Housing	Projected Housing Stock
Mayfield	1,418	1,644	695	2,339
Lawfield	1,978	2,199	503	2,702
Newtongrange	2,030	2,421	688	3,109
Gorebridge	2,234	1,502	406	1,908
Gore Glen		1,489	542	2,031
Stobhill	479	789	10	799
Redheugh			1,300	1,300
Moorfoot	359	403	39	442
	8,498	10,447	4,183	14,630

We estimate that pupil numbers will increase to approximately 1,000 pre-school, 3,700 primary and 2,900 secondary aged pupils. Projections show that this will require six streams of additional primary school capacity and an additional secondary school.

In the costings we have allowed for a new 1,200 place secondary school in Gorebridge, new two stream primary schools at Easthouses and at Redheugh, the refurbishment and extension of Newtongrange to bring it up to 3-stream as well as smaller extensions to Lawfield and St Andrew's. We have also allowed for the replacement of the Mayfield School Campus including Mayfield and St Luke's Primary Schools and Mayfield Nursery School.

Newbattle	Capacity Required By	Estimated Capital Cost £'000	Developer Funding £'000	Early Years Funding £'000	SG Funding £'000	Net Gap £'000
Lawfield 2-stream	2019	610	610	-	-	-
Gorebridge EY expansion	2020	1,371	-	1,371	-	-
Easthouses new 2-stream	2023	13,206	10,602	1,563	-	1,042
Newtongrange 3-stream	2021	5,799	3,970	1,131	-	699
Gorebridge secondary school	2024	35,764	31,703	-	-	4,061
Redheugh new 2-stream	2024	11,742	11,742	-	-	-
St Andrews	2030	690	435	-	-	255
Mayfield School Campus		16,005	-	-	8,003	8,003
<b>Total Newbattle</b>		<b>85,188</b>	<b>59,061</b>	<b>4,064</b>	<b>8,003</b>	<b>14,060</b>

£8 million of the funding gap is due to the cost of replacing the Mayfield School Campus for which we have assumed we will be granted 50% funding from the Scottish Government. The balance of the funding arises because we have collected insufficient developer contributions.

### 3.4 Lasswade Learning Community

Over 2,000 new homes have been built in these areas since 2001 with approximately 3,300 more houses planned.

<b>Catchment</b>	<b>Housing Stock 2001</b>	<b>Housing Stock 2018</b>	<b>New Housing</b>	<b>Projected Housing Stock</b>
Lasswade	1,928	2,224	142	2,366
Bonnyrigg	1,500	1,492	690	2,182
Burnbrae	1,216	1,778	128	1,906
Hopefield Farm 2			1,000	1,000
Hawthornden	1,290	2,116	18	2,134
Rosewell	631	931	842	1,773
Loanhead	1,310	866	215	1,081
Paradykes	1,468	1,985	274	2,259
	<b>9,343</b>	<b>11,392</b>	<b>3,309</b>	<b>14,701</b>

We estimate that pupil numbers will increase to approximately 1,000 pre-school, 3,500 primary and 2,750 secondary aged pupils. Projections show that this will require over four streams of additional primary school capacity and over 1,000 additional secondary school places.

Our current workings assume that we will build a new secondary school on the A701 which would replace Beeslack and provide for pupils from Loanhead, Paradykes and Rosewell as well as Bilston and Roslin. We have provided for an extension to Lasswade High School to bring its capacity up to 1,800 pupils. We have provided for a new 2.5-stream primary school at Hopefield Farm 2, a 3-stream replacement for Lasswade Primary School and extensions to Hawthornden and Rosewell Primary Schools which would bring them up to 2-stream. We have also provided for refurbishment of Mount Esk Nursery and St Matthew's Primary School.

Lasswade	Capacity Required By	Estimated Capital Cost	Developer Funding	Early Years Funding	Net Gap
		£'000	£'000	£'000	£'000
Lasswade High - 1,600 places	2019	1,913	1,913	-	-
Rosewell EY expansion	2020	1,006	-	1,006	-
Mount Esk Nursery	2020	786	-	612	174
Burnbrae PS 3-stream	2021	62	-	-	62
Hopefield Farm 2 - 2.5 stream	2023	14,933	14,933	-	-
Hawthornden 2-stream	2024	1,914	79	-	1,836
Rosewell 2-stream	2025	6,196	5,659	-	536
Lasswade High - 1800 places	2027	5,419	5,419	-	-
Lasswade Primary 3-stream	2028	15,567	7,933	-	7,634
St Matthew's 3 classes		743	-	-	743
<b>Total Lasswade</b>		<b>48,539</b>	<b>35,936</b>	<b>1,618</b>	<b>10,985</b>

Approximately £10 million of the capital costs relate to replacing or upgrading existing school buildings, most significant of which is the estimated cost to the Council of £7.6 million to replace the existing capacity at Lasswade Primary School. There is also a shortfall in funding for the expansion of educational facilities in Rosewell because of the decision to forego contributions from the development of Whitehill House.

### 3.5 A701 / Penicuik Learning Community

Almost 1,500 new homes have been built in these areas since 2001 with over 3,000 more houses planned.

Catchment	Housing Stock 2001	Housing Stock 2018	New Housing	Projected Housing Stock
Bilston		1,077	1,038	2,115
Roslin	1,332	865	657	1,522
Glencorse	325	526	350	876
Mauricewood	1,476	1,087	569	1,656
Cuiken	1,702	1,601	476	2,077
Cornbank	1,025	2,215	68	2,283
Strathesk	2,256	2,183	26	2,209
	8,116	9,554	3,184	12,738

We estimate that pupil numbers will increase to approximately 750 pre-school, 2,600 primary and 2,000 secondary aged pupils. The projection for secondary aged pupils increases to 2,800 with the inclusion of Loanhead, Paradykes and Rosewell. Projections show that this will require three streams of additional primary school capacity and approximately 200 additional secondary school places, 1,000 additional places when we include pupils from Loanhead, Paradykes and Rosewell.

In the costings we have allowed for a new 1,380 place secondary school on the A701 corridor, which would include a special needs provision, and the refurbishment

and extension of Penicuik High School to 1,200 places. We have allowed for a new single stream school in Auchendinny to replace Glencorse. We have allowed for extensions to Bilston and Roslin Primary Schools to bring them up to 2-stream as well as smaller extensions to Mauricewood and Strathesk.

A701 / Penicuik	Capacity Required By	Estimated Capital Cost	Developer Funding	SG Funding	Net Gap
		£'000	£'000	£'000	£'000
Mauricewood 2-stream	2020	3,093	523	-	2,570
A701 Secondary - 1,380 places	2022	37,390	24,571	6,410	6,410
A701 special needs provision	2022	3,251	-	-	3,251
Penicuik High - 1,200 places	2023	27,726	8,166	9,780	9,780
Strathesk Primary 2-stream	2023	305	82	-	223
Bilston 2-stream plus	2026	6,056	6,056	-	-
Glencorse 1-stream	2027	5,436	3,000	-	2,436
Roslin Primary 2-stream	2030	2,802	2,801	-	2
<b>Total Penicuik</b>		<b>86,060</b>	<b>45,199</b>	<b>16,189</b>	<b>24,671</b>

£24 million of the funding gap is due to the cost of replacing the existing capacity at Beeslack, providing a special needs provision and refurbishing Penicuik High School for both of which we have assumed we will be granted 50% funding from the Scottish Government. Another £2.4 million is due to the cost of replacing the capacity at Glencorse Primary School. The balance of the funding gap is due to the cost of upgrading Mauricewood and because we have collected insufficient developer contributions.

### 3.6 Denominational Learning Community

The demand for additional capacity at our seven denominational primary schools is reflected in the roll projections and costings summarised in the preceding geographical learning community tables. We do not foresee a need to provide additional capacity at St David's High School.

### 3.7 Summary of the Learning Estate Capital Funding Position

Summary	Estimated Capital Cost	Developer Funding	Early Years Funding	SG Funding	Net Gap
	£'000	£'000	£'000	£'000	£'000
Danderhall/Shawfair	82,924	66,047			16,877
Dalkeith	40,381	13,165	3,367		23,849
Newbattle	85,188	59,061	4,064	8,003	14,060
Lasswade	48,539	35,936	1,618		10,985
A701 / Penicuik	86,060	45,199		16,189	24,671
	<b>343,091</b>	<b>219,407</b>	<b>9,050</b>	<b>24,192</b>	<b>90,442</b>

The detailed timeline of the Learning Estate Strategy funding gap is shown in a table in Appendix 1.

The sources of this considerable funding gap are summarised as follows:

<b>Funding Gap due to:</b>	<b>£'000</b>
Lack of developer contributions	39,527
Replacement of existing capacity	24,657
Refurbishment of existing capacity	22,666
Adding EY provision to primary school post 2021	3,592
	<b>90,442</b>

These are the areas that we will have to consider in order to significantly reduce this funding gap, along with examples of the projects which would be affected:

- Avoid the cost of replacing existing capacity e.g. in the Bonnyrigg area consider not replacing Lasswade Primary School and providing additional capacity at the new school at Hopefield Farm 2 instead;
- Avoid the refurbishment of existing capacity e.g. in Dalkeith do not extend King's Park and provide additional capacity instead at the new primary school at Kippielaw;
- Do not address the poor condition of school buildings e.g. do not replace the Mayfield School Campus or upgrade/replace parts of Penicuik High School.

### **3.8 Scottish Government Funding**

In November 2018, the Scottish Government set out its plans to invest a further £1bn in the learning estate. The key objectives of this investment are to:

- support the delivery of Scotland's Learning Estate Strategy
- improve the condition and suitability of the learning estate
- establish links across the learner journey where appropriate
- support sustainable estate planning and improved stewardship

Underpinning this new investment is the presumption that it will continue to address the current commitment that "no child should have to learn in a school that is in poor or bad condition". Investment is expected to contribute towards sustainable and inclusive economic growth.

The funding principles are:

- Shared investment programme
- SG funding to augment not replace LA funding
- Like for like approach
- Capital equivalent funding
- No use of private finance

The revenue funding which will be available from the new investment programme will be based on the equivalent of 50% capital funding.

Previous Programme			New Programme		
Primary	Secondary	ASN	Primary	Secondary	ASN
50%	66.6%	50%	50%	50%	50%

The detail of the investment programme and calls for funding bids will be published in the near future. In the meantime officers have engaged in preliminary discussions with Scottish Government and Scottish Futures Trust about projects which we would wish to put forward.

The aim would be to seek funding to meet 50% of the costs of replacement of Beeslack High School on the A701 corridor, refurbishment of Penicuik High School and replacement of the Mayfield School Campus. If successful this would contribute funding in the region of £24 million. Without Scottish Government funding it is unlikely that the Council will be able to proceed with these projects.

### 3.9 Consultations

#### 3.9.1 Denominational School Provision

Discussions on denominational school provision across Midlothian have been held with Head Teachers and representatives of the Catholic Church. Council in February 2019 decided that we should progress to statutory consultation. The table below outlines an indicative timeline for the expansion of these discussions to include parents in pre-consultation and the development of proposals on which we would then undertake statutory consultation.

<b>Denominational Schools Consultation</b> <b>Indicative timeline</b>	Minimum Time	Date From	Target Completion Date
<b>Schools Affected:</b> Sacred Heart, St Andrew's, St David's, St Luke's, St Margaret's, St Mary's, St Matthew's Primary Schools & St David's High School.			
Pre-consultation with Head Teachers, parents and Church Representatives on strategy for denominational school provision and development of proposals for mergers / closure of schools.			30-Jun-19
Obtain Council governance to progress to statutory consultation(s)			20-Aug-19
Statutory Consultation period	6 weeks	28-Aug-19	10-Oct-10
Hold Public Meetings during this 6 week period - number of meetings will depend on proposals			



Submit consultation papers to Education Scotland			21-Oct-19
HMiE issue report	3 weeks		11-Nov-19
Publish Consultation Report			18-Nov-19
Further Consideration after publication of report	3 weeks		9-Dec-19
Prepare paper for Council decision			16-Dec-19
Council Meeting & Decision			11-Feb-20
Time for representations to Ministers	3 weeks		3-Mar-20
Time for Ministers to decide call in (if closure)	8 weeks		28-Apr-20
School Closure Review Panel	up to 17 weeks		25-Aug-20
Council Meeting following Review Panel decision			Sept/Oct 20
Council implementation			Aug 2021

### 3.9.2 Glencorse Primary School

Council in February 2019 decided that we should move to statutory consultation on Glencorse Primary School. The period of statutory consultation for Glencorse in the table below is scheduled to follow after the statutory consultation period for the denominational schools. We will use the time between now and October to engage with the Head Teacher and parents in pre-consultation so that we ensure all options are given due consideration prior to undertaking statutory consultation.

<b>Glencorse Primary School Consultation Indicative timeline</b>	Minimum Time	Date From	Target Completion Date
Statutory Consultation period	6 weeks	28-Oct-19	9-Dec-19
Hold Public Meetings during this 6 week period			
Submit consultation papers to Education Scotland			16-Dec-19
HMiE issue report	3 weeks		21-Jan-20
Publish Consultation Report			28-Jan-20
Further Consideration after publication of report	3 weeks		25-Feb-20
Prepare paper for Council decision			3-Mar-20
Council Meeting & Decision if not called in			24-Mar-20
Time for representations to Ministers	3 weeks		28-Apr-20
Time for Ministers to decide call in (if closure)	8 weeks		23-Jun-20

School Closure Review Panel	up to 17 weeks	20-Oct-20
Council Meeting following Review Panel decision		Nov 2020
Council implementation		Aug 2021

The discussions will extend to consideration of neighbouring primary schools, such as Mauricewood and Roslin which could expand to include the Glencorse catchment, including the planned housing development in Auchendinny.

### 3.9.3 New primary school in Easthouses

We require to consult on the establishment of the new primary school in Easthouses, to be located on the former site of Newbattle High School and the creation of its catchment area. The period of statutory consultation identified for this in the table below is scheduled to follow after the statutory consultation period for Glencorse Primary School.

<b>New Primary School in Easthouses Indicative consultation timeline</b>	Minimum Time	Date From	Target Completion Date
Consultation period	6 weeks	17-Feb-20	30-Mar-20
Hold Public Meetings during this 6 week period			
Submit consultation papers to Education Scotland			20-Apr-20
HMiE issue report	3 weeks		12-May-20
Publish Consultation Report			19-May-20
Further consideration after publication of report	3 weeks		9-Jun-20
Prepare paper for Council decision			16-Jun-20
Council Meeting & Decision			Aug 2020
Council implementation			Aug 2021

This consultation will include all the neighbouring primary schools from which the new school's catchment area will be drawn, Lawfield, Mayfield and Newtongrange Primary Schools. There may also be adjustments to the catchment areas of Gore Glen, Gorebridge and Stobhill Primary Schools which would be included in the consultation.

## 4 Report Implications

### 4.1 Resource

The total indicative capital cost of providing all the additional primary and secondary school capacity identified in the learning estate strategy is estimated at £343 million. Developer contributions will be available to fund a significant proportion of this expenditure, this is currently estimated to be in the region of £219 million. The capital grant for Early Years Expansion can fund a further £9 million. Scottish Government funding as described in section 3.8 would contribute in the region of £24 million.

The net of these figures gives a £90 million funding gap which would need to be funded by borrowing and/or by generating capital. We have been advised that the Council cannot support additional borrowing of £90 million to deliver the scope of the LES as presented. Further work will therefore be undertaken in the first place by the Education Service to review and prioritise the LES projects and identify the compromises that can be made in order to arrive at a more affordable position. This will be progressed as quickly as possible and a further report will be brought to Council later in the year in order that the LES can be reflected in the Council's Capital Investment Strategy and General Service Capital Plan.

### 4.2 Risk

If the Council does not have a funding strategy for the delivery of the learning estate there is a risk that the Council will not have a place for every pupil at their catchment school.

There is a risk that without an agreed strategy Council will be in a weaker position to bid for and secure Scottish Government funding.

There is a risk that without having a Learning Estate Strategy in place the Council will not secure the appropriate level of S75 contributions required to deliver additional capacity arising from housing developments.

There is a risk that the funding required to deliver the strategy will require a level of prudential borrowing that will only be affordable if other capital projects are de-prioritised and/or further savings are secured in the revenue budget to provide the capacity in the revenue budget to meet the costs of additional prudential borrowing.

### 4.3 Single Midlothian Plan and Business Transformation

Themes addressed in this report:

- Community safety
- Adult health, care and housing
- Getting it right for every Midlothian child
- Improving opportunities in Midlothian
- Sustainable growth
- Business transformation and Best Value
- None of the above

#### **4.4 Impact on Performance and Outcomes**

The aim of this paper supports the priority to reduce the inequalities in learning outcomes by improving the quality of learning and teaching, leading to raised levels of achievement and attainment, by providing every child with the opportunity to attend school in their local community.

#### **4.5 Adopting a Preventative Approach**

The aim of this paper supports the priority to reduce the inequalities in learning outcomes by improving the quality of learning and teaching, leading to raised levels of achievement and attainment, by providing every child with the opportunity to attend school in their local community

#### **4.6 Involving Communities and Other Stakeholders**

This report presents an update on the Learning Estate Strategy and identifies a number of proposals which would be subject to statutory consultation.

#### **4.7 Ensuring Equalities**

This paper presents an update on the Learning Estate Strategy for which an Equality Impact Assessment was carried out and made available in the Members' Library along with the Learning Estate Strategy in September 2017.

#### **4.8 Supporting Sustainable Development**

The Learning Estate Strategy supports sustainable development by outlining the short to long term requirements for the school estate. This paper takes into account the need to deliver fit for purpose schools across Midlothian which are sustainable while anticipating and acknowledging the needs and views of stakeholders.

#### **4.9 IT Issues**

The IT requirements of the proposed strategy and cost implications will be developed as part of the specifications for each school project.

## **5 Recommendations**

It is recommended that Council notes the content of the report and endorses the work that officers are undertaking to develop a strategic solution to funding the Learning Estate Strategy.

**April 2019**

**Report Contact:**

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**Appendix 1 – Learning Estate Strategy Capital Funding Gap**

**Appendix 2 – Pupil Census 2018**

**Background Papers**

Learning Estate Strategy 2017-2047, September 2017

## Learning Estate Strategy Capital Funding Gap

Learning Estate Strategy	Year	New Build	Refurb/ Replace	Total Cost	Develop Funding	Early Years Funding	SG Funding	Total Funding	Funding Gap
Woodburn Primary	2019	1,477	-	1,477	-	-	-	-	1,477
Lasswade High	2019	1,913	-	1,913	1,913	-	-	1,913	-
Lawfield Primary	2019	610	-	610	610	-	-	610	-
St Davids Primary	2020	352	1,906	2,258	149	352	-	501	1,756
Rosewell EY expansion	2020	1,006	-	1,006	-	1,006	-	1,006	-
Kings Park PS	2020	6,849	6,426	13,275	3,962	1,508	-	5,469	7,806
Mount Esk Nursery School	2020	-	786	786	-	612	-	612	174
Gorebridge EY expansion	2020	1,371	-	1,371	-	1,371	-	1,371	-
Mauricewood	2020	-	3,093	3,093	523	-	-	523	2,570
Burnbrae PS	2021	-	62	62	-	-	-	-	62
New Dalkeith primary school	2022	12,880	-	12,880	3,516	1,508	-	5,024	7,856
New Easthouses primary school	2021	13,206	-	13,206	10,602	1,563	-	12,164	1,042
Newtongrange Primary	2021	4,950	849	5,799	3,970	1,131	-	5,100	699
		<b>44,615</b>	<b>13,121</b>	<b>57,736</b>	<b>25,245</b>	<b>9,050</b>	-	<b>34,295</b>	<b>23,442</b>
Mayfield School Campus	2022	-	16,005	16,005	-	-	8,003	8,003	8,003
A701 Secondary	2022	14,089	23,301	37,390	24,571	-	6,410	30,980	6,410
A701 special needs provision	2022	3,251	-	3,251	-	-	-	-	3,251
Penicuik High	2023	8,166	19,560	27,726	8,166	-	9,780	17,946	9,780
Strathesk Primary	2023	305	-	305	82	-	-	82	223
Hopefield Farm 2 Primary	2023	14,933	-	14,933	14,933	-	-	14,933	-
Hawthornden Primary	2024	1,914	-	1,914	79	-	-	79	1,836
Gorebridge secondary school	2024	35,764	-	35,764	31,703	-	-	31,703	4,061
Redheugh new Primary	2024	11,742	-	11,742	11,742	-	-	11,742	-
Rosewell Primary	2025	4,996	1,200	6,196	5,659	-	-	5,659	536
		<b>95,161</b>	<b>60,066</b>	<b>155,227</b>	<b>96,935</b>	-	<b>24,192</b>	<b>121,127</b>	<b>34,100</b>
Shawfair Town Centre Primary	2029	15,567	-	15,567	15,567	-	-	15,567	-
Shawfair Secondary	2026	43,351	-	43,351	37,752	-	-	37,752	5,598
Shawfair special needs provision	2026	3,251	-	3,251	-	-	-	-	3,251
Bilston Primary School	2026	6,056	-	6,056	6,056	-	-	6,056	-
Glencorse Primary	2027	3,262	2,174	5,436	3,000	-	-	3,000	2,436
Lasswade Primary	2028	6,795	8,772	15,567	7,933	-	-	7,933	7,634
Lasswade High extension to 1800	2027	5,419	-	5,419	5,419	-	-	5,419	-
St Andrews Primary	2030	690	-	690	435	-	-	435	255
Roslin Primary	2030	2,802	-	2,802	2,801	-	-	2,801	2
Dalkeith High	2029	9,483	-	9,483	5,537	-	-	5,537	3,946
Shawfair Newton Village Primary	2034	15,567	-	15,567	12,728	-	-	12,728	2,839
Expansion to Shawfair Primary	2042	5,189	-	5,189	-	-	-	-	5,189
Pathhead ASN refurbishment		-	1,008	1,008	-	-	-	-	1,008
St Matthew's Primary		-	743	743	-	-	-	-	743
		<b>117,432</b>	<b>12,696</b>	<b>130,128</b>	<b>97,227</b>	-	-	<b>97,227</b>	<b>32,901</b>
<b>Total</b>		<b>257,207</b>	<b>85,884</b>	<b>343,091</b>	<b>219,407</b>	<b>9,050</b>	<b>24,192</b>	<b>252,649</b>	<b>90,442</b>
Provisional Sums in Capital Plan		34,021	1,888	35,909	19,659	9,050		28,709	7,200
have been provided for the projects shaded in the table above									

## Pupil Census 2018

School	P1	P2	P3	P4	P5	P6	P7	Total
Bilston Primary School	11	16	14	12	5	10	9	77
Bonnyrigg Primary School	57	59	57	61	65	54	60	413
Burnbrae Primary School	80	70	66	58	65	55	45	439
Cornbank Primary School	33	41	37	35	25	32	43	246
Cuiken Primary School	36	35	37	29	28	36	32	233
Danderhall Primary School	44	52	41	39	40	42	25	283
Glencorse Primary School	--	2	2	3	3	2	3	15
Gore Glen Primary School	40	40	27	12	12	14	12	157
Gorebridge Primary School	38	32	40	57	52	37	40	296
Hawthornden Primary School	41	56	48	58	38	46	52	339
King's Park Primary School	68	69	69	71	68	62	58	465
Lasswade Primary School	53	56	51	62	52	57	49	380
Lawfield Primary School	49	54	54	56	47	22	46	328
Loanhead Primary School	29	22	28	24	32	29	32	196
Mauricewood Primary School	38	43	51	43	49	54	49	327
Mayfield Primary School	44	40	43	39	41	25	43	275
Moorfoot Primary School	8	10	13	15	9	12	14	81
Newtongrange Primary School	59	48	45	52	52	51	47	354
Paradykes Primary School	37	38	42	40	31	47	32	267
Rosewell Primary School	15	13	15	21	22	14	19	119
Roslin Primary School	40	26	27	25	25	26	21	190
Sacred Heart Primary School	16	22	22	20	19	15	13	127
St Andrew's Primary School	18	26	24	20	26	24	25	163
St David's Primary School	24	30	27	27	32	29	26	195
St Luke's Primary School	28	32	33	23	25	24	28	193
St Margaret's Primary School	10	4	9	8	8	6	10	55
St Mary's Primary School	20	14	13	26	24	15	27	139
St Matthew's Primary School	4	11	6	8	10	5	1	45
Stobhill Primary School	32	30	28	29	30	33	25	207
Strathesk Primary School	38	47	52	53	45	52	49	336
Tynewater Primary School	29	30	27	31	22	24	28	191
Woodburn Primary School	91	79	82	73	67	59	56	507
<b>Total</b>	<b>1,130</b>	<b>1,147</b>	<b>1,130</b>	<b>1,130</b>	<b>1,069</b>	<b>1,013</b>	<b>1,019</b>	<b>7,638</b>

School	S1	S2	S3	S4	S5	S6	Total
Beeslack High School	141	107	114	128	81	81	652
Dalkeith High School	164	187	158	116	132	74	831
Lasswade High School	277	281	284	296	253	141	1532
Newbattle High School	183	170	189	146	130	81	899
Penicuik High School	119	101	100	113	97	56	586
St David's RC High School	145	106	114	106	76	66	613
<b>Total</b>	<b>1,029</b>	<b>952</b>	<b>959</b>	<b>905</b>	<b>769</b>	<b>499</b>	<b>5,113</b>

	Total
Saltersgate	103





## **Idox Uniform Upgrade to Hosted Platform**

### **Report by Gary Fairley, Head of Finance and Integrated Support Services**

#### **1 Purpose of Report**

The purpose of this report is to set out the rationale for upgrading the Idox Uniform system and moving it to a hosted, Software as a Service (SaaS) model for the Council.

It outlines:

- The business, operational and financial implications of selecting a hosted SaaS platform.
- The budgetary implications for upgrading this applications and the actions necessary to provide for this.

#### **2 Background**

**2.1** One of the Council's core business applications, Idox Uniform, requires significant hardware and software upgrades to continue supporting service delivery. The locally installed infrastructure supporting Uniform has reached end of life. Advances in, and availability of, cloud technologies provide an opportunity to a move away from a traditional 'on premise' solution and consider the adoption of a Software as a Service (SaaS) model.

#### **2.2 Idox Uniform**

The Uniform system is core to delivery of statutory Council functions including: Planning; Building Standards; Environmental Health; Licensing and Trading Standards. It provides business critical case and knowledge management functions for these services without which they cannot operate. Uniform is closely tied into our use of the online Scottish Planning Portal which gives the public 24/7 access to online planning services. Data from the system also drives KPI reporting and is provided to other agencies such as Food Standards Scotland.

#### **2.4 Technology**

Uniform is currently hosted 'on premise', using a traditional internally owned server architecture, which has significant financial and personnel resource implications. Like all of our major on premise business applications, it requires frequent intervention to patch and maintain the hardware, operating systems and the application itself. It also comes within our PSN remit.

As part of our Digital Strategy we have been making a conscious move to migrate business applications to hosted Software as a Service (SaaS) if business and technical requirements are met. Several recent system implementations have been procured as SaaS solutions including: Legend Leisure Management; Civica Icon; Astech Committee Management System; ParentPay Online School Payments; and ServiceNow.

## 2.6 Hosted Solution

Idox has provided a five year proposal for hosting their application in their secure cloud environment. This includes hardware, operating systems software, application software, maintenance and support. The company would also be contractually committed to meeting all PSN and other security compliance targets.

## 2.7 Key Benefits

- Fixed, known annual costs over a five year period to cover all of Midlothian's hardware, software and storage requirements.
- Wider availability of solution to staff working offsite, increasing the benefits of flexible and mobile working.
- System upgrades are performed when it is convenient for the Service and outwith business hours, eliminating downtime for Midlothian staff.
- More frequent upgrades aid us in meeting changes to legislative requirements and offer a better user experience for services.
- Meets the Councils strategic aim of moving business applications to a hosted environment.
- Managed monitoring of hardware issues by a designated team.
- Reduced capital expenditure on local infrastructure.
- Full 24x7 support.
- A single point of contact for all Uniform related questions and issues.
- Full system resilience - in the event of the main servers becoming unavailable the vendor can move Midlothian onto back-up hardware swiftly.
- Reduces the requirement for internal support management.
- Infrastructure and application compliance are provided by the vendor in a secure environment in line with best practice.

- Scalability of solution to meet future system growth is assured.
- Consistent provision of the latest software release maximises potential use of the platform.

## 2.8 Best Value

Based on the options appraisal, adoption of a SaaS approach is recommended on the following basis:

1. The overall cost of SaaS is comparable with on premise and has other non-financial advantages and so represents the best value solution.
2. The additional revenue costs over 5 years is broadly comparable, though it is noted that the SaaS has a more immediate impact for 2019/20.
3. It provides a stable platform, which is not dependent on Midlothian skills availability to upgrade and maintain, providing a more consistent and effective service to staff and clients.
4. Keeping the solution on premise introduces elements of risk including:
  - a. The lack of system resiliency in the event of critical failures.
  - b. Fluctuating (and generally increasing) prices for core operating system, database and other software licencing including the Windows operating system, Oracle and antivirus provision.
  - c. The unknown financial impact of Brexit on the cost of system provision.
  - d. An increase in the Consumer Price Index of 4% pa, rather than the modelled 3%, would increase on premise Idox licensing costs by £16,000 over 5 years.
5. Satisfactory performance of an onsite solution is heavily dependent on the preservation of necessary digital skills within the organisation which, under the current budgetary regime, may not be guaranteed.
6. The Scottish Government is actively investigating a national platform for Planning which may deliver an alternative solution in the future. The adoption of Idox SaaS will give a greater flexibility for moving to an alternative system and avoids sunk costs in onsite hardware and infrastructure.

### 3 Report Implications

#### 3.1 Resource

##### Overall Costs

*Table 1 – Overall Cost of Capital, Cost of Borrowing and Revenue*

	Year 1	Year 2	Year 3	Year 4	Year 5	Total
Uniform SaaS	£250,873	£180,524	£180,524	£180,524	£180,524	£ 972,768

The financial cost of moving to SaaS over staying on premise is 2.3% higher for Uniform (over 5 years) but non-financial benefits outlined earlier in the report are considered to outweigh this difference.

##### Capital

The move to a SaaS platform will result in savings against existing capital budget of £48,000 for Uniform.

##### Revenue

*Table 2 – Additional Impact on Revenue Budget*

	Year 1	Year 2	Year 3	Year 4	Year 5	Total
Uniform SaaS	£142,320	£51,328	£49,089	£46,784	£45,201	£334,720

Given that the Council has determined its budget for 2019/20 Council would need to recognise and accept that the best value solution would have an impact on the reserves position short term and increase future years revenue budgets. Accordingly the proposed solution would require an increase of £142,000 for Idox uniform.

Future year budgetary impacts would be amended as part of the budget development process for the years in question.

#### 3.2 Risk

All hosted SaaS solutions carry some inherent risks (detailed below)

- Dependence on the suppliers for all elements of service will require strong contract management to maintain compliance and avoid degradation in performance.
- A remotely located service is entirely dependent on a resilient connection from Midlothian networks to the internet. Our internet connection has not suffered significant downtime in over 5 years.
- End of contract off-boarding to an alternative supplier will need to be strongly represented in our contract to ensure that Midlothian has the flexibility to move to alternative applications at a later date.

### 3.3 Single Midlothian Plan and Business Transformation

Themes addressed in this report:

- Community safety
- Adult health, care and housing
- Getting it right for every Midlothian child
- Improving opportunities in Midlothian
- Sustainable growth
- Business transformation and Best Value
- None of the above

### 3.4 Key Priorities within the Single Midlothian Plan

Upgrading Idox Uniform enables us to meet legislative requirements including:

#### *Planning*

- The Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2016;
- Planning (Listed Building and Conservation Areas) (Scotland) Act 1997, as amended by the Historic Environment (Amendment) Scotland Act 2011 and Historic Environment Scotland Act 2014.

#### *Building Standards*

- The Building (Scotland) Act 2003

#### *Environmental Health*

- In excess of 35 criminal Acts and multiple associated regulations

### 3.5 Impact on Performance and Outcomes

The adoption of Idox Uniform SaaS will improve overall system performance and deliver consistent and reliable services to Midlothian staff and residents. This will also ensure equality and sustainability for the next five years.

### 3.6 Adopting a Preventative Approach

Not applicable

### 3.7 Involving Communities and Other Stakeholders

Internal stakeholders have been widely consulted during the preparation of this report

### 3.8 Ensuring Equalities

An EqIA has not been carried out for this report as this will deliver the same service to the community.

### 3.9 Supporting Sustainable Development

Moving business applications to a hosted platform is, cost differences aside, almost always beneficial to Midlothian Council as outlined above. This paper sets the ground for future application procurements and upgrades.

### 3.10 IT Issues

Digital Services have clearly identified the benefits that Idox Uniform SaaS will have in improving service delivery.

## 4 Recommendations

That Council:

1. Note the assessment carried out and that Idox Uniform hosted SaaS is considered to represent the best value solution.
2. Support a supplementary estimate, funded from reserves in 2019/20 of £142,000 and note that future year budgetary impacts would be amended as part of the budget development process for the years in question.

### Date

#### Report Contact:

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#### Background Papers:

- None

## **Volunteering with Midlothian Council**

### **Report by A Lang Strategic Service Redesign Manager (Services with Communities)**

#### **1 Purpose of Report**

- 1.1 The purpose of this report is for Council to note the adoption of the Volunteering with Midlothian Council Policy. The volunteer policy forms one of the foundation stones of Services with Communities.

#### **2 Background**

- 2.1 During the 2016 inspection of learning and development in our communities, evidence was gathered in relation to volunteering. It highlighted the significant contribution volunteers are making in Midlothian's communities. Volunteer Midlothian are the lead support service ensuring standards and support for volunteers across Midlothian.

In order to improve, reduce risks and expand volunteering within the Council a cross directorate review of our internal use of volunteers was requested by the Chief Executive seeking to establish a consistent approach to volunteering within the Council.

The working group chaired by Alasdair Mathers (Communities and Performance Manager) undertook the following actions to review and improve volunteering in Midlothian Council.

The Council working group worked with Volunteer Midlothian to:

- Map current volunteer activity within the Council, i.e. volunteer opportunities offered by the Council.
- Undertake an analysis of the current benefits experienced from volunteer activity.
- Map procedures and processes for offering volunteering opportunities.
- Consider good practice from elsewhere.
- Examine the key roles and functions required to support effective volunteering.
- Produce information on key areas for staff to be able to implement or improve their existing volunteer opportunities. These included recruitment, expenses, support and access to training. The tool kit should be as straightforward as possible in order to reduce the resources required, while also giving consistent support to volunteers.
- Investigate appropriate mechanisms to record volunteering in Midlothian.

### **3 Report Implications**

#### **3.1 Resource**

The working group consisted of 10 representatives from across the Directorates with a mixture of those who do and those who do not currently use volunteers. The group met 8 times over an 11 month period. The review identified significant contributions to service delivery already being achieved by the use of volunteers. These took place in a range of settings from parental volunteering in schools, environmental volunteering with landscape management and the countryside rangers, ageing well activity programmes for older people, volunteers in care homes, adult learning, youth and children's work volunteers.

There is a time resource implication for Council staff in recruitment, record maintenance and providing appropriate support to the volunteer, up to and including the end of their volunteering period.

There is a resource required to create and maintain the recommended register of volunteers ensuring PVG and other regulatory requirements have been met. Where needed there will also be a resource required to process travel costs.

To ensure the processes are manageable with current resources, work has been undertaken with the Employment and Reward Manager to make processes as efficient as possible within an estimation of maintenance for approximately 50 volunteers per year. A smaller number of volunteers may require to undertake a PVG, currently these costs are covered by the local authority.

The process also requires the staff member and manager creating the volunteer opportunity to undertake risk assessments and secure permission for the volunteer opportunity taking into account the possible requirement to meet travel and PVG costs within existing budgets. The manager should not approve the volunteer advert if these cannot be met from within existing budgets.

In order to create momentum and have volunteering as a shared endeavour across Council. A commitment for action has been included as an appendix within the policy which requires the Council to:

- Secure a champion for volunteering.
- Hold an annual council volunteer recruitment open day.
- Provide taster volunteer opportunities.
- Increase opportunities for family friendly and youth volunteering with the Council.
- Celebrate volunteering through recognition schemes.
- Give volunteers the opportunity to contribute to service redesign and quality improvement.

The role of the champion will be to promote volunteering within and out with the Council, review progress, remove barriers and promote good practice and lessons learned.

#### **3.2 Risk**

Formalising the process of volunteering could lead to a bureaucratic volunteering approval / registration process which could in turn lead to the reduction of the number of volunteering opportunities. Work has been



undertaken to ensure this is not an unintended outcome of the process and testing of the model will take place.

The Volunteering with Midlothian Council Policy will ensure a consistent approach towards interviews, checks, registration, training and it will reduce potential risks including GDPR requirements. It will also reduce risks for vulnerable groups as PVG checks and other safety checks through centralisation.

### **3.3 Single Midlothian Plan and Business Transformation**

Themes addressed in this report:

- Community Safety
- Adult Health, Care and Housing
- Getting it right for every Midlothian child
- Improving Opportunities in Midlothian
- Sustainable Growth
- Business Transformation and Best Value
- None of the above

### **3.4 Key Priorities within the Single Midlothian Plan**

Enhancing volunteering opportunities will contribute to work towards all three of the Community Planning Partnership's top three priorities for 2018-19:

- Reducing the gap in learning outcomes.
- Reducing the gap in health outcomes.
- Reducing the gap in economic circumstances.

### **3.5 Impact on Performance and Outcomes**

The new volunteer workflow will enable the Council to analyse the costs and benefits of volunteering and support the growth of volunteering appropriately including analysis of equalities information.

### **3.6 Adopting a Preventative Approach**

Key elements of our current and future approaches for volunteering will support preventative work in relation to health, wellbeing and positive outcomes.

### **3.7 Involving Communities and Other Stakeholders**

The working group engaged with a range of stakeholders including the lead agency for supporting Volunteering in Midlothian. The draft volunteer policy has also been presented and discussed at Midlothian Negotiating Committee of Teachers (MNCT) and Corporate Joint Working Group (CJWG).

### **3.8 Ensuring Equalities**

Midlothian Council has a duty to ensure volunteering is open to all and barriers are removed in relation to those from protected characteristic groups including those affected by poverty. The new work flow ensures improved equalities tracking data.

### **3.9 Supporting Sustainable Development**

Working with Volunteers is one of the foundation stones for expanding the service with communities approach. Working with volunteers can enhance services and add value to the services offered.

#### **3.10 IT Issues**

Use of the Council's ITrent system will be required to register volunteers who commit to a regular volunteering role. GDPR regulatory requirements will apply to data held about any volunteer.

## **4 Summary**

The attached policy sets out the Council's corporate approach to working with and supporting volunteers whilst improving quality and reducing risks.

## **5 Recommendations**

Council is asked to:

- Note the new Volunteering for Midlothian Council Policy.
- Nominate a Champion for Volunteering.
- Support the Commitment for Action (Appendix 1 of the volunteer policy).

Report Contact Names:

Annette Lang/Alasdair Mathers

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# Volunteering with Midlothian Council Policy

## Volunteering with Midlothian Council Policy

**“Volunteering – Making a Difference – A Force for Change”**

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## 1. Foreword

Midlothian Council welcomes and thanks all members of the community, including the many Council staff, who volunteer their own time to support and assist their neighbours and communities. Volunteering has been a feature of our society far back into history and has made, and continues to make, a valuable contribution to the wellbeing of communities. It has benefits for the volunteer as well as those with whom the volunteer works.

Volunteering can be motivated through an interest or hobby, from the environment or sports to the arts. A number of local people commence volunteering to support the groups their children are involved in. Some engage in campaigning or running community groups that deliver services even taking voluntary responsibility for employing paid staff. Other people see volunteering as helping them gain experience that will help them on the way to work, or a journey back from illness, or to gain confidence. Some volunteer to stay active and involved after retirement. Volunteering has proven health benefits including reduced social isolation and increased wellbeing.

Whichever motivation draws a volunteer into spending their time doing unpaid activities, it is up to the individual to control how much or what they choose to do, and for how long. Midlothian has a strong tradition of volunteering, with statistics showing nearly a third of the population give time regularly as a volunteer each week.

The Council wishes to encourage all staff teams to consider how they could offer volunteers a chance both to contribute to their work area and achieve the volunteer's personal goals.

As a Corporate Management Team we welcome the policy which will support managers across the Council to work with volunteers. The policy provides support and guidance to encourage and expand volunteering and types of volunteer experiences that the Council can offer. It also provides information on the further actions which will be taken to support expansion of volunteering (Appendix 1).

We look forward to hearing about the increased range of opportunities offered to volunteers across the Council.

Dr Grace Vickers, Chief Executive

## 2. Introduction

The volunteering policy was produced by a cross Council and Third Sector Joint Working Group including representatives from Human Resource, Finance, IT, Legal Services, Service Managers of Leisure Services, Lifelong Learning, Communities, Adult Social Care, Schools, Children's Services, Libraries & Customer Services.

This policy aims to provide a framework and guidance for supporting those who volunteer and help Midlothian Council staff to grow the number of volunteer opportunities for those of all ages. The Council recognises the excellent contribution that volunteers make. Staff and volunteers working together for the benefit of our communities is a key strength in our approach to making Midlothian 'a great place to grow'. Volunteering is a force for change – making a difference together.

The policy aims to address the following 5 objectives:

- To enhance the range of volunteer opportunities with Midlothian Council;
- To improve the recruitment and support for our volunteers;
- To increase the diversity of our volunteers to reflect our population profile;
- To recognise, reward and celebrate our volunteers;
- To work in partnership with volunteer lead agencies both locally and nationally.

## 3. Policy Context

### National

The Community Empowerment (Scotland) Act (CE(S)A) 2015 and associated Guidance and Regulation – aims to empower individuals and communities shifting the balance of power clearly towards communities from public sector providers through a number of different requirements including locality planning; community asset transfer and engagement.

The Commission on the Future Delivery of Public Services – chaired by Campbell Christie, highlighted that if they are to be effective, public services must empower individuals and communities by involving them in both the design and delivery of services. It advocated a fundamental overhaul of the relationships between institutions responsible for delivering public services and the needs of individuals and communities.

Volunteer Coordination - At national level, promotion and development of volunteering is undertaken by Volunteer Scotland (VS). It advertises and

promotes volunteering opportunities through a variety of channels including face to face consultations, local radio and web promotion assisting potential volunteers and third sector organisations with all aspects of volunteering.

### **Midlothian Policy Context**

Midlothian Learning and Development in the Community Strategic Plan 2018-21 – recognises the importance of supporting local people to volunteer and ensuring that in our new communities this continues to be a tradition.

The Third Sector Interface, Midlothian – volunteering is highly valued in Midlothian and is recognised by Midlothian Council and the Scottish Government, as the body who provides leadership and co-ordination for the volunteering in our area specifically through Volunteer Midlothian.

Volunteer Midlothian promotes and co-ordinates volunteering activities across the region and gives guidance for organisational policy development around volunteering. The Interface also advertises volunteering opportunities on its website and assists third sector organisations with all aspects of volunteering. As a key partner, the Interface has expertise in the promotion of volunteering opportunities and can advise on matching volunteers with opportunities. They carry this out via websites, social media sites, volunteer directories and when meeting volunteers for one to one appointments arranging alternatives for those who do not make use of digital technology.

Midlothian Council is one of 32 local Councils making up the Local Government of Scotland, accountable to the public through Elected Local Councillors who manage the Council, setting local policies and budgets for different services, reviewing and supporting the work of employees managed by a Chief Executive Officer and Senior Managers. The Council is also accountable under a set of UK and Scottish Government laws for the delivery of a wide range of services to the public living and working within the area. These laws set out exactly what must be delivered, standards or quantity, with a local audit network of national scrutiny bodies undertaking regular inspections and reviews to quality assure the work of the Council.

Beyond these detailed statutory duties, such as the provision of education for all children and of learning and community development services, child protection, adult social care, planning and building control, or public housing; the Council under the 2003 Local Government Act has wide ranging powers to 'advance the general wellbeing of the population'. This means it may deliver a wide range of other forms of support to the public but is not legally required to do so to a specified legal level. This means services such as sports and leisure, parks, countryside paths, economic development support for local businesses, tourism, voluntary sector grants, heritage and arts do not have a specified legal level of required service that a Council must provide.

The Council is committed to working in partnership with its residents wherever creative or constructive ways can be found to do so, and with other public, voluntary and private sector bodies through the Community Planning Partnership Board, a statutory body set up under the Community Empowerment Act 2015. As a sign of this commitment to working with partners and communities, the Council has adopted the partnership's shared strategy, the Single Midlothian Plan, as its own strategy. The top three priorities of this plan for 2016-19 are:

- **REDUCE THE GAP IN LEARNING OUTCOMES**
- **REDUCE THE GAP IN HEALTH OUTCOMES**
- **REDUCE THE GAP IN ECONOMIC CIRCUMSTANCES**

#### 4. Role of Volunteers in Midlothian Council

The Council as a partner in community planning is committed to building communities' capacity to manage their own affairs and to the co-planning, design, and delivery of public services with service users and with members of our communities. For example:

- The countryside ranger service working with community volunteers to plan, develop and maintain open public spaces and access to the countryside;
- Sports groups managing and maintaining Council owned but community operated pavilions and playing surfaces of community sports groups;
- Newbattle Community Learning Centre, Midlothian Advice and Resource Centre/Grassy Riggs similarly being owned by the Council but programmed and internally managed by volunteer management groups;
- Community Councils are a formal part of Local Government dependent on volunteers to work;
- Community councillors volunteer their time to gather and represent the views of their communities to the Council and partners in community planning;
- Transfer of some current Council buildings to community ownership or management, as part of Community Asset Transfer legislation builds on examples of effective community leadership such as the volunteer managed Ladywood Centre in Penicuik, the Beacon in Gorebridge, Mayfield and Easthouses Community Development Trust pavilion, the Glencorse Centre and Village Halls;
- The Council has supported the development of a network of after school care 'social enterprises' managed (on a not for personal profit basis) by local volunteers;
- Adult Health and Care staff have worked with committed local volunteers co-designing and delivering opportunities services with people on the Autism spectrum and their families, people with mental



health conditions, people learning disabilities and physical disabilities, older people. Children's Service staff have also co designed opportunities with care experienced young people. In all these cases the Council is working with volunteers. In some cases, such as the longstanding Ageing Well programme, volunteers have been the main deliverers of activities that support the physical and mental wellbeing of older people. Schools across Midlothian have daily support from parent volunteers in a variety of capacities. This ranges from Parent Council membership who support the work of staff in their endeavours to raise the standards and quality of education in the school and develop the pupils at that school to their fullest potential, to parents volunteering to come into classrooms to support classroom activities and assist on school trips. In addition the Parent/Teacher associations jointly run: school fairs, fetes and sponsored event fundraisers. These have become a key part of the way resources are provided for education;

- Adult Literacy and Numeracy support operated by the Lifelong Learning and Employability service has volunteer tutors, and volunteers make up part of its youth work teams;
- The Adult Health and Social Care Service has volunteers involved in befriending residents of care homes;
- Church and other faith group volunteers have worked with the Council on developing and delivering volunteer staffed foodbanks, volunteer support for refugees, clothes recycling, a volunteer "listening project" (offering an ear for young people needing someone to listen to their concerns);
- Staff within the Council volunteer in support of the Council's mediation service.

This is not an exhaustive list but gives a sense of the scale and diversity of the joint effort by volunteers working with council staff delivering local services.

Every year the Citizens' Panel survey asks about volunteering in the Midlothian area. Results from this show that around 30% of the residents of Midlothian volunteer in some capacity every week. Internal reviews of Council staff suggest that they are also volunteering in their communities outside their paid employment in a similar proportion.

The Council wishes to support and encourage residents volunteering and to ensure all volunteers within the Council are well treated. It is not the intention of this policy to seek to substitute volunteers for paid staff, or to treat volunteers as 'employees'. This policy is not intended to cover anyone who is engaged in community justice unpaid work, vocational learning, school work experience placements, employability programmes or undergraduate/postgraduate or research student placements within the Council, as these activities are not by definition volunteering.

## 5. Rights and Responsibilities

**In involving volunteers the Council recognises the rights of volunteers to:**

- know what is expected of them and to be given clear information and induction;
- have clearly specified lines of support; respect, confidentiality and privacy;
- be shown appreciation;
- have safe working conditions;
- be insured;
- know what their rights and responsibilities are;
- be reimbursed expenses;
- feel able to take holidays and breaks;
- be given appropriate options for learning;
- be free from discrimination;
- experience personal development through their participation as volunteers;
- ask for a reference;
- be consulted on decisions that will affect what they do;
- give notice to stop volunteering.

**Volunteers have the responsibility to:**

- carry out their tasks in a way which corresponds to the aims and values of the Council;
- volunteer within agreed guidelines and remits;
- respect confidentiality of service users and staff;
- respect other volunteers, service users and staff;
- respect the human rights of others;
- carry out their tasks with a regard for their own health and safety and that of others;
- attend training and support sessions where appropriate;
- not bring the Council into disrepute.

## 6. Applying to Volunteer

Midlothian Council is committed to achieving an environment which provides equality of opportunity and freedom from unlawful discrimination. We put equality and diversity at the heart of the work we do, ensuring that we lead by example and embed equalities across all areas. Action will be taken as necessary to address any barriers in relation to individuals who have one or more of the nine “protected” characteristics, namely, age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. In recruiting volunteers we will uphold these principles.

Legally, the Council as a Statutory Body can take on unpaid Voluntary Workers (Minimum Wage Act 1998 S.44) as long as no monetary payments are made of any description (apart from reimbursing of actual expenses incurred by the volunteer) and there are no benefits in kind to the volunteer. The Council will not set out minimum hours of volunteering as this might imply an employee type relationship, but may set out “reasonable expectations of hours”. The period of the volunteering opportunity will also be left as open as possible. It will always be clear that the volunteer is free to leave at any time but to get the most out of an opportunity a specific period has been suggested.

The Council will not apply employee-related policies and terms (e.g. disciplinary process, employee terms and conditions, formal appraisal or Council performance management systems) with the exception of Health and Safety, General Data Protection Regulations, Confidentiality, Human Rights and Equalities, IT usage policy, which apply equally to both volunteers and employees.

The Council will ensure all volunteers have description of the volunteering role in their setting.

The Council can withdraw from offering the volunteering opportunity if a service ceases or changes.

### **Advertising for volunteers**

In some contexts, such as parental involvement in schools, or learning and development in the community settings, volunteers will come forward without the requirement to advertise. Where advertising is undertaken, vacancies will be promoted through Volunteer Midlothian using a range of methods including [www.volunteermidlothian.org.uk](http://www.volunteermidlothian.org.uk) and through other Council outlets for example myjobscotland.

Advertising will set out the opportunity on offer with a brief description of the role and any specific requirements of the setting. Clear information and support will be given on how to apply. Volunteers will be offered a meeting to discuss the opportunity on offer and whether they and the manager of the setting involved feel there is a match between them and the opportunity on offer. One reference will normally be sought from volunteers. If it is agreed that a volunteer is not right for the particular volunteer role they are interested in, the volunteer will be given clear supportive feedback and encouraged to look at alternative areas of activity where they could volunteer, and may with their agreement be referred to Volunteer Midlothian who can assist them in finding a more suitable volunteering opportunity.

## Induction and training

Anyone volunteering with the Council in any setting will be entitled to an induction session with the Council staff member responsible for them. This induction will brief them on the setting, the tasks and their rights and responsibilities. Volunteers will have appropriate access to training to enable them to develop their confidence and capabilities for their volunteering role.

## 7. Protection of Vulnerable Groups

The Council has opportunities that involve volunteering with children, young people or other vulnerable groups. Procedures are in place for screening potential volunteers (i.e. Protection of Vulnerable Groups (PVG) check and self-declaration forms).

When volunteers wish to volunteer in what is described as a 'regulated work' setting, a PVG check will be requested. In this situation, the volunteer will also be issued with ID bearing their photo.

To support the Council's understanding of the location of volunteers and the activities they are engaging in, any regular and substantive volunteering should be registered on the Council's iTrent system.

Establishing a regular volunteer on the iTrent system can be achieved by completing a Volunteer Registration/I Trent Form which is available on the intranet alongside other manager forms.

Information about a volunteer will be held with their explicit informed consent and in compliance with the General Data Protection Regulations. The central database will be reviewed and refreshed 6 monthly to ensure those no longer participating in a volunteer opportunities details are removed.

The PVG Scheme is administered by Disclosure Scotland and allows organisations to satisfy themselves that an individual to whom they are offering 'regulated work' is not barred from doing that type of 'regulated work'.

PVG Scheme members are continuously monitored for new vetting information and any information which comes to light which may indicate that they are unsuitable to do 'regulated work' will lead to a consideration for listing. This is managed and delivered by Disclosure Scotland which, as an executive agency of the Scottish Government. Full details of the way the scheme operates can be found here (<https://www.mygov.scot/pvg-scheme/> and <https://www2.gov.scot/Publications/2009/11/05140540/3>

## 8. Expenses

Reimbursing volunteers' expenses means that volunteering is accessible to all, regardless of income. Midlothian Council is committed to ensuring volunteers are paid travel expenses incurred, at the standard rates applied.

Volunteers are expected to make expense claims within a month of incurring the expense, and to be able to provide evidence (such as bus tickets) to support the expense claim.

To assist regular volunteers working within the Council, travel expense payments are made through the Council's expenses claim system, which allows for travel claims and direct payment to be made into volunteer's bank account in line with the monthly timetables.

To set this up regular volunteers need to be registered on the Council's ITrent system which will also enable the Council to monitor the number and location of volunteers across the organisation. Establishing a regular volunteer on the ITrent system can be achieved by completing an online Volunteer Form.

## 9. Support

The kind of support that the Council will provide for volunteers will depend on the type of work they are involved in. However, in all cases volunteers will have a named supervising staff member and regular meetings to discuss any ideas, suggestions, improvements, problems or issues that may arise. In some settings a group of volunteers may meet regularly with the staff member responsible for them to discuss such matters.

Volunteers are encouraged to express their views on matters concerning the setting within which they are volunteering and to make suggestions to improve the experience of volunteers and service users.

## 10. Insurance

For avoidance of doubt, all volunteers are covered by the Council's Employer Liability insurance. The Council insurance policy states:

*“The word 'Employee' shall mean any person under a contract of service or apprenticeship with the Named Insured. In respect of the Employers' Liability Section and Public and Products Liability Section the word 'Employee' shall for insurance purposes include and/or mean:*

*(f) Any volunteer worker acting under the authority of the Named Insured  
(g) Members of schemes or associations formed to assist in the activities of the Named Insured “*

## 11. Equal Opportunities and Diversity

The Council is committed to promoting a positive working environment for all volunteers which, is essentially about good management practices characterised by respect and value of meaningful consultation, volunteer involvement and participation in decision-making.

Midlothian Council's approach to equality and diversity is changing from looking at solutions geared to special treatment for “groups” to developing a framework that helps remove barriers to and within employment or volunteering and creates fairness and opportunities for all. Everyone has the right to be respected and treated fairly. An individual should have both their individual needs, talents recognised and have an equal opportunity to progress.

The 2010 Equality Act sets out equality groups known as the nine 'protected characteristics'. The Council's Equality Plan 2017 - 2021 details the Council's obligations under the public sector duties and how the Council will meet them. Accordingly, the Council is clear that any unlawful discrimination will not be tolerated. We will continue to listen to and involve all stakeholders, including volunteers, work with other expert agencies such as the Equality and Human Rights Commission (EHRC) and apply the duties placed on the Council by the Equality Act 2010. Full details of legal protections can be found here:

<https://www.equalityhumanrights.com/en/commission-scotland>

## **The Council will:**

- Provide development and guidance for volunteers, as appropriate, to ensure they understand the Council's equality duty;
- Review and develop, as required, recruitment procedures, practices and training arrangements in order to promote equality of opportunity and eliminate discrimination;
- Regularly monitor the effectiveness of the Plan and associated policies and identify possible areas for improvement;
- Ensure that the actions of volunteers in the provision of services shall be carried out in a non-discriminatory manner;
- Ensure confidentiality in line with the General Data Protection Regulations is adhered to and that all data relating to a person's profile is regarded as sensitive personal data, which must be stored securely, kept in confidence and only passed on with the individual's informed consent.

## **All volunteers:**

- Have a responsibility to promote equality of opportunity and good relations between persons of different equality groups;
- Must comply with measures introduced by the Council to promote equal opportunities and eliminate discrimination;
- Must not themselves discriminate against other volunteers / employees;
- Must draw to the attention of management any suspected discriminatory acts or practices;
- Must not victimise any individuals who have made complaints or who have provided information about discrimination;
- Must not harass, abuse, or intimidate other volunteers/employees on any grounds or otherwise act in a discriminatory manner including through the use of social media;
- Must ensure that, in any dealing with client groups and members of the public, no actions are undertaken that can be held to be discriminatory;
- Discriminatory acts or omissions committed by volunteers of the Council will be viewed seriously and will normally result in volunteering opportunities being withdrawn.

## **12. Health and Safety**

Organisations have a duty of care to avoid exposing volunteers to risks in relation to the health and safety of the volunteer. The Council has health and safety policies in place volunteers will be made aware of the policy and practical safety issues as part of their induction. A specific risk assessment will be undertaken for any new volunteering roles.

## The Council's policy aims:

To protect the health, safety and welfare of all Midlothian Council employees and volunteers and to protect people who could be affected by the organisation's activities.

## Objectives

The main objectives of this policy and any documents created under its authority are:

- To identify work-related hazards affecting employees, volunteers, service users and others as a result of Midlothian Council's activities;
- To maintain healthy and safe working conditions, including the provision of safe systems of work and safe work equipment;
- To work to prevent workplace accidents and work-related ill health;
- To develop health support services by promoting health screening, health surveillance and preventative medical services;
- To develop proactive health promotion and education initiatives in support of the Council's health promotion programme;
- To ensure that volunteers are provided with information and training to support them to work safely;
- Provide adequate supervision to confirm volunteers are able to work in a safe manner when applying training, knowledge and work equipment in the correct manner;
- To ensure the safe transport, storage, handling and use of hazardous substances;
- To consult with volunteers on health and safety issues affecting them.

Midlothian Council is committed to encouraging all volunteers to play an active role in securing their own health, safety and wellbeing and that of others.

## 13. Resolving Issues

This policy contains the procedure that should be followed to resolve issue relating to volunteers. As volunteers are not covered by employment legislation they cannot be included in the Council Resolution and disciplinary policies. The procedure below exists to ensure that where there are disputes involving volunteers the issue will be solved quickly and fairly.



## **The Procedure aims to:**

- Protect our volunteers;
- Minimise any disruption to staff, service users and other volunteers;
- Demonstrate that Midlothian Council respects its volunteers;
- Protecting the reputation of the organisation.

## **Scope**

The procedure applies to all volunteers and employees.

## **Purpose**

This Procedure sets out the approaches that can be used to attempt to resolve workplace issues informally and as quickly as possible.

## **Complaint from a volunteer about a Council employee**

- In all cases the Resolution Procedure for Council staff will be adhered to.

## **If someone complains about a volunteer**

The process below gives the volunteer the opportunity to be advised why a complaint has arisen, the opportunity to state their case and an opportunity to appeal.

### **First Steps – Verbal discussion**

The first step is to establish the facts of the complaint therefore discussing with the volunteer. Where appropriate identify goals that will help the volunteer to fulfil their role, and offer extra support, supervision and training where necessary.

A date for a follow up review of the situation with the volunteer will be agreed.

### **Next Steps – Written Improvement Plan**

If the issue hasn't been resolved by the oral discussion or the review, then the immediate supervisor can issue the volunteer with a written statement outlining the complaint. The volunteer will be given the opportunity to state their case, which could be to either their immediate supervisor or their line manager.

The volunteer can be accompanied by a support person of their choice. Depending on the nature of the complaint, further objectives could be set, and help offered to the volunteer. However, if the Council decides to inform

the volunteer to leave, then the volunteer should be given the opportunity to appeal. The decision to cease a volunteer opportunity will be an action of last resort.

### **Opportunity to appeal**

If a volunteer has been asked to leave then they can appeal in writing to the Head of Service or the manager whichever is next in line. The volunteer will be invited to have a nominated person present at this meeting. This manager will consider the case and will respond within ten working days. The manager's decision is final.

### **Exceptions**

There are some occasions when volunteers can be directed to stop volunteering immediately while an investigation is carried out. These include, but are not limited to, acts that constitute gross misconduct such as theft, assault, act of violence, malicious damage, and deliberate falsification of documents, harassment or being under the influence of drugs or alcohol. In these instances the decision to suspend a volunteer will be confirmed in writing as soon as possible after leaving.

## **14. Confidentiality**

Volunteers are bound by the same requirements for confidentiality as paid staff. The Council endeavours to ensure that its decision making process is as transparent and open as possible and that the public is provided with clear and accessible information about how it operates. It also has a complaints procedure in place for the public to use when things go wrong.

There are, however, exceptions to the principle of openness where the confidentiality of personal or commercially sensitive information must be maintained. Failure to secure confidential information can have very serious consequences, volunteers should always check with the staff member responsible for them before releasing anything to a third party. Similarly volunteers should be careful not to divulge such information relating to the Council, its employees or service users outside their volunteering setting.

### **General Data Protection Regulations (GDPR)**

The right of access to personal information held by the Council whether an employee, volunteer, or a service user/ member of the public is governed by the GDPR. The GDPR places strict requirements on the Council in respect of the security of information held, how it is used and when it may be disclosed. The new GDPR came into force in May 2018. This tightens requirements to have consent from anyone giving the Council personal information, and requires all data to be managed in a way that protects individuals for unnecessary sharing of their personal information. When in

any doubt Volunteers should discuss matters with the staff member responsible for their support.

## 15. Ending the volunteering opportunity

When a volunteering opportunity ends the named supervising member of staff needs to ensure that the following take place:

- An exit meeting takes place
- The volunteer is thanked for their commitment
- A reference is offered
- All expenses have been paid
- If a PVG was required, the supervisor, or their representative, needs to contact Recruitment and Selection Midlothian Council
- Volunteers personal details, held by Midlothian Council they volunteer will need to be updated accordingly and in line with current legislation
- Collect the volunteers photo ID from them and or any equipment, if they had been issued for this volunteering role
- Remove access permission to building entry and information systems etc.
- Ensure all clothing or equipment is returned.

## 16. Local Volunteering Sector/Networking

Midlothian Council works closely with the local voluntary sector which by definition is managed by unpaid volunteers, even where they then employ paid staff. Some examples are set out in the opening part of this policy. The Council is committed to partnership working with our communities and has a longstanding close relationship with the Volunteer Midlothian who have assisted in the drafting of this policy and agreed to act as a recruitment gateway partner for advertising volunteering options within the Council, in addition to myjobscotland.

## 17. Review of Policy

This Volunteer Policy will be reviewed every 3 years for relevance and revised as needed. Gaps in policy will continually surface as factors in the volunteering environment, the organisation, the community and the law change. The voice of volunteers will be an important part of reviews and updating.

## 18. Responsibility for Implementation

Overall responsibility for the implementation, monitoring and review of the policy and procedures usually lies with the Corporate Management Team of the Council and, on a day-to-day basis, with the staff/volunteers working in all the settings where volunteering is taking place .

Created                      November 2017  
Amended                  May 2018  
Updated                    January 2019  
Review date                May 2022

<b>Name of Document</b>	Volunteering with Midlothian Council Policy Framework
<b>Author</b>	Cross Directorate working party
<b>Policy Ownership</b>	CMT
<b>Unit Responsible</b>	Communities
<b>Approved by and date</b>	Council
<b>Assigned Review Period</b>	3 years
<b>Date of Next Review</b>	2022
<b>Policy Lead</b>	Community Planning Manager

## Appendix 1

### Commitment for Action

**Midlothian Council has committed to taking action on the following 5 objectives:**

- To enhance the range of volunteer opportunities with Midlothian Council;
- To improve the recruitment and support for our volunteers;
- To increase the diversity of volunteers to reflect our population profile;
- To recognise, reward and celebrate our volunteers;
- To continue to work in partnership with volunteer lead agencies both locally and nationally.

**The Council will:**

- Secure a champion for volunteering;
- Hold an annual volunteer recruitment open day;
- Provide taster volunteer opportunities;
- Increase opportunities for family friendly and youth volunteering with the Council;
- Celebrate volunteering through recognition schemes;
- Give volunteers the opportunity to contribute to service redesign and quality improvement.

## Appendix 2

### Volunteering with Midlothian Council

#### Frequently Asked Questions by Volunteers.

#### Why is there a new cross Council Volunteer Council Policy?

Volunteering is not new in the Council we have a strong tradition of citizens volunteering with us. We have launched the new policy to ensure consistency and quality across the Council.

Midlothian Council's vision is to increase volunteering opportunities and work in partnership with communities to provide services. Providing opportunities for volunteering is mutually beneficial to both the volunteer and recipient. There are added benefits for example increasing your social network, developing new skills or the sense of giving back to the communities we live in.

#### How do you know what volunteer opportunities there are with the Council?

Opportunities will be advertised through Midlothian Council – myjobscotland and Volunteer Midlothian through their website and networks.

<http://www.volunteermidlothian.org.uk/>.

Some more informal opportunities may be advertised locally for example volunteering in your child's school. If you have a skill you think would lend itself well to volunteering please contact us contact Volunteer Midlothian who we can put you in touch with the right opportunities.

#### Who can volunteer?

The majority of our opportunities are open to all. Although if the opportunity is with young people or vulnerable adults then you would be required to complete a PVG (protection of vulnerable groups). Also if the volunteer is not an adult then appropriate opportunities would need to be considered as part of the risk assessment.

#### Will I get paid?

No you would offer your time free of charge however travel expenses incurred can be claimed e.g. bus fare. It is important to us that any potential volunteer does not experience a barrier to taking part. You will be given a key contact for your volunteering they would support you to claim small levels of expenses if required.

### **Will I be covered by insurance and how will my safety be protected?**

Yes you would be entered into the volunteer register and you would be covered by the Council's insurance policy. You will be required to adhere to the health and safety practices which help protect you. A risk assessment for any volunteer opportunities would be undertaken and shared with you.

### **I'm concerned I could be taking over the job of an existing employee?**

It is not the intention of this policy to substitute paid staff by volunteers or treat volunteers as employees. Volunteering provides added value through an increased amount of activity or by providing services council staff do not.

### **Who will pay for a PVG if I need one?**

The Council will support you to apply and pay for your PVG.

### **Can I undertake more than one volunteer opportunity?**

Yes, but you would need to apply for each opportunity.

### **What if I have a problem or issue in my volunteering?**

You will have a link Council employee who will help you with any issues. The policy has clear steps in place to support and resolve issues. In exceptional circumstances volunteers may be asked to stop volunteering or Council staff may be subject to formal policies of the Council.

### **Can I get a reference for my volunteering or participate in training?**

Yes, your key contact would provide this and you would also have access to appropriate training.

## Appendix 3

### Recruiting Volunteers

#### Frequently Asked Questions by Council Staff

#### **How do I create a volunteer opportunity in my service and how many can I have?**

You need to create a simple list of the role and tasks associated with the volunteer opportunity. You need to check you can pay small expenses from your departmental budgets for example bus fares. You also need to undertake a risk assessment of the role and tasks and share this with the successful volunteer. The number of volunteers within your service areas depends on the amount of staff time you have to support them and the budget available to pay expenses. You may need to discuss ideas with your manager where appropriate and make an informed decision with regard to numbers of volunteers.

#### **How do I advertise the volunteer opportunity?**

Opportunities will be advertised through Talent Link, Midlothian Council and Volunteer Midlothian through their website.

<http://www.volunteermidlothian.org.uk/>. An online template for the volunteering position is available on Midlothian Council's intranet. Some more informal opportunities may be advertised locally for example volunteering in a school.

#### **Who can volunteer?**

The majority of our opportunities should be open to all. Although if the opportunity is with young people or vulnerable adults then you would be required to complete a PVG (protection of vulnerable groups). Also if the volunteer is very young then appropriate opportunities would need to be considered as part of a risk assessment. On average most regular volunteer opportunities would be suitable for those aged 16+ but this is not always the case other opportunities may be suitable for those younger than 16.

#### **Will volunteers get paid?**

No they would offer their time free of charge however volunteer expense incurred can be claimed for e.g. bus fare. It is important to us that any potential volunteer do not experience a barrier to taking part for example the cost of getting there by bus. You would sign off any expenses and these would come from within your existing budgets.



### **Will volunteers be covered by insurance and how will I protect their safety?**

Yes they would be covered by insurance and entered into the volunteer register. They would adhere to the health and safety practices. A risk assessment for any volunteer opportunities would be undertaken and shared by the person creating the volunteer opportunity.

### **I'm concerned I could be accused of using a volunteer to do the job of an existing employee?**

Volunteering is flexible and voluntary. It is not the intention of this policy to substitute paid staff by volunteers or treat volunteers as employees. Volunteering provides added value through an increased amount of activity or by providing services council staff do not.

### **What support do I need to give a volunteer?**

You need to provide volunteers with a link to a Council employee who can give them support and advice. You need to induct the volunteer into their role. You need to meet with them to support and assess progress as frequently as is appropriate to the experience. You may also help volunteers access to appropriate training if available and affordable. You need to help volunteers resolve any issue and in some circumstances follow the formal process for resolving issues. In some situations you may have to stop the volunteering opportunity.

### **What if I have a problem or issue arises with the volunteer?**

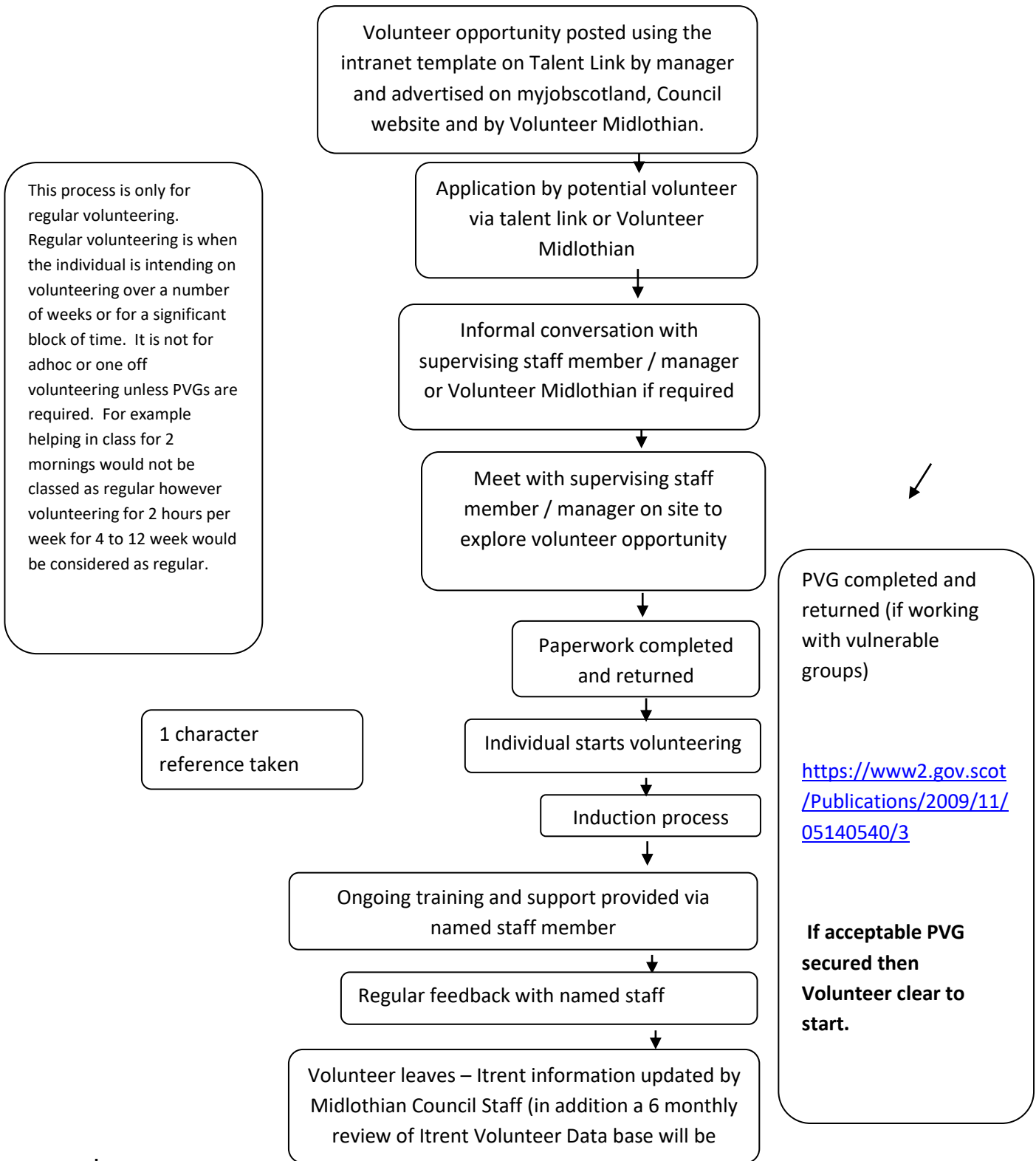
The policy has clear steps in place to support and resolve issues. In exceptional circumstances volunteers may be asked to stop volunteering or Council staff may be subject to formal policies of the council.

### **Can I give a reference for Volunteers?**

Yes, the link Council employee can provide this. Guidance on the provision of references is available from HR Services.

## Appendix 4

The Council operates the following process for volunteers.



## Appendix 5

### Volunteer Charter

This Volunteer Charter describes the arrangement between Midlothian Council and the Volunteer. The Council is grateful for the support you are offering through Volunteering. We will do our best to make your volunteer experience with us as enjoyable and rewarding as possible.

Your role as a volunteer is [*state nature and components of the volunteering role*] and starts on [*date*]. This volunteering role is designed to [*state how the volunteering role benefits the organisation*].

#### You can expect Midlothian Council to provide:

##### 1. Induction and training

- To provide clear information on the volunteer role and guidance on key policies including confidentiality;
- To provide an induction on the work of Midlothian Council, (*insert service area*)..... its staff, your volunteering role and the induction and/or training you need to meet the responsibilities of this role.

##### 2. Supervision, support and flexibility

- To discuss expectations and details of the role;
- To provide a named person who will meet with you regularly to discuss your volunteering and any successes and problems;
- To do our best to help you develop your volunteering role with us;
- To demonstrate our appreciation of your volunteering;
- To support your learning and development.

##### 3. Expenses

- Any expenses must be agreed in advance. Please keep all your receipts to be submitted with your travel expenses claim.

##### 4. Health and safety

- To provide adequate training and feedback in support of our Council Health and Safety Policy;
- To ensure you feel able to take holidays and breaks.

## 5. Insurance

- To provide adequate insurance cover for volunteers whilst carrying out their volunteering roles which have been approved and authorised by Midlothian Council.

## 6. Equal opportunities

- To ensure that all volunteers are supported in accordance with our Council Equal Opportunities Policy.

## 7. Problems

- To try to resolve fairly any problems, complaints and difficulties you may have while you volunteer with Midlothian Council;
- In the event of an unresolved problem, to offer an opportunity to discuss the issues in accordance with the procedures set out within volunteer policy.

### As a Volunteer I will:

- Help Midlothian Council by undertaking the following role \_\_\_\_\_;
- Perform your volunteering role to the best of your ability;
- follow the organisation's procedures and standards, including health and safety and equal opportunities, in relation to its staff, volunteers and clients;
- Maintain the confidential information of the organisation and of its clients;
- Comply with all policies relating to IT and Network systems where access is provided;
- Attend appropriate training and support sessions where appropriate;
- Let you know if I can't volunteer or wish to change the arrangement;
- Provide referees as agreed who may be contacted, and to agree to a PVG check being carried out where necessary;
- Engage in feedback to improve the volunteer experience improve services and influence strategic redesign of services.

**Both parties acknowledge the expectations outlined in the volunteer charter, this is not a legal obligation but one of good practice. This agreement is about volunteering and not employment.**

Signed.....

Date.....