

Minute of Meeting

Cabinet
Tuesday 4 September 2018
Item No.4.1



Midlothian

Cabinet

Date	Time	Venue
22 May 2018	11.00 am	Council Chambers, Midlothian House, Buccleuch Street, Dalkeith

Present:

Councillor Milligan - Convener	
Councillor Muirhead – Depute Convener	
Councillor Imrie	
Councillor Curran	
Councillor Hackett	

Religious Representatives:

1 Apologies

Apologies were received from Mr Vic Bourne.

2 Order of Business

The Clerk advised that the Convener had agreed to accept an additional Item of Business with regard to “Inspection of Dalkeith High School - Report by Head of Education” as dealt with as Item No 5.1A below. He also advised that the Convener had agreed that the remaining Order of Business be adjusted as follows.

3 Declarations of interest

No declarations of interest were received.

4 Minutes of Previous Meetings

The Minutes of Meeting of the Cabinet held on 22 April 2018 were submitted and approved as a correct record.

5. Reports

Agenda No	Report Title	Presented by:
5.12	Finance and Integrated Service Support Quarter 4 Performance Report 2017/18	Director, Resources
Outline of report and summary of discussion		
The Quarter 4 Performance Report 2017/18 for Finance and Integrated Service Support was submitted. The Director, Resources highlighted to the Cabinet the progress in the delivery of strategic outcomes and summary of the emerging challenges as detailed in the Report.		
Decision		
To note the report.		

Agenda No	Report Title	Presented by:
5.13	Property and Facilities Management Quarter 4 Performance Report 2017/18	Director, Resources
Outline of report and summary of discussion		
The Quarter 4 Performance Report 2017/18 for Properties and Facilities Management was submitted. The Director, Resources highlighted to the Cabinet the progress in the delivery of strategic outcomes and summary of the emerging challenges as detailed in the Report.		
Thereafter the Director Resources responded to questions and comments raised by members of the Cabinet including the actions being taken, involving initiatives by pupils themselves to address the use of plastic cups etc. within schools.		

Decision
To note the report.
Action
Director, Resources

Agenda No	Report Title	Submitted by:
5.1	Inspection of Bilston Primary School and Nursery Class	Head of Education

Outline of report and summary of discussion

The report outlined the outcome of the inspection carried out by Education Scotland which had been communicated in their letter dated 24 April 2018.

The visit had a specific focus on raising attainment and achievement and how the school was addressing the need to close the equity gap; and the quality of teaching, learning and assessment. Education Scotland published a statement about the confidence they had in the school's capacity for improvement. Noted below are the evaluations for Bilston Primary School and Nursery Class:

Nursery

QI 1.1 Self-evaluation for self-improvement	Good
QI 3.2 Securing Children's Progress	Good

School

QI 1.1 Self-evaluation for self-improvement	Satisfactory
QI 3.2 Raising attainment and achievement	Satisfactory

The inspection team found the following strengths in the school's work:

- The Head Teacher's clear direction and leadership, particularly in developing effective partnership working. This had enabled her to develop a nurturing school and nursery community successfully, in the short time since the school opened.
- All staff had developed strong relationships with children, parents and the wider community, creating a welcoming ethos where all children feel valued, and were encouraged to do their best.
- The nursery environment promoted children's curiosity, independence and problem solving skills well. Skilled practitioners who worked effectively as a team and were reflective about their practice.

The following areas for improvement were identified and discussed with the Head Teacher and representatives from Midlothian Council.

- Continue to engage all stakeholders systematically in decisions affecting them and in identifying improvement priorities for the school and the nursery class.

- Ensure that improvements were enabling all children to build on what they already knew and supporting them to make the best possible progress in literacy and English, and in numeracy and mathematics.
- As planned, improve approaches to learning, teaching and assessment across the school to ensure consistently high quality experiences for all children. The school and nursery should continue to develop its tracking and monitoring of children's progress, to raise attainment and achievement for all children.

Thereafter the Head of Education and the Head Teacher were heard in amplification of the report, during which the answered questions from elected Members.

Decision

Cabinet agreed:

- To note the content of the inspection report
- To note that Education Scotland were trying out some new approaches to inspections and that this inspection followed one of the new approaches called the short, more focussed school visit
- To note the key strengths outlined in the report
- To note the significant areas for improvement
- To note the background factors outlined within the report
- To note that Education Scotland would not return to the school in connection with this inspection.
- To pass this report to the Performance, Review and Scrutiny Committee for its consideration.

Action

Head of Education

Agenda No	Report Title	Submitted by:
5.1A	Inspection of Dalkeith High School	Head of Education
Outline of report and summary of discussion		
<p>The report outlined the outcome of the inspection carried out by Education Scotland which had been communicated in their letter dated April 2018.</p> <p>This Inspection was the full inspection model lasting 5 days. Education Scotland published a statement about the confidence they had in the school's capacity for improvement. Noted below are the evaluations for Dalkeith High School:</p>		

QI 1.3 Leadership of change	Good
QI 2.3 Learning, teaching and assessment	Good
QI 3.1 Ensuring wellbeing, equality and inclusion	Satisfactory
QI 3.2 Raising attainment and achievement	Good

The inspection team found the following strengths in the school's work:

- The Head teacher was highly committed and had a clear vision for improvement at Dalkeith High School. She was working well with young people, staff, parents and partners to ensure that young people were benefiting from positive experiences and outcomes.
- Staff worked well together. They were engaging in a range of professional learning and leadership activities to improve their practice, and were contributing enthusiastically to whole-school improvement.
- The school was developing a creative and enriched curriculum to provide learning pathways for young people to succeed as resourceful and resilient learners. It was making considerable efforts to ensure all young people achieved accreditation for the skills which they gained through an extensive range of opportunities.

The following areas for improvement were identified and discussed with the Headteacher and representatives from Midlothian Council.

- Continue to enable staff to engage in professional learning, which included opportunities for them to engage further in moderation activities. This would assist them to develop their understanding of standards associated with the achievement of Curriculum for Excellence levels.
- Evaluate the success of curricular developments on an on-going basis to ensure they continued to provide an appropriate range of learning pathways to help young people to achieve and attain successfully.
- Align the school's work in refreshing the promoting positive behaviour policy with its work in developing and promoting restorative approaches. This should provide staff with a clear framework to support them to ensure positive learning experiences for all young people.
- Improve the consistency of how systems and procedures were used to ensure the wellbeing, inclusion and equality of all young people. Monitoring and tracking the progress of all young people should be carried out in a rigorous and structured way to ensure that barriers to learning are considered regularly and addressed.

Thereafter the Head of Education and the Head Teacher were heard in amplification of the report, during which the answered questions from elected Members.

Decision
<p>Cabinet agreed:</p> <ul style="list-style-type: none"> (a) To note the content of the inspection report (b) To note that Education Scotland were trying out some new approaches to inspections and that this inspection followed one of the new approaches called the short, more focussed school visit (c) To note the key strengths outlined in the report (d) To note the significant areas for improvement (e) To note the background factors outlined within the report (f) To note that Education Scotland would not return to the school in connection with this inspection (g) To pass this report to the Performance, Review and Scrutiny Committee for its Consideration.
Action
Head of Education

Agenda No	Report Title	Submitted by:						
5.2	Inspection of Midlothian Council Highbank Intermediate Care Service	Joint Director, Health and Social Care						
Outline of report and summary of discussion								
<p>The report provided an overview of the recent Care Inspection report on Highbank Intermediate Care facility inspection. It also provided a summary of the action plan for the service improvements. The inspection report graded the areas of inspection from 1 (Unsatisfactory), to 6 (Excellent). This inspection report graded the two areas inspected as follows:</p> <table> <tr> <td>Quality of care and support</td><td>4</td><td>Good</td></tr> <tr> <td>Environment</td><td>3</td><td>Adequate</td></tr> </table> <p>The report advised that Highbank Care home provided an Intermediate Care facility to support residents of Midlothian receiving care and support to prevent a hospital admission, or support a planned discharge. Whilst the model of care was well received, and impacted significantly on performance around admission prevention, and delays to discharge, the premises was not fit for purpose. The premises was originally a Residential Care Home, and not designed with rehabilitation/reablement approach to all care. As a result, the Care Inspectorate Inspection had scored down to grade 3 on environment, and the Care Inspectorate had advised that this will remain the case until a new facility is in place. This demonstrated the necessity for the re-provisioning of Highbank Intermediate care facility to be formally agreed and taken forward within the Capital plan programme.</p>			Quality of care and support	4	Good	Environment	3	Adequate
Quality of care and support	4	Good						
Environment	3	Adequate						

The Joint Director, Health and Social Care was heard in amplification of the report during which he answered questions from elected Members

Decision

Cabinet agreed:

- (a) To note the content of the inspection report; and
- (b) To pass this report to the Performance, Review and Scrutiny Committee for its consideration.

Action

Joint Director, Health and Social Care

Agenda No	Report Title	Presented by:
5.3	Report on Demographic Growth and the Increase in the Percentage of Pupils with Additional Support for Learning (ASL) Needs and Complex Needs (CN) in Midlothian	Head of Education
Outline of report and summary of discussion		
<p>The report highlighted the significant increase in ASL & CN needs within Midlothian and to request that Cabinet increase the funding in the 2018/19 budget to reflect the 7.93% increase in recorded ASL needs.</p> <p>The report highlighted that Midlothian had now been identified as the fastest growing local authority in Scotland and that the most recent NRScotland statistics highlighted the following:</p> <ul style="list-style-type: none"> • The mid-2017 population estimate in Midlothian was 90,090, an increase of 1,480 over the corresponding mid-2016 figure of 88,610. • The population increase in Midlothian between mid-2016 and mid 2017 was 1.67%, which was the largest increase in any of Scotland's local authorities. For comparison, the corresponding figure for Scotland as a whole was 0.37% and the second-fastest growing area was Edinburgh, at 1.19%. • The 1.67% increase figure in Midlothian was a combination of a 1.43% increase due to net migration and 0.24% due to natural change (births minus deaths). Both of these figures were the highest of all Scotland's councils. • Midlothian's population had increased by 12.1% between mid-2007 and mid-2017. This was the second-largest increase of all Scotland's councils. The biggest increase had been in Edinburgh (12.5%), while the corresponding figure for Scotland was 4.9%. <p>The report also advised that as part of the inclusion review it had been established that the budget was based on 18.6% ASL from 2014/15 and that any subsequent increase in ASL had not then been reflected in the budget assigned.</p>		

The Head of Education was heard in amplification of the report, during which she answered questions from elected Members.

Several Members were heard expressing their concern over this situation and their view that the Scottish Government had not taken the necessary measures to properly fund local Authorities like Midlothian affected by these mitigating factors, resulting in the need to allocate additional funding.

Decision

Cabinet agreed:

- (a) To note the content of the report.
- (b) To note the rate and type of demographic growth in Midlothian.
- (c) To note that planning would now commence to open a minimum of 1 primary and 1 secondary complex needs provision to meet the Council's statutory duty to provide education to pupils with complex needs;
- (d) That the report to Council referred to at (c) above recommend:-
 - (i) an increase in the 2018/19 budget allocation for ASL to reflect the 7.93% increase in ASL need, 478hrs per week based on 6031hrs allocated this session at a cost of £288,712.
 - (ii) To increase the Complex needs staffing by 1 FTE Class teacher and 60 Learning Assistant hours per week for session 2018/19, at a cost of £48,095 for the Class teacher and £36,240 for the learning assistants.
 - (iii) That the ASL budget allocated each year should increase to reflect the % ASL need identified for that specific year.
- (e) That the Leader of the Council write to the Deputy First Minister, seeking a meeting to discuss the many issues raised within this report.

Action

Head of Education

Agenda No	Report Title	Submitted by:
5.4	Creating a World-Class Education System: Update on Partnership Working with the University of Edinburgh	Head of Education
Outline of report and summary of discussion		
The purpose of the report was to update Cabinet on partnership working with the University of Edinburgh, specifically the preparation of the Heads of Terms. The Head of Education was heard in amplification of the report, during which she answered questions from elected Members.		

Decision
<p>Cabinet agreed:</p> <ul style="list-style-type: none"> (a) To authorise officers to sign the Heads of Terms in partnership with the University of Edinburgh; and (b) To note the opening of the new Centre for Research and Innovation in Learning.

Agenda No	Report Title	Presented by:
5.5	Diversion of Public Paths at Mauricewood, Penicuik	Head of Commercial Operations
Outline of report and summary of discussion		
<p>The report sought approval to progress with a Public Path Diversion Order under the Countryside (Scotland) Act 1967 for an existing path crossing the site of the new housing development at Mauricewood, Penicuik as detailed in an Appendix to the report. The existing paths would be diverted to accord with the footprint of the site. They would be replaced by a network of paths and footways which would not result in a diminution in the level of public access currently provided by the two existing paths. The Head of Commercial Operations was heard in amplification of the report.</p>		
Decision		
To instruct the Director, Resources to progress the Diversion Order in line with the process described within the report.		
Action		
Director, Resources		

Agenda No	Report Title	Presented by:
5.6	Adult Social Care Quarter 4 Performance Report 2017/18	Head of Customer and Housing Services
Outline of report and summary of discussion		
<p>The Quarter 4 Performance Report 2017/18 for Adult Social Care was submitted. The Joint Director, Health and Social Care highlighted to the Cabinet the progress in the delivery of strategic outcomes and summary of the emerging challenges as detailed in the Report.</p>		
Decision		
To note the report.		

Agenda No	Report Title	Presented by:
5.7	Customer and Housing Services Quarter 4 Performance Report 2017/18	Head of Customer and Housing Services
Outline of report and summary of discussion		
The Quarter 4 Performance Report 2017/18 for Customer and Housing Services was submitted. The Joint Director, Health and Social Care highlighted to the Cabinet the progress in the delivery of strategic outcomes and summary of the emerging challenges as detailed in the Report.		
Decision		
To note the report.		

Agenda No	Report Title	Presented by:
5.8	Children's Services Quarter 4 Performance Report 2017/18	Head of Children's Services
Outline of report and summary of discussion		
The Quarter 4 2017/18 Performance Report for Children's Services was submitted. The Director, Education, Communities and Economy highlighted to the Cabinet the progress in the delivery of strategic outcomes and summary of the emerging challenges as detailed in the Report.		
Decision		
To note the report.		

Agenda No	Report Title	Presented by:
5.9	Communities and Economy Quarter 4 Performance Report 2017/18	Head of Communities and Economy
Outline of report and summary of discussion		
The Quarter 4 Performance Report 2017/18 for Communities and Economy was submitted. The Head of Communities and Economy highlighted to the Cabinet the progress in the delivery of strategic outcomes and summary of the emerging challenges as detailed in the Report.		
Thereafter the Head of Communities and Economy responded to questions and comments raised by the members of the Cabinet.		
Decision		
To note the report.		

Agenda No	Report Title	Presented by:
5.10	Education Q4 Performance Report 2017/18	Head of Education
Outline of report and summary of discussion		
<p>The Quarter 4 Performance Report 2017/18 for Education was submitted. The Head of Education highlighted to the Cabinet the progress in the delivery of strategic outcomes and summary of the emerging challenges as detailed in the Report.</p> <p>Thereafter the Head of Education responded to questions and comments raised by members of the Cabinet.</p>		
Decision		
To note the report.		

Agenda No	Report Title	Presented by:
6.6	Commercial Operations Q4 Performance Report 2017/18	Director, Resources
Outline of report and summary of discussion		
<p>The Quarter 4 Performance Report 2017/18 for Commercial Operations was submitted. The Head of Commercial Operations highlighted to the Cabinet the progress in the delivery of strategic outcomes and summary of the emerging challenges as detailed in the Report.</p>		
Decision		
To note the report.		

Agenda No	Report Title	Presented by:
5.14	Midlothian Council Quarter 4 Performance Report 2017/18	Chief Executive
Outline of report and summary of discussion		
<p>The Quarter 4 Performance Report 2017/18 for Midlothian Council was submitted detailing the delivery of Midlothian Council's priorities through the Community Planning Partnership and the Single Midlothian Plan. The Council Transformation Strategy and Individual Service Plans outlined how Midlothian Council would deliver its contribution to the Single Midlothian Plan.</p>		
Decision		
To note the report.		

Agenda No	Report Title	Presented by:
5.15	Q4 Performance Report 2017/18 - Balanced Scorecard Indicators	Chief Executive
Outline of report and summary of discussion		
The Quarter 4 2017/18 Performance Report for the Balanced Scorecard Indicators was submitted. Each of the perspectives were supported by a number of key measures and indicators which ensured that the Balanced Scorecard informed ongoing performance reporting and helped to identify areas for further improvement. The Chief Executive was heard in amplification of the Report.		
Decision		
To note the report.		
Action		
Chief Executive.		

Agenda No	Report Title	Presented by:						
5.16	2016/17 Local Government Benchmarking Results	Chief Executive						
Outline of report and summary of discussion								
<p>The report provided the Cabinet with the Local Government Benchmarking Framework (LGBF) overview of the Council's performance against the indicators for 2016/17.</p> <p>Whilst full details of the 16/17 Benchmarking results were shown in an Appendix to the report, the table below provided a high level summary of performance across the four quartiles. It was noted that there were 5 indicators for which the data was not available yet and at this time half of the indicators were in the top two quartiles.</p>								
<table><tr><th>Scottish ranking</th><th>Percentage % of indicators falling within each quartile 2016/17</th></tr><tr><td>1st and 2nd Quartile (ranked 1-16)</td><td>34/68 50%</td></tr><tr><td>3rd and 4th Quartile (ranked 17-32)</td><td>34/68 50%</td></tr></table>			Scottish ranking	Percentage % of indicators falling within each quartile 2016/17	1 st and 2 nd Quartile (ranked 1-16)	34/68 50%	3 rd and 4 th Quartile (ranked 17-32)	34/68 50%
Scottish ranking	Percentage % of indicators falling within each quartile 2016/17							
1 st and 2 nd Quartile (ranked 1-16)	34/68 50%							
3 rd and 4 th Quartile (ranked 17-32)	34/68 50%							
<p>The Chief Executive was heard in amplification of the report.</p>								
Decision								
<p>The Cabinet agreed:</p> <p>(a) To note the 2016/17 LGBF comparison results detailed in the Appendix to the report; and</p> <p>(b) Pass this report to the Performance, Review and Scrutiny Committee for their consideration.</p>								
Action								
<p>Chief Executive.</p>								

Exclusion of Members of the Public

In view of the nature of the business to be transacted, the Cabinet agreed that the public be excluded from the meeting during discussion of the undernoted items, as contained in the Addendum hereto, as there might be disclosed exempt information as defined in paragraph 11 of Part I of Schedule 7A to the Local Government (Scotland) Act 1973:-

Agenda No	Report Title	Presented by:
6.1	Minute of Education Appointment Committee of 26 April 2018 – Depute Head Teacher Newbattle High School (Digital Centre of Excellence)	Head of Education
Decision		
Cabinet approved the recommendation as detailed in the report.		

The meeting terminated at 12.52pm