

# Notice of Meeting and Agenda



## Midlothian Council

**Venue:** Virtual Meeting via MS Teams,

**Date:** Tuesday, 15 December 2020

**Time:** 11:00

**Executive Director : Place**

**Contact:**

Clerk Name: Verona MacDonald, Democratic Services Team Leader

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 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)

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**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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UNISON's Plug the Gap in Local Government Finance campaign

**5 Minutes**

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Minute of Midlothian Council of 17 November 2020 submitted for approval as a correct record and Minutes of Meetings for approval, noting, information and consideration of any recommendations contained therein (as per Minute Volume)

Minute Volume Index - 15 December 2020

4 - 5

**6 Questions to the Council Leader**

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None

**7 Motions**

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**7.1** Motion by Councillor Hackett, seconded by Councillor Russell  
Redacted 6 - 6

**7.2** Motion by Councillor Curran, seconded by Councillor Milligan  
Redacted 7 - 7

**8 Public Reports**

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**8.1** Edinburgh and South East of Scotland City Deal - Progress Report  
by Chief Executive 8 - 29

**8.2** Preparedness for No Deal EU-Exit - Report by Executive Director  
Place 30 - 59

<b>8.3</b>	Medium Term Financial Strategy 2021-22 and 2022-23 - Report by Chief Officer Corporate Solutions	60 - 72
<b>8.4</b>	Treasury Management Mid-Year Review (to follow)	
<b>8.5</b>	Town Centre Fund - Capital Grant 2020 - 2021 - Report by Executive Director Place	73 - 93
<b>8.6</b>	Voluntary Sector Grants 2021-22 - Report by Chief Officer Children's Services, Partnerships and Communities	94 - 105
<b>8.7</b>	Strategic Housing Investment Plan 2021 - 2026 - Report by Executive Director Place	106 - 137
<b>8.8</b>	Chief Social Work Officer Annual Report 2019 - 2020	138 - 172
<b>8.9</b>	MAPPa Annual Report 2019 - 2020 - Report by Chief Social Work Officer	173 - 198
<b>8.10</b>	Independent Review of Adult Social Care - Report by Chief Social Work Officer	199 - 220
<b>8.11</b>	Annual Procurement Report 2019-20	221 - 235
<b>8.12</b>	School Christmas and New Year holidays 2020 - Report by Executive Director Children, Young People and Partnerships	236 - 243

## **9 Private Reports**

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- 9.1** Lothian Buses Limited Review - Update Report by Executive Director Place
- 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.
  - 10. The identity of the authority (as well as of any other person, by virtue of paragraph 6 above) as the person offering any particular tender for a contract for the supply of goods or services.

## **10 Date of Next Meeting**

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The next meeting will be held on 9 February 2021

# Midlothian Council Minute Volume



**Presented to the Meeting  
of Midlothian Council  
on Tuesday, 15 December 2020**

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

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Midlothian Council 17 November 2020	3 - 30
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## **2 Minutes of Meetings submitted for Consideration**

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

Police and Fire and Rescue Board 31 August 2020	31 - 36
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General Purposes Committee 13 October 2020	37 - 40
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Planning Committee 13 October 2020	41 - 44
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Cabinet 20 October 2020	45 - 50
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Local Review Body 27 October 2020	51 - 54
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## **3 Minutes of Meetings submitted for Information**

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

No Minutes submitted for Information.

# Midlothian Council

## Labour Group

Item 7.1

### Midlothian Council Tuesday 15 December 2020 Notice of Motion

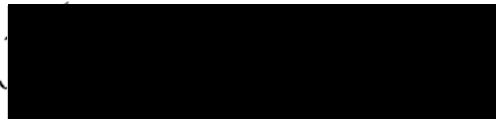
Midlothian Council congratulates Monica Lennon MSP in gaining unanimous support from the Scottish Parliament for her Private Members Bill to end Period Poverty.

The signing of the Bill is the culmination of a 3 year campaign led by Monica Lennon MSP which has had wide spread support across the community.

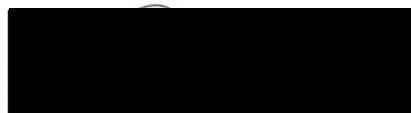
Midlothian Council welcomes the commitment to provide funding to Local Authorities and other public bodies that will have a statutory responsibility to provide free period products.

Midlothian Council looks forward to working positively with the Scottish Parliament and local partners to ensure the full implementation of the Bill in the County.

Moved: Councillor John Hackett



Seconded: Councillor Margot Russell



30 November 2020

# Midlothian Council

## Labour Group

Item 7.2

### Midlothian Council Tuesday 15 December 2020 Notice of Motion

This Council notes the Scottish Government's recent announcement of "a package of financial flexibilities and extra funding for councils to address the financial pressures caused by the coronavirus (COVID-19) pandemic over the next two years".

Whilst we welcome the recognition of the financial crises local government is in we remain concerned that this 'financial package' does not solve the problem.

Only £139m of this package was 'new' money (£49m of which had already been announced). The remainder of the package is only be available if local authorities make full use of the complicated set of 'fiscal flexibilities' set out.

But these fiscal flexibilities are no substitute for a fair funding settlement. This council still faces a perfect financial storm of extra demand for services at a time of substantial loss of income which means impossible choices about the funding of services going forward.

This council notes that £2bn of 'efficiencies' have already been taken out of local government over the last decade. We also know that the financial impact of COVID- 19 will not be confined to the next few months and with Brexit looming the effects of both on the wider economy are going to make the crises in Local Government much worse.

This Council therefore pledges its support for UNISON's campaign and calls on the Scottish Government to Plug The Gap in Local Government finance in the 2021/22 budget to:

- **Reward Local Government Workers** - Local Government workers have been the hidden heroes of this pandemic. Their invaluable contribution to the Covid response should be recognised and rewarded.
- **Secure the long term financial stability of Local Government** – Local Government needs long term stability to protect essential jobs and services for the future. The salami slicing of services needs to stop.
- **Shape Local Government Fit for the Post-Pandemic Future** – It is a matter of fact that a number of roles undertaken by local government workers have changed as a result of the pandemic. These need to be recognised and their job evaluation reviewed as a result.
- **Fully Consolidate the Living Wage** – Deliver on the existing commitment to fully consolidating the living wage for all local government workers across Scotland as committed to through our last pay deal.

Moved: Councillor Stephen Curran



Seconded: Councillor Derek Milligan



**Edinburgh and South East of Scotland City Deal (ESESCD) Progress Report****Report by Dr Grace Vickers, Chief Executive****Report for Decision****1 Recommendations**

- a) To note the progress of the City Deal as reported to the ESESCD Joint Committee on 4 December 2020
- b) To note that the work programme indicates that the Easter Bush Business Case will be considered on the 5th March 2021 by the ESESCD Joint Committee and therefore:
- c) Agree to hold a seminar to update members on the Easter Bush, A701 and A702 project prior to the Business Case being considered by Joint Committee in March 2021

**2 Purpose of Report/Executive Summary**

On 4<sup>th</sup> December the ESESCD Joint Committee considered the following items:

- Joint Committee Work Programme
- Joint Committee Rolling Actions Log
- Sheriffhall Update – Presentation by Transport Scotland
- City Region Deal Progress Report
- Integrated Regional Employability and Skills Programme Update
- Data Driven Innovation Programme Update
- City Region Deal Benefits Realisation Plan

A copy of the reports can be found at the following link: [Agenda details on public web site](#)

- d) The work programme indicates that the Easter Bush Business Case will be considered on the 5th March by the ESESCD Joint Committee and therefore this report asks Council to agree to hold a seminar to update members on the Easter Bush, A701 and A702 project prior to the Business Case being considered by Joint Committee in March 2021

**Date: 01 December 2020****Report Contact:**

Democratic Services

[Democratic.Services@midlothian.gov.uk](mailto:Democratic.Services@midlothian.gov.uk)

### 3 Background

The ESESCD was signed in August 2018 and a copy of the Deal document can be found at the following link:

<https://static1.squarespace.com/static/55c87967e4b05aa55020f656/t/5b6b06f0352f530261e0e4f4/1533740790850/ESESCR+Deal+Document+6+August+2018+signed.pdf>

The ESESCD is a 15 year programme, although much of the actual investment is front-loaded into the first 10 years. Therefore, the programme is at an early stage in its implementation. Nevertheless, there has been significant progress, most particularly in the preparation and signing off of business cases for a number of projects which are detailed in the dashboard in Appendix 1.

The progress report in appendix 1 is being used across the City Region Deal's governance structure to monitor progress across all aspects of the City Region Deal. It is updated and shared with Government on a weekly basis and is taken to all Board meetings. A RAG (Red, Amber, Green) scale is assigned to programmes and projects by the Programme Management Office (PMO), as well as scores for inclusive growth and partnership working.

The overall status of the City Region Deal is assigned as "Amber".

### 4 Midlothian specific projects

As noted in previous City Region Deal reports to Council, the majority of the projects, and particularly those relating to employment, skills and housing, are of a region-wide nature with expected benefits for all parts of the region. It has also been previously noted, that it is because of its central location within the region, and its proximity to Edinburgh, that Midlothian is close to the majority of the overall planned City Deal investment. Notwithstanding that, there are two projects which can be regarded as directly relating to Midlothian; these being the A720 Sheriffhall junction upgrade, and the A701/A702 road proposals as part of the Easter Bush project.

#### 4.2 A720 Sheriffhall Junction Upgrade.

As the A720 is a trunk road Transport Scotland is undertaking this project as part of the Scottish Government's contribution to the City Region Deal. Transport Scotland provided an update on Sheriffhall to the Joint Committee at the meeting on 7<sup>th</sup> August 2020 and will provide a further update at the Joint Committee on 4<sup>th</sup> December 2020.

A Technical workshop was held with City Deal partner officers on 6 August 2020 to present and discuss the options considered as part of the review in relation to active travel and public transport provision whilst not creating additional impacts for local landowners, residents and businesses.

Following the workshop, positive feedback was received from partners (City of Edinburgh Council and Midlothian Council) with specific clarification sought from the City of Edinburgh Council (CEC) on technical aspects of the review work. Transport Scotland issued responses to both partners on 5 October 2020. This included a substantive response to CEC on each of the individual points raised and a reply is awaited from CEC.

Transport Scotland continue to provide quarterly technical and spend updates as part of the City Deal reporting process. Last update provided: 20/11/20

#### 4.3 *A701 Relief Road/A702 Link Road.*

This is an integral part of the wider Easter Bush project within the Data Driven Innovation theme. That project seeks to leverage existing world-class research institutes and commercialisation facilities to make Easter Bush a global location of Agritech excellence. This will involve a substantial amount of new development at Easter Bush as part of the ongoing programme of new and extended facilities by the University of Edinburgh and others in that area. For that development to have an acceptable level of strategic road access, it will require the implementation of the new A701 relief road/A702 link road as included in the Council's Midlothian Local Development Plan (2017). That road scheme has been agreed not only to ensure unconstrained road access to Easter Bush, but also to provide road capacity to accommodate additional demand arising from new housing, economic and commercial developments in that A701 corridor, and to enable the existing A701 to become a dedicated route for public transport and a safer route for cyclists/pedestrians, known as an 'active travel' corridor. Recently completed ground investigations along the proposed route option alignment, commissioned by the Council, show that there are no significant constraints.

The current projected date for completing the road scheme is 2022. Although the City Deal Easter Bush project includes the A701/A702 road scheme, the funding arrangements are identified separately in the business case.

In addition, the Council has identified a preferred design solution to upgrade the junction of the A702 with Bush Loan, which is a current constraint to further development at Easter Bush. It is expected that the upgrade of that junction can be included as part of the transport elements of the overall Easter Bush business case. In addition the Council has commissioned traffic modelling to assess the impact of future traffic flows in the A701 corridor and its impact on the strategic road network. Discussions are also taking place with SEStran and the University of Edinburgh in respect of the details of the 'active travel' corridor along the existing A701 road, for implementation once the new A701 relief road is open. It is intended that all of these discussions will be completed prior to the scheduled sign off of the Easter Bush project business case by the City Region Deal Joint Committee which is now scheduled for March 2021.

## **5 Report Implications (Resource, Digital and Risk)**

### **5.1 Resource**

The ESESCD Progress report outlines that quarterly financial information on Sheriffhall Roundabout is now being received from Transport Scotland. Transport Scotland provided an update which shows £243k was drawn down in Quarter 2 for 2020/21. The financial summary has been updated to reflect this.

The overall cumulative total of Grant claimed for the Deal to date (2018 – present) is £115.7 million. This total includes the funding issued by Transport Scotland and the Scottish Government's More Homes Directorate for Housing.

Since the onset of Covid-19, Scottish and UK Governments have agreed to allow the draw down monthly in arrears as opposed to quarterly for projects entirely funded by Government that have asked for the flexibility. Whilst this report deals with financial issues there are no financial implications arising directly from it.

### **5.2 Digital**

The ambition to be the data capital of Europe is a central ambition of the DDI workstream of the ESESCD.

### **5.3 Risk**

Three risk areas are highlighted on page one of the ESESCD Progress Report:

Red: Covid-19 impacting the City Region Deal projects resulting in potential delays and cost increases

Amber: Brexit uncertainty / "no deal" Brexit impacts

Green: Financial profile: underspends across the national City Region and Growth Deals will cause reprofiling pressures for Government

### **5.4 Ensuring Equalities**

Inclusion is a key driver for the City Region Deal, and scores have been included for each project. Business cases for projects included demonstrate how they will reduce inequalities and tackle the inclusion challenges specific to the city region.

The City Region Deal Benefits Realisation Plan (BRP) was approved for the programme on 4 September 2020. This incorporates clear indicators to align with the Scottish Government's Inclusive Growth Framework. The impact on equalities, human rights and sustainability will also be measures. A BRP Implementation Plan is being developed, with input from key stakeholder groups within and outwith the City Region Deal Governance structure, including the Regional Enterprise Council, third

sector partners, the NHS and elected members. A progress report on this is being taken to this meeting, and feedback from the Joint Committee would be welcomed.

## **5.5 Additional Report Implications**

See Appendix 1

## **Appendices**

Edinburgh and South East Scotland City Region Deal Progress Report

## **APPENDIX 1 – Report Implications**

### **A.1 Key Priorities within the Single Midlothian Plan**

As a central aim of the City Region Deal is to achieve sustainable inclusive growth across the whole region, including all communities, it accords fully with the Single Midlothian Plan priorities of reducing the gaps in learning outcomes, health outcomes, and economic circumstances.

### **A.2 Key Drivers for Change**

Key drivers addressed in this report:

- ☒ Holistic Working
- ☒ Hub and Spoke
- ☒ Modern
- ☒ Sustainable
- ☒ Transformational
- ☒ Preventative
- ☒ Asset-based
- ☒ Continuous Improvement
- ☒ One size fits one
- ☐ None of the above

### **A.3 Key Delivery Streams**

Key delivery streams addressed in this report:

- ☒ One Council Working with you, for you
- ☒ Preventative and Sustainable
- ☒ Efficient and Modern
- ☒ Innovative and Ambitious
- ☐ None of the above

### **A.4 Delivering Best Value**

As a central aim of the City Region Deal is to achieve sustainable inclusive growth across the whole region.

### **A.5 Involving Communities and Other Stakeholders**

Proposals for the A701/A702 roads scheme were subject to extensive public consultation through the preparation of the Midlothian Local Development Plan. The A720 Sheriffhall junction proposals were the subject of consultation by Transport Scotland in 2016.

The signed City Deal document states under community engagement, *“Throughout the process, engagement will take place with communities on projects and programmes. This will occur through existing statutory and informal community engagement structures, such as community planning, planning consultations and local authority budget engagement processes.”*

#### **A.6 Impact on Performance and Outcomes**

The impact of City Deal investment through projects and initiatives can be assessed through a range of indicators included within the business cases and audit by others. For Midlothian, assessment can be made in relation to Single Midlothian Plan indicators.

#### **A.7 Adopting a Preventative Approach**

The fundamental aim of the City Deal is to achieve inclusive growth across the whole region, including the more disadvantaged communities, there by arresting and reversing economic decline; particularly in the areas of skills, employability and housing.

#### **A.8 Supporting Sustainable Development**

Sustainable place making, recognition of climate change and the low carbon agenda, and a sustainable regional economy are all central to the defined outcomes of the City Region Deal.

# Edinburgh and South East Scotland City Region Deal Joint Committee

**10 am, Friday 4 December 2020**

## **City Region Deal Progress Report**

**Item number 5.2**

### **Executive Summary**

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The Edinburgh and South East Scotland City Region Deal progress report gives an indication of progress across the City Region Deal programme.

In this update, the overall status is assigned as “Amber”. There are no actions required from the Joint Committee.

#### **Monica Patterson**

Chief Officer, Edinburgh and South East Scotland City Region Deal

Contact: Andy Nichol, Programme Manager, Edinburgh and South East Scotland City Region Deal

E-mail: [andy.nichol@edinburgh.gov.uk](mailto:andy.nichol@edinburgh.gov.uk) | Tel: 0131 529 4461

# Report

## City Region Deal Progress report

### 1. Recommendations

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- 1.1 To note the progress across the City Region Deal Programme.

### 2. Background

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- 2.1 This progress report is being used across the City Region Deal's governance structure to monitor progress across all aspects of the City Region Deal. It is updated and shared with Government on a weekly basis and is taken to all Board meetings. A RAG (Red, Amber, Green) scale is assigned to programmes and projects by the Programme Management Office (PMO), as well as scores for inclusive growth and partnership working.
- 2.2 Tables 1, 2 and 3 shows the guidelines that are used when determine RAG statuses and scores:

**Table 1: RAG Status Guidelines**

**T:** Status against **timeline** set out in business case/implementation plan;

**B:** Status against **budget** set out in financial plan

RAG Status	Definition - Timeline	Definition - Budget	Action Required
Green	In line with business case/implementation plan	In line with financial plan.	No management action required
Amber	Delay is considered acceptable by PMO.	Within acceptable range.	Management action is in place by senior management to address issues, and project is being closely monitored.
Red	Delay is significant.	Outwith acceptable range.	Immediate action is required by senior management and relevant Boards as appropriate to address issues. Issues must be highlighted to Government.

**Table 2: Inclusive Growth Score Guidelines**

Score	Definition
1.	Project's links with inclusive growth framework are being developed.
2.	Project's links with inclusive growth framework have been identified and are in the process of being implemented.
3.	Project's links with inclusive growth framework are being delivered and monitoring and evaluation is in place to assess impact.

**Table 3: Partnership Working Score Guidelines**

Score	Definition
1.	Links have been identified with projects in other themes/with regional partners outwith City Region Deal.
2.	Links are in the process of being established with projects in different themes/with regional partners outwith City Region Deal.
3.	Links are being exploited between this project and other themes/with regional partners outwith City Region Deal.

### 3. Main report

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- 3.1 The performance report is shown in Appendix 1. The overall status of the City Region Deal is assigned as “Amber”. There are no actions required from the Joint Committee.

### 4. Financial impact

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- 4.1 Quarterly financial information on Sheriffhall Roundabout is now being received from Transport Scotland. Transport Scotland provided an update which shows £243k was drawn down in Quarter 2 for 2020/21. The financial summary has been updated to reflect this.
- 4.2 The overall cumulative total of Grant claimed for the Deal to date (2018 – present) is £115.7 million. This total includes the funding issued by Transport Scotland and Scottish Government Housing.
- 4.3 Since the onset of Covid-19, Scottish and UK Governments have agreed to allow the draw down monthly in arrears as opposed to quarterly for projects entirely funded by Government that have asked for the flexibility.

## 5. Alignment with Sustainable, Inclusive Growth Ambitions

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- 5.1 Inclusion is a key driver for the City Region Deal, and scores have been included for each project. Business cases for projects included demonstrate how they will reduce inequalities and tackle the inclusion challenges specific to the city region.
- 5.2 The [City Region Deal Benefits Realisation Plan](#) (BRP) was approved for the programme on 4 September 2020. This incorporates clear indicators to align with the Scottish Government's Inclusive Growth Framework. The impact on equalities, human rights and sustainability will also be measures. A BRP Implementation Plan is being developed, with input from key stakeholder groups within and outwith the City Region Deal Governance structure, including the Regional Enterprise Council, third sector partners, the NHS and elected members. A progress report on this is being taken to this meeting, and feedback from the Joint Committee would be welcomed.

## 6. Background reading/external references

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- 6.1 [Edinburgh and South East Scotland City Region Deal Document](#) (August 2018)
- 6.2 [City Region Deal Benefits Realisation Plan](#): ESESCR Deal Joint Committee report 4 September 2020

## 7. Appendices

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- 7.1 Edinburgh and South East Scotland City Region Deal Progress Report (November 2020)

# Progress Report

Last updated: 30 Nov 20

Next update: 7 Dec 20

## Page 1: Dashboard

### Recent Achievements and Milestones

Overall Status Last Period	Overall Status This Period
Amber	Amber

Achievement/Milestone	Date
Benefits Realisation Plan approved by Joint Committee, following engagement with REC, elected members and communities	Sep 20
£1.8m of Bus Priority Rapid Deployment Improvement Measures secured.	Sep 20
Annual Conversation between CRD Partners and Governments	Nov 20

### Financials Summary

\*Funding issued by Transport Scotland and SG Housing not included in this total

Total CRD grant £000	CRD grant drawdown to date £000		20-21 CRD Grant allocation	20-21 Grant drawdown
600,000	115,681	19.3%	£47.00m*	£11.43m*

Upcoming Milestones	Target Date
Regional Growth Framework update paper	Dec 20
Benefits Realisation Implementation Plan approach for	Dec 20
Easter Bush Business Case	Mar 21
Dunfermline Housing Business Case	Mar 21
Fife I3 Phase 2 Programme Business Case	Mar 21
QMU Innovation Park Business Case	Mar 21
Benefits Realisation Plan Implementation Plan final	Mar 21
Dunard Centre Revised Business Case	Summer 21

### Top 3 Risks (from PMO Risk Register) - last updated Nov 20, next update Feb 21

Risk	Impact	Like Iohod	Severity	Resolution Plan or Mitigating Action
Covid-19 impacting the City Region Deal projects resulting in potential delays and cost increases	4	4	16	<ul style="list-style-type: none"> <li>Regular updating of progress report and monthly financial forecasts, so that project leads can inform PMO of any issue well in advance, and PMO can raise with Government, Executive Board and Joint Committee as appropriate.</li> <li>Establish Change Management process as set out in the Benefits Realisation Plan.</li> <li>Review outputs and timelines in the light of Covid-19, and consider advancement of spend where appropriate</li> </ul>
Brexit uncertainty / "no deal" Brexit impacts	4	3	12	<ul style="list-style-type: none"> <li>Regular engagement with project leads to highlight any risks well in advance, so that PMO can raise with Government, Executive Board and Joint Committee as appropriate.</li> <li>Establish Change Management process as set out in the Benefits Realisation Plan.</li> <li>Review outputs and timelines for business cases at every stage of development in the light of Brexit uncertainty.</li> <li>Regional Growth Framework under development has "Adaptable" as one of its three themes, where Brexit risks are noted.</li> </ul>
Financial profile: underspends across the national City Region and Growth Deals will cause reprofiling pressures for Government	4	2	8	<ul style="list-style-type: none"> <li>Continue to spend according to agreed profile.</li> <li>Achieve business case approval in line with Deal Implementation Plan.</li> <li>Regular programme monitoring and reporting.</li> <li>Close engagement with Government.</li> </ul>

### Project Stages

Stage no.	Definition
1. Define	Business case being developed, and not yet approved by Thematic Board and Joint Committee.
2. Implement	Business case has been approved by Thematic Board and Joint Committee, and is being implemented. In a capital project, this may be construction; for skills projects this may be establishing a course or system.
3. Deliver	Project is in place and monitoring and evaluation is in framework to assess if it is achieving its objectives.
4. Legacy	Project has resulted in mainstreaming or improvements to business as usual (impact) that is generated beyond the funded period

### Red, Amber, Green

**T:** Status against **timeline** set out in business case/implementation plan; **B:** Status against **budget** set out in financial plan

RAG Status	Definition - Timeline	Definition - Budget	Action Required
Green	In line with business case/implementation plan	In line with financial plan.	No management action required
Amber	Delay is considered acceptable by PMO.	Within acceptable range.	Management action is in place by senior management to address issues, and project is being closely monitored.
Red	Delay is significant.	Outwith acceptable range.	Immediate action is required by senior management and relevant Boards as appropriate to address issues. Issues must be highlighted to Government.

### Inclusive Growth Score

	Definition
1.	Project's links with inclusive growth framework are being developed.
2.	Project's links with inclusive growth framework have been identified and are in the process of being implemented.
3.	Project's links with inclusive growth framework are being delivered and monitoring and evaluation is in place to assess impact.

### Partnership Working Score

	Definition
1.	Links have been identified with projects in other themes/with regional partners outwith City Region Deal.
2.	Links are being developed with projects in different themes/with regional partners outwith City Region Deal.
3.	Links are being exploited between this project and other themes/with regional partners outwith City Region Deal.

Overall Total			Project Name	2020 - 2021						Comments
Total Budget £000	CRD Grant Total £000	CRD Grant Claimed To Date £000		Grant Allocation £000	CRD Grant Claimed (Q1) £000	CRD Grant Claimed (Q2) £000	Spend to Date (Apr-Oct) £000	Forecast Outturn £000	Forecast vs Allocation Variance £000	
101,047	32,545	32,545	Bayes Centre	0	0	0	0	0	0	Construction start delayed by 2 months due to Covid-19
22,469	22,469	1,459	National Robotarium	13,563	232	227	476	2,383	-11,180	
189,297	57,920	39,749	Edinburgh Futures Institute	14,067	1,509	4,020	6,486	14,067	0	
190,620	79,595	21,064	Edinburgh International Data Facility (was WCDI)	3,641	3,418	223	3,641	3,641	0	
84,610	49,205	2,367	Usher Institute	2,889	194	670	1,330	2,889	0	
42,596	17,366	0	Easter Bush	0	0	0	0	0	0	Delay with Full Business Case due to Covid-19
30,000	10,900	0	Easter Bush Link Road - A701 & A702	327	0	0	0	327	0	
52,003	30,000	0	Food and Drink Innovation Hub	988	0	0	0	200	-788	
49,425	35,000	1,621	Fife Industrial Innovation Investment	2,840	189	0	898	2,840	0	
29,050	15,000	173	Scottish Borders - Innovation Park	3,500	36	57	98	1,000	-2,500	
<b>791,117</b>	<b>350,000</b>	<b>98,978</b>	<b>Total Research, development and innovation</b>	<b>41,815</b>	<b>5,578</b>	<b>5,197</b>	<b>12,929</b>	<b>27,347</b>	<b>-14,468</b>	
25,000	25,000	1,712	Integrated Regional Employability & Skills	3,000	289	366	905	2,878	-122	SG to fund up to £120m to support improvements to the A720 City Bypass for the grade separation of Sheriffhall Roundabout via Transport Scotland Consultants working on the project plan, looking to finalise soon with approval from stakeholders
<b>25,000</b>	<b>25,000</b>	<b>1,712</b>	<b>Total IRES</b>	<b>3,000</b>	<b>289</b>	<b>366</b>	<b>905</b>	<b>2,878</b>	<b>-122</b>	
120,000	120,000	3,991	Sheriffhall Roundabout*	-	57	243	361	-	-	
36,000	20,000	0	West Edinburgh Public Transport Infrastructure	1,183	0	0	0	112	-1,071	
<b>156,000</b>	<b>140,000</b>	<b>3,991</b>	<b>Total Transport</b>	<b>1,183</b>	<b>57</b>	<b>243</b>	<b>361</b>	<b>112</b>	<b>-1,071</b>	
44,990	20,000	0	IMPACT/Dunard Concert Hall	1,000	0	0	0	0	-1,000	JR set aside following mediation. To be redesigned and variation made to planning application.
<b>44,990</b>	<b>20,000</b>	<b>0</b>	<b>Total Culture</b>	<b>1,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>-1,000</b>	
263,000	15,000	11,000	Housing Company (Edinburgh Living)**	5,000	748	0	1,470	5,000	0	Separate grant letter from SG Separate letters from SG for individual proposals. The allocation figure is based on the financial plan
50,000	50,000	0	Housing Infrastructure Fund**	12,500	0	0	0	0	-12,500	
<b>313,000</b>	<b>65,000</b>	<b>11,000</b>	<b>Total Housing</b>	<b>17,500</b>	<b>748</b>	<b>0</b>	<b>1,470</b>	<b>5,000</b>	<b>-12,500</b>	
<b>1,330,107</b>	<b>600,000</b>	<b>115,681</b>	<b>Total Programme</b>	<b>64,498</b>	<b>6,672</b>	<b>5,806</b>	<b>15,665</b>	<b>35,338</b>	<b>-29,160</b>	Shortfall of utilising grant funding

Note: Figures in red represent an underspend against the Grant allocation.

**Page 4: Research, Development and Innovation**  
**Theme**  
**Data-Driven Innovation**

Project	Stage	Last Milestone	Next Milestone	T	B	IG	PW	Comments
Bayes Centre	Deliver	Sep 18: Opening	N/A	G	G	2	2	Building partially re-opens 3 August for priority existing users, subject to appropriate distancing measures.
National Robotarium	Implement	June 2020: Initial base build Stage 4 design is complete.	Jan 2021: Construction to commence (under review based on Supply Chain impact and Govt Guidelines)	A	G	1	1	Construction start delayed to January 2021 due to Covid-19. Completion date now provisionally scheduled for March 2022. Spending profile will be impacted as a result. Academic Leadership now appointed.
Edinburgh Futures Institute	Implement	Start on site	Apr 22: Complete construction	A	G	2	2	A revised handover agreed for Spring 2022. Contractor is back on-site, with appropriate on-site working arrangements in place. Operational staff working from home where possible. Currently assessing further impact on delivery of EFI building and programmes.
Usher Institute	Implement	Sep 19: Approve FBC	Nov 20: Planning application achieved	A	G	1	2	Large number of staff (including SRO) redeployed to respond to COVID-19 outbreak. End user occupation is now expected in August 2023. DataLoch official launched 23 September. Milestone update – planning application now expected Nov 2020.
Easter Bush	Define	Aug 18: Deal agreement	Mar 21: FBC approved by Joint Committee (following TAB approval)	A	G	1	1	Next milestone (bus. case approval) now scheduled for Mar. 2021 in order that on-going road transport challenges can be successfully resolved.
Edinburgh International Data Facility	Implement	Start on site	Nov 20: Building handover	G	G	2	2	Procurement of large equipment is completed and supplier (HPE) appointed. Aim for official building opening early Spring subject to availability of senior official.

T: Timeline; B: Budget; IG: Inclusive Growth score; PW: Partnership Working score (see p.2 for definitions)

**Page 5: Research, Development and Innovation  
Theme  
Edinburgh Innovation Park (QMU Food and  
Drink)**

Project	Stage	LastMilestone	Next Milestone	T	B	IG	PW	Comments
Edinburgh Innovation Park (QMU Food and Drink Hub)	Define		<p>FBC to be submitted December 20 – targeting JC approval March 2021</p> <p>Contract for junction works and tender period November to February/March 2021</p> <p>Commencement of Junction Works March 21</p>	A	A	1	2	<p>The key principles which shall underpin the detailed commercial heads of terms have been agreed between ELC/QMU.</p> <p>This month ELC/QMU continue to focus on the review of critical documentation being the cost plan, project programme and seek to finalise the detailed commercial heads of terms for the Innovation Hub and the delivery of the wider EIP</p> <p>The intention is to commence construction of the Junction works in March 21 – albeit there this will be subject to any response from the tenders and a better understanding as to whether Covid-19 will impact that timeline.</p>

**Page 6: Research, Development and Innovation Theme**  
**Projects in Fife and Scottish Borders**

Project	Stage	Last Milestone	Next Milestone	T	B	IG	PW	Comments
Borders Innovation Park	Implement	Start of site works for Phase 1.	Site works for Phase 1 ongoing.	A	G	1	1	Site works for Phase 2 have been delayed owing to disruption caused by the Covid-19 pandemic. This issue will be discussed at the November meeting of the Tweedbank Project Board with a view to clarifying the situation going forward. Timescales have therefore been changed for now from green to amber.
Fife Industrial Innovation Investment (Fi3P)	Implement	Project 3 (Kirkcaldy, Dunnikier) – construction commenced.	Q3: Acquisition of Fife Interchange North, Dunfermline Q4: Completion of Flemington Road, Glenrothes	G	G	1	2	Time and budget both now green, due to rationalisation measures to mitigate COVID delays being implemented.  The site acquisition at Fife Interchange North, Dunfermline is expected to complete before end of Q3.  Construction at Flemington Rd, Glenrothes has re-commenced, with reduced workforce and additional protective measures in place – completion now expected spring 2021.  Construction has commenced at Dunnikier Business Park, Kirkcaldy – completion expected Q3 21/22

**Page 7: Integrated Regional  
Employability and Skills  
Theme (1/3)**

Project	Stage	Last Milestone	Next Milestone	T	B	IG	P W	Comments
IRES Programme	Implement/ Deliver	Benefits Realisation Plan approved at Joint Committee in September 2020 stating thematic outcomes including those for the IRES programme.	Work progressing to align project outcomes with overall IRES Benefits Realisation targets; and reprofile based on Covid impact and available funding.	A	G	2	2	<ul style="list-style-type: none"> <li>IRES Programme Connector has met project leads and is reviewing links / outputs / outcomes across the programme.</li> <li>IRES board last met on 3rd September 2020 where Covid-19 related adaptations to HCI and DDI were approved.</li> <li>New change proposal process put in place to help audit trail and appropriate level of approval confirmed.</li> <li>Health and Social Care Skills Gateway proposal being progressed for consideration at IRES board on 8 December.</li> </ul>
Integrated Knowledge System	Implement/ Deliver	Developed ITT (Invitation to Tender) products – product description, technical requirements and Shared Measurement Framework (SMF) briefing doc completed	Publish full tender for first stage of procurement process – European Single Procurement Document (ESPD).	A	G	3	3	<ul style="list-style-type: none"> <li>Management Information System (MIS) Procurement progressing with advice/consultancy to navigate Public Contract Scotland (PCS) and ESPD processes. 2 stage process will allow a negotiated procurement. 20+ organisations have registered an interest in the Prior Information Notice (PIN).</li> <li>GDPR project – Fife Council will upload IKS project details to the SOLAR Knowledge Hub. Looking to get early engagement from Data Protection Officers across region</li> <li>Data analysis (internship) – project outline complete, arranging meeting with Maximise! Leadership to finalised</li> <li>Shared Measurement Framework – regular engagement continues. Paper on Key Questions to be produced.</li> </ul>
Labour market analysis and evaluation	Deliver	<p>Agree potential Regional Intelligence hub with partners.</p> <p>Complete Labour Market Toolkit content and prepare for launch, on SDS' website.</p>	<p>Further meeting of RIH group and agree scope of work around COVID research.</p> <p>Launch labour market toolkit on SDS' website.</p> <p>Complete procurement for cross-cutting skills research.</p>	G	A	2	1	<ul style="list-style-type: none"> <li>Work developing materials for the Labour Market Toolkit is nearing completion. Initially will be hosted on SDS' corporate site under 'What We do/Skills Planning' with links to partners' websites/service offers. Two workshops run with internal / external partners to refine before Nov launch.</li> <li>An initial meeting to discuss a potential Regional Intelligence hub took place on 29th October with Local Authorities, DWP, SFC, and SDS. It was believed that a new RIH could initially focus on key immediate issues such as COVID-19 or Brexit. A further workshop is being scheduled.</li> <li>Procurement is now underway for cross-cutting research into the skills needs of the financial services; health and social care and construction sectors. Anticipate starting in late November and running through to late January 2021.</li> </ul>

**Page 8: Integrated Regional  
Employability and Skills  
Theme (2/3)**

Project	Stage		Next Milestone	T	B	IG	PW	Comments
Integrated Employer Engagement	Implement	Enhanced Employer fund launched, applications scored & funds allocated.  Community Benefits (CB) 'wish-list portal' business case drafted with consultation; and CB work on Robotarium & Granton waterfront	Employer fund to reopen for Midlothian & West Lothian to allow full allocation in those areas. All payments to be completed.  Specification to be agreed for CB wish-list portal, Prior Information Notice (PIN) to be placed on Public Contracts Scotland. Site created by April 2021. Framework to be designed & training providers confirmed for Fife Care Training Academy.	A	G	2-3	2-3	<ul style="list-style-type: none"> <li>Covid19 Jobs support continues including dedicated job sourcing. <a href="https://c19jobs.org/">https://c19jobs.org/</a> has had c.21,000 unique visitors, c108,000 site views, 2,573 vacancies advertised from 700+ employers. Training offers added.</li> <li>Employer fund operated in early October. Good quality applications -173 received, 61 grants awarded. £59k allocated out of £77k. Undersubscribed in West Lothian &amp; Midlothian so reopening there in November with Midlothian fully allocated and next steps being agreed in West Lothian.</li> <li>First point of contact for cross regional recruitment opportunities at Fort Kinnaird through retail rapid response programme, supporting a number of retailers unexpectedly increasing staff levels. Project now supported over 200 jobseekers with 19 verified job outcomes.</li> <li>Engagement with Fife Employers complete to identify opportunities and job openings to support a DWP SWAP (Sector based work academy programme) led by IEE. Consulting with training providers in Fife &amp; Edinburgh for January pilot.</li> </ul>
Intensive Family Support	Implement/Deliver	Continued roll out of staged delivery – engagement started in East Lothian, Edinburgh Midlothian and Fife. In latter 3 families engaged. Scottish Borders and West Lothian delivery in development – recruitment underway. Publication of press releases.	Community of Practice (CoP) meeting to be held in December 2020 to consider support family support and advice elements of the service.  Meeting with Scottish Borders scheduled to discuss service progress.  Scotsman Podcast release.	G	G	2	2	<ul style="list-style-type: none"> <li>Project delivery activity has begun in East Lothian, Edinburgh, Midlothian and Fife.</li> <li>West Lothian and Scottish Borders activity undertaken developing service – recruitment period.</li> <li>IFSS press releases published - national overarching plus tailored local.</li> <li>Ongoing IFS caseworkers undertaking training for IFS Information Management Software.</li> <li>Supporting development of IFSS services.</li> <li>Continued building of relationships across services via CoP.</li> <li>Meeting with IFS service managers to be held to secure involvement with IKS intern project.</li> </ul>

**Page 9: Integrated Regional  
Employability and Skills  
Theme (3/3)**

Project	Stage	Last Milestone	Next Milestone	T	B	IG	PW	• Comments
Housing and Construction Infrastructure (HCI) Skills Gateway	Implement	Engage industry with £70k post-Covid recovery MSc opportunity. Successful leveraging of ETP Doctorate funding for net zero future housing research.	Continue progress with autumn delivery of HCI Short Courses, FE Partner Upskilling, Covid adaptations spring / summer 2020 activity plan.	A	G	1	2	<ul style="list-style-type: none"> <li>Further advanced skills development opportunities in development with Timber TED (Technology Engineering &amp; Design) -external partner meeting scheduled 11 November.</li> <li>Updated communications plan underway, with CSIC designated as Hub for learning materials to be launched January 2021.</li> <li>£70k Post-Covid MSc launched with coverage in <i>Scottish Construction Now</i>.</li> <li>Revised DEC (Design Engineer Construct) bid to be work-shopped on 9 November. 2021 beX (Build Environment Exchange) student funding initiatives in planning stage.</li> </ul>
Data-Driven Innovation (DDI) Skills Gateway	Implement	Roll out of Knowledge Sharing community activities. Commence delivery in Colleges. Engagement with Scotland IS on e-placement programme.	Run first Live Lesson for school pupils. Publish Learner and Teacher Guides for NPA (National Progression Award) in Data Science.	A	G	2	2	<ul style="list-style-type: none"> <li>Sub group of DDI SG Advisory Board formed to help promote take up of NPA in Data Science for next academic year.</li> <li>Consultation sessions taken place with Financial Services and Health and Social Care sector reps on Data Skills framework.</li> <li>Presentation to SDS Digital Technologies Working Group took place on 15 October. Positive feedback received and a number of industry leads being followed up on</li> <li>Engagement with SDS on Fast Track programme – looking to plug data skills gaps for those entering technical roles across the sector.</li> <li>Staff development commenced in Colleges for Big Data module to be delivered across a number of HN programmes.</li> <li>Will pilot data adoption training course for SMEs and Third Sector organisations.</li> </ul>
Workforce mobility	Implement	Meetings held across all 6 partner authorities and partners. Workforce Mobility Steering group on 05/11/20. Work highlighting local transport capacity and Covid-19 operator funding.	IRES Board Presentation December 2020 - review/approval of Steering Group recommendations of next steps and project structure.	G	G	1	2	<ul style="list-style-type: none"> <li>Meetings continue to take place across all 6 partner authorities and partners.</li> <li>Workforce Mobility Steering Group meeting well attended.</li> <li>Working towards an update to the IRES programme board in December 2020.</li> <li>Created pilot of data gathering in South of Scotland that once refined will be requested across the 6 regions.</li> <li>Bus Providers engaged with to provide COVID updates to be passed to Employment &amp; Skills partners where the real time information is not available.</li> <li>Steering Group approved next steps and project structure.</li> <li>IRES Board review/approval of Steering Group recommendations of next steps and project structure.</li> </ul>

## Page 10: Transport Theme

Project	Stage	Last Milestone	Next Milestone	T	B	IG	PW	Comments
A720 Sheriffhall	Define	Consultation on draft orders closed 31 January 2020. Transport Scotland is currently considering the responses.	Ongoing statutory process and drafting of responses to representations.	G	G	1	1	<p>Transport Scotland provided an update on Sheriffhall to the Joint Committee at the meeting on 7 August 2020.</p> <p>A Technical workshop was held with City Deal partner officers on 6 August 2020 to present and discuss the options considered as part of the review in relation to active travel and public transport provision whilst not creating additional impacts for local landowners, residents and businesses.</p> <p>Following the workshop, positive feedback was received from partners (City of Edinburgh Council and Midlothian Council) with specific clarification sought from the City of Edinburgh Council (CEC) on technical aspects of the review work. Transport Scotland issued responses to both partners on 5 October 2020. This included a substantive response to CEC on each of the individual points raised and a reply is awaited from CEC.</p> <p>Transport Scotland continue to provide quarterly technical and spend updates as part of the City Deal reporting process. Last update provided: 20/11/20</p>
West Edinburgh	Define	Appointment of Transportation and Engineering Consultants Jacobs to deliver the next stage of the project.	Permission being sought from SG/TS for drawdown on advance/preparatory business case costs to be shared proportionately between the funders (TS/CEC).	G	G	1	2	<p>£36m of funding identified (£20m from SG to support public transport infrastructure improvements) and £16m from City of Edinburgh Council plus contributions from the private sector and developers (TBC).</p> <p>In 2019, CEC developed a model to further prioritise the measures set out in the 2016 West Edinburgh Transport Appraisal (which amounted to £108m inc. optimism bias), with an emphasis on public transport and active travel prioritisation. Joint Committee have approved the appointment of Jacobs to execute Stage 1 of the project delivery plan. This will include further feasibility of proposals, developing outline designs, refining the current business case and updating the West Edinburgh programme delivery plan accordingly (including financial profiles)).</p> <p>Agreement on funding between CEC and Transport Scotland has been agreed and Stage 1a will commence before Christmas 2020.</p>

Project	Stage	Last Milestone	Next Milestone	T	B	IG	PW	Comments
Dunard Centre	Define	Project taken off pause following agreement to dispose of judicial review against CEC.	Variation to planning application.	A	A	2	2	Judicial Review set aside following successful mediation. Concert hall to be redesigned and variation made to planning application in spring 2021, and full business case thereafter.

T: Timeline; B: Budget; IG: Inclusive Growth score; PW: Partnership Working score (see p.2 for definitions)

Project	Stage	Last Milestone	Next Milestone	T	B	IG	PW	Comments
Affordable housing	Deliver & Define	Collate regional SHIP.	SHIP leads meeting early 2021 to explore collaboration opportunities on 21/22 programme.	A	A	1	2	<ul style="list-style-type: none"> <li>Maintaining record level of delivery with 2019/20 in terms of number of approvals, site starts, completions and spend</li> </ul>
Strategic sites	Implement & Define	Site Leads meeting 9 Nov.	Dunfermline OBC – March 2021.  Site Leads meeting 11 Jan.	A	A	1	1	<ul style="list-style-type: none"> <li>Outline Business Cases for sites are at different stages of development.</li> <li>Regular leads meetings now established to explore challenges, innovation and shared learning from business case development.</li> </ul>
Innovation & skills	Implement	ESESCR Deal Home Demonstrator has secured funding from Scottish Gov.	Establish regional workstream looking at standardisation.	A	A	1	2	<ul style="list-style-type: none"> <li>Demonstrator project will look at standardised housing types, procurement and delivery models to increase offsite manufacturing across the city region.</li> </ul>
Infrastructure, funding and land assembly	Define	Develop proposal for regional infrastructure forum.	Proposal to ensure alignment with IRSS and emerging RGF.	A	A	1	1	<ul style="list-style-type: none"> <li>Forum proposal to be developed in line with the recently published Interim Regional Spatial Strategy and emerging Regional Growth Framework ahead of a initial meeting to test appetite of partners and infrastructure providers.</li> </ul>
Housing company	Deliver	Homes under construction across various sites.	Ongoing Delivery.	G	G	1	2	<ul style="list-style-type: none"> <li>The City of Edinburgh Council and Scottish Futures Trust will continue to share learning and financial models with partners, to explore regional delivery models.</li> </ul>

T: Timeline; B: Budget; IG: Inclusive Growth score; PW: Partnership Working score (see p.2 for definitions)

## **Midlothian Council Preparedness for No Deal EU-Exit**

### **Report by Kevin Anderson Executive Director Place**

#### **Report for Information**

## **1 Recommendations**

### **1.1 Council is recommended to:**

- i. Note our current position in regard to preparations for the UK leaving the EU at the end of the transition period on 31 December 2020.
- ii. Note and support the continued work of the Brexit Working Group in identifying risks to Midlothian Council and the management and mitigation of these risks to minimise impacts on service delivery.

## **2 Purpose of Report**

- 2.1 The purpose of this report is to highlight to Members the current status position and preparedness of Midlothian Council for a No Deal EU-Exit or “Brexit”, in the lead up to the end of the transition period on 31<sup>st</sup> December 2020.

**Date 8<sup>th</sup> December 2020**

**Report Contact:**

Derek Oliver, Chief Officer – Place  
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### **3 Background**

- 3.1 The United Kingdom officially left the European Union on 30<sup>th</sup> January 2020 and entered a transition period to conclude negotiations. With the option to extend the transition period not pursued by the UK Government, the transition period will end on 31<sup>st</sup> December 2020.
- 3.2 Should an agreement be reached prior to 31<sup>st</sup> December, a framework for trade and other relations will be implemented. However, if an agreement is not reached then UK-EU relations will be mainly based on international law, although many areas will have no legal basis for cooperation.
- 3.3 The timetable for leaving the EU is fixed and the transition period will end on 31<sup>st</sup> December whether a deal is reached or not.
- 3.4 Midlothian Council continues to plan and prepare for the reasonable worst case scenario of a 'no deal' or 'limited deal' Brexit.
- 3.5 Midlothian Council has a statutory obligation to deliver a range of core public services. The Council also provides valuable place leadership and therefore has an important role in supporting its communities and businesses.
- 3.6 There exists a high level of uncertainty surrounding what and how severe the impacts will be.
- 3.6 Arrangements for responding to leaving the EU without a deal must therefore be flexible to allow for the response to be both effective and proportionate.
- 3.7 Midlothian Council's Brexit Working Group reconvened on 10<sup>th</sup> September, following the Prime Minister's announcement on 7<sup>th</sup> September regarding the final stages of EU negotiations. The Working Group has since met fortnightly.
- 3.8 The COVID-19 pandemic is currently stretching resource across Midlothian Council, and additional demand on these services from a 'No Deal' Brexit may increase the risk that some services will be limited or unable to be delivered.
- 3.9 The appendix outlines the planning work that the Brexit Working Group has been undertaking and refreshing since 10<sup>th</sup> September. It is essential that the Council can maintain critical services to our communities.
- 3.10 The Council Management Team continues to monitor the Risk Register and oversee the work of the Brexit Working Group, chaired by the Chief Officer – Place.

### **4 Report Implications (Resource, Digital and Risk)**

#### **4.1 Resource**

There are resource implications as services plan and prepare for the end of the transition period. However, this is being met from within existing staffing establishments.

**4.2 Digital**

None.

**4.3 Risk**


Failing to appropriately identify and plan for risks will have a detrimental effect on the Council and its reputation.

**Background Papers****Appendix A – No Deal EU Exit Risk and Action Plan**

## No Deal EU- Exit- Summary of Potential Impacts on Midlothian *(updated 4 December 2020)*

*Note- this document takes into account the most recent Reasonable Worst-Case Scenario provided by UK/Scottish Government*

Ref	Risk Area	Description	Key Risk Considerations	Potential Impacts on Midlothian	Risk Rating Likelihood (1-5) x Impact (1-5)	Short Term Actions/ Current Control Measures	Medium/ Long Term Mitigation Measures	Concurrent Risk
1	Economy and Growth	<p>Economy &amp; Growth- Risk of the UK economy going into recession due to:</p> <ul style="list-style-type: none"> <li>Continuing uncertainty further delays investment</li> <li>Trade barriers and tariffs with EU and under WTO rules (best guess 2-4%)</li> <li>port delays- see risk 3</li> <li>higher import costs due to the fall in the pound</li> <li>most goods the UK sells have international supply chains linked to the EU- see risk 3</li> <li>lack of business investment due to uncertainty (Brexit has wiped £40bn off Britain's annual economic growth since the 2016 referendum, equating to £800m per week of income locating outside the UK every week. Until a final trade deal is negotiated this will continue)</li> <li>loss of key personnel and</li> </ul>	<p>Business failure- higher unemployment, reduced hours</p> <p>The sectors that appear most vulnerable include agriculture, food and drink, fishing, chemicals, construction, transport, life sciences and other manufacturing sectors. Impacts are likely to be felt quickly.</p> <p>In primary producing sub-sectors, e.g. meat (particularly lamb) and seafood, tariffs (EU average tariffs between 50% and 100% for the former and between 2% and 20% for the latter) threaten the competitiveness of Scottish produce. The viability of some of the trade itself may be endangered, given the requirement to get fresh produce to market quickly to maximise its value.</p> <p>Banks review lending to impacted sectors resulting in increased borrowing costs</p> <p>Greater need to</p>	<p>It is estimated that exports to the EU directly supports 1101 jobs in Midlothian.</p> <p>Vulnerability of businesses to increased costs may result in business failure- impacts on business support required. On average manufacturing firms are four times more exposed to impacts from a no deal Brexit. Farming is also exposed.</p> <p>Greater unemployment/ fall in disposable income- impacts on employability while increasing deprivation has widespread impacts - know from previous recession</p> <p>Greater demand on public sector and community resources, e.g. foodbanks</p> <p>Less funding for public services from Government/continuation of austerity</p> <p>Impact on fixed term contracts funded through ERDF, the LEADER programme has 2 full time posts however this project is</p>	<p>Short- 4x5=20 Long 4x5=20</p>	<p>Working with CoSLA, Government and agencies to improve understanding of issues and preparatory work required.</p> <p>Scottish Government have launched a 'Prepare for Brexit' website.</p> <p>A £4k UK government grant is available to registered businesses for custom declaration support.</p> <p>Ernst &amp; Young "Sectoral Impact Analysis and Brexit Readiness Assessment" published January 2019 describes the Scottish Business sector's key challenges and preparedness for Brexit.</p> <p>CPP has circulated UK Government guides to business community network partners (Federation of Small Business and chamber of Commerce)</p> <p>Foodbanks have been asked via TSI about any planning they have been doing or assessments of impact , response awaited</p> <p>Welfare rights / Midlothian financial Inclusion Network have been briefed on likely no deal impacts on unemployment and benefit claim rates.</p> <p><b>Economic Development</b></p> <ul style="list-style-type: none"> <li>Locate in Midlothian dedicated webpage signposting to Scottish &amp; UK resources</li> </ul>		

Ref	Risk Area	Description	Key Risk Considerations	Potential Impacts on Midlothian	Risk Rating Likelihood (1-5) x Impact (1-5)	Short Term Actions/ Current Control Measures	Medium/ Long Term Mitigation Measures	Concurrent Risk
		<p>higher costs to recruit, etc</p> <ul style="list-style-type: none"> <li>Fall in sterling's value</li> </ul> <p>Analysis from the Bank of England, the UK Government's Office of Budget Responsibility, Scotland's Chief Economic Advisor, the Institute of Government, the Fraser of Allander Institute and the CBI all suggests that regardless of underlying assumptions a no-deal will have a detrimental impact on short- and long-term GDP, economic growth, investment and productivity, unemployment, exchange rates and house prices. Bank of England worst case stress test of a no- deal showed 8% reduction in GDP, 1 million extra unemployed (i.e 7.5% unemployed) and 16% reduction in house prices.</p> <p>In July 2019 The Office for Budget Responsibility (OBR) forecast that real GDP would fall</p>	<p>support local businesses</p> <p>Fall in disposable income</p> <p>Greater demand on public sector- e.g. foodbanks</p> <p>Less funding for public services</p>	<p>due to end March 2021.</p> <p>Business Gateway growth adviser salaries are match funded by the ERDF programme up to end March 2023.</p> <p>Fewer start-ups in the Midlothian economy, owing to uncertainty about the future and difficulty in accessing financial support.</p> <p>Increased demand and more intensive support required of the Business Gateway advisory team.</p> <p>Inability to provide parameters for fixed term staffing contracts will lead to "brain drain" of knowledge, skills, experience and put Council at risk for audit/ regulation/ risk financial clawback.</p>		<ul style="list-style-type: none"> <li>Business Gateway Midlothian virtual forum / regular CTA via LIM &amp; BG social media posts</li> <li>Business Gateway National Prepare for Brexit webinars</li> <li>Business Gateway Midlothian team engaged with SDI Trade team for specialised support for High Growth exporters</li> </ul> <p>Lobbying at Scottish Parliament from Tyne Esk LEADER on impact of EU funding to date, making the case for the Shared Prosperity Fund</p> <p>Industrial Communities Alliance continued support/lobbying for the Scottish Shared Prosperity Funds – SG Update Nov 2020</p> <p> european-structural-funds-proposed-scotti</p>		

Ref	Risk Area	Description	Key Risk Considerations	Potential Impacts on Midlothian	Risk Rating Likelihood (1-5) x Impact (1-5)	Short Term Actions/ Current Control Measures	Medium/ Long Term Mitigation Measures	Concurrent Risk
		by 2% by December 2020 and be 4% below the March 2019 forecast, and that borrowing would be almost £60bn if the UK leaves without a deal - up from £29.3bn if it does get a deal. IMF estimates that in year 1 and 2 of a no-deal there would be a reduction in UK GDP of 1.4% and 0.8% and in the long term, no-deal could knock 8% off the level of UK GDP compared to remaining in the EU.						
2	Finance and Higher Costs	<p>Inflation and cost of living Risk-including:</p> <ul style="list-style-type: none"> <li>• increase in costs of goods- Draft Public Sector Food Plan July 2019 estimates 10% increases in local government sector</li> <li>• depreciation in the value of the pound results in higher inflation.</li> <li>• Possible interest rate increases to control inflation will further hurt economic growth.</li> <li>• Finance Risks- Increased cost of borrowing through higher interest rates and the liquidity of</li> </ul>	<p>If is a no-deal will have to be a new budget which will trigger a new Scottish budget.</p> <p>UK Government has given a commitment to fund any additional local authority costs stemming from Brexit- Scottish Government have given no such commitment.</p> <p>In 18/19 none of the £33m extra given to the Scottish Government was passed on to local authorities. Of the 19/20 £50m allocation by UK Government to local authorities, only</p>		4x3=12	<p>Working with CoSLA, Government and agencies to improve understanding of issues and preparatory work required.</p> <p>Market projections do not indicate any short to medium term pressure on either overall inflation or interest rate increases, position continues to be monitored</p> <p>Check contracts with key suppliers</p> <p>In liaison with financial advisers to keep a close watch on markets and Council funding requirements.</p> <p>Council's treasury position ensures liquidity is maintained.</p> <p>COSLA negotiating with Scottish government over funding required for</p>	Medium to Long term actions would be picked up through future iterations of the MTFS and Treasury Strategy	

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		<p>Money Market Funds (MMF)</p> <ul style="list-style-type: none"> <li>• Cross border EU financial trading will be disrupted</li> <li>• Impact on pension scheme returns and valuations</li> <li>• Extra UK Government monies to local authorities are not passed on by the Scottish Government</li> <li>• Current Scottish Government budget based on a deal</li> <li>• <b>Contracts-</b> currency fluctuation clauses and price escalation clauses linked to the rate of inflation could result in cost increases</li> <li>• Impact of higher costs greatest on low income households with household incomes squeezed</li> <li>• OBR estimate that higher borrowing and roll-over of term funding scheme loans will leave public sector debt 12% higher than the March 2019 forecast by 2023/24</li> <li>• Overall- likely to be further cuts to local government budgets</li> </ul>	<p>£1.6m has been agreed (£50k per authority).</p> <p>If there is a deal then the unlocking of UK Government reserves held for Brexit could boost the economy.</p> <p>Likelihood of more attempts to renegotiate contracts</p> <p>The tendering process for a number of Scotland Excel framework agreements is likely to span the Brexit process.</p> <p>Higher costs and higher wage demands at a time of further reduced funding- More cuts needed to fund this at a time of increasing demand.</p> <p>Concern that lack of a EU negotiated copyright agreement will impact on libraries and public access to £10,000s worth of e-books, digital magazines, software licences, online reference resources, CDs, DVDs and music streaming services.</p> <p>A further increase in demand for assistance via the Scottish Welfare Fund (SWF) is</p>			<p>extra local authority costs of a no deal exit.</p> <p>Audit Scotland have produced Guidance for auditors with examples of the action that audited bodies may have taken to prepare for EU withdrawal. Auditors should use this as a framework to assess what audited bodies have done, to help inform an overall judgement on how well the audited body had prepared for EU withdrawal.</p> <p>Scottish Government made £50k available per local authority for Brexit in July 2019</p> <p>On 1/8/19 UK Government announced a further £2.1bn to prepare for no deal. Funding will accelerate preparations at the border, support business readiness and ensure the supply of critical medicines. The key elements are</p> <p>£1.1 billion provided to departments and the devolved administrations to prepare critical areas for previous EU exit date of 31 October 2019. Barnett will apply in the usual way to all new funding given to UK government departments in devolved areas.</p>		

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		at a time of increased demand	also likely, and COSLA is engaging with Scottish Government around existing pressures on the SWF budgets and local authority concerns over expectations that the SWF will also support those impacted by Brexit (without additional resource being committed).					
3	Supply Chain Delays/General Procurement	<p>UK/EU Customs controls- Ports expected to operate at 15% capacity, resulting in significant reduction in the flow of goods over a 3-6 month period</p> <p>Supply chains are very complex, (eg where do raw materials come from) Even Government does not have a full overview of vast, competitive and complex supply chains.</p> <p>Public panic results in shortages- eg there is no fuel risk but unless the public know this they may attempt to stockpile.</p> <p>Concerns that while the UK has put derogations in place</p>	<p>Significant delays and impact on lead times- travel delays are likely for a 3-6 month period,</p> <p>Lack of products available, price increases.</p> <p>UK registered hauliers may lose market access to the EU if UK contingency measures prove inadequate</p> <p>Current concern about insufficient warehousing space to deal with stockpiling, particularly given the Black Friday and Christmas period demand</p> <p>Impact on school trips</p>	<p>Increased traffic and congestion at Scottish ports, Cairnryan, Grangemouth, Rosyth, Greenock - resulting in delay to the distribution of goods from these ports to the rest of Scotland. This would have residual consequences for a range of sectors that rely on just-in-time delivery of crucial supplies such as animal feed, food ingredients and water treatment.</p> <p>Road salt is identified as being a potential risk to winter service.</p> <p>Education</p> <p>Travel Disruption/ Border delays</p> <p>School Travel on Educational visits (European and abroad and UK destinations that may suffer travel disruptions (e.g. near UK port access points)</p>	4x4=16	<p>Working with CoSLA, Government and agencies to improve understanding of issues and preparatory work required.</p> <p>School trips- procedure in place to ensure that all foreign school trips are notified to Education HQ.</p> <p>Insurance cover confirmed that cover includes unlimited medical expenses, even if pupils are no longer able to rely on the European Health Insurance Card (EHIC) or other reciprocal medical agreements?</p> <p>Fuel and drinking water purification expected to be low risk 6 month derogations agreed by EU to allow UK hauliers and planes to access EU.</p> <p>Procurement to identify key contracts and then enter into discussions with key suppliers to understand their Brexit planning and any potential issues. Business Support have provided spend information to help Services identify key contracts. Business Gateway</p>		

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		<p>to ease border delays, these still need to be reciprocated by the EU- the EU may only do so where this benefits them</p> <p>UK citizens subject to increased immigration checks at EU borders</p>		<p><b>Construction:</b> Many types of construction materials are imported. The Destination Hillend project requires a high value coaster unit built in Germany.</p> <p>Sports pitch astro surfacing is sourced from countries such as Holland Germany and Belgium.</p> <p><b>Educational Visits:</b> Delay/ Disruption /cancellation on European and overseas travel</p> <p>Increased costs</p> <p>Access to Medical services (if EH1C agreement discontinued) Border issues due increased immigration checks passport/visa requirements</p> <p>Travel Disruption – Fuel Supply &amp; /Congestion (protests)</p> <p>Travel Disruption School day - Pupils</p> <p>Travel disruption School day – Staff</p> <p>Travel Disruption resulting in school closure (staff and Transport shortage)</p>		<p>team approached procurement to offer support to identified suppliers.</p> <p>Road services have increased their stock of salt from the usual level of 3000 to 4000 tonnes.</p> <p>Education</p> <p>Educational visits Additional planning considerations for establishments and Visit leaders will be issued via EVOLVE to allow visit leaders to include Risk Assessing &amp; contingency at planning stage – and additional if No deal scenario.</p> <p>Information via Education Bulletin (weekly) to update establishments &amp; leaders (LLE)</p> <p>Travel team to Risk Asses re local school travel and provide updates to establishments and Midlothian Council to advise stakeholders of procedures</p> <p>Staff –Establishment Head Teachers consider cover &amp; ration implications due delayed staff travel and attendance and ability to support SLA pupils.</p> <p>Pupils – attendance impact and public transport advice via Travel team &amp; education Bulletin.</p> <p>Generic “no deal” Brexit risk assessments have also been provided by Scotland Excel for all of their category B frameworks. In addition</p> <p>Scotland Excel are continuing to undertake work.</p>		

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						<p>Monitor, particularly in relation to contract prices, number of tenderers and particularly of timescales.</p> <p>Price escalation clauses are in Scotland Excel's Engineering Consultancy, Buildings Related Engineering Consultancy, Domestic Gas Boiler Maintenance and Outdoor Play and Artificial Surfaces and could be exposed to significant price hikes over their framework terms.</p> <p>Scotland Excel have analysed and commented on key risks and steps in place.</p> <p>Public messaging important Scottish Government are to issue national messages; their website went live on 6 Feb2019  <a href="https://www.mygov.scot/eu-exit">https://www.mygov.scot/eu-exit</a></p>		
4	Migration of EU workforce back to EU	Workforce Migration Risk; Where EU migrant workers leave to go back to EU and it becomes increasingly difficult to attract new migrant workers- see risk 5	<p><b>All of</b> Scotland's population growth over the next 25 years is projected to come from immigration.</p> <p>At present, 2,000,000 EU nationals work in the UK including 400,000 in the food and drink supply chain. Of those, 30% are employed in manufacturing and another 60,000 are employed in a seasonal basis in agriculture. The percentage of non- UK nationals employed within the adult social</p>	<p>Midlothian is experiencing significant internal migration and population growth which may mitigate this</p> <p>621 local business operate in food, drink and hospitality sectors. The majority of these business are classed as small (under 50 employees). They are unlikely to have HR specialists to support migrant workers with right to remain paperwork</p> <p>390 local businesses are engaged in</p>		<p>Each Directorate is responsible for workforce planning and where relevant will consider and address impact.</p> <p>LA suggested actions - signpost residents to GOV.UK content and encourage them to sign up to email updates<a href="https://gov.smartwebportal.co.uk/homeoffice/public/webform.asp?id=67&amp;id2=627DF7">https://gov.smartwebportal.co.uk/homeoffice/public/webform.asp?id=67&amp;id2=627DF7</a> . Use community leader and local authority toolkit-<a href="https://www.gov.uk/government/publications/eu-settlement-scheme-community-leaders-toolkit">https://www.gov.uk/government/publications/eu-settlement-scheme-community-leaders-toolkit</a> to update EU employees. Take part in telephone focus groups on the local authority tool kit and engagement strategy by emailing EUSettlementscheme@homeoffice.g</p>	<p>Supported SG commissioned research with EU migrants to identify key needs and aspirations re future migration policy (Arran workshop).</p> <p>Promote social care as a career of choice, both internally and together with commissioned service providers</p> <p>Libraries to</p>	

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			<p>care and childcare services in Scotland is 5.6%. Longer term issue of businesses being able to recruit skilled labour.</p> <p>Scottish Government research shows the number of foreign workers in Scotland fell by more than 10% in 2018. There were 198,000 non- UK nationals in employment in 2018- 21,000 fewer than in the previous year. About 12,000 of those who left the Scottish labour market were EU nationals.</p> <p>Current right to work checks (eg EU passport and/or national ID card) apply until the end of 2020 no change to the right and status of EU citizens living in the UK until 2021.</p> <p>Irish nationals do not need to apply</p> <p>Figures from the Department for Work and Pensions in March 2019 show the number of overseas workers registering for a national insurance number in Scotland has fallen by 18% since 2015.</p>	<p>professional ,scientific, technical and research sector .Loss of EU research and development funding and of EU staff will have a significant impact on this sector – especially the Science research community at the Bush</p> <p>Approx 173 Council staff are not UK nationals</p> <p><b>Construction workers</b> Over the last few years, Polish construction workers have gradually migrated home or to other countries due to improving economic conditions or a wish not to remain. This has reduced the reliance here. The majority of European tradespersons who have been here for some time have tended to settle, having gained the appropriate paperwork. However, there is the potential for workers to move south to take up higher paid vacancies – or increased labour costs may lead to increased tender costs. Conversely, there may be more interest in construction jobs due to , the impacts of Covid-19 on the labour market.</p>		<p>si.gov.uk&lt;mailto:EUSettlementschem e@homeoffice.gsi.gov.uk&gt;</p> <p>Road Services have one EU national and he has been advised on the process for applying for settled status.</p> <p>Looked after children - Guidance was provided on 30th March for looked after Children. Review records to identify those in scope.</p> <p>Education Long term effects possible and should be reviewed by Division once accurate HR data available (e.g. EU nationals Currently employed estimates of returning ) Long term impact but national figures do not increase a significant increase as pro-rata data indicates low numbers. Advice and guidance will be required for communities but no immediate pressures - A review required for long term effects of RWCS in 3-6 months period post RWCS (no deal Brexit) After Brexit EU rules will be replaced by other international rules, which Scotland currently follows in cases involving non-EU countries. These rules are similar to the EU rules</p> <p>The Scottish Government '<u>Stay in Scotland</u>' campaign and toolkit provides a package of support to help EU citizen stay. SG has printed leaflets and posters, Scottish Government are also funding CAS (who don't operate in Midlothian) to provide <u>an advice service for EU citizens</u> who live in Scotland.</p>	<p>support EU nationals to complete applications for Settled Status</p> <p>Economic Development support includes Locate in Midlothian Job Board and Employability support resources, partnership working with DWP to identify potential candidates to fill the skills gaps (care/hospitality) signpost candidates to free/funded training opportunities and BG support to develop new organisations/ services to fulfil increased demand in care sector.</p>	

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			Issue of any looked-after children who are EU nationals			15 August- 1million out of 3.2million EU nationals living in the UK have applied for settled status. The deadline for applications is currently 30 June 2021 for those resident in Scotland at 31 December 2020.		
5	<b>Skills shortages in key areas</b>	<p>Particular areas at risk include: - Maintenance and cleaning services Tourism/hospitality Social care Food Processing Agricultural sector Construction sector Education ancillary staff Early years staff Public health vets</p> <p>To recruit EU workers will be the same procedure as recruiting workers from elsewhere in the world. Particular issues are the costs involved in applying for a visa, both for those applying and employers (for 5 year visa £3220 per person( ie £13k for a family of 4) and £5199 for business), and the proposed threshold of income precludes lower paid roles</p> <p>Shortage of entry level workers. Fall</p>	<p>Proposed UK government scheme does not currently make provision for low skilled labour immigration.</p> <p>Businesses will require to obtain a Sponsor Licence for EU workers, the application process for which is administratively burdensome and requires a set of prescriptive documents to demonstrate that the business is genuinely trading and that it has a genuine vacancy that cannot be filled by a settled worker. Cost is £199, plus £1000 per annum</p> <p>Sponsor compliance is hugely time consuming. Sectors most affected include hospitality, agriculture, timber harvesting, security industry, contractors on the Energy Efficiency Contractors framework, food and drink, financial services, life sciences</p>	<p>Proposed Tier 2 immigration rules aim to “reduce annual net migration to sustainable levels as set out in the Conservative Party manifesto” and have a required salary of £30,000 (level currently under review). May lead to increasing salaries (eg teachers) to reach this threshold.</p> <p>UK Gov are potentially looking at introducing a seasonal agricultural worker scheme.</p> <p>Uncertainty over transitional arrangements and harder policies for dependants may make it harder to fill key vacancies.</p> <p>Potential workforce planning issues, not just losing staff but increased work- teachers, EH or TS Officers or social care.</p> <p>Potential for decline in compliance standards in food manufacturing / hospitality etc –resulting in an increased risk to human health</p> <p>Providers in care home</p>	3x3=9		<p>Wage inflation and greater difficulty in recruiting to be kept under review</p> <p>Companies recruitment freeze affecting local economy</p> <p>Economic Development &amp; CLL support to identify free/funded training opportunities and support employers to access employability funds such as Kick-start fund, &amp; CJS.</p>	

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		in value of sterling makes the UK an unattractive option for workers who send money home	<p>and creative sectors.</p> <p>May exacerbate existing skills shortages in the construction industry- EU nationals comprise 10% of the construction of buildings sector London construction heavily reliant on EU workers- their departure could result in higher wages drawing workers into London, leaving shortages elsewhere.</p> <p>Likely that the legislative demands of a no-deal will result in delays to the remaining legislative programme of the UK and Scottish Governments</p>	<p>sector may face recruitment difficulties, driving up salaries in an area where there are already shortages.</p> <p>Council would need a Sponsor Licence if recruiting EU nationals, the procedures for which are bureaucratic and burdensome.</p> <p>Road Services already experience difficulty in recruiting skilled road/construction workers. Brexit may exacerbate the situation as Eastern European communities provides a source of potential recruits.</p>				
6	<b>Inward Migration- UK nationals in the EU return</b>		<p>Generally thought low risk</p> <p>Government Planning Assumptions assumes that UK nationals would lose their EU citizenship, removing rights to residency and essential services including non-emergency healthcare, and will become third country nationals.</p> <p>There may be an influx of vulnerable expats who create significant pressure on Council</p>	<p>European Commission has published a proposed regulation that would commit EU member states to continue honouring coordination rules as a temporary measure in the event of a no deal. This is a substantial step forward and means that social security entitlements will be maintained even in the event of no deal. This should also help mitigate the risk of UK nationals returning to the UK - a key motivation for this would've been loss of financial support in the form of</p>	2x2=4	<p>Working with CoSLA, Government and agencies to improve understanding of issues and preparatory work required.</p> <p>Issues could be similar to those facing other refugees e.g Syrian refugees</p> <p>EU will continue to provide emergency life-saving treatment to UK nationals</p> <p>EU will continue to pay the pensions it currently pays to UK nationals living in the UK Housing Services will continue to monitor the situation and respond</p>		

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			<p>services, H&amp;SC partnerships and RSLs.</p> <p>Government Planning Assumptions for Scotland are, this number could be around 17,300, or around 7% of the total, of which around 3,300, would arrive in the first 12 weeks following the UK leaving the EU, of which: 210 children (6%), 1,960 working age (56%) and 1,130 Pensioners (38%). It is likely that those in most acute need would return first.</p> <p>Recent EU actions have lowered this risk.</p>	<p>benefits and pensions. Potential pressures on housing and primary and social care</p> <p>Expected that there will be a low risk of increased demand from expats seeking homeless/housing services.</p>		accordingly through the provision of appropriate housing options advice.		
7	<b>Devolution/ subsidiarity Risk</b>	<p>Devolution/ subsidiarity Risk- Powers returned are not repatriated to Scotland or the Scottish Government do not delegate them to local authorities.</p> <p>Danger that Governments are so focussed on the political and reputational aspects of Brexit that they decline to share planning with each</p>	The Committee of the Regions has agreed to launch a joint committee with the UK, to continue sub-national dialogue and cooperation. This will involve COSLA	<p>Risk assessment is that there is a high risk of this, given the response made by UK government to the new shared prosperity fund, which demonstrates no subsidiarity. Scot Gov has been centralising control for a number of years using financial controls to reduce local democratic influence, creating regional bodies that cut across CPP boundaries and increasing use of specific ring-fenced funding.</p>	3x2=6		COSLA has identified 64 returning powers of interest to local government. Scot Gov has committed to better sharing of its planning with resilience partners	

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		other or with local authorities						
8	Trade Deal Risks	<p>Trade deal risks- After a no-deal, it will be harder to negotiate any deal with the EU as it is no longer negotiating under Article 50. This may involve ratification by all 27 EU states</p> <p>Many trade deals with non EU countries are negotiated with the EU and a no-deal will also terminate such deals.</p> <p>Ability of UK to negotiate satisfactory trade deals- size matters and unlikely to be able to negotiate anything better than the EU.</p> <p>Capacity of UK Gov to negotiate so many trade deals.</p> <p>Post Brexit economic vulnerability of UK is not a good negotiating position to start from.</p> <p>The weakness of the UK's negotiating position may result</p>	<p>Risks of high tariffs prior to deals, impact on exports and prices, and in the longer term poor trade deals result in impacts on economic growth and lack of investment.</p> <p>The threat of such action by global multinationals has often been enough to discourage governments from taking innovative social measures. For example, minimum pricing of alcohol might have been an obvious target had such rules been in place.</p>		4x5=20		<p>Keep a watch on developments.</p> <p>Shut down of EU markets to Midlothian businesses/ supply chain issues / redundancies.</p> <p>High tariffs may see large businesses in the locality relocate out of the UK resulting in a loss of jobs.</p>	

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		<p>in a trade deal which</p> <p>a) opens up areas of the public sector such as health to competition from US companies;</p> <p>b) lowering of standards, particularly in food and</p> <p>c) the ability of US companies to sue national governments for policy decisions which cause them loss;</p> <p>Unlike the EU, the US's approach to environmental issues and genetically modified foodstuffs is not based on the precautionary principle. A trade deal with the US may well open up the UK to environmental issues and foodstuffs which differ from EU regulatory standards</p> <p>Increasing protectionism from US not a good starting point.</p> <p>Any deal with the USA could be conditional on provisions whereby US companies can sue the UK Gov for actions which impede free trade.</p>						

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9	Human Rights	Human Rights-will the UK pull out of the European Convention on Human Rights?	ECHR has over the last 20 years increasingly been the means by which fundamental rights, particularly those of minorities are protected	The potential impacts on Midlothian would be as for the UK as a whole. The rights of individuals would be greatly reduced if the UK were to pull out of the ECHR.	2x4=8	EU laws will remain in place in the short and medium term.  Further, the First Minister has launched a Human Rights Task Force for Scotland. This Task Force will be looking to re-inforce Human Rights in Scotland.	Keep a watch on developments	
10	Health and Social Care	Particular risks include:- Interdependencies of actions taken by different public sector partners, particularly regarding acute and social care. Workforce gaps, food supplies and medicines issues. Supplies of medicine and medical supplies impacted by reduced flow rate across the Channel		Care Homes remain highest area of concern/priority ----- <b>Education -</b> Medication Supply - shortage/disruption – supply chain interruption.  (Drug companies have stockpiled in the UK medicines normally transported here from other EU countries and the NHS has stockpiled other medical supplies) These stockpiles provide an extra six weeks of supply compared to normal levels. In addition, in the event of a 'no deal', medical supplies will be given priority for entry into the UK.  Risk effect - Attendance/ Illness /Emergency handling – pupils and staff Named First Aiders not present due disruption.		HSCP working with care homes in relation to their resilience plans for clinical supplies, testing kits, PPE and workforce.  UK Government requested pharmaceutical companies to ensure they have a 6 week supply of medicines, organising alternative transport channels away from Dover and possibly, supplementary warehousing space.  Current SG assumption is that NHS medicine stockpiles should last 6 weeks and they will buy more regularly- albeit some items have limited shelf life- biggest concern is radionuclides which are used in diagnostics.  Blood supplies are sourced in Scotland although some chemicals required to turn it into platelets come from the EU.  Education  Suitable advice to Schools regarding ensuring school based medication is in suitable supply per individual care plans/parents  (Vulnerable pupils and Establishments ensure adequate First Aid Cover. Monitor absences due illness as a result of medical supply chain effects)		

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11	Data Risk	Government Planning Assumption is that EU will not have made a data protection adequacy agreement with UK before exit and as part of this law enforcement data and security and information sharing systems may be impacted Risk that personal data flows between the EU and UK will cease and information currently in EU (including that stored on EU based cloud providers) will not be returned	Potential disruption in flow of personal data	The potential at risks applications identified are:-  -Councillor Case Management system - IT Helpdesk application - E-Learning software - Parental communication application - Parents Evening Booking Application	4x2=8	On 12 February 2019, the European Data Protection Board (EDPB) published an information note clarifying the steps that businesses should take to ensure the continued sharing of personal data with UK recipients in the event of a no-deal Brexit.  <a href="https://edpb.europa.eu/sites/edpb/files/files/file1/edpb-2019-02-12-infonote-nodeal-brexite_en.pdf">https://edpb.europa.eu/sites/edpb/files/files/file1/edpb-2019-02-12-infonote-nodeal-brexite_en.pdf</a>  On 11-03-19 the Scottish Government asked the Council to return a questionnaire dealing with any transfers of data between the UK and EU.  UK Govt issued guidance on 11-03-19.  <a href="https://www.gov.uk/government/publications/accessing-data-from-the-european-economic-area-under-no-deal-brexit/accessing-data-from-the-european-economic-area-eea-under-no-deal-brexit">https://www.gov.uk/government/publications/accessing-data-from-the-european-economic-area-under-no-deal-brexit/accessing-data-from-the-european-economic-area-eea-under-no-deal-brexit</a>  Use of Standard Contract Clauses may help in some circumstances.	It's hoped that the EU will provide the UK with an adequacy agreement that will permit the free flow of data between the UK and EEA.	Low for Brexit but potential for other risks including:  Cyber Attack Building Loss (Computer Room Loss) through fire etc. Theft of Servers Contamination of Midlothian House
12	Food Security	Food- the EU accounts for 30% of UK imports and 70% of fruit and veg, particularly in the winter months- issues include a) delays due to border controls, b) loss of labour,	400,000 EU workers are employed in the food and drink supply chain. Of those, 30% are employed in manufacturing and another 60,000 are employed in a seasonal basis in agriculture.  A no deal Brexit would	Food prices have already been going up as a result of Brexit.  Question of whether might need to amend school nutrition standards  Risk that manufacturers will provide all supply to retail creating a shortage	4x3=12	Scotland Excel have analysed and commented on key risks and steps in place. They meet regularly with Scottish Government and suppliers to look at stock levels.  Brakes have confirmed high levels of confidence in ability to continue supply. They have also done work to identify 10 high risk, 107 medium risk and 411 low risk items. Noting up to 4 day delay as reasonable		EH food intervention & enforcement is currently being restricted as a direct result of the Coronavirus pandemic diverting resources

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		<p>c) even for UK produced food, the complexity of supply chains mean they are often dependent on EU goods,</p> <p>d) Disruption to the food supply chain increases food safety risks. Danger is that vulnerable communities and groups are particularly impacted. Increasing cost-Draft Public Sector Food Plan July 2019 estimates 10% increases in local government sector</p> <p>Government Planning Assumption is there will not be an overall shortage of food but there will be a reduction in choice and certain types of fresh food will be unavailable leading to price increases.</p> <p>A reduction in choice, particularly in perishable products may be more marked the further north the end of the distribution chain</p>	<p>also likely push up the cost of fruit, vegetables, meat and dairy products as fresh products would not be able to be stockpiled like packets or tins. At present, the UK only produces about 25% of the fruit and vegetables consumed and on the whole only produces 60% of what it needs to feed itself, compared with 74% 30 years ago. We import substantially more fresh produce in the winter.</p> <p>Current estimates are that food price rises will be between 5-20% depending on the product.</p>	<p>in public sector. Both DEFRA and the Scottish Government advise this is being looked at, but no real answer was given</p> <p>Risk that suppliers will supply supermarkets rather than Councils</p> <p>Fruit and vegetables may be the biggest issue for Catering Services.</p> <p>If stocks to food banks start to dry up due to lack of donations from supermarkets, bakers and individuals, there may be a temporary need to be assist in filling the gap created.</p> <p>Potential for food fraud to increase e.g., extended shelf life etc without adequate controls/adulteration etc</p> <p>Education</p> <p>Delay/shortages/ supply chains disrupted due identified travel flow rates &amp; effect of stockpiling.</p> <p>Price Rises ( Low income groups will be disproportionately affected by any price rises in food &amp; fuel)</p> <p>Potential Areas of effect – School Meals, Breakfast Clubs, Youth Clubs,</p>		<p>worst case scenario.</p> <p>There may be a need to be versatile in the provision of certain menu items, eg changing the choice of fruits to local rather than imported and/or tinned rather than fresh.</p> <p>Catering Services Manager has met with main grocery supplier who have confirmed they are following Govt advice regarding stock levels. A meeting with another major supplier, will take place shortly.</p> <p><b>Education</b> Catering teams to contact suppliers to confirm supply arrangements in RCWS</p> <p>Schools/establishments plan for delays and potential of panic buying and local stores having less supply/ interrupted supply change of menus ( catering management )</p> <p>Monitor Scotland Excel updates re supply.</p> <p>Council to engage stakeholders in information exercise if not nationally addressed (information for parents/schools)</p> <p>Establishments/ Schools to update RA to reflect decisions to include advice to staff and parents as a result of shortages following national guidance.</p> <p>----- EH&amp;TS to be alert for potential food fraud (identification, investigation and enforcement as required) -----</p>		

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				<p>Residential care settings</p> <p>Risk effect – Attendance effects on low income &amp; vulnerable parents due price increase of “certain types of Fresh food supply” (RWCS shelf life, certain types of fresh food will be in short supply)</p>		<p><b>Scotland Excel have produced the following documents</b></p> <p>1) Suppliers responses to the supply chain questions asked and 2) Scotland Excel Food Framework Brexit Product Analysis – this document provides details of the top 50 products (20 in the case of the fresh meat framework) supplied through the food frameworks by supplier. Details of where the products are sourced, risk factor and any supplier comments are also provided.</p> <p>Scotland Excel estimate there will be a 10% increase in food costs to local authorities</p> <p>UK Food Security Assessment published by DEFRA concludes that in the event of no access to trade UK agriculture has sufficient calorific content to feed the population, albeit with a restricted diet and a dramatic reduction in livestock production to enable all crop production to be used as human food.</p>		
13	Transport	Transport- increased lead-in times for obtaining required transport and spares, and higher costs	<p>For heavy vehicles, heavy plant and grounds maintenance equipment, most of this equipment is manufactured in Europe and we could see significant price increases post Brexit.</p> <p>There is also a large dependence on where hire companies are on their vehicle inventory lifecycles.</p>	<p>Lead time delays in getting spares for heavy vehicles could impact on services (e.g waste collection).</p> <p>Cost increase for vehicle purchase or hire. Indications given that price of new vehicles may increase between 5 and 20%</p>	3x3=9	<p>Scotland Excel have analysed and commented on key risks and steps in place</p> <p>Travel Team have liaised with suppliers and been advised that manufacturers have increased stocks of essential parts.</p>		

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			<p>In terms of fleet, this in an area that Brexit could have significant impact depending on the outcome of any trade deals that are (or not) agreed. Light and commercial vehicles are at high risk.</p> <p>Potential impact for road salt as Cleveland Potash (who supply the Eastern side of Scotland) extract and ship much of their rock salt from their Spanish salt mines. Irish Salt Mines (who supply the Western side of Scotland) should not be affected as they are based in Carrickfergus in Northern Ireland</p>					
14	Fuel	Currently estimated as low risk, other than from panic buying	Current assumptions are that neither should be an issue albeit fuel may be impacts from panic buying and in SE England due to traffic congestion.		2x1=2	<p>Scottish Government to undertake national publicity to minimise panic buying.</p> <p><a href="https://www.mygov.scot/eu-exit/">https://www.mygov.scot/eu-exit/</a></p>		
15	Waste Management	Waste – inability or delay in moving waste for disposal in EU and possible price rises. Key issues are general traffic disruption, workforce loss, exchange rate implications, additional gate fees, flow of more waste from England to Scotland and	With or without a deal, all existing consents which authorise the export of hazardous waste, known as 'notified waste', to any EU country will remain valid when the UK leaves the EU. Companies that export waste from the UK will see no change in the processes that govern the export of 'non-	Local Impact may be increased incidences of fly-tipping – including the tipping / abandonment of hazardous materials – particularly in the case of increased charges for disposal. SEPA advice that the current waste transfer notes will not be sufficient for movement of waste between Scotland and Northern Ireland and we	3x3=9	<p>Scotland Excel have analysed and commented on key risks and steps in place.</p> <p>SEPA are mapping Scottish Landfill capacity and establishing contact with smaller waste management operators.</p> <p>Waste Services preparing approach to include completion of Annex VII document for each load of dry mixed recyclate transported from the waste transfer station (approx. 9-10 each week)</p>		

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		<p>increased likelihood of waste crime</p> <p>If commercial operators fail, as local authorities have a duty to uplift waste, they may need to bail out such failures, resulting in higher costs</p>	<p>notified waste' ('green-list' wastes) to the EU. However, in the event of no deal, changes to border controls may impact on some waste exports. Disruptions at container ports are not expected, but there may be some delays at ports which operate 'roll-on, roll-off' systems. The Port of Dover is predicted to be the most affected and steps are being taken to minimise the impact. Waste exports using the Eurotunnel may also experience disruptions.</p> <p>More details can be found at:</p> <p><a href="https://www.gov.uk/government/news/no-deal-eu-exit-government-issues-reminder-to-waste-industry">https://www.gov.uk/government/news/no-deal-eu-exit-government-issues-reminder-to-waste-industry</a></p> <p>Potential impacts include Stockpiling of waste at source, sites or ports and associated environmental/ regulatory issues.</p> <p>Increased opportunities for organised crime</p> <p>For the Scotland Excel DPS for Recyclable and Residual Waste,</p>	<p>would need to complete an Annex VII document for each load.</p> <p><a href="https://www.sepa.org.uk/media/36569/annex-vii-completion-guide.pdf">https://www.sepa.org.uk/media/36569/annex-vii-completion-guide.pdf</a></p>				

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			<p>the most concerning impact is regarding refuse derived fuel. The landfill ban comes into force fully now in 2025 replacing the January 2021 deadline.</p> <p>Capacity, demand and infrastructure is arguably not at a sufficient level in the UK, at least for the moment.</p> <p>Material has increasingly been sent to energy from waste plants in Europe, such as Norway and the Netherlands, however there is a fear in the industry that post Brexit the costs of sending material there may become uneconomic and not viable.</p> <p>A key issue has emerged (3 April) regarding transport contracts. It would appear that exporters have not renewed contracts and are using the spot market during the current period of uncertainty which will inevitably lead to an increase in price</p>					

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16	Legal and Regulatory Compliance	Leaving the EU will result in the UK leaving a number of regulatory regimes (e.g. REACH in the chemicals sector, and Clinical Trial Regulation EU No. 536/2014 in life sciences), and the end of passporting in financial services.	As of 1 January 2021, the Competition and Markets Authority (CMA) will take on responsibility for merger, cartel and competition enforcement cases that were previously reserved to the European Commission; typically, those are the larger and more complex cases. The CMA has committed the necessary resources to ensure that it has the people, skills and infrastructure in place to deal with these investigations and has, for merger cases, already been engaged in the 'pre-notification' discussions that precede a formal investigation for the past few months.  CMA has published guidance on their function after the end of the transition period.					
17	Environmental Health and Trading Standards	Nationally/Scotland:  i) Delivery of the Environmental Health Function  Insufficient authorised EHOs to serve the potential increase in certification required in the event of a no-	Increased demand for surveillance, checks and inspections to satisfy bodies within and outwith the EU that our products meet relevant standards.  Export Health Certificates (EHC) will be required for exports of all animal products	Increased Environmental Health inspection activity.  Current UK Government estimates are that a 350% increase in certification will be required (SG suggest 3-fold increase). However how this impacts individual authorities is unknown.	2x4=8	SG have put forward suggestions for assisting LAs with capacity issues using APHA's proposed system of 1 certifying officer supported by 4 certifying support officers (with basic qualifications and online training).  Trading Standards Scotland, Food Standards Scotland, SCOTSS (Trading Standards Chief Officers) and SOCOEHS (Environmental		EH food intervention & enforcement activity is (Dec 2020) currently being restricted as a direct result of resources being diverted to the

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		<p>deal (potentially 150,000+)</p> <p>ii) Ongoing process to bring the food law statutory instrument from EU laws to UK laws. This including food labelling regulation.</p> <p>iii) Environmental Enforcement</p> <p>Scotland has measure in place to protect the environment with these measures supported by EU law and standards</p>	<p>and live animals from UK to EU. Certification for high risk (non-animal origin) foods is also likely. [ Note meat exports handled by VETS not LAs] fish &amp; shellfish and Alcohol of particular significance to the Scottish Economy as a whole.</p> <p>150,000 extra certificates p.a. will be required- current resources insufficient without derogations being put in place</p> <p>Certain fish and fish product exports require rapid turnaround after landing to preserve freshness and fulfil customer orders in good time. Exporters of this type of catch may require an out of hours inspection and verification service due to local tides, species of shellfish, EU shipping or land transportation times.</p> <p>Risk of losing key staff</p> <p>Issues in adequately training sufficient support staff</p> <p>There will be no relaxation of compliance with the</p>	<p>Scottish Govt seeking derogation from EU regulations (to limit the need for certificates)</p> <p>Scottish Govt proposed to UK Govt on 406-19 that DFS Logistics be treated as a certification hub for Scottish Salmon.</p> <p>Small impact on Env.. Health due to local business profile. ( Zero fish)</p> <p>FSS have sent LA's information on products currently exported to EU (as supplied by business) but LAs need to check as suggested under-reporting widespread.</p> <p>Increased requirement for market surveillance to monitor prices and standards.</p> <p>On 13 March 2019 the Chief Veterinary Officer issued guidance that authorised officials will have the flexibility to make a judgement on when a physical inspection of a product is required or when they can rely on existing information on record.</p> <p>Midlothian EH are not in a</p>		<p>Health Chief Officers) have cooperated to prepare alternative systems to share knowledge of emerging risks such as dangerous imports and potential to establish a black market for goods such as medicines and the opportunity that this poses for internal manufacture of counterfeit medicines and other items.</p> <p>Public messaging, communication and visibility of the service will be required.</p> <p>NFU are linking to support farmers and Chambers of Commerce</p> <p>On 12-03-19 Defra put together a guide that can be shared with exporters to explain the no deal export health requirements for fish and fishery products. The guide provides insight on the export process, illustrates export scenarios and clarifies frequently asked questions.</p> <p>As at October 2020 there are 3 established hubs in Scotland for European export only:</p> <ul style="list-style-type: none"> <li>• DFDS (Larkhall) operating 7 days a week.</li> <li>• Mesguen (Harthill)</li> <li>• J Dot (Bellshill)</li> </ul> <p>FSS confirm that the process to bring the food law statutory instrument from EU laws to UK laws.</p> <p>UK Government establishing the Office of Environmental Protection (OEP). Environmental law is being corrected. Further information is required.</p>		<p>Coronavirus pandemic</p> <p>In terms of the coronavirus pandemic Food Standards Scotland have issued a deviation from the Statutory Food Law Code of Practice to limit intervention/ inspection to the highest risk levels.</p> <p>National shortage of qualified Environmental Health Officers negatively impacting on ability to recruit.</p>

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			<p>Food Law Code of Practice Practice as a result of Brexit.</p> <p>Exporters need to obtain an Economic Operator registration and identification number (EORI)</p>	<p>position to offer any “support” to the export Hubs that would result in a reduction of Officer FTE in Midlothian – staff may wish to work on an ‘external’ basis; this would require governance to protect the LA in the event of error See also comment under Section 5, Skills shortages regarding risks to health through potential decline in standards in food manufacturing</p> <p>Midlothian does not have any fish or shellfish exporters (land locked) and do not currently issue Export Health Certificates.</p> <p>Food Standards Scotland stated LA (EH services ) to continue to deliver on the Statutory Code of Practice re inspection &amp; enforcement &amp; that no letter of comfort will be issued to allow routine work to be sacrificed to cope with BREXIT demands.</p>		All statutory enforcement documentation to be updated and Officer authorisations etc require to be refreshed		
18	Safety of Imports	SAFETY OF IMPORTS - issue of the need to ensure that a “no-deal” withdrawal does not increase the risk of unsafe products reaching	Sudden divergence from EU standards and regulations will put extreme pressure on UK businesses and cause uncertainty among consumers.	<p>More work for relevant Services as there will be an increased demand for advice from consumers and businesses.</p> <p>Trading Standards</p>	1x2=2	<p>Signed up to .gov.uk website to receive daily updates / technical notices and guidance in the event of a no deal for legislation enforced by Trading Standards.</p> <p>Signed up to new UK, Product Safety Database to allow for</p>	Provide guidance to business and ensure compliance via market surveillance and routine inspection	TS staffing if long term sick and/or significant increase in workloads.

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		<p>the UK.</p> <p>US Trade deal- Unlike the EU, the US's approach to environmental issues and genetically modified foodstuffs is not based on the precautionary principle. A trade deal with the US may well open up the UK to foodstuffs which differ from EU regulatory standards, leading to greater border controls and concerns over safety</p> <p>Disruption to veterinary medicines may impact on UK's ability to prevent or control disease outbreaks with a potential impact on animal health and welfare</p> <p>EU countries will still be required to produce all foodstuff etc in accordance with EU law – will we as a nation just accept what is coming in – is there an increased possibility of unscrupulous European traders sending inferior quality but still EU</p>	<p>Potential for panic buying will increase fear of shortages, drive up prices etc, The may mean some essential items will become beyond the means of the most disadvantaged, who will be forced to buy goods of questionable providence, with resultant public health consequences.</p> <p>Local Authorities enforce food labelling.</p> <p>A resurgence of foot and mouth, BSE, Swine Flu/Avian Flu etc, added to the burden of certification as detailed above, would overwhelm Environmental Health or Trading Standards</p>	<p>Scotland, Food Standards Scotland, SCOTSS (Trading Standards Chief Officers) and SOCOEHS (Environmental Health Chief Officers) to prepare alternative systems to share knowledge of emerging risks such as dangerous imports and potential to establish a black market for goods such as medicines and the opportunity that this poses for internal manufacture of counterfeit medicines and other items.</p> <p>Relevant Services may be asked to undertake additional checks of imported foods on sale or passing through to alleviate pressure on other LAs. This will have resource implications and would adversely affect delivery of Midlothian Council's local food law enforcement duties. .</p>		<p>reporting and intelligence on unsafe products</p> <p>Maintain awareness of importers to assist in providing advice after 31 October</p> <p>Participating in online workshops being run by CTSi across subject specific areas ie Product Safety, Metrology, Animal Health, Intellectual Property to understand impact EU Exit will have on business and workload for TS</p>		

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		marked.						
19	Resilience and Protests	<p>Protest – Likely to be large demonstrations.</p> <p>Extreme right wing groups may choose to use this to exacerbate racial tension.</p> <p>Danger that over-reliance by Government on a centralised police- and resilience led response to Brexit results in and insufficient attention to the medium and longer term impacts.</p> <p>The legal status of the Irish border in a no- deal is unclear, Danger of recurrence of Irish troubles- Greater sectarian tensions in west of Scotland.</p> <p>Lack of an agreement to share intelligence impacts on our ability to deal with terrorism and serious and organised crime Fisheries- potential illegal fishing leads to clashes and stretched enforcement</p>	<p>Currently no intelligence that events will not be law-abiding</p> <p>Most likely to be in main cities.</p> <p>UK Govt proposals to maintain an open Irish border appear unlikely to entirely deal with livestock and food checks required- this will only get worse if a UK-US trade deal provides US access to more genetically modified food</p>	<p>More work for the Council under the Prevent duty.</p> <p>Education: Delays and risk to pupils and staff transport &amp; safety if protests occur.</p>	3x3=9	<p>Safety Advisory Group arrangements to respond to protests.</p> <p>National Multi Agency Co-ordination Centre (MACC) to be fully staffed from 21 October 2019.- in puts from Midlothian Council via Resilience Direct will be required again, Internal Council reporting structures in place using a Brexit -Barometer.</p> <p>A Resilience Direct EU-Exit Response Site is hosted on EOSRRP and Police Scotland's Resilience Direct site-</p> <p>Local Resilience Partnerships (LRPs) have met.</p> <p>Any intelligence to be passed to Police.</p> <p><b>Education</b> Notify establishments of any likely demonstrations and possible effect on access/ travel disruption (* via Midlothian Comms team)</p> <p>Liaise with Police Scotland and provide reports to Mid BREXIT Group – follow advice from National Centre</p> <p>Mainly Peaceful disruptions predicted and outlined in Scot Gov Advice</p>		

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		capacity Increased opportunities for organised crime, particularly in human slavery						
20	Elections	Elections- Capacity Risk associated with delivery of Elections	Possibility of General Election, further EU referendum and possibly a Scottish Independence referendum.	Midlothian Returning Officer will coordinate organisation with Elections team.	2x3=6			
21	Grant/ Replacement to ESF/ERDF	<p>Grant Funding Risk - Lack of clarity around the UK Prosperity Fund- UK spend on regional support is less, as a proportion of GDP than most EU countries, while regional disparities in productivity are higher</p> <p>Danger is that the new model prioritises overall growth at the expense of inclusive growth, favouring the cities and not outlying areas (unlike the current EU schemes)</p> <p>Less grants that can be applied for - e.g. LEADER, for funding for play and sports infrastructure. It is likely that Brexit will reduce the number of funding streams</p>	While the key objective of the new fund is to tackle inequalities between communities by strengthening the foundations of productivity, unresolved issues include how much funding will be made available, how it will be allocated and what it will fund.	<p>EU funding level of support for business, skills &amp; employability, regeneration, tackling poverty, rural projects relatively safe given UK Treasury guarantee.</p> <p>Concerns over continuum funding through ERDF- funds both Business Gateway and LEADER.</p> <p>Midlothian council submission to UK shared prosperity fund submitted last year. UK Government response proposes a centralised UK delivery model with no subsidiarity of control. This remains a significant concern for all Councils and CPPs. A UK wide competitive bidding model will not be likely to benefit Midlothian given its scale</p>	2x3=4			

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		available for members to utilise Scotland Excel's Outdoor Play Equipment and Artificial Surfaces framework.						
22	Education	Access to Educational resource-access to future EU programmes eg Erasmus, Horizon, Interreg, Cross Border International School trips	Post EU withdrawal the UK Government remains committed to Erasmus and Horizon 2020  Additional costs for students/schools may reduce opportunities for students and/or make costs prohibitive	Erasmus plays an important role in Midlothian's 1+2 modern languages programme  Reduced curricular experience; fewer opportunities for enhancements to Modern languages curriculum				
		International Students placed in Midlothian Schools	This is an income generator for schools, with plans in place pre-Brexit to increase financial benefit to schools, risk is that fewer students likely	Reduced current and potential income source for schools; less diverse school community				
		Recruitment; we all do have teachers that will come through the freedom of movement route	lack of qualified staff	Reduced curricular offering				

**Medium Term Financial Strategy – 2021/22 & 2022/23 Budgets****Report by Gary Fairley, Chief Officer Corporate Solutions****Report for Decision****1 Recommendations**

- a) To agree the recommendation of The Business Transformation Steering Group meeting on 26 October 2020 that Council agree the three strands of the corporate solution for the 2021/22 and 2022/23 budgets.
- b) To agree to rearrange the Council meeting scheduled for 9 February 2021 to 23 February 2021 and also rearranged meetings of the Business Transformation Steering Group for the 8 and 22 February 2021 to facilitate finalisation of the 2020/21 budget after publication of the Scottish Government's proposed grant settlement on 28 January 2021.
- c) Otherwise Council is asked to note the report.

**2 Purpose of Report/Executive Summary**

The approval of the Medium Term Financial Strategy in June 2019 was an important step-change and one that provided greater certainty for local communities and also for employees. It allowed the Council to shift from having to consider savings each and every year at February Council meetings to planning for the medium term and in turn securing continued financial sustainability.

As a result the approval of the Medium Term Financial Strategy and, on the recommendation of The Business Transformation Steering Group, the subsequent approval of the 2020/21 budget ensured that the Council secured a strategic budget which invested in Midlothian to help it fulfil its potential to be a great place to grow.

The Medium Term Financial Strategy has provided a strong foundation on which the Council has been able to build its response to the financial impact of the Covid pandemic. A pandemic which has brought unprecedented financial challenges, risks and uncertainties for Local Government during the current financial year and which will it is anticipated will impact on Council budgets for years to come.

It is against this backdrop that a corporate solution was developed to support the achievement of balanced budgets for 2021/22 and 2022/23, the two remaining budgets which will be required to be determined during the remaining term of this Council. The corporate solution was presented to the Business Transformation Steering Group on 26 October 2020 where it was unanimously agreed:-

- a) To recommend to Council the three strands of the corporate solution presented by the Chief Officer Corporate Solutions for the 2021/22 and 2022/23 budgets;*
- b) That Members should feedback to their respective groups and if any further questions arose they be discussed with the relevant Officers; and*
- c) To pick up issues around growth and the provision of statutory services at the next meeting.*

In respect of recommendation b) Council should note that no further questions have been raised with relevant Officers.

**Date: 04 December 2020**

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### 3 Background

Council last considered an update on the Medium Term Financial Strategy on 11 February 2020 where it unanimously agreed the following recommendations:

- a) noted the update in respect of net cost of services, resource allocation measures and Scottish Government grant and individual Council grant settlements;*
- b) noted the revision in the resource allocation measures as highlighted in Appendix 2a to the main report;*
- c) approved the exceptions outlined in Section 4.2 of the main report in respect of fees and charges and agreed these be subject to separate reports during the year;*
- d) approved the Service budgets for 2020/21 as set out in Appendix 3 to the supplementary report; Page 6 of 605*
- e) approved the allocation of £45.496 million to the Integration Joint Board for 2020/21 in respect of delegated services and in doing so noted that the uplift for demographic pressures should not be considered to be recurring funding;*
- f) set a Band D Council Tax of £1409 for 2020/21 as set out in Appendix 2 to the supplementary report and;*
- g) noted that by applying the maximum Council Tax flexibility of 4.84% in 2020/21, the remaining gap for 2021/22 is now estimated to be in the region of £3.5 million, rising to £9.7 million for 2022/23.*

As most recently reported to Council on 17 November 2020 the Covid pandemic has resulted in a projected divergence of £8.5 million from the 2020/21 budget and it is also recognised that there will be a continued impact on future year's budget.

Furthermore the pandemic has brought about a significant shift in the normal financial planning parameters and timetables that Council will have been familiar with in previous years. In particular the Scottish Government's proposed budget for 2021/22 is scheduled to be published on 28 January 2021 with the proposed Local Government settlement for the year ahead published on the same day.

The publication of the Scottish Government draft budget is some six weeks later than previously experienced and exactly six weeks before the 11 March statutory deadline by which Councils are required to set Council Tax and determine a budget for the year ahead.

The practicalities of billing arrangements to ensure direct debits can be collected for April 2021 means that for practical purposes Council Tax decision need to be made no later than the end of February 2021 which in reality means there is just over four weeks from first receipt of the proposed government grant settlement to the finalisation of the budget and Council Tax levels for 2021/22.

The Council is next scheduled to meet on 9th February 2021 then again on 23 March 2021, neither of which would provide for finalisation of the 2021/22 budget. In addition Council's Standing Orders (4.3) require that the period between successive meetings of the Council shall not exceed ten weeks. Given the timing of the publication of the grant settlement and the requirements of standing orders it is therefore proposed that the Council meeting scheduled for 9th February 2021 is rearranged to 23rd February 2021 to facilitate finalisation of the 2020/21 budget.

#### **4 Corporate solution for 2021/22 and 2022/23 budgets**

In previous years Council has been provided with updates on the prospects for both the grant settlement and the position with the budget for the year ahead commencing in June and culminating in a final report, after the government grant settlement announcement, in February.

The combination of the Council already having approved a Medium Term Financial Strategy and the impact of the pandemic on Council business has required a different approach. In addition the continued uncertainty and risk, particularly in respect of the 2021/22 financial year, mandates that a different approach is necessary.

In recognition of this over the summer and early autumn a corporate solution to support securing financial balance for 2021/22 and 2022/23 has been developed. As part of this corporate solution over the summer the Financial Services Team have concluded the review of the Loans Fund.

As Council will be aware the cost of the construction and enhancement of assets (such as schools) is capitalised and funded from a combination of means, but principally external borrowing. The loans fund advances which are made to finance capital expenditure then needs to be repaid by annual charges to the revenue account over a set period of years dependent on the asset type. The Loans Fund review sought to assess whether the period over which these advances were repaid from the revenue account was appropriate and in line with the expected useful life of the assets in question.

The conclusion of the review, carried out with expert advice from Link Asset Services (The Council's Treasury advisors), was that the period over which loans fund advances were being made was shorter than the useful lives of the assets they financed and that the period over which advances are repaid should therefore be extended. In addition the review determined that there was scope to revisit the repayment of advances in previous years and realign these which in turn gives rise to a prior year adjustment.

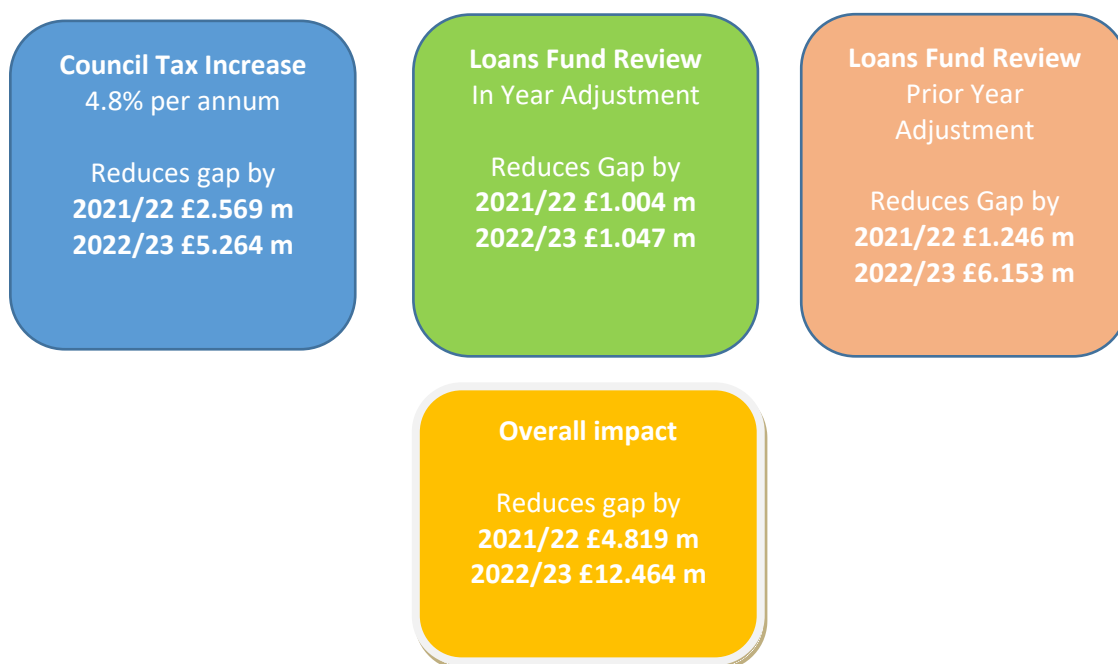
The outcome of the review is summarised in the mid-year Treasury Management review also on today's agenda. The review has also

been examined by our external auditors EY, who have indicated they are satisfied with the conclusions reached.

The Loans Fund review in turn provides two strands of the corporate solution for the 2021/22 and 2022/23 budgets. An in year reduction to the loan charges budget which is estimated at £1.004 million for 2021/22 and £1.047 million for 2022/23. Secondly the prior year adjustment, estimated at £8.250 million of which it is estimated that £7.400 million would be require to be utilised in 2021/22 and 2022/23 as part of the corporate solution.

The third strand of the corporate solution unanimously recommended to Council by Business Transformation Steering Group is to apply the maximum increase in Council Tax estimated at 4.8% per annum (3% real terms). This reflects the maximum increase stipulated as part of the conditions attached to recent government grant settlements.

Together the three strands of the corporate solution are as follows:-



Accordingly Council is asked today to consider the recommendation of The Business Transformation Steering Group meeting on 26 October 2020 that Council agree the three strands of the corporate solution for the 2021/22 and 2022/23 budgets. Council should note that without agreement to all three strands an alternative approach to securing financial balance would therefore by necessity have to be agreed.

Furthermore the adoption of such a corporate solution provides the opportunity for the Leadership Team to continue to respond to the impact of the pandemic and, through the work of the Business Transformation Board, focus on development of a financial strategy for the life of the next Council which it is anticipated will be presented early after the May 2022 elections.

## 5 Scottish Government Grant

### 5.1 Grant Settlement

As Council will be aware the Cabinet Secretary has announced that the Scottish Governments draft budget for 2021/22, together with individual Council grant settlement figures, will published on Thursday 28 January 2021. Thereafter there will be a condensed parliamentary process for the Government's budget bill.

On 25<sup>th</sup> November 2020 the UK Spending Review was announced. The high level impact for Scotland at this point is assessed at £2.4 bn, as follows:

- Non-covid revenue baseline up by £1.3 bn
- Capital down by £0.3 bn
- Covid funding £1.3 bn

The spending review also indicates that *"in order to ensure fairness between the public and private sectors, and protect public sector jobs and investment in services as Covid-19 continues to impact the public finances, the government will temporarily pause headline pay awards for some workforces. Pay rises for over 1 million NHS workers and the lowest paid will continue despite the challenging economic context"*. In respect of the lowest paid it is indicated that there would be a minimum uplift of £250 for those earning up to £24,000, representing as minimum increase of 1%.

It is expected that The Cabinet Secretary will set out Scottish Government pay policy as part of the budget announcement on 28 January 2021. Council is reminded that pay arrangements for the Local Government Workforce are determined on a bilateral basis nationally between Employers and Trade Unions (the SJC) and for Teachers on a tripartite basis between Employers, Trade Unions and Scottish Government (the SNCT). It should also be noted that the Consumer Price Index for October 2020 was 0.9%.

It is inevitable that the pay policy set out in the UK spending review will have informed the allocations to Government Departments and in turn the quantum of Barnett consequentials that flow to Scotland. Accordingly divergence between pay policies will add further pressure to the Scottish Government's budget. The prospects of a reduction in the core local government settlement which therefore makes no provision for pay inflation in turn gives rise to the budget gaps which need to be bridged to secure financial balance. At present the projected divergence between grant settlements and pay provision is 4% which presents a significant financial sustainability challenge for the Council.

In respect of the prospects for the 2021/21 grant settlement, whilst the UK Spending review announcement provides Scottish Government with details of the Barnett consequentials, the combination of the subsequent passing on consequentials to specific portfolios within

Scotland and significant additional spending and policy commitments by Scottish Government together with prior years block grant reconciliations is such that the 2021/22 local government core settlement may still represent a year on year cash reduction as is reflected in the core planning assumption set out earlier.

## **5.2 Update on Financial Flexibilities**

As Council is aware COSLA and Scottish Government reached agreement on three financial flexibilities in respect of Capital Receipts, Service contracts (PPP/PFI) and Loans Fund repayment holiday.

These flexibilities were designed to allow Council to utilise existing resources in alternative ways and principally to defer debt repayments until later years. Importantly they do not result in any additional funding support for local government.

In respect of the service contract flexibility there is uncertainty on what this flexibility now entails. In the press release from Cabinet Secretary on 8 October 2020, the quantum of £750m incorporated a significant sum from this flexibility. Shifting the repayment of the capital cost from the length of the contract to the life of the asset was expected to broadly half the in-year charge and bring a prior year adjustment.

However guidance from Scottish Government indicates that Councils' revenue accounts should reflect the straight line depreciation of the assets rather than the principal element of the contract payment. Given in most cases the contract payment is structured and accounted for on an annuity basis the value of the flexibility is all but lost if straight line depreciation is the requirement. Indeed for some contracts it is likely to increase revenue charges in the earlier part of the contract.

On our present understanding of the implementation of the change there is no value to this flexibility for Midlothian. COSLA, supported by representatives from the Directors of Finance section are engaging with Scottish Government officials to seek a way forward which is more in keeping with the original objectives of this flexibility. This engagement will also seek to secure a resolution in advance of Councils considering budgets.

It is expected that as the position on financial flexibilities is clarified consideration can be given to how they can support the current year's financial position and also complement the corporate solution recommended for the 2021/22 budget.

## **6 Projected Net Cost of Services**

The pandemic has impacted on the information available on which the work to update the projected net cost of services is based. Accordingly work is continuing to review and update cost projections based on the latest information available including school rolls projections and care

demographics. The aim is to conclude this work with the objective of de-risking, as far as possible, the deliverability of the 2021/22 budget.

Council agreed on 17 November 2020 that a review of the deliverability of savings targets for the current year, as a consequence of the pandemic, be progressed and reflected in the next financial monitoring report. Concurrent with this Business Transformation Board agreed that it was also appropriate to review the savings targets reflected in future years budget projections and that the outcome of that review be reported to the next Business Transformation Board on 13 January 2021. Again this review activity will support the strategy of de-risking the deliverability of the 2021/22 and 2022/23 budgets.

This approach will ensure that the updated net cost of services is finalised in advance of the settlement announcement in January and in turn allow for Business Transformation Steering Group to make recommend a budget for 2021/22 to Council.

## **7 Next Steps**

### **7.1 Finalisation of the 2021/22 Budget and Setting Council Tax**

It is proposed that meetings of the Business Transformation Steering Group be rescheduled to align with the settlement announcement.

Accordingly it is recommended that meetings are rearranged for the 8 and 22 February 2021 so that the Business Transformation Steering Group can receive an update on the Scottish Government grant settlement, consider any revisions to the corporate solution as a consequence of the settlement, and make appropriate recommendations to Council.

In respect of the medium and indeed longer term position, members should note that the prior year adjustment strand of the corporate solution for 2021/22 and 2022/23 financial years is a one off measure and that accordingly the budget gaps for later years together with the increased borrowing requirement over the longer term required to fund essential infrastructure will have to be addressed as part of the development of the Medium term Financial Strategy for the term of the next Council.

### **7.2 Midlothian Integration Joint Board**

The Chief Officer and Chief Financial Officer of the Midlothian Integrated Joint Board (IJB) are being kept updated on the Council's budget position. The indicative budget to be delegated to the IJB for 2021/22 is being determined and as in previous years will reflect uplifts for inflation and demographics. However it will only be possible to formulate a formal offer for the IJB once the grant settlement is available and the quantum of any additional monies for delegated

activities and any conditions attached to the settlement are known. Business Transformation Steering Group will be asked to consider the formal offer arising from the settlement at the earliest opportunity and this will form part of the budget recommendations to Council.

Meantime dialogue continues with the Chief Officer and Chief Financial Officer of the IJB.

## **8 Governance and Timetable**

Each element of the Medium Term Financial Strategy continues to have governance in place to support the timely delivery of the work streams. Any changes to the budget strategy and corporate solution will first be reported to Business Transformation Steering Group with recommendations then presented to Council. Responsibility for setting Council Tax, determining budgets remains, with Council.

Council has a duty as set out in Section 93 of the Local Government Finance Act 1992 (as amended) to set its Council Tax and a balanced budget for the following financial year commencing 1 April by 11 March. Members should note that the legislation contains no specific requirement for a Council to set its budget at the same time as setting its Council Tax. This is because it is implicit in setting the Council Tax that Council Tax income needs to be sufficient to fund the balance of expenditure not otherwise funded from government grant, fees, reserves etc.

As Council Tax funds the gap between expected income and expenditure, you need to first identify your proposed expenditure to determine the resulting gap that Council Tax needs to fund. If no other action is taken to redress any shortfall, then the Council Tax has to be set at a rate that will do so, otherwise the budget will not balance. Accordingly, Council Tax decisions cannot be taken in advance of other budget decisions.

Members should also continue to note that in terms of Section 112 of the Local Government Finance Act 1992 (as amended) it is an offence for members to participate in any vote in respect of setting Council Tax where the member has unpaid Council Tax. Accordingly at the Council meeting where these decisions are taken members would be required to disclose the fact if this section of the act applies to them and subsequently not vote on any question with respect to the matter.

## **9 Report Implications (Resource, Digital and Risk)**

### **9.1 Resource**

Whilst this report deals with financial issues there are no financial implications arising directly from it.

## 9.2 Digital

The adoption of digital solutions is a central strand of the Medium Term Financial Strategy.

## 9.3 Risk

Within any financial projections, there are a number of inherent assumptions in arriving at figures and budget provisions and therefore risks that may be faced if costs change or new pressures emerge.

The following key risks and issues are highlighted in the context of this report:

- Uncertainty over the ongoing impact on the Council's financial position, especially in respect of service income, and the uncertainty over future additional grant support to help mitigate such impacts;
- The economic outlook and decision by Scottish Government on future years grant settlements and grant distribution;
- The delivery of budget reductions. To mitigate these risks a review of existing savings is being progressed as part of the strategy to de-risk as far as possible the delivery of the 2021/22 and 2022/23 budgets;
- The risk to service provision and service users associated with a continued decline in available resources to fund services;
- Outstanding pay award settlements and the implications of the National Living Wage for external service providers;
- Actual school rolls exceeding those provided for in the budget;
- Learning Estate Strategy for schools being underfunded to meet statutory functions;
- The funding position for Early Years expansion, which means that whilst delivering 1,140 hours the range of options open to parents and carers is less than was anticipated;
- The impact of the wider economic climate on range of factors including: inflation, interest rates, employment, tax and income levels and service demands;
- Cost pressures, particularly demographic demand, exceeding budget estimates;
- The impact of Universal Credit, and potential pension changes;
- The costs of implementation of national policies varying from the resources provided by Government;
- Potential liabilities arising from historic child abuse;
- Unplanned capital investment requirements and the associated cost; and
- Ability to continue to meet the expectations of our communities within a period of fiscal constraint.

The Medium Term Financial Strategy aims to mitigate a number of these risks by setting out the key assumptions on which forward plans are based, and through the adoption of the three strands of the corporate solution for 2021/22 and 2022/23 secure a means to achieve financial balance without further service reductions.

The risk of not having in place a balanced Medium Term Financial Strategy and the adoption of the three strands of the corporate solution is the potential elimination of available reserves, which in turn would severely limit the Council's ability to deal with unforeseen or unplanned events and also the imposition of significant cuts at short notice with limited opportunity for consultation.

#### **9.4 Ensuring Equalities**

The Medium Term Financial Strategy and the resource allocation measures which will support financial sustainability have, as far as the constraint on resources allows, been developed within the context of the Single Midlothian Plan, ensuring as far as possible that resources are directed towards the key priorities of reducing inequalities in learning, health and economic circumstance outcomes.

The Medium Term Financial Strategy continues as far as is possible to reflect Midlothian Council's commitment to the ethos of the Equality Act 2010 with careful consideration of the interests of the most vulnerable in our communities through the preparation of equality impact assessments.

In addition, these actions underline the Council's commitment in its Midlothian Equality Plan 2017 – 2021 to tackle inequality and promote inclusion within the limitations of the resources available. These actions also will allow the Council to plan and deliver services which meet the needs of our diverse communities and respond to the changes ahead.

An overarching EQIA will be published on the Committee Management section of the Council's website in parallel to the Medium Term Financial Strategy report presented to the proposed Council meeting on 23 February 2021.

#### **9.5 Additional Report Implications**

See Appendix A

### **Appendices**

#### **APPENDIX A – Report Implications**

**A.1 Key Priorities within the Single Midlothian Plan**

The Medium Term Financial Strategy facilitates decision on how Council allocates and uses its available resources and as such has fundamental implications for delivery of the key priorities in the Single Midlothian Plan. The corporate solution for financial years 2021/22 and 2022/23 helps ensure that resources are available to continue to delivery key priorities.

**A.2 Key Drivers for Change**

Key drivers addressed in this report:

- ☒ Holistic Working
- ☒ Hub and Spoke
- ☒ Modern
- ☒ Sustainable
- ☒ Transformational
- ☒ Preventative
- ☒ Asset-based
- ☒ Continuous Improvement
- ☒ One size fits one
- ☐ None of the above

**A.3 Key Delivery Streams**

Key delivery streams addressed in this report:

- ☒ One Council Working with you, for you
- ☒ Preventative and Sustainable
- ☒ Efficient and Modern
- ☒ Innovative and Ambitious
- ☐ None of the above

**A.4 Delivering Best Value**

The report does not directly impact on delivering Best Value.

**A.5 Involving Communities and Other Stakeholders**

The development of the Medium Term Financial Strategy reflected a community consultation exercise carried out in 2019 which has also helped shape the drafting of the “Midlothian Promise” and the early development of the Council’s Longer Term Financial Strategy.

In addition, there has been and will continue to be engagement with the recognised Trade Unions on the Council’s financial position and the development of the Medium Term Financial Strategy.

**A.6 Impact on Performance and Outcomes**

The Financial Strategy facilitates decision on how Council allocates and uses its available resources and as such has fundamental implications for service performance and outcomes. The financial consequences of the pandemic have impacted on the availability and allocation of resources in pursuit of key outcomes as set out in the Single Midlothian Plan for both the immediate and longer term and therefore the ability of the Council to continue to deliver services in a

financial sustainable manner.

**A.7 Adopting a Preventative Approach**

An effective Medium Term Financial Strategy will support the prioritisation of resources to support prevention.

**A.8 Supporting Sustainable Development**

There are no direct sustainability issues arising from this report and we will work to mitigate any sustainability issues which arise as a consequence of the Medium Term Financial Strategy.

## **Town Centre Fund - Capital Grant 2020 - 2021**

### **Report by Kevin Anderson, Executive Director - Place**

#### **Report for Decision**

#### **1 Recommendations**

It is recommended that Council:

- 1.1.1 Notes the guidelines and timescales of the grant funding;
- 1.1.2 Agrees the process for identifying project proposals;
- 1.1.3 Agrees project proposals will be presented to February Council meeting for final approval.

#### **2 Purpose of Report/Executive Summary**

- 2.1 The purpose of this report is to provide information in relation to the recently announced £18 million Town Centre Capital Fund of which Midlothian has been awarded a £331,000 allocation.
- 2.2 The report seeks approval for both the governance of the fund and the mechanism for proposing and approving Midlothian based projects.

**Date** 03/12/2020

**Report Contact:**

Annie Watt, Senior Economic Development Officer  
[annie.watt@midlothian.gov.uk](mailto:annie.watt@midlothian.gov.uk)

### **3 Background**

- 3.1** The Scottish Government is delivering £30 million capital into regeneration in 2020-21 as part of the £230 million economic recovery stimulus package. This is particularly aimed at supporting construction activity across Scotland. The Scottish Government agreed with COSLA and local authority Leaders that £18 million will be provided to local authorities through the Town Centre Capital Fund.
- 3.2** In September 2020, £331,000 was allocated to Midlothian Council, which was formally accepted by return to Scottish Government on 21<sup>st</sup> September 2020.
- 3.3** All grant expenditure must be complete by 31<sup>st</sup> March 2021. Expenditure is defined as “It is expected that work will be completed; or, at least work or contracts signed or commenced within 2020/21”.
- 3.4** The grant is for capital expenditure which is additional to that which is already or would otherwise be allocated to the 2020-21 budget, and should not substitute for existing spend.
- 3.5** Decisions on use of funding will reside with the grantee. However, the aim of this additional £18 million fund is to stimulate local construction activity and support employment across Scotland, and local authorities should ensure this is prioritised in investment decisions.
- 3.6** Local authorities should also make investment decisions in the context of national and local commitments to town centres including the Town Centre First Principle and the Town Centre Action Plan; and more recently, the Place Principle.
- 3.7 The Town Centre Action Plan themes are:**
- Town Centre Living – footfall is key to achieving thriving, successful towns centre; and, the best footfall is residential for people who will use shops, services, and will care for its safety and security in the evenings
  - Vibrant Local Economies – creating a supportive business environment including the involvement of Business Improvement Districts (BIDs) and other local partnerships
  - Enterprising Communities – social enterprise, services, arts and events; and, community empowerment and community based activities which increase the health, wealth and wellbeing of town centres
  - Accessible Public Services – creating and accessing public facilities and services, supported by economic, service and transport hubs
  - Digital Towns – exploiting digital technology and promoting Wi-Fi infrastructure to enable access to information, data analytics, marketing opportunities, branding, and communication with the wider world

- Proactive Planning – land reform and supporting the creation of sustainable, low-carbon and connected places which promote natural and cultural assets, designed in partnership with local communities and key stakeholders.

### **3.8 The Place Principle recognises:**

- Place is where people, location and resources combine to create a sense of identity and purpose, and is at the heart of addressing the needs and realising the full potential of communities. Places are shaped by the way resources, services and assets are directed and used by the people who live in and invest in them
- A more joined-up, collaborative, and participative approach to services, land and buildings, across all sectors within a place, enables better outcomes for everyone and increased opportunities for people and communities to shape their own lives.

### **3.9 Conditions of Grant**

- 3.9.1 The Grant may be used to fund third party capital expenditure in the current year, either directly or through the provision of grants to third parties (public sector bodies, private sector bodies or individuals) which would, if incurred by the local authority, be capital expenditure. Limitations apply and these are detailed in Schedule 1 – Appendix B of the Town Centre Capital 2020-21 Grant Offer and Conditions letter.
- 3.9.2 There is an assumption that the Grant will be applied to finance local authority capital programmes before the application of any other capital or revenue resources such as capital receipts or borrowing.
- 3.9.3 Any grant paid to a third party subsequently repaid to the local authority, may only be used to fund further capital investment as permitted by this agreement. This condition only applies where the grant is repaid within five years of the original grant payment.
- 3.9.4 Where the grantee does not use the grant in the financial year 2020-21, unused grant is to be repaid to the Scottish Government unless otherwise agreed in writing by Scottish Ministers.
- 3.9.5 No part of the Grant shall be used to fund any activity or material which is party political in intention, use, or presentation or appears to be designed to affect support for a political party.

### **3.10 Process for identifying project proposals**

- 3.10.1 To enable the Council to maximise the impact of this new Town Centre Fund - Capital Grant and consider projects in a fair, open and collaborative way, a group has been created with representation across Council Services.
- 3.11 The group have formulated a process for proposing and developing applications:

- The first tranche will be from eligible projects from the General Services Capital Plan. The timeframe for committed expenditure excludes projects that require planning consent therefore Council projects that meet the permitted development criteria will be given priority.
- The second tranche will include the applicants of the TCCF Phase 1 programme that were unsuccessful. Applicants will be invited to submit a revised application that could meet the timeframe of the fund.
- The third tranche for any remaining funds will be subject to public consultation to attract new eligible capital projects. Expressions of interest would follow a similar format to those currently in place within Tyne Esk LEADER; capturing a basic understanding/overview of the project proposal along with an estimated cost. Council led applications would require to follow this format in the same way.
- It is recognised that some Midlothian town centres have received considerable investment via Conservation Area Regeneration (CARS) /Townscape Heritage Initiative (THI) funding whilst some towns had received limited or no investment. Projects for towns which have received limited investment will be encouraged.
- Projects which offer leverage by way of match funding/ additionality will be considered favourably.
- Selection criteria will be developed which aligns with the Scottish Government fund guidelines and which takes recognition of local policy and priorities.
- Expressions of Interest will be considered by a project group comprised of senior officers from Planning, Estates, Economic Development, Finance and Communities & Lifelong Learning. The elected member with the Communities and Economy portfolio will also be invited to participate in this process.
- Projects that best fit the selection criteria will be shortlisted by the project group. Projects will then require further developing to include detailed costings and consultation as required. Support will be offered by council officers in the case of any community led submissions.
- Recommended projects will be submitted to February Council for final approval. Appropriate timescales will be applied to each stage of this process to ensure project delivery within the timeframe set by the Scottish Government.

## **4 Report Implications (Resource, Digital, Risk and Equalities)**

### **4.1 Resource & Governance**

- 4.1.1 The management and reporting of this fund will be led by the Council's Economic Development Team in liaison with Council colleagues. An officer group has been created to identify projects with the group continuing to meet throughout the duration of project activity, to ensure

projects remain supported throughout delivery and reduce risk of underspend. The project group includes officers from Economic Development, Community Planning, CLL and a representative from the Council's Finance team to ensure robust financial monitoring.

## **4.2 Digital**

None

## **4.3 Risk**

4.3.1 As this funding is time limited with spend required this financial year 2020/21, one of the main risks is not agreeing an effective process and timescales for considering project proposals.

4.3.2 Capital projects can require considerable time for associated planning, studies, and consultations and for completion of works. A critical part of the criteria when considering proposals should therefore be the ability for projects to be deliverable within the timescales provided. Any funds unspent within these timescales will be reclaimed by the Scottish Government.

## **4.4 Ensuring Equalities**

4.4.1 Due to the short timeframe for this fund and the impact of the coronavirus on council officers' operational activities, we have not carried out an IIA at this time. We commit to having completed this for the next report due no later than February 2021.

## **4.5 Additional Report Implications (See Appendix A)**

### **Appendices**

**Appendix A – Additional Report Implications**

**Appendix B – Background Information/Links**

## APPENDIX A – Additional Report Implications

### A.1 Key Priorities within the Single Midlothian Plan

- The funding is directly aimed at supporting the regeneration of Town Centres which is a key priority under the Sustainable Growth theme of the Single Midlothian Plan.
- The monies will directly fund projects which support place based economic investments which encourage town centres to diversify and flourish.
- Projects have the potential to improve opportunities for the people of Midlothian.

### A.2 Key Drivers for Change

Key drivers addressed in this report:

- ☐ Holistic Working
- ☐ Hub and Spoke
- ☐ Modern
- ☒ Sustainable
- ☒ Transformational
- ☒ Preventative
- ☐ Asset-based
- ☐ Continuous Improvement
- ☐ One size fits one
- ☐ None of the above

### A.3 Key Delivery Streams

Key delivery streams addressed in this report:

- ☒ One Council Working with you, for you
- ☒ Preventative and Sustainable
- ☐ Efficient and Modern
- ☐ Innovative and Ambitious

### A.4 Delivering Best Value

All projects submitted will be evaluated as part of the scoring process to ensure that the Council's best value duties have been applied.

### A.5 Involving Communities and Other Stakeholders

CLL is involved throughout the process. There will be direct engagement with communities should the third tranche of projects be considered necessary.

## **A.6 Impact on Performance and Outcomes**

It is not possible to determine accurately the outcomes until the projects are approved however our aim would be to:

- Consider projects with the potential to have significant impact on a range of economic outcomes.
- Consider projects that have the potential to increase the attractiveness of Midlothian's town centres as a place to work, live or invest in.
- Consider projects that offer the opportunity to support the national inclusive growth agenda through: helping to support, attract or secure employment opportunities and/or public services, and encourage business start-ups and growth.

## **A.7 Adopting a Preventative Approach**

Successful town centres are a key component of a thriving local economy and part of the Scottish Governments Inclusive Growth agenda. Having a vibrant and successful local town centre can help deliver key services, provide employment opportunities, attract tourism and encourage investment, all which has a positive impact on the local economy and its people.

## **A.8 Supporting Sustainable Development**

The nature of this fund is to support sustainable development and investment within Midlothian town centres. This will be a key criteria when considering proposals to ensure project viability.

**APPENDIX B****Background Papers/Resource Links (if applicable)**

**General Capital Grant 2020 -2021 Offer Letter and Grant Conditions - attached**

E: paul.tyrer@gov.scot

***By e-mail***

To: Local Authority Directors of Finance  
c/c: Chief Executives of Scottish Local  
Authorities  
Directors of Economic Development and  
Regeneration

18 September 2020

Dear Director of Finance

**TOWN CENTRE FUND - CAPITAL GRANT 2020-2021**

1. The Scottish Ministers, in exercise of their powers under legislation detailed in Schedule 1 of this Offer Letter, hereby offer to local authorities (“the Grantees”) grant totalling £18 million STERLING (with individual allocations as per Schedule 2), payable in the financial year 2020-21, to finance capital investment, subject to the terms and conditions set out below at paragraph 2 onwards.

**Definitions and Interpretation**

2. In these Conditions, the words and expressions set out in Schedule 3 shall have the meanings ascribed to them in that Schedule.
3. In these Conditions, unless the context otherwise requires, words denoting the singular shall include the plural and vice versa and words denoting any gender shall include all genders.
4. The headings in these Conditions are for convenience only and shall not be read as forming part of the Conditions or taken into account in their interpretation.
5. Except as otherwise provided for in these Conditions, any reference to a clause, paragraph, sub-paragraph or schedule shall be a reference to a clause, paragraph, sub-paragraph or schedule of these Conditions.

**Purpose of the Grant**

6. The Scottish Government is delivering £30 million capital into regeneration in 2020-21 as part of the £230 million economic recovery stimulus package, particularly aimed at supporting construction activity across Scotland. The Scottish Government agreed with COSLA and local authority Leaders that £18 million will be provided to local authorities through the Town Centre Fund. **Funding allocations are in Schedule 2.**

## Conditions of the Grant

7. **All grant expenditure must be complete by 31 March 2021.** Expenditure is defined as *"It is expected that work will be completed; or, at least work or contracts signed or commenced within 2020/21"*.
8. The grant is for capital expenditure which is additional to that which is already or would otherwise be allocated to the 2020-21 budget, and should not substitute for existing spend.
9. Decisions on use of funding will reside with the grantee. However, the aim of this additional £18 million fund is to stimulate local construction activity and support employment across Scotland, and local authorities should ensure this is prioritised in investment decisions. Local authorities should also make investment decisions in the context of national and local commitments to town centres including the Town Centre First Principle and the Town Centre Action Plan; and more recently, the Place Principle.
10. The Grant may also be used to fund third party capital expenditure in the current year, either directly or through the provision of grants to third parties (public sector bodies, private sector bodies or individuals) which would, if incurred by the local authority, be capital expenditure. Limitations apply and these are detailed in Schedule 1.
11. There is an assumption that the Grant will be applied to finance local authority capital programmes before the application of any other capital or revenue resources such as capital receipts or borrowing.
12. Should any grant be used to fund third party capital expenditure and that third party is another local authority or a public body the grant must be used by that third party in the financial year 2020-21. Should the grant be made to a local authority controlled company or other body that will be consolidated into the council's group accounts the grant must be used by that body in the financial year 2020-21.
13. For the avoidance of doubt no part of the grant may be transferred to the Capital Fund, nor may any part of the grant be used to meet the costs of debt redemption.
14. No part of the grant may be used to fund any 'capital' injection into a Public Private Partnership (PPP) or similar scheme without the written consent of Scottish Ministers.
15. Where the local authority provides grant to any person, whether for use by that person or by a third party, the conditions attaching to the grant award must ensure that the expenditure it funds would, if incurred by the authority, be capital expenditure. The grant conditions must also ensure that the eligible costs exclude reclaimable Value Added Tax. Where the grant is to another local authority or public body, or a body that is consolidated into a local authority group accounts, the conditions attaching to that grant award must ensure the grant is fully used in the financial year 2020/21.
16. Any grant paid to a third party subsequently repaid to the local authority, may only be used to fund further capital investment as permitted by this agreement. This condition only applies where the grant is repaid within five years of the original grant payment.
17. If the Grantee does not use the grant in the financial year 2020-21, unused grant is to be repaid to the Scottish Government unless otherwise agreed in writing by Scottish Ministers.

18. No part of the Grant shall be used to fund any activity or material which is party political in intention, use, or presentation or appears to be designed to affect support for a political party.
19. Revisions to the conditions of this offer shall be subject to the written agreement of the Scottish Ministers.

### **Conditions of grant – reporting of 2020-21 expenditure**

20. The Grantee shall keep the Scottish Ministers informed of the use of their grant through the submission of:
- **a grant return by Monday 30 November 2020.** If local authorities believe that they cannot spend all of their available funds this financial year, it would be helpful to have early notice of that by end of November to allow funds to be reallocated to other projects which can be delivered in that timescale.
  - **an end of year report in April 2021** which details financial expenditure; shows how this was additional to existing spend; profiles delivery; and, outlines anticipated impact and outcomes and how these will be measured.
  - **an evaluation in autumn 2021 capturing project completions.**

**The Scottish Government will issue templates for all of these returns.** It is expected that the grantee will notify the Scottish Ministers as soon as possible if an underspend is anticipated.

21. A statement of compliance with the Conditions of Grant will be included in the Final Capital Return 2020/21 which must be certified by the grantee's Director of Finance or equivalent.
22. The Grantee shall also provide any other information that the Scottish Ministers may reasonably require to satisfy themselves that the expenditure is consistent with the Agreement. The Grantee shall provide the Scottish Ministers with prompt access to any information they reasonably require to ensure compliance with these Conditions.
23. The Grantee shall keep and maintain for a minimum period of 5 years after the expenditure occurs, adequate and proper records and books of account recording all receipts and expenditure of monies paid to it by the Scottish Ministers by way of the Grant. The Grantee shall afford the Scottish Ministers, their representatives, the Auditor General for Scotland, his/her representatives and such other persons as the Scottish Ministers may reasonably specify from time to time, such access to those records and books of account as may be required by them at any reasonable time in response to a written request for such access from the person seeking it. The Grantee shall provide such reasonable assistance and explanation as the person carrying out the inspection may from time to time require.
24. Where the grantee uses the Town Centre Fund Capital Grant to fund third party capital projects the grant should be treated, for annual accounts purposes, as service revenue income in the Comprehensive Income & Expenditure Statement (CIES). This will therefore require that General Capital Grant used to support third party capital expenditure be matched, on the same CIES service line, to the grant paid out or direct expenditure paid by the authority.

## **Payment of Grant**

25. The Grant shall be paid by the Scottish Ministers to local authorities on the return of grant acceptance.

## **Confidentiality and Data Protection**

26. To comply with section 31(3) of the Public Services Reform (Scotland) Act 2010, the Scottish Ministers publish an annual statement of all payments over £25,000. In addition, in line with openness and transparency, the Scottish Government publishes a monthly report of all payments over £25,000. The Grantee should note that where a payment is made in excess of £25,000 there will be disclosure (in the form of the name of the payee, the date of the payment, the subject matter and the amount of grant) in the both the monthly report and the annual Public Services Reform (Scotland) Act 2010 statement.

## **Default**

27. The Scottish Ministers reserve the right to withhold, make deduction from or require repayment of grant monies where the conditions included in this Agreement are not met.

## **Variation**

28. Any variation to this Agreement will only be valid when confirmed in writing by the Scottish Ministers.

## **Corrupt Gifts and Payments of Commission**

29. The Grantee shall not offer or give or agree to give any person any gift or consideration of any kind as an inducement or reward in relation to this Grant. The Grantee shall ensure that its employees shall not breach the terms of the Prevention of Corruption Acts, 1889 to 1916 in relation to this or any other grant.

## **Continuation of Conditions**

30. These Conditions shall continue to apply for a period of 5 years after the end of the financial year in which the final instalment of the Grant was paid.

## **Compliance with the Law**

31. The Grantee shall ensure that in relation to expenditure funded with this Grant, they and anyone acting on their behalf shall comply with the relevant law, for the time being in force in Scotland.

## **Acceptance of grant**

32. To accept the grant offer on the terms and conditions as set out in the letter and schedules, we require a letter from the Council signed by the Director of Finance (or equivalent). The letter must identify the grant being accepted on the terms and conditions set out in this grant offer letter. A suggested format is set out below. Please send your acceptance letter to Alex McGhie ([alex.mcghie@gov.scot](mailto:alex.mcghie@gov.scot)), electronically as an attachment to an email. This should arrive **no later than Wed 30 September.**

33. If you would like any further information, please contact Iain Murray, Regeneration Policy Officer at [ian.murray@gov.scot](mailto:ian.murray@gov.scot)

Paul Tyrer  
Deputy Director

To be returned on Council headed paper

Date

## **TOWN CENTRE FUND CAPITAL GRANT 2020/21 - GRANT ACCEPTANCE**

On behalf of [ local authority ] I accept the offer of grant from the Scottish Ministers dated 18 September 2020 on the terms and conditions as set out in the letter and annexed Schedules.

Signature:

Director of Finance (or equivalent)

[ name ]

## SCHEDULE 1

1. The Grant may only be used to fund capital expenditure of the local authority, or any third party capital expenditure incurred, whether or not disbursed in the form of grants, by any persons (public sector bodies, private sector bodies or individuals) towards expenditure which would, if incurred by the local authority, be capital expenditure. In permitting the grant to be used to fund third party capital expenditure reliance is placed on specific legislation. As such the use of the grant to fund third party capital expenditure is limited to the subject of the specific legislation listed below. Local authorities should assure themselves that any grant payments that they may make to any person would be permitted by the legislation listed below.

2. Nothing in the legislation should be interpreted as enabling the grant to be used for any revenue expenditure other than that outlined in condition 2.3.

<b>GRANT MAKING POWERS OF SCOTTISH MINISTERS – LEGISLATIVE DETAILS</b>	
<b><i>Condition 2.2: The Grant may be used to fund capital expenditure of the local authority</i></b>	
Section 37 of the Local Government in Scotland Act 2003	Scottish Ministers may make grants to local authorities in respect of their capital expenditure. Capital expenditure is that expenditure that falls to be capitalised in accordance with proper accounting practices (section 39 of the Act)
<b><i>Condition 2.3: The Grant may be used to fund third party capital expenditure, either directly or through the provision of grants to third parties (public sector bodies, private sector bodies or individuals) which would, if incurred by the local authority, be capital expenditure. Grant making powers are as detailed below:</i></b>	
Section 37 of the Local Government in Scotland Act 2003	Scottish Ministers may make grants to local authorities in respect of their capital expenditure. Reliance is placed on this section to allow Councils to make grants to other Councils or other local authorities such as Regional Transport Partnerships.
Section 13 of The Flood Prevention (Scotland) Act 1961	Expenditure incurred by a local authority in carrying out flood prevention operations in accordance with a flood prevention scheme.  Flood Prevention Schemes are those which have been promoted by the authority and confirmed by Scottish Ministers in accordance with legislation
Section 21 of the Coast Protection Act 1949	Scottish Ministers may make grants towards any expenditure incurred under this Act by a coast protection authority, or incurred by a local authority in carrying out of coast protection work under the enactments relating to roads.
Section 70 of the Transport (Scotland) Act 2001	Scottish Ministers may make grants to any persons for any purposes relating to transport.  Reliance is placed on this section to allow unitary authorities (councils) to make grants to regional transport partnerships or bridge authorities.

<p>Section 126 of the Housing Grants, Construction and Regeneration Act 1996</p>	<p>Expenditure incurred in connection with activities which contribute to the regeneration or development of an area.</p> <p>Extract from Act provision:</p> <p>Activities which contribute to the regeneration or development of an area include, in particular—</p> <ul style="list-style-type: none"> <li>(a) securing that land and buildings are brought into effective use;</li> <li>(b) contributing to, or encouraging, economic development;</li> <li>(c) creating an attractive and safe environment;</li> <li>(d) preventing crime or reducing the fear of crime;</li> <li>(e) providing or improving housing or social and recreational facilities, for the purpose of encouraging people to live or work in the area or of benefiting people who live there;</li> <li>(f) providing employment for local people;</li> <li>(g) providing or improving training, educational facilities or health services for local people;</li> <li>(h) assisting local people to make use of opportunities for education, training or employment;</li> <li>(i) benefiting local people who have special needs because of disability or because of their sex or the racial group to which they belong.</li> </ul>
<p>Section 90 (1) (a) of the Housing Scotland Act 2001</p>	<p>Grants for housing purposes</p> <p>(1) The Scottish Ministers may make grants to a local authority for the purposes of—</p> <ul style="list-style-type: none"> <li>(a) the authority's functions in connection with— <ul style="list-style-type: none"> <li>(i) providing, improving, adapting, repairing, maintaining and managing housing,</li> <li>(ii) undertaking, and assisting the undertaking of, the development, redevelopment and improvement of the physical, social, economic and recreational environment related to housing,</li> <li>(iii) preventing or alleviating homelessness,</li> </ul> </li> </ul>
<p>Section 96 of the Housing (Scotland) Act 2006</p>	<p>Any power of a local authority to make grants or loans (including the powers to make payments under section 91(1) and to provide assistance under section 95(1)(b)), and any function of a local authority in relation to the making of grants or loans, under this Part is exercisable by the Scottish Ministers as it is by the local authority.</p>
<p>Section 153 (1) and (3) of the Environmental Protection Act 1990 as amended by SSI 83 of 2002</p>	<p>Scottish Ministers may give financial assistance for environmental purposes. Section 153 (1) includes:</p> <ul style="list-style-type: none"> <li>(nn) any scheme for the storage, treatment or disposal of any material or product for the purpose of preventing or reducing environmental damage.</li> </ul>

## SCHEDULE 2

### DISTRIBUTION OF TOWN CENTRE FUND CAPITAL GRANT 2020/21

The Town Centre Fund Grant offer per local authority is set out below:

Local Authority	Allocation
Aberdeen City	£ 484,000
Aberdeenshire	£ 1,179,000
Angus	£ 387,000
Argyll and Bute	£ 444,000
City of Edinburgh	£ 954,000
Clackmannanshire	£ 245,000
Dumfries and Galloway	£ 548,000
Dundee City	£ 264,000
East Ayrshire	£ 611,000
East Dunbartonshire	£ 339,000
East Lothian	£ 462,000
East Renfrewshire	£ 353,000
Falkirk	£ 711,000
Fife	£ 1,560,000
Glasgow City	£ 1,096,000
Highland	£ 1,066,000
Inverclyde	£ 235,000
Midlothian	£ 331,000
Moray	£ 443,000
Na h-Eileanan Siar	£ 80,000
North Ayrshire	£ 507,000
North Lanarkshire	£ 1,168,000
Orkney Islands	£ 72,000
Perth and Kinross	£ 714,000
Renfrewshire	£ 527,000
Scottish Borders	£ 511,000
Shetland Islands	£ 73,000
South Ayrshire	£ 382,000
South Lanarkshire	£ 902,000
Stirling	£ 387,000
West Dunbartonshire	£ 307,000
West Lothian	£ 658,000
<b>Scotland</b>	<b>£ 18,000,000</b>

This follows the same TCF allocation methodology as agreed between Ministers and Council Leaders in March 2019: Based on an equal weighting of the number of towns in a local authority (determined by the NRS Settlements and Localities data, where a town is a locality with a population equal to or greater than 1,000 people) and the local authority population.

## SCHEDULE 3

### DEFINITIONS

**“Agreement”** means these Conditions and the Grantee’s acceptance of these Conditions;

**“Capital Expenditure”** means that expenditure on the Town Centre Fund

**“Conditions”** means these grant conditions;

**“Financial Year”** means a period from 1 April in one year until 31 March in the next;

**“Grant”** means the grant offered by the Scottish Ministers to the Grantee as specified in the Award Letter, as varied from time to time in accordance with these Conditions;

**“Grantee”** means the local authority to which the Grant will be payable as specified in Schedule 2.

**“Payment”** means each of the payments specified in Schedule 2 hereto.

**“Proper accounting practices”** is to be construed in accordance with section 12 of the Local Government in Scotland Act 2003

**“Third party in the public sector”** means another local authority or a local authority controlled company or other body that will be consolidated into the Grantee’s group accounts.

## SCHEDULE 4

### TOWN CENTRE CAPITAL FUND 2020-21 - GUIDANCE NOTE

#### Purpose

1. The purpose of this note is to provide local authorities as “grantees” guidance on the aims and allocation of the ring-fenced £18m Town Centre Fund for 2020-21, to be distributed through the local authority capital settlement.

#### Town Centre Fund 2020-21

2. On 16th June 2020, the Cabinet Secretary for Finance announced a £230 million Economic Recovery Stimulus Package to help invigorate Scotland's economy. The package:
  - **bolsters the remaining pipeline of 2020-21 construction activity - to give additional support to the sector as re-start is now s underway;**
  - Accelerates digital transformation, and supports the most vulnerable groups to access digital services;
  - brings-forward an early boost to our ambition for a green economy; and
  - Supports promising, early stage growth companies through existing Tech-start and Scottish Investment Bank initiatives.
3. As part of this recovery package, the Cabinet Secretary for Communities & Local Government announced on 10 September 2020 that **£30m capital funding for regeneration** would be invested through two existing funding mechanisms, the Town Centre Fund and Regeneration Capital Grant Fund (RCGF). This aims to stimulate local construction activity across Scotland and support disadvantaged areas in the recovery.
4. Town Centre Fund and RCGF are delivered in partnership with COSLA and through local authorities as grantees. We duly engaged with COSLA and the Settlement & Distribution Group on plans for allocating funding this way, subsequently agreed by Council Leaders. The agreed approach involves £18m through Town Centre Fund in 2020-21, and £12m being invested through RCGF. **The Town Centre Fund local authority allocations are summarised in Schedule 2** and follow the same Town Centre Fund allocation methodology as agreed between Ministers and Council Leaders in 2019.

#### Wider expectations and support

5. The aim of this additional £18 million fund is to stimulate local construction activity and support employment across Scotland, and local authorities should ensure this is prioritised in investment decisions. **All grant expenditure must be complete by 31 March 2021**, therefore it is expected that local authorities will prioritise projects which are established and can progress in time to meet this deadline. Expenditure is defined as *“It is expected that work will be completed; or, at least work or contracts signed or commenced within 2020/21”*.

#### National and local commitments

6. COVID-19 has had a profound impact on the way that we work and has changed our perceptions of the communities around us. It has forced us to look local. That theme runs throughout our Programme for Government (PfG) 2020-21 with new commitments around **local supply chain development and 20 minute neighbourhoods** - where people can meet their needs within a 20 minute walk from their house – enabling people to live better, healthier lives and supporting our net zero ambitions. As part of the Work Local Challenge Programme we will work with partners on innovation and deployment of local work hubs and office space solutions to enhance workplace choices.
7. This is also the time to build on the progress we have been making **on Community Wealth Building**. This is a way of working that looks to reorganise our local economies to maximise local

opportunities and resilience – ensuring that local people and businesses have a genuine stake in producing, owning and enjoying the wealth they create.

8. We will develop a network of **Climate Action Towns** targeted at small towns with little historical involvement in climate action. This will support them to reduce what they use, recycle more, and cut their emissions and become carbon neutral, as part of our aim to ensure that Scotland's response to the global climate emergency is a truly national endeavour.

### **Town Centre Action Plan**

9. The Town Centre Action Plan published in 2013 was the Scottish Government's response to the National Town Centre Review. It focused on national and local solutions, encouraging action across public, private and community sectors. The Scottish Government and local government subsequently agreed the **Town Centre First Principle (TCFP)**, which requested that government, local authorities, the wider public sector, businesses and communities put the health of town centres at the heart of proportionate and best value decision making. The Scottish Government and COSLA agreed to adopt the **Place Principle** to help overcome organisational and sectoral boundaries, to encourage better collaboration and community involvement, and improve the impact of combined energy, resources and investment. The principle was developed by partners in the public and private sectors, the third sector and communities, to help them develop a clear vision for their place.
10. We are taking forward a **collaborative review of the progress and scope of the Town Centre Action Plan**. This will build on our UK leading town centre first approach which has shaped recent announcements by our counterparts elsewhere in the UK. The purpose of this review is to consider the impact and lessons from the TCAP, and the impact of COVID-19 on our town centres, as part of a wider package of national towns recovery and renewal work.
11. Empowered communities, localism and valuing the skills and assets of our communities have long been central to our approach to regeneration. The review provides an opportunity to amplify that by embracing the Place Principle and TCFP, promoting town centre living, building a future that takes account of our ambitions for a healthier, greener country, and with a focus on social renewal and equality through the Social Renewal Advisory Board.

### **Scotland's Towns Partnership**

12. The Scottish Government funds Scotland's Towns Partnership to provide information, support and services which contribute to the vibrancy, vitality and viability of our town centres and neighbourhoods; and, to support the development of partnerships including Business Improvement Districts.
13. There are a range of tools and resources to support how partners can understand, audit, plan, and improve their town centres. It is expected that local authorities will use a range of tools and approaches to ensure investment decisions are based on an understanding of town centre performance and ownership; shared visions and plans with local communities, partnership and stakeholders fully engaged; and, identification of physical infrastructure changes that will contribute to maximisation of investments and achievement of those visions.

### **Tools and resources**

- [Understanding Scottish Places](#) (USP): a unique and dynamic online tool which shows how every town in Scotland with a population of 1,000 or more is interacting with its surrounding settlements and performing against a range of indicators and inter/dependency relationships.
- [USP Your Town Audit](#): add to USP a six-day study which provides the standard benchmark for measuring the health of a Scottish town.
- [Place Standard](#): a framework designed to support communities, public, private and third sectors to work efficiently together to assess the quality of a place.
- [Town Centre Toolkit](#): guidance on designing and planning town centres to be attractive,

accessible and active, focusing on urban design, quality, sustainability and use of town assets.

## **Support**

14. Additional support is offered by Scotland's Towns Partnership in partnership with other key organisations such as: Scottish Futures Trust; Scottish Enterprise, Highlands and Islands Enterprise, or South of Scotland Economic Partnership, and Architecture and Design Scotland to support the development of investment decisions or work with local authorities individually or across neighbouring or regional authorities, to build momentum, share learning, and to maximise funding.
15. Local authorities will have their own good practice in terms of monitoring and evaluating the benefits, impacts and outcomes of investment as part of relevant strategies and programmes; and, to ensure that they meet their duty to achieve Best Value. Additional support could also be offered to discuss how best to identify and collect data; assess impact; and, share formats that could contribute to consistent and wider learning.

**Voluntary Sector Grants 2021- 2022****Report by Joan Tranent, Chief Officer Children's Services, Partnerships and Communities****Report for Decision****1 Recommendations**

Council is recommended to:

- Approve the voluntary sector small grants awards for the period 2021-2022 as detailed in Appendix 1 of this report.
- Approve the remaining provision in the 2019-2022 voluntary sector grants programme be allocated by an additional round of Poverty funding for the period 2021-2022 to address the impact of COVID.
- Approve the formation of a grants panel for the Poverty funding to include representation from elected members, the community and the third sector and delegate responsibility to this Panel to make awards.
- Acknowledge that due consideration is given to the requirement for voluntary sector funding beyond 31<sup>st</sup> March 2022.

**2 Purpose of Report/Executive Summary**

This report is requesting Council to approve voluntary sector grant awards and variations to the administration of the grants programme.

As a result of the COVID pandemic, there is an urgent need to address the emerging financial difficulties and the predicted large increase in the unemployment rate for Midlothian residents.

This report seeks to have the remaining allocation from the 2019 - 2022 grants programme of £123,676 be distributed via an additional round of Poverty funding for 2021 – 2022.

**Date 30 November 2020**

**Report Contact:** Karen McGowan 07990 136821  
[karen.mcgowan@midlothian.gov.uk](mailto:karen.mcgowan@midlothian.gov.uk)

### **3 Background**

- 3.1** In 2018, Council approved the new small and large grants scheme for 2019-2022 (Appendix 1).
- 3.2** The grant awards recommended in this paper (Appendix 2) are a key part of the Council's overall contribution to the voluntary sector. The grants programme represents an opportunity to build on the positive relationships the Council has with the voluntary sector and ensure that we continue to work in partnership to achieve the best outcomes for local residents.
- 3.3** The poverty stream of both large and small grants has been undersubscribed every year and at the Council meeting of 25<sup>th</sup> August 2020 (Appendix 3), it was agreed that the PB poverty budget for 2021/22 could be allocated using a small grants approach alongside revised outcomes for the poverty stream.
- 3.4** A round of Poverty funding took place in September 2020 with responsibility for awards delegated to the grants panel that included representation from elected members (Appendix 4).
- 3.5** Due to the impact of the Covid pandemic it is vital that poverty, and in particular child poverty, is at the heart of the local authority response to recovery and renewal. Research shows that women and households with children who were already at increased risk of poverty, have been particularly impacted by Covid. It is reported that 7 out of 10 families on Universal Credit or Child Tax Credit have had to cut back on food and other essentials and have been pushed to borrow money with many relying on expensive forms of credit. 51% have fallen behind on rent or other household bills. (Source: Save the Children and Joseph Rowntree Foundation 2020).

The financial impact of Covid for Midlothian are:

- Significant rise in those claiming out of work benefits with further uncertainty as furlough comes to an end.
  - Increased costs in food, energy and learning resources due to lockdown.
  - Food insecurity.
  - School and childcare closures.
  - Increased levels of debt.
  - Digital exclusion.
  - Increase in poverty related inequalities having an impact on health and wellbeing.
- 3.6** There is an urgent need to address these emerging financial and wellbeing concerns and the predicted large increase in the unemployment rate for Midlothian residents.
- 3.7** CLL propose that the remaining provision of grant funding of £123,676 be allocated through a further round of Poverty funding for 2021/2022.
- 3.8** The criteria, guidance and conditions of grant will remain the same as those used for the 2020 allocation of Poverty funding with a minimum and maximum award of £5,000 and £20,000 respectively (Appendix 5). Key changes will be:

### **3.8.1** Timeline for 2021/2022 Poverty applications:

- Applications open: 21<sup>st</sup> December 2020 – 22<sup>nd</sup> January 2021
- Applications reviewed by panel: February 2021
- Funds paid out: 1<sup>st</sup> April 2021

### **3.8.2** Assessment Panel

It is proposed that the assessment panel should consist of elected members, council officers and representatives from 3<sup>rd</sup> sector and the community. The panel will be chaired and supported by a Council Officer from CLL. The Panel will assess and award grants without further recourse to Council to ensure a quick turnaround in payment.

### **3.8.3** Monitoring

This will be monitored in the same way as current grants with appointed council officers assigned to each project to provide support and scrutiny.

### **3.9** CLL request that Council give some consideration and an early indication to available grant funding post 31<sup>st</sup> March 2022. This will allow CLL to liaise effectively with 3<sup>rd</sup> sector and the community as detailed in the Compact Report.

## **4 Report Implications (Resource, Digital and Risk)**

### **4.1 Resource**

No additional resource, funding has already been allocated within the 2019–22 grants budget.

### **4.2 Digital**

None

### **4.3 Risk**

Failure to address the poverty related issues that have arisen from the COVID pandemic will have a socio-economic impact on vulnerable Midlothian residents.

### **4.4 Ensuring Equalities (if required a separate IIA must be completed)**

This report does not recommend any fundamental change to policy or practice and therefore does not require an Equalities Impact Assessment.

### **4.5 Additional Report Implications (See Appendix A)**

See Appendix A

## **Appendices**

**Appendix A – Additional Report Implications**

**Appendix B – Background information/Links**

## **Appendices**

### **Appendix A – Additional Report Implications**

### **Appendix B – Background information/Links**

## **APPENDIX A – Report Implications**

### **A.1 Key Priorities within the Single Midlothian Plan**

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

### **A.2 Key Drivers for Change**

Key drivers addressed in this report:

- ☒ Holistic Working
- ☐ Hub and Spoke
- ☐ Modern
- ☒ Sustainable
- ☒ Transformational
- ☒ Preventative
- ☐ Asset-based
- ☒ Continuous Improvement
- ☐ One size fits one
- ☐ None of the above

### **A.3 Key Delivery Streams**

Key delivery streams addressed in this report:

- ☒ One Council Working with you, for you
- ☒ Preventative and Sustainable
- ☒ Efficient and Modern
- ☒ Innovative and Ambitious
- ☐ None of the above

### **A.4 Delivering Best Value**

Best value delivery is a core principle of the Midlothian Council grants process.

### **A.5 Involving Communities and Other Stakeholders**

The 2019–2022 Midlothian Grants programme has been the product of extensive engagement with community and third sector organisations.

### **A.6 Impact on Performance and Outcomes**

The report sets out revised outcomes that will enhance the wider performance and outcomes of the Improving Opportunities Midlothian (IOM) strand of the Single Midlothian Plan and contribute towards the Child Poverty Action Report.

### **A.7 Adopting a Preventative Approach**

A preventative approach is a key principle in addressing poverty related outcomes.

**A.8 Supporting Sustainable Development**

This is not applicable.

## APPENDIX B

### Background Papers/Resource Links

#### Appendix 1

#### Total Grant Allocations 2019 – 2022

	2019-20 Year 1 £	2020-21 Year 2 £	2021-22 Year 3 £
Large Grants allocation	480,000	480,000	480,000
CABs	243,380	243,380	243,380
Rents	127,512	127,512	127,512
Small Grants	80,000	80,000	80,000
Community Councils	10,000	10,000	10,000
Micro Grants	9,000	9,000	9,000
Gala Days	10,000	10,000	10,000
Poverty Stream (PB)	40,000	40,000	40,000
<b>Total allocation</b>	<b>999,892</b>	<b>999,892</b>	<b>999,892</b>

## Appendix 2

Recommended small grant awards 2021/2022 (unsuccessful applications are highlighted in grey below)

Organisation	Requested Year 3	Awarded Year 3	Summary of Project
<b>DEVELOPING COMMUNITIES</b>			
Penicuik Community Arts Association	£2,000	£1,600 (not paying for redecoration)	Community art project and contribution to running costs
Bonnyrigg Rose FC	£2,000	£2,000	Contribution to new Men's Shed project
Pathhead & District Community Association	£1,915	£315 (only paying for lighting improvements)	Ceiling lights & dimmers and 4 x bistro sets
Midlothian Youth Platform	£1,375	£1,075 (not funding hoodies)	Youth voice groups - venue costs for meetings, mentimeter and hoodies
Middleton Village Community Hall Association	£2,000	£2,000	Contribution to running costs
Penicuik community Sports and Leisure Foundation	£2,000	£2,000	Contribution to running costs
Pathedible	£2,000	£1,000 (part funding to allow them to pilot the indoor market for 20 weeks)	Hall hire to expand project to create an indoor market selling local produce
Rosewell Development Trust	£1,600	£0 (not funding as limited evidence of need and already received funding 19/20 for IT equipment that has yet to be purchased)	Purchase IT equipment to deliver face to face computer classes and Zoom licence
Borthwick Green	£2,000	£0 (concerns about privacy, legality and GDPR)	Community CCTV system
Girl Guiding, Rangers		£0 (never provided amount required, limited evidence of need and lack of detail)	Trip abroad, advertising costs and speakers
<b>TOTAL</b>	<b>£16,890</b>	<b>£9,990</b>	
<b>EMPLOYABILITY, LEARNING AND TRAINING</b>			
Glencorse Pipe Band	£2,000	£862 (only funding the 2 drums)	Buy 2 x tenor drums and unspecified items of uniform

Garvald	£2,000	£2,000	Start up and running costs for Seasonal Pop Up Craft Workshops to support adults with learning and physical disabilities.
Volunteer Midlothian	£1,950	£750 (part funding for tablets and mifi)	Upgrade IT equipment for Connect Online project
St David's Brass Band	£2,000	£0 (not funding as no information on what they have been doing to engage young people up to this point)	Provide weekly remote tuition to youth band. Contribution to zoom licence, broadband, music, recording equipment and cost of a tutor.
<b>TOTAL</b>	<b>£7,950</b>	<b>£3,612</b>	
<b>HEALTH AND PHYSICAL ACTIVITY</b>			
Newtongrange Star FC	£2,000.00	£2,000.00	Upgrade to LED floodlighting for existing 3G pitch
MAEDT	£1,996.78	£1,996.78	Resources to allow volunteers to develop and maintain pavilion gardens.
St Margarets Primary School parent Council	£1,994.48	£1,994.48	Tools and materials for pupil gardening project
Roslin Village Group	£1,500.00	£1,500.00	Materials and labour to create a community Petanque piste
Lasswade RFC	£1,600.00	£0 (not funding as application is to replace existing sports equipment and does not make clear that this would lead to more opportunities and increased participation in rugby)	Replacement equipment
Danderhall ASC	£2,000.00	£0 (doesn't make clear where outdoor equipment will be used as application states	Outdoor equipment, coach hire and park fees

		outdoor space is limited, use of coaches to transport children to parks does not seem good use of fund)	
<b>TOTAL</b>	<b>£11,091.26</b>	<b>£7,491.26</b>	
<b>POVERTY</b>			
<b>Play Therapy Base</b>	<b>£1,340</b>	<b>£1,340</b>	<b>To provide travel tickets to enable families to attend services and sessions</b>
<b>COMMUNITY COUNCIL</b>			
<b>Roslin &amp; Bilston CC</b>	<b>£500.00</b>	<b>£400 (not funding £100 other costs)</b>	<b>Running costs</b>
<b>Eskbank &amp; Newbattle CC</b>	<b>£2,000.00</b>	<b>£2,000 (condition of grant to check where notice boards will be situated)</b>	<b>2 noticeboards, website maintenance and newsletters</b>
<b>Tynewater CC</b>	<b>£1,350.00</b>	<b>£900 (only funding 1 laptop)</b>	<b>2 laptops, printer, supplies and software</b>
<b>TOTAL</b>	<b>£3,850.00</b>	<b>£3,300</b>	

### Appendix Three

#### Poverty funding allocations 2020/2021

##### Successful applications:

Organisation	Amount Awarded	Purpose
Dalkeith CAB	£16,939.00	Offer tailored advice and support for people at risk of falling into serious hardship
Penicuik CAB	£14,000.00	Crisis funds to provide small items of emergency support to families and vulnerable individuals to assist them through a financial crisis and enable them to engage with services
MAEDT	£8,420.00	To pilot/kick start a food co-op in the area for those on low incomes. To continue and improve the school uniform recycling project
MARC	£17,000.00	Increase provision and installation of white goods and furniture free of charge on a referral basis
Mayfield, Lawfield, Tynewater ASC	£3,200.00	Partial funding - 6 months snack and play equipment only
Penicuik Community Sports and Leisure Foundation	£3,925.00	Partial funding for internet and free access activities only
Midlothian Foodbank	£2,770.00	Partial funding for equipment, not paying staff costs
<b>Total</b>	<b>£66,254.00</b>	

## Appendix 4

### Poverty grant criteria and guidance

Applications are welcome from community groups, charities and social enterprises. To apply you must be constituted and have a bank account. If you are a new group, you will need a statement of purpose and a bank account in the name of the group.

All awards should demonstrate how they meet the priorities of the Single Midlothian Plan. The top three priorities in the plan are to *reduce the gap in learning outcomes, health outcomes and economic circumstances*. Grants will fund activities that further the priorities in at least one of the five themes:

1. Adult Health and Care
2. Community Safety
3. Getting it Right for Every Midlothian Child
4. Improving Opportunities for the People of Midlothian
5. Sustainable Growth

The single Midlothian Plan is available online or in hard copy.

[www.midlothian.gov.uk/downloads/download/89/single\\_midlothian\\_plan](http://www.midlothian.gov.uk/downloads/download/89/single_midlothian_plan)

Grant funding can be used for things like:

- Volunteer expenses
- Running costs
- Start-up costs for new projects
- Staff costs
- Buying equipment

There are some activities that are not eligible for grant funding. It cannot be used to:

- Repair buildings
- Pay for religious services or religious materials
- Be spent exclusively on consultancy fees
- Pay for material that is designed to support political activity or a political party

### **The grant covers the period September 2020 to March 2021 only**

Minimum level of grant - £5,000

Maximum level of grant - £20,000

### **Criteria for Poverty Grants**

Applicants will need to indicate which of the outcomes their activity will address:

#### **Outcomes**

- Disposable income of Midlothian residents is maximised.
- Cost of utilities have been reduced.
- Costs of participation in education have reduced.
- Costs of participation in leisure, sports and arts experience have reduced.
- Transport costs are reduced.
- Reduction in poverty related inequalities in health and wellbeing.
- Reduction in financial stress for parents.
- Increase in opportunities to upskill and gain qualifications.
- Awareness of entitlement to benefits has increased.
- Reduction in health and wellbeing inequalities caused by poverty.

## **Decision making**

Grant applications will be assessed against the extent to which the project or programme of work will:

1. Meet the outcome of the funding stream.
2. Address unmet need.
3. Reduce inequalities, help people most in need and address the priorities in the Single Midlothian Plan.
4. Make a difference to the people you are working with.
5. Complement or add to existing services and resources.
6. Provide evidence of partnership working and how local people have been involved in the planning of the proposal.
7. Provide details of how the project will be sustained beyond the grant period and, where possible, how it will generate additional income.
8. Promote a sense of place by connecting local people to their community.
9. Be community-led and delivered by organisations with the skills and experience to deliver effectively.
10. Include clear costing and timescales that demonstrate value for money.

Your application will be considered by an assessment panel. You will find out by the end of September 2020 if your application has been successful.

## **Further Support**

If you need any additional support or further information, please contact:

Karen McGowan 0131 271 3708  
[karen.mcgowan@midlothian.gov.uk](mailto:karen.mcgowan@midlothian.gov.uk)

For help with completing the application, discussing ideas or general funding support please contact: [CLL@midlothian.gov.uk](mailto:CLL@midlothian.gov.uk)

## **Midlothian Strategic Housing Investment Plan 2021-26**

**Report by Kevin Anderson, Executive Director - Place**

**Report for Decision**

### **1 Purpose of Report/Executive Summary**

This report summarises the key points set out in Midlothian's Strategic Housing Investment Plan (SHIP) 2021-26, which details the priorities for investment in new affordable housing in Midlothian.

### **2 Recommendations**

Council is recommended to approve submission of the SHIP to the Scottish Government.

**Date:** 23 November 2020

**Report Contact:** Simon Bain, Acting Head Housing Services

**email:** [simon.bain@midlothian.gov.uk](mailto:simon.bain@midlothian.gov.uk)

**tel:** 0131 271 6679

### 3 Background

- 3.1** The Scottish Government requires all local authorities to prepare a SHIP that identifies the main strategic investment priorities for affordable housing over a 5 year period. This important document is required on an annual basis as the Scottish Government requires detail on the Affordable Housing Supply Programme in each regional area towards meeting the national target of supporting the development of 50,000 new affordable homes for 2016 - 2021. The SHIP sets out Midlothian Council's approach to promoting affordable housing investment and meeting housing supply targets identified in the Strategic Development Plan for Edinburgh and South East Scotland.
- 3.2** Due to the ongoing Covid-19 situation, the Scottish Government's More Homes Division confirmed on 9 July 2020 that local authorities should prepare a 'light SHIP' this year covering the period 2021-26 and the submission date has been extended to December 2020. The SHIP is provided at Appendix 1.
- 3.3** The delivery of more affordable housing remains a high priority for Midlothian Council which is undertaking a development programme of 1,000 new council houses. Despite this significant level of investment there is still a shortage against the demand for affordable housing in Midlothian with 4,100 households currently placed on the Council's Housing List.
- 3.4** To address this need for affordable housing, the SHIP details potential sites for 2,602 new affordable homes to be built during 2021-26, of which:
- House types: 2,118 are general needs homes and 484 are specialist provision homes.
  - Built form: 2,522 will be new build housing and 80 will be 'off the shelf purchases'.
  - Tenure type: 1,362 homes will be council housing, 759 will be social rent by a Registered Social Landlord (RSL), 481 will be for social rent but the provider has not yet been identified, 132 for Mid-Market Rent (MMR) and 30 for Low Cost Home Ownership (LCHO). This reflects the fact that the affordable housing tenure with the highest demand is social rented housing. It should be noted that a significantly higher total number of LCHO purchases will be supported during the next five years due to Scottish Government schemes but we do not have information on property locations until such time as houses are purchased by eligible buyers.
  - 787 units are expected to receive additional funding due to these meeting the 'greener homes' standard. This will increase in subsequent years as renewable technology becomes more commonplace in new housing design.
  - 700 units will be developed in Midlothian West.
  - 1,822 units are to be developed in Midlothian East.
- 3.5** £113.167 million of Scottish Government grant funding is required by the Council and RSLs to deliver the identified units over the next 5 years.

#### **4 Report Implications (Resource, Digital and Risk)**

##### **4.1 Resource**

There are no additional resource implications arising from this report.

##### **4.2 Digital**

None.

##### **4.3 Risk**

If the Council does not support the development of new affordable housing, the level of housing need will increase with negative consequences for Midlothian's communities.

##### **4.4 Ensuring Equalities (if required a separate IIA must be completed)**

Equality is central to all housing and housing services delivery. An Integrated Impact Assessment (IIA) has been undertaken on the draft consultative Local Housing Strategy 2021-26 to ensure that the needs of local communities have been fully considered. The SHIP reflects identified needs and draws on findings from the IIA when considering the implications flowing from the translation of strategic aims into housing policies.

##### **4.4 Additional Report Implications**

Appendix 1: SHIP 2021 - 26

## **APPENDIX A – Report Implications**

### **A.1 Key Priorities within the Single Midlothian Plan**

Provision of increased affordable housing will improve the quality of life for citizens and reduce the gap in health outcomes.

### **A.2 Key Drivers for Change**

Key drivers addressed in this report:

- ☐ Holistic Working
- ☐ Hub and Spoke
- ☐ Modern
- ☒ Sustainable
- ☐ Transformational
- ☐ Preventative
- ☒ Asset-based
- ☐ Continuous Improvement
- ☐ One size fits one
- ☐ None of the above

### **A.3 Key Delivery Streams**

Key delivery streams addressed in this report:

- ☐ One Council Working with you, for you
- ☒ Preventative and Sustainable
- ☐ Efficient and Modern
- ☐ Innovative and Ambitious
- ☐ None of the above

### **A.4 Delivering Best Value**

The priority housing projects identified in the SHIP will deliver a combination of cost, quality and sustainability to meet future customers' requirements.

### **A.5 Involving Communities and Other Stakeholders**

Consultation has been undertaken in accordance with Scottish Government guidance including with the Scottish Government's More Homes Division and other stakeholders. All Housing Associations have discussed their development plans with Council Officers and private sector developers were also given the opportunity to discuss their future development plans with Council Officers.

### **A.6 Impact on Performance and Outcomes**

The SHIP supports the outcomes set out in the draft consultative Local Housing Strategy 2021-26.

### **A.7 Adopting a Preventative Approach**

Setting out a programme for development in the SHIP enables the investment of affordable housing to be carried out in a balanced approach in order that any investment takes into account the needs of the community. This includes those with particular needs such as extra care housing for older people, wheelchair housing or those with complex physical or learning disabilities where provision of suitable housing would require less resourcing in comparison to traditional models of care as housing provided in community setting is less expensive than care home type accommodation or other institutional setting.

#### **A.8 Supporting Sustainable Development**

Good practice in relation to energy efficiency and sustainability is highlighted in the SHIP.



Item 8.7



# Midlothian Council Strategic Housing Investment Plan 2021/22 - 2025/26



## COMMUNICATING CLEARLY

We are happy to translate on request and provide information and publications in other formats, including Braille, tape or large print.

如有需要我們樂意提供翻譯本，和其他版本的資訊與刊物，包括盲人點字、錄音帶或大字體。

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Körler için kabartma yazılar, kaset ve büyük nüshalar da dahil olmak üzere, istenilen bilgileri sağlamak ve tercüme etmekten memnuniyet duyuyoruz.

اگر آپ چاہیں تو ہم خوشی سے آپ کو ترجمہ فراہم کر سکتے ہیں اور معلومات اور دستاویزات دیگر شکلوں میں شلبریل (تایپ افراد کے لیے) بھرے ہوئے حروف کی لکھائی، ٹیپ پر یا بڑے حروف کی لکھائی میں فراہم کر سکتے ہیں۔

Contact 0131 270 7500 or email: [enquiries@midlothian.gov.uk](mailto:enquiries@midlothian.gov.uk)

Front page photographs

Top: Completed homes by Midlothian Council, Woodburn Terrace, Dalkeith

Bottom: Completed homes by Melville Housing at Foster Place, Penicuik

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## **1 Introduction and Background**

In 2016 the Scottish Government announced its intention to support the development of 50,000 new affordable homes in Scotland by March 2021. Meeting this target is ambitious and will require increased investment by the Scottish Government, Local Authorities and Registered Social Landlords and a step change in the pace of housebuilding in order that it is achieved. The delivery of more affordable housing remains a high priority for Midlothian Council which is undertaking a development programme of 1,000 new council houses in Midlothian.

The purpose of Midlothian's Strategic Housing Investment Plan (SHIP) is to set out strategic investment priorities for affordable housing over a 5 year period to achieve the outcomes set out in the Local Housing Strategy (LHS). The SHIP is also the key document for identifying strategic housing projects towards meeting the Government's 50,000 affordable housing target. This document is updated annually to present up to date information on affordable housing investment plans.

The SHIP provides an opportunity for the Council to:

- Set out investment priorities for affordable housing and identifies how these will be delivered
- Identify the resources required to deliver these priorities
- Involve key partners in the delivery of new affordable housing.

This year's light touch SHIP will continue to inform the allocation of resources from the Scottish Government's Affordable Housing Investment Programme, which primarily supports the delivery of affordable housing via the Council and Registered Social Landlords. In addition, other funding streams that support investment in affordable housing have also been evaluated.

## 2 Impact of Covid-19 on Midlothian's Strategic Housing Investment Plan 2021-2026

The nationwide lockdown in March 2020 as a result of the Covid -19 pandemic has impacted on Midlothian Council's Social Housing Programme. A range of contingency measures have been put in place to safeguard the priorities of the Strategic Housing Investment Plan including:

- Increasing the number of Open Market Purchases.
- Exploring purchasing of 'off the shelf' new build developments from private developers.
- Midlothian Council's construction & design services have been and continue to operate remotely and cope with any restrictions placed upon it by Covid-19.
- Midlothian Council's Building Standards and Planning services work remotely and cope with any restrictions placed upon it by Covid-19.
- External design team consultants working for Midlothian on their social housing programme have been and continue to operate remotely and cope with any restrictions placed upon it by Covid-19.
- Contractors operating on site are exercising strict social distancing and hygiene protocols in accordance with the latest industry guidance and are continuing to progress site operations affected by Covid-19.  
3 sites have been completed since March 2020 delivering 41 rented units.
- The Council is continuing to pursue all possible options regarding its owned sites and Developer site affordable elements, and is actively approaching developers submitting planning applications in the Midlothian area.
- The current projection<sup>1</sup> for completed homes from construction sites (both developer and Council contracts), on or before May 2022, currently totals 865 (excluding Open Market Purchases).

### Open Market Purchases

Midlothian Council has included an Open Market Purchase Programme within the SHIP in recent years and as a result of the Covid 19 pandemic, the number of planned Open Market Purchases has increased for 2020/2021 and 2021/2022. Open Market Purchases enable the Council to add to existing housing stock in addressing the needs of some households on waiting lists. Whilst homeless households do not necessarily directly benefit from Open Market Purchases, the void properties which result from housing transfers are then available to those on the homeless waiting list.

**Table 2.1 – Open Market Purchase Programme: Covid 19 Contingency Plans**

Financial Year	No. of Open Market Purchases
2020/21 - planned prior to Covid 19	16
2020/21 - planned as a result of Covid 19	30

<sup>1</sup> As per November 2020

2021/22 - planned prior to Covid 19	16
2021/22 - planned as a result of Covid 19	30

As with all previous Open Market Purchases the criteria remains:

- Midlothian Council only purchases former Midlothian Council properties.
- Midlothian Council will offer up to the Home Report value of the property.
- Midlothian Council arranges for an independent valuation of the property on top of the Home Report.
- The properties viewed have detailed repairs costs prepared and inspected prior to an offer being considered.

Open Market Purchases help Midlothian Council to meet the Local Housing Strategy's vision for housing in Midlothian:

"All households in Midlothian will be able to access housing that is affordable and of good quality in sustainable communities."

### **'Off the Shelf' Purchases**

Midlothian Council, along with some Registered Social Landlords, make 'off the shelf' purchases in order to increase the number of new build social housing. 'Off the Shelf' purchases are new housing developments bought from private housing developers by the Local Authority or Registered Social Landlord, which are then added to social housing stock. 'Off the Shelf' purchases are cost effective and allow the Council to move closer to its plans to deliver 1000 new build homes in Midlothian. All new homes are built to the Council's high standards, meeting accessibility and sustainability requirements.

Midlothian Council agreed in August 2020 to use £10.3 million of Housing Revenue Account reserve to purchase 100 new build units. However, following discussions with private developers, it has emerged that units would not be made available for purchase during 2020/21 and as such Midlothian Council will carry forward £10.3m of Housing Revenue Account reserves to 2021/2022 for 'off the shelf' purchases.

'Off the Shelf' purchases will help the Council to meet all five of the draft consultative Local Housing Strategy's outcomes for 2021-2026:

- Households have improved housing options across all tenures.
- Homeless households and those threatened with homelessness are able to access support and advice services and all unintentionally homeless households will be able to access settled accommodation.
- The condition of housing across all tenures is improved.
- The needs of households with particular needs will be addressed and all households will have equal access to housing and housing services.
- Housing in all tenures will be more energy efficient and fewer households will live in, or be at risk of, fuel poverty.

## **Consultation with Stakeholders**

The Covid-19 contingency plan has been discussed with stakeholders at the Council's quarterly Local Housing Strategy Housing Association Forum held on 3<sup>rd</sup> September 2020. There has been ongoing engagement and dialogue with RSLs and the Scottish Government More Homes Division Regional Team.

### 3 Profile of Midlothian

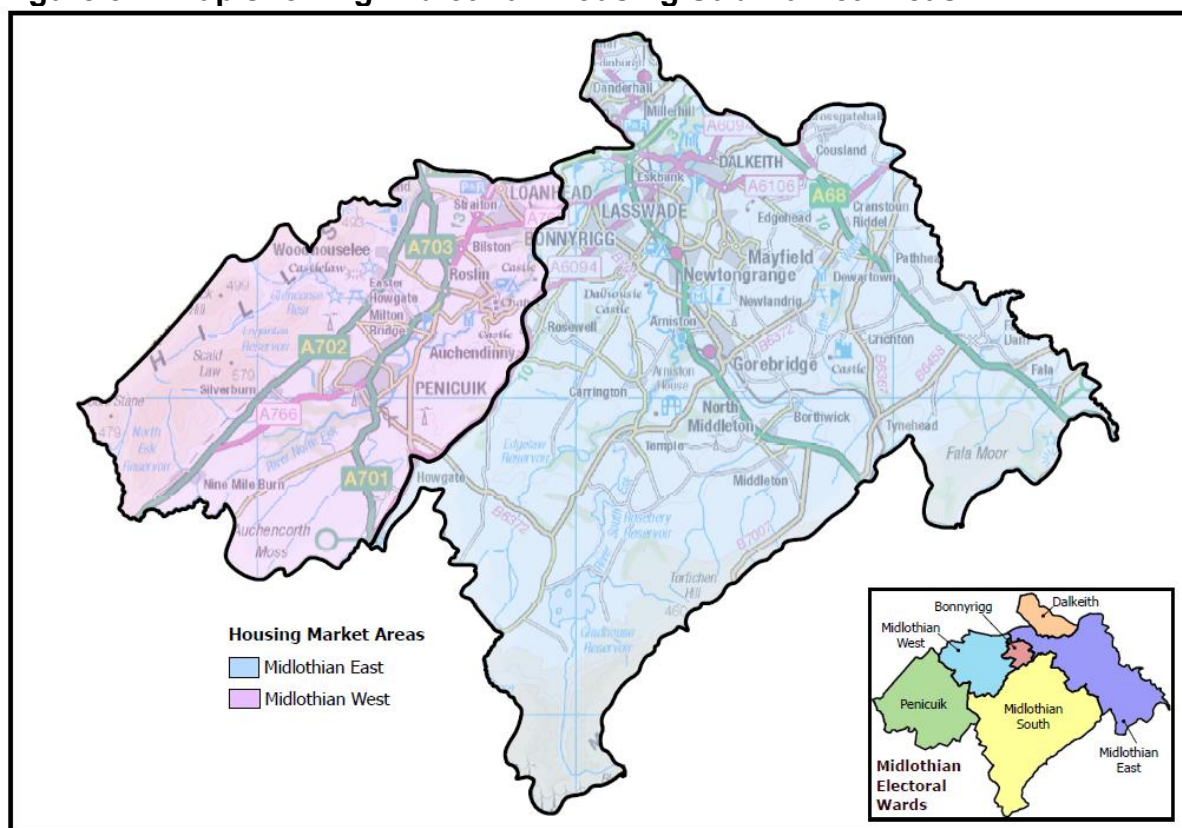
#### Housing Market Areas (HMAs)

Midlothian is situated within the SESplan Housing Market Area and is therefore influenced by the wider region in terms of where households choose to live and work. The table below shows the two HMAs along with their corresponding towns and villages, while the map shows the geographical spread of the HMAs. The Midlothian West (A) HMA is denoted in purple while the Midlothian East (B) HMA is denoted in blue colour.

**Table 3.1: Main Settlements in Housing Sub Market Areas**

<b>Midlothian West (A)</b>	Penicuik, Loanhead, Bilston, Roslin, Straiton, Auchendinny
<b>Midlothian East (B)</b>	Dalkeith, Bonnyrigg, Gorebridge, Rosewell, Mayfield, Easthouses, Pathhead, Newtongrange, Danderhall/Shawfair

**Figure 3.1: Map showing Midlothian Housing Sub Market Areas**



The Housing Market Areas are the core development areas in Midlothian which concentrates new development in Midlothian on:

- The A701 Corridor;
- The A7/A68/ Borders Rail Corridor; and
- Shawfair

Most of the affordable housing units to be delivered are in the Midlothian East area, largely due to the population, and therefore housing need, being greater in this housing market area. The Danderhall/Shawfair area will see a significant level of new development with an allocation of land for around 4,000 houses, employment land, and a town centre including a supermarket and school provision. The initial new sites for development are being completed with further sites under construction.

## 4 Investment Priorities

In order for the SHIP to deliver strategic investment priorities for affordable housing in Midlothian, the Council has engaged with RSLs and relevant delivery partners in setting out Midlothian's investment priorities for affordable housing. To ensure that available resources are prioritised in delivering affordable housing, each project is scored against a set of criteria: Housing Need; Land Availability; Ability to Start on Site; Constraints; Equalities Needs and Environmental Impact, as shown in the tables below. In total, a project can be awarded a maximum score of 30 points and a score less than 18 indicates a 'low priority project', 18-22, 'a medium priority project' and over 22, a 'high priority project'.

**Table 4.1: Project Prioritisation Scoring**

Criteria	Explanation	Score
Area Housing Need	Housing need rankings are based on a waiting list demand study. 1 would indicate no housing need in an area, whilst 5 indicates the highest level of need.	1-5
Land Availability	Sites ranked most highly are those owned by the Council or RSL. Also ranked highly are sites with Planning Permission in place	1-5
Ability to Start on Site	A site with a high score indicates that the work could start on site underway once funding was approved.	1-5
Constraints	Issues such as Section 75 requirements that have yet to be resolved would be given a lower score.	1-5
Equalities Needs	All sites will score at least a good rating (3) due to Housing for Varying Needs. Additional points would be awarded for particular needs housing, mixed tenure development e.g. shared equity.	1-5
Environmental Impact	All sites which have been allocated through the Midlothian Local Plan would not be considered as having a negative environmental impact. Use of renewable technology and building on Brownfield sites would score more points.	1-5

**Table 4.2: Area Project Prioritisation Score**

Rank	Area	Points
1	Bonnyrigg/Lasswade/Poltonhall Loanhead, Newtongrange, Danderhall/Shawfair Small Settlements including Pathhead, Roslin, Rosewell, Bilston	5
2	Dalkeith, Penicuik	4
3	Gorebridge, Mayfield/Easthouses	3

It should be noted that some projects may have scored less not because they are of less strategic importance to the Council or RSLs but due to circumstances which prevent construction works from commencing on site (e.g. need for infrastructure works or demolition). In terms of the area ranking for housing need, there are no areas in Midlothian with a low level of housing need so areas judged to have lower levels of housing need are those where there has been significant investment in new affordable housing in recent years.

The sections below show both Council and RSL housing development priorities over the next 5 years. It should be noted that sites indicated are subject to change as some sites have not yet been approved by the developing organisation, received planning permission or land ownership has not been secured. There is also potential for additional sites to be developed within the 5 year period. More detail on each site is shown in Appendix 1.

### **Council Development Priorities**

The table below sets out the priorities for proposed Council projects over the next 5 years. Key notes:

- 31 development projects are proposed by the Council over the next 5 years
- 22 of the 31 projects are considered high priority while 9 are medium priorities. There are no projects judged to have a low priority.
- Most projects with the highest priority scores are highlighted for commencement in the short term while many with medium priorities are for the later years and it is expected that scores for the later sites will increase due to constraints being resolved, such as planning permission being granted.
- One of the developments is for Open Market Purchases which involves Midlothian Council purchasing properties that are for sale on the open market to then use as council housing.

**Table 4.3: Council Housing Development Priorities**

	2021/22 Projects								2022/23 Projects									2023/24					2024/25 Projects			2025/26					
Project Name, Area & RSL (e.g. Dewar Park, Gorebridge Phase 2- DCHA)	Kirkhill Road, Penicuik	Clerk Street, Loanhead	Main Street, Roslin - (Barratt)	Crichton Drive, Pathhead	Castledale Terrace, Blisken	Bellway, Wester Cowden, Dalkeith	Newton Church Road, Danderhall, Bellway	Cockpen Terrace, Bonnyrigg	Burnbrae Road, Bonnyrigg	Newmillis Road, Dalkeith	Old Craighall Road, Shawfair (Mactaggart and Mickel)	Barratt, Roslin expansion	Buckleuch Street, Dalkeith	Dandara, Shawfair	Barratt, Newton Church Road	Dalhousie Mans, Bonnyrigg	Morris Road, Newtongrange	High Street, Bonnyrigg (phase 1&2)	Stobhill Road, Gorebridge	Newbyres Crescent, Gorebridge	Newton Church Road, Danderhall	Moorfoot Place, Bonnyrigg	Former Newbattle High School, Easthouses	Conifer Road, Mayfield	Edmonstone Road, Danderhall - (Stewart Milne)	Mauricewood, Penicuik	Auchendinny (Stewart Milne)	Mid Market Rent (Various Sites)	Morris Road, Newtongrange New Supply Shared Equity	Open Market Purchases, Midlothian	Shawfair (CCG)
Housing Need	4	5	5	5	4	5	5	5	5	4	5	5	4	4	4	5	5	5	4	3	5	5	3	3	5	4	5	4	5	5	5
Land Availability	5	5	5	5	5	5	4	5	5	5	4	4	5	4	4	4	5	4	4	5	3	4	4	5	4	4	4	3	4	5	4
Ability to Start on Site	5	5	3	4	5	4	4	3	3	3	3	4	3	4	4	3	5	3	2	4	3	3	3	5	3	3	3	3	3	5	3
Constraints	5	5	4	4	5	4	4	4	4	4	4	4	4	4	4	4	4	3	3	4	3	3	4	4	3	3	3	2	2	4	4
Equalities Needs	5	5	3	3	4	3	3	3	3	5	3	4	3	4	4	4	5	4	3	5	5	5	4	3	3	3	4	3	3	4	3
Environmental Impact	3	4	3	4	5	4	3	3	3	4	3	3	5	3	3	3	3	4	3	5	5	5	4	4	3	3	3	3	3	5	3
TOTAL	27	29	23	25	28	25	23	23	23	25	22	24	24	23	23	23	27	23	19	26	24	25	22	24	21	20	22	18	20	28	22

## RSL Development Priorities

The table below sets out the priorities for proposed RSL projects over the next 5 years.

Key notes:

- 18 development projects are proposed by RSLs over the next 5 years.
- 11 of the 16 projects are high priority while 6 scored as medium priority and 1 project scored with a low priority.
- 4 RSLs have indicated their plans to develop during this period including:
  - Castle Rock Edinvar (6 projects)
  - Melville Housing Association (6 projects)
  - Ark Housing Association (1 project).
  - Dunedin Canmore Housing Association (5 projects)
- There are 6 further projects where the Registered Social Landlord acting as a developer has not yet been confirmed. It is likely that these sites will either be taken forward by Midlothian Council or one of the RSLs who are currently building new homes in Midlothian.
- A further 3 sites for affordable housing development have been identified for development that do not require funding from Midlothian's Affordable Housing Supply Programme. These sites are not required to be assessed for priority due to their being no grant funding requirement.

**Table 4.4: RSL Housing Development Priorities**

	2021/22 Projects					2022/23 Projects							2023/24			2024/25			2025/26		
Project Name, Area & RSL (e.g. Dewar Park, Gorebridge Phase 2- DCHA)	Eskbank Dandara - SR & MMR (CRE HA)	Windsor Square, Penicuik (ARK HA)	Lothian Drive, Easthouses (Melville HA)	Eskmill Road, Penicuik (Melville HA)	Bliston Barratt - SR & MMR (CRE HA)	Newtongrange Church Site (CRE HA)	Cauldcoats Phase 1 - SR & MMR (CRE HA)	Perthland Green, Bliston, Phase 2 (Melville HA)	Penicuik Mauricewood Nursery, Phase 1 (Dunedin Canmore HA)	Roslin Easter Bush, Former Roslin Institute (Dunedin Canmore HA)	Roslin Taylor Wimpey - SR & MMR (CRE HA)	Newbattle High School site (Melville HA)	Cauldcoats Phase 2 - SR, SE & MMR (CRE HA)	Bliston 3a (Melville HA)	Auchendinny, Phase 2 (Dunedin Canmore HA)	Bliston 3b (Melville HA)	Bonnyrigg South (Dunedin Canmore HA)	Shawfair Town Centre (Dunedin Canmore HA)			
Housing Need	4	4	4	4	5	5	5	5	4	5	0	2	5	5	5	5	5	5			
Land Availability	4	5	5	3	5	3	3	5	5	5	4	3	3	5	3	5	3	2			
Ability to Start on Site	3	3	5	5	5	4	2	5	5	5	3	5	2	5	3	5	2	2			
Constraints	3	3	2	3	5	3	2	5	5	4	2	5	2	5	3	5	2	2			
Equalities Needs	4	4	5	5	4	5	4	5	4	4	4	5	4	5	4	5	4	3			
Environmental Impact	4	4	4	5	4	4	5	4	4	5	4	5	5	5	3	5	3	4			
<b>TOTAL</b>	<b>22</b>	<b>23</b>	<b>25</b>	<b>25</b>	<b>28</b>	<b>24</b>	<b>21</b>	<b>29</b>	<b>27</b>	<b>28</b>	<b>17</b>	<b>25</b>	<b>21</b>	<b>30</b>	<b>21</b>	<b>30</b>	<b>19</b>	<b>18</b>	<b>0</b>	<b>0</b>	<b>0</b>

### Addressing Potential Development Constraints

Midlothian Council and developing partners are confident that the SHIP can be delivered given the actions and initiatives undertaken to date by the Council and its strategic partners to source suitable sites for development. However, a number of challenges need to be addressed by the Council and its partners in order that an accelerated pace of development can be achieved.

Risks and constraints to development vary depending on the circumstances of each site and the developing landlord. These potential risks and constraints are:

- Obtaining required planning approval.
- Building and procurement constraints.
- Environmental and design issues.
- The commencement of affordable housing policy sites are dependent on developers' timescales and the economic conditions of the housing market.
- Sites not in the ownership of the developer.
- Unknown site ground conditions.
- The rural nature of some areas in Midlothian can mean that development is constrained in these areas, particularly in relation to available land for housing and the requirements for additional infrastructure prior to development commencement.

## **Scottish Government Affordable Housing Supply Funding Required**

The Strategic Housing Investment Plan details potential sites for 2,602 new affordable homes to be built between 2021/22 and 2025/26, of which:

- House types: 2,118 are general needs homes and 484 are specialist provision homes.
- Built form: 2,522 will be new build housing and 80 will be 'off the shelf purchases'.
- Tenure type: 1,362 homes will be council housing, 759 will be social rent by a RSL, 481 will be for social rent but the provider has not yet been identified, 132 for Mid-Market Rent (MMR) and 30 for Low Cost Home Ownership (LCHO). This reflects the fact that the affordable housing tenure with the highest demand is social rented housing. It should be noted that a significantly higher total number of LCHO purchases will be supported during the next five years due to Scottish Government schemes but we do not have information on property locations until such time as houses are purchased by eligible buyers.
- 787 units are expected to receive additional funding due to them meeting the 'greener homes' standard – this number is likely to increase as renewable technology becomes more commonplace in new housing designs.
- 700 units will be developed in sub-area A (Midlothian West)
- 1,822 units are to be developed in sub-area B (Midlothian East).

A total of £113.167 million of Scottish Government grant funding is required by the Council and RSLs to deliver the identified units over the next 5 years:

- The year which requires the most grant funding is 2022/23, with a requirement of £39.6 Million.
- 1,362 of the units will be new Council housing requiring £51.366 million grant funding.
- 759 of the units will be RSL housing requiring £47.46 million Government funding.
- 481 of the units with the provider still to be agreed will require £27.41 million grant funding.
- Both Midlothian Council and RSLs will require to borrow funds in addition to receiving grants. However, the Council and RSLs will ensure that their development plans do not result in rents that are unaffordable to low income households.
- The required level of grant funding to deliver this number of units greatly exceeds the stated level of funding available. Council Officers will continue to discuss resource requirements with the Scottish Government to ensure that projects receive appropriate levels of grant funding. In previous years Midlothian has been able to claim for significantly increased resources in response to the number of projects being taken forward.
- Most units to be built will be smaller sized properties, which reflects the Local Housing Strategy target that at least 70% of all new affordable housing units will be 1 and 2 bedroom properties in order to address the need for smaller properties from Housing List applicants.

## **Disposal of Council Assets and Land**

The Council is required by law to ensure it achieves best value in disposing of any asset, including land. The Council acknowledges that Best Value does not always

mean highest price but can be linked to a range of wider benefits. Provision of affordable housing is a good example of where the Council has sold land and assets to RSLs at a price lower than market value while still achieving the required Best Value. There are also opportunities to undertake developments in partnership with other RSLs.

### **Second Homes and Empty Homes Council Tax Funding**

Under the Council Tax (Discount for Unoccupied Dwellings) (Scotland) Regulations 2005, Midlothian Council reduced the amount of discount for long term empty dwellings and second homes from 50% to 10%, with the extra revenue used to support affordable housing. A total of £239,000 was raised between 2016/17 and 2019/20 which is being used to support Midlothian's New Build Council Housing Programme.

### **Commutated Sums**

In some circumstances the Council may consider accepting commuted sums as opposed to the delivery of affordable housing units on some sites. In 2019/20 a total of £1.806 million was received in developer contributions for affordable housing. This was used to support Midlothian's New Council Housing Programme.

### **Non-Traditional Financial Models of Development**

The use of innovative financial models is being encouraged in Midlothian to accelerate the development of new affordable housing. Innovative approaches to development often do not require traditional grant funding and will therefore increase the total number of new affordable homes that can be built. Table 4.5 shows the proposed locations for these additional units.

In addition, Local Affordable Rent Housing Trust (LAR) is an established affordable housing provider set-up to create permanent below market rent options for households that would otherwise be at risk of financial hardship. LAR is financed using loan funding from the Scottish Government and therefore does not require any direct subsidy and so will not be seeking any grant allocations from local authorities.

**Table 4.5 New Homes Planned using Non-Traditional Finance Models 2021/22 – 2025/26**

<b>Location</b>	<b>Developer</b>	<b>Number of additional new homes</b>	<b>Estimated Date of Completion</b>
Wester Cowden, Dalkeith	LAR	17	2022/23
Fordel Village	LAR	24	2022/23
Various locations	Midlothian Council	35	2023/24

It is important to note that the site at Fordel Village was purchased on the open market and the 24 units planned by LAR are not part of the site's affordable housing requirement. As per the purchase arrangement, 12 affordable housing units (which are eligible to pay section 75<sup>2</sup> costs) are still required to be provided on the remainder of the site by another provider.

<sup>2</sup> A Section 75 agreement, sometimes known as a planning obligation, is a contract entered into between a landowner and the local Council, as part of the planning application process. The agreement may restrict use of the land and/ or regulate activities on the land being developed.

## 5 Housing Infrastructure Fund

The Scottish Government's Housing Infrastructure Fund (HIF) is aimed at supporting housing development through loans and grants with priority being given to those projects, which will deliver affordable housing. The fund will run to at least 31 March 2021. The fund comprises two main elements:

- Infrastructure loans available to non-public sector organisations
- Infrastructure grant available to local authorities and Registered Social Landlords (RSLs) to support affordable housing delivery.

Eligible works for HIF could include on site and off site elements. Works will include physical infrastructure generally required to start a project, such as roads, sewers, SUDS ponds, decontamination, flood remediation and demolition work. Where a Section 75 obligation requires it, certain off-site infrastructure will also be eligible. The fund does not support the provision of community infrastructure required as a consequence of new housing development, for example, funding for schools.

As part of developing the SHIP, Midlothian Council will work with partners to identify and prioritise those sites which are of strategic importance and cannot proceed or have stalled due to the extent and costs/financing of infrastructure works involved, and with HIF's support, unlock these sites for the delivery of housing<sup>3</sup>. The Council will work with partners in examining the identified projects to ensure that such projects are eligible for the fund<sup>4</sup>.

One site has been identified at Stobhill, Newtongrange as having the potential for support from HIF, more detail on the site is shown in Appendix 1:

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<sup>3</sup> <https://beta.gov.scot/policies/more-homes/housing-infrastructure-fund/>

<sup>4</sup> <https://beta.gov.scot/publications/housing-infrastructure-fund-eligibility-criteria/>

## 6 Conclusion

The Midlothian Strategic Housing Investment Plan 2021/22 - 2025/26 identifies the priorities for the development of affordable housing and where development will be undertaken over the next 5 years. It identifies sites which can deliver 2,602 units during the next 5 years to meet the increasing level of housing need in Midlothian. This will not only ensure best value in the use of resources but also ensure the delivery of the right mix of houses in the most pressured areas.

If you have any comments or queries on the content of this document, please contact the Housing Planning & Performance Section at Midlothian Council for more information.

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### **Equality Impact Assessment (EIA) and Strategic Environmental Assessment**

Midlothian Council is committed to ensuring equality of opportunity and combating discrimination through a series of equal opportunities and anti-discriminatory policies. The Council has embedded equalities principles into strategic planning as well as service delivery. Housing policies and services are regularly monitored, reviewed and reported on to ensure that they comply with equalities requirements.

**Appendix 1: SHIP Project Tables**

**Table 1 - AFFORDABLE HOUSING SUPPLY PROGRAMME 2021/22-2025/26**

PROJECT	PRIORITY  Low / Medium / High	DEVELOPER	UNITS - TENURE							UNITS - TYPE				UNITS - COMPLETIONS						TOTAL AHSP FUNDING REQUIRED OVER SHIP PERIOD		
			Social Rent	Mid Market Rent	LCHO - Shared Equity	LCHO - Shared Ownership	LCHO - Improve- ment for Sale	PSR	Total Units	GN	Specia- list Provisi- on	Type of Specialist Particular Need (If Known)	Total Units by Type	2021/22	2022/ 23	2023/ 24	2024/2 5	2025/ 26	TOTAL COMPLETI- ONS OVER PERIOD OF SHIP			
Kirkhill Road, Penicuik	High	Midlothian Council	21						21	18	3	1 Wheelchair, 2 WFS	21	21					21	0.000		
Clerk Street, Loanhead	High	Midlothian Council	28						28	16	12	Amenity	28	28					28	0.000		
Main Street, Roslin (Barratt)	High	Midlothian Council	13						13	13			13	13					13	0.541		
Crichton Drive, Pathhead	High	Midlothian Council	10						10	9	1	WFS	10	10					10	0.018		
Castlelaw Terrace, Bilston	High	Midlothian Council	13						13	13			13	13					13	0.541		
Newton Church Road, Danderhall (Bellway)	High	Midlothian Council	47						47	47		WFS	47	47					47	0.197		
Buccleuch Street, Dalkeith	High	Midlothian Council	10						10	9	1	WFS	10		10				10	0.570		
Cockpen Terrace, Bonnyrigg	High	Midlothian Council	16						16	15	1	WFS	16		16				16	0.096		
Burnbrae Road, Bonnyrigg	High	Midlothian Council	21						21	21			21		21				21	1.197		
Newmills Road, Dalkeith	High	Midlothian Council	88						88	40	48	Extra Care, Wheelchair House	88		88				88	0.859		
High Street, Bonnyrigg - phase 1	High	Midlothian Council	20						20	12	8	WFS, Complex Care	20		20				20	0.200		

PROJECT	PRIORITY  Low / Medium / High	DEVELOPER	UNITS - TENURE							UNITS - TYPE				UNITS - COMPLETIONS						TOTAL AHSP FUNDING REQUIRED OVER SHIP PERIOD		
			Social Rent	Mid Market Rent	LCHO - Shared Equity	LCHO - Shared Ownership	LCHO - Improve ment for Sale	PSR	Total Units	GN	Specia list Provisi on	Type of Specialist Particular Need (If Known)	Total Units by Type	2021/22	2022/ 23	2023/ 24	2024/2 5	2025/ 26	TOTAL COMPLETI ONS OVER PERIOD OF SHIP			
Wester Cowden, Dalkeith (Bellway)	Medium	Midlothian Council	27						27	27	0		27	27					27	0.103		
Newbyres Crescent, Gorebridge	High	Midlothian Council	75						75	62	13	Extra Care, Bariatric and Wheelchair	75			75			75	3.360		
Dalhousie Mains, Bonnyrigg	High	Midlothian Council	70						70	67	3	Wheelchair, WFS	70		70				70	1.947		
Conifer Road, Mayfield	High	Midlothian Council	72						72	70	2	Wet Floor Showeroom (WFS)	72			72			72	1.709		
Morris Road, Newtongrange	High	Midlothian Council	79						79	55	24	Amenity, Wheelchair house and WFS	79		79				79	1.260		
High Street, Bonnyrigg - phase 2	High	Midlothian Council	40						40	36	4	WFS	40		40				40	2.280		
Dandara, Shawfair	High	Midlothian Council	18						18	18			18		18				18	1.026		
Barratt, Roslin Extension	High	Midlothian Council	53						53	53			53		53				53	3.021		
Newton Church Road, Danderhall	High	Midlothian Council	16						16	0	16	Amenity	16			16			16	0.912		
Stobhill Road, Gorebridge	Medium	Midlothian Council	49						49	0	49		49		49				49	2.793		

PROJECT	PRIORITY  Low / Medium / High	DEVELOPER	UNITS - TENURE							UNITS - TYPE				UNITS - COMPLETIONS						TOTAL AHSP FUNDING REQUIRED OVER SHIP PERIOD		
			Social Rent	Mid Market Rent	LCHO - Shared Equity	LCHO - Shared Ownership	LCHO - Improve ment for Sale	PSR	Total Units	GN	Specia list Provisi on	Type of Specialist Particular Need (If Known)	Total Units by Type	2021/22	2022/ 23	2023/ 24	2024/2 5	2025/ 26	TOTAL COMPLETI ONS OVER PERIOD OF SHIP			
Newton Church Road, Danderhall (Barratt)	Medium	Midlothian Council	33						33	32	1	WFS	33	33					33	1.881		
Moorfoot Place, Bonnyrigg	High	Midlothian Council	30						30	0	30	Extra Care	30			30			30	1.710		
Edmonstone Road, Danderhall (Stewart Milne)	Medium	Midlothian Council	28						28	27	1	WFS	28			28			28	1.596		
Stobhill Road, Gowkshill	Medium	Midlothian Council	50						50	40	10	Amenity	50		50				50	2.850		
Mauricewood, Penicuik	Medium	Midlothian Council	55						55	55			55			55			55	3.135		
Auchendinny (Stewart Milne)	Medium	Midlothian Council	90						90	84	6	WFS, Wheelchair House	90				45	45	90	5.130		
Pentland Green, Bilston (Taylor Wimpey)	Medium	Midlothian Council	62						62	59	3	WFS, Wheelchair House	62			62			62	3.534		
Open Market Purchases, Midlothian	High	Midlothian Council	80						80	74	6	WFS, Amenity Bungalow	80	35	16	16	16		80	3.200		
Shawfair (CCG)	Medium	Midlothian Council	30						30	30			30				30		30	1.710		
Dalhousie South, Bonnyrigg	Medium	TBC	80						80	77	3	WFS, Wheelchair House	80		80				80	4.560		
Wellington Farm (CALA)	Medium	TBC	155						155	155			155				155		155	8.835		

PROJECT	PRIORITY	DEVELOPER	UNITS - TENURE							UNITS - TYPE				UNITS - COMPLETIONS						TOTAL AHSP FUNDING REQUIRED OVER SHIP PERIOD
			Social Rent	Mid Market Rent	LCHO - Shared Equity	LCHO - Shared Ownership	LCHO - Improvement for Sale	PSR	Total Units	GN	Specialist Provision	Type of Specialist Particular Need (If Known)	Total Units by Type	2021/22	2022/23	2023/24	2024/25	2025/26	TOTAL COMPLETIONS OVER PERIOD OF SHIP	
Rowantree Inn, Mayfield	Medium	TBC	16						16	16			16			16			16	0.912
Redheugh, Gorebridge (Barratt)	Low	TBC	175						175	175			175			95	80		175	9.975
Morris Road, Newtongrange New Supply Shared Equity	High	TBC			30				30	25	5	Amenity	30		25	5			30	1.710
Windsor Square, Penicuik	High	Ark HA	12						12	8	4	TBC	12		12				12	0.864
Bilston, Barratt - Social Rent	High	Castle Rock Edinvar	32						32	32			32	32					32	0.000
Bilston, Barratt - MMR	High	Castle Rock Edinvar		15					15	15			15	15					15	0.000
Newtongrange Church	High	Castle Rock Edinvar	25						25		25	older	25			25			25	1.800
Cauldcoats Phase 1 Social Rent	Medium	Castle Rock Edinvar	40						40	40			40			40			40	2.800
Cauldcoats Phase 1 MMR	Medium	Castle Rock Edinvar		40					40	40			40			40			40	1.840
Cauldcoats Phase 2 Social Rent	Medium	Castle Rock Edinvar	37						37	37			37				37		37	2.664
Cauldcoats Phase 2 - MMR	Medium	Castle Rock Edinvar		24					24	24			24				24		24	1.104

PROJECT	PRIORITY  Low / Medium / High	DEVELOPER	UNITS - TENURE							UNITS - TYPE				UNITS - COMPLETIONS						TOTAL AHSP FUNDING REQUIRED OVER SHIP PERIOD
			Social Rent	Mid Market Rent	LCHO - Shared Equity	LCHO - Shared Ownership	LCHO - Improve ment for Sale	PSR	Total Units	GN	Specia list Provisi on	Type of Specialist Particular Need (If Known)	Total Units by Type	2021/22	2022/ 23	2023/ 24	2024/2 5	2025/ 26	TOTAL COMPLETI ONS OVER PERIOD OF SHIP	
Roslin Taylor Wimpey - MMR	Low	Castle Rock		12					12	12			12			12			12	0.511
Eskbank Dandara - Social Rent	Medium	Castle Rock	21						21	21			21		21				21	1.500
Eskbank Dandara - MMR	Medium	Castle Rock		11					11	11			11		11				11	0.497
Roslin Easter Bush Former Roslin Institute	High	Dunedin Canmore	38						38	26	12	Amenity	38		38				38	2.650
Penicuik Mauricewood Nursery Site Ph1	High	Dunedin Canmore	57						57	41	16	Amenity	57		57				57	4.020
Auchendinny Phase 2	Medium	Dunedin Canmore	28						28	19	9	Amenity	28			28			28	2.020
Bonnyrigg South	Medium	Dunedin Canmore	80						80	65	15	Amenity, wheelchair	80				80		80	5.760
Shawfair Town Centre	Medium	Dunedin Canmore	70	30					100	15	85	Amenity, wheelchair	100				100		100	6.420
Pentland Green Phase 2, Bilston	High	Melville	30						30	26	4	Potential Amenity	30	8	22				30	2.200
Lothian Drive, Easthouses	High	Melville	16						16		16	Co-housing model	16		16				16	1.029
Eskmill Road, Penicuik	High	Melville	11						11		11	Co-housing model	11		11				11	0.708
Newbattle High School site	High	Melville	30						30	10	20	Co-housing model	30			30			30	2.195

PROJECT	PRIORITY  Low / Medium / High	DEVELOPER	UNITS - TENURE							UNITS - TYPE				UNITS - COMPLETIONS						TOTAL AHSP FUNDING REQUIRED OVER SHIP PERIOD
			Social Rent	Mid Market Rent	LCHO - Shared Equity	LCHO - Shared Ownership	LCHO - Improve- ment for Sale	PSR	Total Units	GN	Specia- list Provisi- on	Type of Specialist Particular Need (If Known)	Total Units by Type	2021/22	2022/ 23	2023/ 24	2024/2 5	2025/ 26	TOTAL COMPLETI ONS OVER PERIOD OF SHIP	
Bilston Phase 3a	High	Melville	34						34	26	8	Potential Amenity	34				34		34	2.600
Bilston Phase 3b	High	Melville	28						28	28			28					28	28	1.400

**Table 2 - HOUSING INFRASTRUCTURE FUND (HIF) PROJECTS**

PROJECT	PRIORITY  Low / Medium / High	APPLICANT	CURRENT SITE OWNER	IS PROJECT LINKED TO DIRECT PROVISION OF AFFORDABLE HOUSING? (Y/N)	ESTIMATED COMPLETION DATE										HIF GRANT FUNDING REQUIRED					UNITS - POTENTIAL ADDITIONAL CAPACITY IN EITHER LATER PHASES OR OTHER SITES
					AFFORDABLE					MARKET					2021/22	2022/23	2023/24	POST 2024/25	TOTAL HIF GRANT FUNDING REQUIRED	
Stobhill Depot, Newtongrange	High	Midlothian Council	Yes	Y			0	70	70					100	100			1.250	1.250	
									0					0					0.000	
									0					0					0.000	
									0					0					0.000	
									0					0					0.000	
									0					0					0.000	
									0					0					0.000	
<b>Total</b>					0	0	0	70	70	0	0	0	100	100	0.000	0.000	1.250	0.000	1.250	

**Table 3 - POTENTIAL HIF AFFORDABLE HOUSING PROJECTS WHICH MAY BE DEVELOPED FOLLOWING HIF INVESTMENT**

PROJECT	SUB-AREA	DEVELOPER	UNITS - TENURE							UNITS - COMPLETIONS					SG AHSP FUNDING REQUIREMENT (£0.000M)				
			Social Rent	Mid Market Rent	LCHO - Shared Equity	LCHO - Shared Ownership	LCHO - Improvement for Sale	PSR	Total Units	2021/22	2022/23	2023/24	POST 2024/25	TOTAL COMPLETIONS OVER PERIOD OF SHIP	2021/22	2022/23	2023/24	POST 2024/25	TOTAL AHSP FUNDING REQUIRED OVER SHIP PERIOD
Stobhill Depot, Newtongrange	B	Midlothian Council	50						50				50	50			2.850	2.850	5.700
Stobhill Depot, Newtongrange	B	TBC		20					20				20	20			0.880	0.880	1.760
<b>Total</b>			50	20	0	0	0	0	70	0	0	0	70	70	0.000	0.000	3.730	3.730	7.460

**Table 4 - AFFORDABLE HOUSING PROJECTS FUNDED OR SUPPORTED BY SOURCES OTHER THAN THE RPA/TMDF BUDGET**

PROJECT ADDRESS	DEVELOPER	FUNDING SUPPORT SOURCE	APPROVAL DATE						TOTAL	UNIT COMPLETIONS					TOTAL UNIT COMPLETIONS	NON SG FUNDING TOTAL £0.000M	OTHER NON-AHSP SG FUNDING (IF APPLICABLE) £0.000M	TOTAL FUNDING £0.000M
			Financial Year (Actual or Estimated)	2021/22	2022/23	2023/24	2024/25	2025/26	TOTAL SITE STARTS	2021/22	2022/23	2023/24	2024/25	2025/26				
Wester Cowden	LAR	SG Loan/PF		17					17		17				17			0.000
Fordel village	LAR	SG Loan/PF		24					24		24				24			0.000
Mid Market Rent (Various Sites)	Midlothian Council	Loan	2021/2022		35				35			35			35			0

**Table 5 - COUNCIL TAX ON SECOND AND EMPTY HOMES**

	<b>TAX RAISED OR IN HAND</b>	<b>TAX USED TO SUPPORT AFFORDABLE HOUSING</b>	<b>TAX CARRIED FORWARD TO SUBSEQUENT YEARS</b>
<b>2017/18</b>	0.086	0.086	<b>0.000</b>
<b>2018/19</b>	0.079	0.079	<b>0.000</b>
<b>2019/20</b>	0.074	0.074	<b>0.000</b>

**Table 6 - DEVELOPER CONTRIBUTIONS**

	<b>SUMS</b>			<b>UNITS</b>		
	<b>RAISED OR IN HAND</b>	<b>USED TO ASSIST HOUSING</b>	<b>SUM CARRIED FORWARD TO SUBSEQUENT YEARS</b>	<b>AFFORDABLE UNITS FULLY FUNDED FROM CONTRIBUTIONS</b>	<b>UNITS PARTIALLY ASSISTED FROM CONTRIBUTIONS</b>	<b>UNITS TOTAL</b>
<b>2017/18</b>	£1.312	£1.312	0.000	0.000	44	44
<b>2018/19</b>	£0.283	£0.283	0.000	0.000	10	10
<b>2019/20</b>	£1.806	£1.806	0.000	0.000	60	60



**Chief Social Work Officer – Annual Report 2019 - 2020****Report by Alison White, Chief Social Work Officer****Report for Decision****1 Recommendations**

Council is asked to:

- 1 agree the Chief Social Work Officer's Annual Report for 2019-20; and
- 2 agree that the Chief Social Work Officer should place a copy of the annual report on the Council website.

**2 Purpose of Report/Executive Summary**

To provide Council with the annual report of the Chief Social Work Officer (CSWO) on the statutory work undertaken on the Council's behalf. The report also provides Council with an overview of regulation and inspection, workforce issues and significant social policy themes current over the past year.

**Date 18<sup>th</sup> November 2020****Report Contact:**

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### **3 Background/Main Body of Report**

The requirement that every local authority should have a professionally qualified Chief Social Work Officer is contained within Section 45 of the Local Government (Scotland) Act 1994. The particular qualifications are set down in regulations. This is one of a number of officers, roles or duties with which local authorities have to comply. The role replaced the requirement in Section 3 of the Social Work (Scotland) Act 1968 for each Local Authority to appoint a Director of Social Work.

National guidance on the role of the Chief Social Work Officer was issued in January 2009.

The attached report provides information on activity and performance within the key areas of responsibility of the Chief Social Work Officer.

## **4 Report Implications (Resource, Digital, Risk and Equalities)**

### **4.1 Resource**

This report does not make recommendations which entail the allocation of resources. It outlines actions and services which have already been provided.

### **4.2 Digital**

None

### **4.3 Risk**

Following the disaggregation of the Social Work Division arrangements were put in place to ensure that robust mechanisms to enable the CSWO to retain an overview of all social work services undertaken including those outwith the Division in which the postholder is located. This includes membership of the GIRFEC Board, receiving regular performance management reports relating to the delivery of key outcome measures and the provision of advice and professional support to Children's Services Management Team.

### **4.4 Ensuring Equalities**

This report focuses on performance against statutory functions in 2018/19. As this is reflecting on work already completed which was subject to EQIA at the time of agreeing the work no additional impact assessment is required at this time.

### **4.5 Additional Report Implications (See Appendix A)**

## **Appendices**

Appendix A – Chief Social Work Officer Annual Report

## **APPENDIX A – Additional Report Implications**

### **A.1 Key Priorities within the Single Midlothian Plan**

This report focuses on the delivery of statutory functions rather than strategic development of social work services. There are, however, clear links to business transformation and partnership arrangements in so much as the integrity of the CSWO has been safeguarded and designed into organisational change.

### **A.2 Key Drivers for Change**

Key drivers addressed in this report:

- ☒ Holistic Working
- ☒ Hub and Spoke
- ☐ Modern
- ☐ Sustainable
- ☐ Transformational
- ☐ Preventative
- ☒ Asset-based
- ☐ Continuous Improvement
- ☐ One size fits one
- ☐ None of the above

### **A.3 Key Delivery Streams**

Key delivery streams addressed in this report:

- ☒ One Council Working with you, for you
- ☐ Preventative and Sustainable
- ☐ Efficient and Modern
- ☐ Innovative and Ambitious

### **A.4 Delivering Best Value**

The attached report highlights the efforts taken across all areas of social work to deliver best practice.

### **A.5 Involving Communities and Other Stakeholders**

The report highlights the involvement of users of services in the development of services.

### **A.6 Impact on Performance and Outcomes**

The report highlights performance levels across the services and how a commitment to improve outcomes.

### **A.7 Adopting a Preventative Approach**

It has been critical to adopt a preventative approach across our services and this report highlights the areas of work.

**A.8 Supporting Sustainable Development**

Not Applicable

**APPENDIX B****Background Papers/Resource Links**

None

**APPENDIX C****Midlothian's Care for People Report on the Response to Lockdown**

# CHIEF SOCIAL WORK OFFICER ANNUAL REPORT 2019-2020

Alison White  
Midlothian Council

Midlothian is a small local authority area adjoining Edinburgh's southern boundary, framed by the Pentland Hills in the West and the Moorfoot Hills of the Scottish Borders in the South. Most of Midlothian's population of 91,340 resides in or around the main towns of Penicuik; Bonnyrigg; Loanhead; Dalkeith; Newtongrange and Gorebridge. The southern half of the authority is predominantly rural, with a small population spread among a number of villages and farm settlements.

Some parts of Midlothian have seen increasing levels of economic deprivation with the associated social and health issues. This has become worse as a result of the economic downturn that began in 2009. Deprivation is most acute in the communities of Gorebridge, Mayfield & Easthouses and Dalkeith & Woodburn. The Community Planning Partnership has determined to target these three areas to more effectively address inequalities. There are also smaller pockets of deprivation within many of Midlothian's communities, specifically Loanhead, and in all communities there are households on low incomes, often combined with other issues such as disability; age; mental health; substance misuse; lone parenting or caring responsibilities.

Midlothian's current population is characterised by large young and retired segments, with the latter growing rapidly and becoming predominantly female as it ages. The impact of new-build family housing will tend to increase the younger and working age population.

Taken together, this may mean radical change in the nature and volume of service demand.

### **Summary Reflections – Key Issues**

Midlothian Council continues to operate in a rapidly changing environment. The Council recognises that reducing poverty and inequality and tackling the most challenging difficulties of disadvantage and deprivation will have a disproportionately positive impact on the wellbeing and prosperity of *all* the residents in the area.

Midlothian Council continues to face a number of challenges, including financial pressures, those arising from a rapidly growing and changing population, the need to adapt to a sustainable, resource efficient and low carbon future, and ongoing reform of the public sector.

Between 2010/11 and 2015/16 Scottish councils faced a reduction in funding of 14% in real terms; these pressures have continued over the past three years and are likely to persist over the next few years. These pressures are a compelling driver for changing the way the Council operates, adapting to financial and service demands and making sure we are better placed to take advantage of opportunities as they arise over the next few years. Changes include a reduction in workforce, new approaches to managing the Council's property and

asset portfolio and working more collaboratively with partners from all sectors to redesign models of service delivery.

The Council needs to explore opportunities for shared services and cross regional working approaches that offer potential economies of scale and strategic efficiencies. At the same time, the Council needs to implement structures and processes, which encourage localised, community-led decision making, ensuring services fit the needs of citizens.

The integration of health and social care continues to provide unprecedented opportunities to shift resources to align with partners' shared ambitions to support people to live at home. Its success will be manifest in greater coordination and focus on joint priorities; however, it will also be entirely dependent on a realistic and meaningful shift of resources from acute health services to community-based health and social care. In a climate of severe pressure on all aspects of public services, achieving this shift will be very challenging.

Discussions regarding the future of education; a review of child protection across Scotland; introduction of new UNCRC legislation, outcome of the recommendations from The Promise, coupled with the impact of Covid-19 are additional factors that need to be considered within children's services and beyond. The implications of these factors within children's services generally; and the outcome of the referendum on EU membership combine to create a climate of change. Despite the uncertainty arising from these changes public bodies must continue to support vulnerable people in a system that is structurally underfunded for the scale of need, demand and expectation.

### **Partnership Structure/Governance Arrangements.**

The law requires each local authority to appoint a Chief Social Work Officer (CSWO). This function cannot be delegated by the local authority and is unaffected by the integration of health and social care under the Public Bodies (Joint Working) (Scotland) Act 2014.

In addition to the statutory functions associated with the role, the CSWO is responsible for the management and strategic development of a range of operational services within the Council and NHS Lothian.

Public sector partners have agreed to use the Single Midlothian Plan as the strategic context for their service planning in the area and a Chief Finance Officers' Group has been established, to align budgets with priorities and support the planning cycle. Within the community planning structure the 'Getting it Right for Every Midlothian Child' Board has responsibility for the overview of integrated children's services plan. Criminal Justice and Public Protection issues are monitored through the 'Safer Communities Board' and all other Adult Social Care issues are progressed and monitored through the Strategic Planning Group for Health and Care accountable to the IJB.

The CSWO is by regulation a non-voting member of Midlothian's Integration Joint Board for Health and Social Care; and a member of East and Midlothian's Chief Officers' Group, which is responsible for the leadership, governance and performance management of the multi-agency aspects of public protection in the two local authority areas.

The CSWO chairs or is a member of 5 partnerships/committees, which monitor performance and ensure the provision of quality services in relation to child and adult protection, offender management, alcohol and drugs and violence against women.

The arrangements for public protection in Midlothian are consistent with the expectations of the Scottish Government.

## **Social Services Delivery Landscape**

### Demographic Changes

Despite the economic recession there have been significant house building developments in most of Midlothian's communities. The railway also makes the area even more attractive to commuters to Edinburgh. Midlothian is the fastest growing Local Authority in Scotland.

As stated earlier the population is ageing with the proportion of older people likely to increase significantly over the next twenty years. By 2035 the number of people over 75 years will double whilst there will be almost 3 times as many people over 85 years- approximately 4,300, the vast majority of whom will remain living in their own homes. The projected change in population by age structure within Midlothian between 2016-26 is an 18% rise in the 0-15 year olds, the highest increase across Scotland and a rise of 50% of those aged over 65. Midlothian has the fastest growing population across Scotland.

While employment rates are above the Scottish average, 12.5% of the Midlothian population have a lower income than the national average. Poorer health is consistently associated with poverty. The economic downturn has had a particularly adverse effect on areas already suffering deprivation including parts of Gorebridge, Woodburn, Dalkeith and Loanhead.

### Prevention and Early Intervention

Shifting the balance of investment in favour of services and approaches that prevent problems occurring or stop them from deteriorating can improve outcomes for citizens, reduce future demand and make more effective use of available resources. The integration of health and social care provides the opportunity to continue to embed prevention and early intervention into mainstream service delivery and take an evidenced-based approach to identifying specific priorities for localities. It also presents opportunities to redirect resources from acute health services to community based support.

### Care at Home

There are 380 care workers delivering care at home support to over 750 people. Every week 20,000 care at home visits take place, delivering 6,000 hours of care. The falls team responded to 1,297 falls, 63% of call outs were for people aged over 75. 30% of all people are living with one or more long terms condition. Delivering care at home remains a significant challenge both locally and nationally and impacts on length of stay in hospital. Midlothian continues to work with partners to develop sustainable and effective models of service delivery.

### Substance Misuse

The issue of substance misuse can be an emotive one-there is a tendency in the public mind to consider the problem as one which is self-inflicted and not fully appreciate the difficulties people have in dealing with their dependency. The impact of substance misuse is also not just on the individual but on their family and wider society. For instance 1500 children are estimated to live in households in Midlothian where one or both parents have some level of problematic alcohol abuse. The problem affects the quality of life and, eventually, the physical wellbeing of the individual; results in family breakdown; affects the sense of community and public safety; leads to crime etc. There are also approximately 920 people known to have problem drug use in Midlothian- the impact on the user and their families can be equally devastating to the effects of alcohol misuse.

The challenges described can only be met by a fully-equipped and motivated workforce. There is also a need to develop a greater sense of all staff across the different sectors working together as part of a whole, joined-up system. This will involve training and support as the move towards new models of care progresses. It will also require effective recruitment and retention policies; in areas such as district nursing and home care have an ageing staff group whilst in social care services generally there is a need to improve our retention of staff as high turnover is both wasteful of resources and disruptive to service users.

### Self-Management

The increasing emphasis on self-management and self-directed support will require a cultural shift towards a greater sense of working in partnership with patients/service users. The increased priority to be given to recovery will entail staff developing stronger motivational skills to work with people who may not have a lot of optimism about their future given the conditions they are trying to deal with, be they drug dependence, mental illness or cancer. A growing tool in the promotion of a person-centred approach has been the rollout of Good Conversation training across all disciplines.

Implementation of Self Directed Support continues to be an area of development both for social work practice and care provision. Over the last year an area of focus for Midlothian has been the development of the back office processes necessary to support the provision of more flexible support. Ensuring the embedding of personal outcomes approaches continues to remain a key focus. By taking this approach there are an increasing number of examples of creative support provision where individuals are exercising choice and control to meet their care needs using non-traditional support. This has included the promotion of direct payments and a scheme to help individuals wishing to use personal assistants recruit suitable individuals.

## Finance

The Council continues to face significant challenges from increases in demand, inflationary pressures, welfare and pension reform, increased citizen expectations and reduced Government grant income. However it has sought to protect social care budgets from the level of cuts required in other services. There is no doubt over the next few years that health and social care services will need to manage with reduced budgets, despite the ageing population and increased public expectations about service quality and accessibility.

The Children's Services budget has increased from £15,941,722 to £16,136,095, an increase of £194,373. This reflects increases in relation to pay awards and demographic and inflationary pressures on services, offset by a savings target of £270,275.

The Adult Social Care budget has increased from £42,509,000 to £45,026,459, an increase of £2,517,459. This increase includes pay awards, funding for demographic pressures on services and new monies from Scottish Government for Social Care including the uplift in the Living Wage for care workers. The budget has been reduced by a savings target of £500,000. Budget management across the Health and Social Care Partnership is overseen by the Midlothian Integration Joint Board.

This transformation programme is a continuous one rather than a structured time-limited project. Critical to success has been a culture which encourages constant exploration and evaluation of costs and benefits throughout the service with an unrelenting focus on the delivery of outcomes. (This approach does not always sit easily with the necessity for robust financial planning, to provide, from the outset, firm commitments to specific savings targets to ensure the Council has a very clear plan for financial sustainability over the coming years.)

The service transformation programmes in Adult Care and Children's Services continue. Within Adult Social Care we have moved to an arrangement of specialist teams which has helped strengthen social work practice. For example having a dedicated Learning Disability team has allowed social workers in the team to develop more in depth knowledge and skills in working with people with a Learning Disability. It has also aided better working relationship with community learning disability teams in health. This has supported the development of more efficient approaches to the delivery of care and, in the longer term, creating a local and more cost-effective service for people with complex care needs. Financial pressures continue to be an area risk with an increasing cost of care and demographic pressures. Consequently a programme of work has been established to ensure the regular review of existing packages of care to ensure they are meeting assessed

needs and being provided cost effectively. As part of this programme, of work a 'Fair Allocation of Care' policy was developed to ensure equitable decision-making.

The integration agenda with the health service may also create new opportunities for more efficient and effective working although realistically this is more likely to enable the sustainability of health and care services in the face of dramatically increasing demographic pressures.

Finally, the application of the principles of prevention, local access to services and coproduction along with greater priority on addressing health inequalities, will, in time, reduce reliance on public services. However this can only be managed on the basis of a commitment to this vision of public service delivery and realistically cannot be relied upon in the short-term as a solution to the shortfall in public service funding.

### Service Quality and Improvement

Across the Council's social work and social care service, including those adult services delegated to the Integration Joint Board for Health and Social Care, there is a wide range of quality assurance activity – from day to day operational management at a local level, to broader self-evaluation and audit, involving quality assurance staff, practitioners and operational managers. Set out below are some examples of quality assurance activity carried out in 2019/20. This activity is an important mechanism for assessing the standards of services delivered; however, it cannot address the structural issues relating to resource pressures, for example, delays in assessments and service provision. These require to be tackled by service redesign, a greater emphasis on prevention, early intervention and self-management, and by a meaningful transfer of resources from acute to community-based services. This principle applies to both adult and children's services and the management of offenders.

Service performance is reported quarterly via quarterly performance reports. Performance information is also included in the Midlothian News (e.g. annual performance supplement in the autumn). Quarterly performance reports can be found online at:

<http://www.midlothian.gov.uk/performance> Copies of Midlothian News can also be found on the Council website / intranet. In Adult Care the Joint Management Team consider a performance report at its monthly meetings.

### Adults

Within Older People's services 2019-20 was dominated by the continued challenges associated with providing care at home services although progress was made in agreeing framework agreements and the promotion of partnership working between local providers. Plans for the development of extra care housing complexes across three sites in Midlothian is ongoing with Spring 2022 proposed for completion. A review of Intermediate care and rehab services is underway to review and explore improved pathways for individuals ensuring they receive the right care in the right place at the right time. A proactive approach to early identification of frail older people is being led by local GPs and work is well developed in designing support services which will help reduce the likelihood of crisis and hospital admissions.

The Disabled Directory, updated annually provides an invaluable, comprehensive list of supports and services for disabled people, their families and carers living in Midlothian. Transport, Employment, Housing, Welfare Benefit and services to people with Sensory Impairment are issues which remain high in priority. Work has progressed to examine opportunities to provide rehabilitation services locally as part of the redesign of the Astley Ainslie Hospital. This includes reviewing specific health and social care pathways for individuals who have had a stroke. Work has also been undertaken to examine the availability and need for residential care for people with progressive illnesses and what the drivers for decisions about care placements.

The Wellbeing Service is now embedded across all twelve GP practices. It is a service providing person centred care and support: care that treats people as equal partners, focuses on personal outcomes, supports their role in managing their health and wellbeing and recognizes the importance of prevention and anticipatory care and support. Over 43% of people attending reported that they had a mental health difficulty (anxiety, depression, past trauma, eating disorder etc). The Physical Disability Planning Group is also focusing on wider health and wellbeing issues.

Within Mental Health the Midlothian Access Points in two locations assisted over 400 people to quickly access self-help resources and psychological services. More broadly mental health is a major feature of our strategic direction and service delivery in Midlothian. As a consequence, planning service redesign is now managed by the local Partnership whilst working with other IJBs to design and implement new approaches to specialist pan-Lothian services including the Royal Edinburgh Hospital.

Within Learning Disability services development of day service provision has progressed with a focus on delivering the range of day services locally to Midlothian and ensuring effective transitions to day services from school for young people with learning disabilities.

Planning for the long term housing needs of adults with a Learning Disability continues with a number of specific developments being progressed to meet these needs. A regular housing meeting ensures there is oversight of current and anticipated housing needs so a more strategic approach can be taken to provision of supported living services.

### No 11

The Number 11 Recovery Hub co-locates all mental health, substance misuse and Criminal Justice staff. A key priority for 2019/20 was to ensure that these agencies, as well as the voluntary organisations who are located in the hub, can work together in a more co-ordinated way to create healthier and safer communities. The No 11 Allocation Meeting is a positive example of collaborative working. This visionary forum brings together Health, Substance Misuse Services, Social Work, Housing, and third sector agencies and gives consideration to bespoke packages of care/support/treatment to individuals who use No 11. With a signed Information Sharing Protocol with Scottish Prison Service, Midlothian is now aware of individuals returning to our communities. The forum has seen excellent examples of holistic support being offered to services users. In-reach work in the prisons and then transitioning support to the community is now coordinated, person-centred and solution focused; involving Midlothian specific services, resources and agencies. The effective working partnerships within Number 11 enabled services to continue to work effectively with clients and patients during the start of 'lockdown'.

### Children

Over the last 12 months the number of children and young people Looked After at Home in Midlothian has plateaued. Figures for Looked After at Home are slightly higher than the national average whilst those for Looked After and Accommodated children and young people are lower in all three areas of accommodation types. There remains a real commitment to ensuring where possible all children and young people are cared for and educated within their local communities. There is significant evidence to support this ethos and practice, most notably from the young people themselves who want to remain locally.

The Reviewing Team has developed a Quality Assurance Framework to look at practice standards across the board and the role of the Independent Reviewing Officers in building up and supporting robust quality assurance processes. We currently have the equivalent 1.8 FTE Independent Reviewing Officers. We had increased the FTE on a temporary basis to take account of the 'Looked after' at home population. Through the use of technology we have deemed these position as 'remote working' which had reduced the level of travel and through doing so, increased capacity within the team.

Following the Joint Inspection of Children's Services for children and young people in need of care and protection in Midlothian which was completed in March 2020 the findings were published in September 2020. The report highlighted many strengths within the partnership and service. The Care Inspectorate reported that they were **very** confident that the partnership in Midlothian has the capacity to continue to improve and to address areas identified for improvement. There was evidence of strong partnership working at all levels and a confident and competent workforce committed to improving outcomes and experiences for children, young people and families. The priority areas for improvement were around improving educational attainment and reducing exclusions for CEYP, ensuring that transitions for CEYP moving into adult services was less variable and that CEYP have access to specialists services to support them to recover from trauma.

An action plan is being developed to ensure that there is due governance and diligence around the monitoring and tracking of the improvements across the partnership.

Although referrals into the service have continued to increase, the number of children on Midlothian Council's child protection register has been maintained and continue to sit within the national average. The joint inspection highlighted the positive impact of our Early Intervention approach across the partnership which supports the identification and management of risk at an early stage of intervention. Relationships with colleagues in partner agencies have continued to strengthen and this is supported by the work of our two early intervention and prevention development officers.

#### Income Maximisation Project

Midlothian Council is working in Partnership with Penicuik Citizens Advice Bureau (CAB) to improve the financial circumstances of families supported by the Children and Families Social Work teams. A dedicated Income Maximisation Worker based at Penicuik CAB will work with and receive referrals from Children and Families Social Work Department and work primarily with families where children are on the child protection register or are looked after.

The Income Maximisation Worker will develop a wraparound service through liaison with mental health projects, family support, AIM HI Project, specialist debt/money advice worker and linking with local organisations such as Health in Mind, VOCAL, Sure Start and Changeworks. The worker will aim to increase household income and improve the quality of life for the family, ensuring families experiencing difficulties are able to access the service.

#### Permanence and Care Excellence (PACE)

Midlothian Council are committed to providing Care Experienced children with stable, secure and nurturing families, always within the child's kin family although an alternative family is considered if the kin placement is not appropriate. The PACE programme is no longer a standalone piece of work, it is part of our everyday workload where the routine

monitoring and tracking of those who are accommodated and is undertaken by all staff and overseen by the service manager on a quarterly basis.

### Delivery of Statutory Functions

The CSWO has a number of statutory responsibilities specific to the role. These are set out in legislation and Scottish Government guidance and relate primarily to issues of public protection and the promotion of professional standards for the workforce

Registered social workers make a significant contribution to social justice and inclusion, often working at the critical interface between the state and individual liberty.

Decisions relating to the following may be expected of social workers:

Consideration of compulsory detention against their will of individuals with mental health issues

Restriction of liberty of offenders who may pose a risk

Removal of children from their parents' care.

These decisions require a careful balance between individual rights, needs and risks, both to the individual and the community. Social Workers are often required to make decisions to protect the rights of individuals, which go against the wishes and expectations of partner agencies and the public. They must balance the role of both advocate and controller in certain circumstances and are personally accountable for their professional decision making.

The Council and partner agencies have established strong multi-agency governance arrangements for public protection, from the Joint Chief Officers' Group, chaired jointly by both East and Midlothian Council's Chief Executives, to Protection Committees and a number of sub-groups focusing on performance, quality and review. Within these governance arrangements, there are a number of sub-groups which focus on child and adult protection, violence against women, drugs and alcohol and offender management.

The CSWO is the lead officer for public protection in Midlothian and this allows for the critical interface between services for adults and children, offenders and victims, and issues of both risk and vulnerability to be managed in a more integrated way.

### Child Protection

#### Multi-agency Self-evaluation

An audit was commissioned to consider whether learning from an ICR and SCR had embedded in practice following their inclusion in the previous years' public protection improvement plan. This was initiated in September 2019 and looked at actions after children's names were removed from the Child Protection Register. Several areas of positive practice were identified, which evidenced positive progress in practice.

The Inter-agency Referral Discussion (IRD) overview group continues to meet and review decisions taken at IRD, the quality of interim safety plans and whether or not effective actions have been taken to reduce risk. The Lead Officers for Child and Adult Protection have developed a framework to capture learning in a more systematic and meaningful way, to support service improvement. The IRD review group was identified as an area of good practice within the recent joint inspection of children's services.

This year a scrutiny tool was developed to support the IRD overview group in its' quality assurance function. The purpose of this tool is to identify, quantify and summarise exception reporting, identifying and highlighting IRD's that showed exceptional and or innovative practice as well as identifying IRD's that did not meet these standards. Reporting will be on a biannual basis to the Practice and Quality Improvement sub-group and then to the Public Protection Committee. The first report is due later in 2020.

### Performance Reporting

The framework for reporting on improvement actions within the public protection improvement plan continues to allow for closer oversight of improvement activity, including a repository for and validation of evidence; and gives those with lead responsibility the opportunity to seek additional support if required.

This year EMPPC agreed we would move to monitoring and reviewing our Child Protection data using the National Minimum Dataset for Child Protection Committees for Scotland. We have re-engaged well with CELCIS and have undertaken the foundation work to review and refine our Local Indicators to add to the national data set package. This will come on stream in August 2020 and the first reporting of the new data will be scrutinized at the Performance and Quality Improvement sub group in November 2020.

### Initial Case Review and Significant Case Reviews

During 2019/20 we completed one ICR and commissioned an independent Chair for an SCR. We use the learning from ICRs/SCRs to improve and promote good practice and contribute to improved outcomes for children and young people across Scotland.

We also issued one 7 minute briefings and supported multi-disciplinary teams within the Partnership to use them as a tool to learning and practice improvement and development. The dissemination of learning was overseen by the Learning and Development sub-group and the improvements in practice were overseen by the Practice and Quality Improvement sub-group.

### Summary of Achievements/Contributions

#### *Safe and Together*

We continue to embed the safe and together approach across Midlothian and remain committed to ensuring that all staff have an understanding of the core principles of Safe and Together via training and multi-agency briefing sessions. A sample audit of domestic abuse cases has demonstrated an increasing understanding of this approach and a positive impact on outcomes for women and children. We are continuing to develop the Families First Perpetrator program and will be rolling out referrals into this program to partner agencies. We acknowledge that we need to continue to develop work with perpetrators of Domestic Abuse and are in the process of introducing a developing dads group that will incorporate aspects of this into the associated program.

#### *Looked after and Accommodated Children and Young People*

We currently have 214 looked after children across Midlothian with 161 of those being Looked after and accommodated. We have 2 local care home for young people in Midlothian; 4x 1 emergency beds in the Gorebride area, another 5 x bedded house in the Woodburn area and 8 long-term external placements. In addition, we also have 44 foster caring households who look after 54 children. Another 17 children are looked after by external foster care though again, the majority of these are historical placements. We continue to place children for permanence using our agreed targets. We also continue to recruit adopters across Midlothian Council. We currently have 69 children who are looked after in kinship care although another 96 children are placed on Section 11's. We have 29 young people in Continuing Care placements.

#### *Family Group Decision-Making*

Given the outcomes of the Independent Care Review and the Promise we agreed to pilot a Family Group Decision-Making service (FGDM) within Midlothian. The purpose being to empower families and meet the recommendation set out in the associated policy

documents. The pilot commenced in October 2019 and currently consists of 0.5 FTE manager and 1.00 FTE social worker. To develop the various policies, systems and processes we established a steering group to overview and monitor the service –we were fortunate to have members of the City of Edinburgh’s FGDM be part of the group. Due to relative small size of the service in Midlothian we had to priorities areas that the service were able to focus on. We chose to concentrate our efforts on the following areas:

Pre- birth Family Meetings- all pre-birth children with a social work plan have the right to be offered a family meeting.

Children aged 0-5 who have been referred for Initial child protection case conference.

Emergency family meetings and those on the cusp of care.

To date FGDM have received 43 referrals with included support to remain at home, to explore kinship options including sustaining the kinship placement. Out of these referrals 13 did not proceed though this is comparable with other FGDM service across Scotland because this is a voluntary services and families can opt out. The others involved successful family meetings or significant pieces of work.

#### *Looked After and Accommodated Children Who Go Missing*

During 2019/20 the East Lothian and Midlothian Public Protection Office has led on an exercise to improve our multi-agency response to Looked After and Accommodated Children who go, or at risk of going missing. This has involved developing a senior oversight and an operational implementation group. The East Lothian and Midlothian Public Protection Committee agreed a local inter-agency partnership protocol, following from the national pilot. This has been supported by a series of trainings and local briefings.

The Police Scotland ‘J’ Division Missing Persons Coordinator now sits under the divisional public protection unit. A weekly intelligence report is now shared with social work partners to help identify those who most frequently go missing and target our response accordingly. The Missing Persons Coordinator is working with the Lead Officer for Child Protection to engage with local private providers and undertake briefing sessions, to ensure a consistent approach across the local authority area.

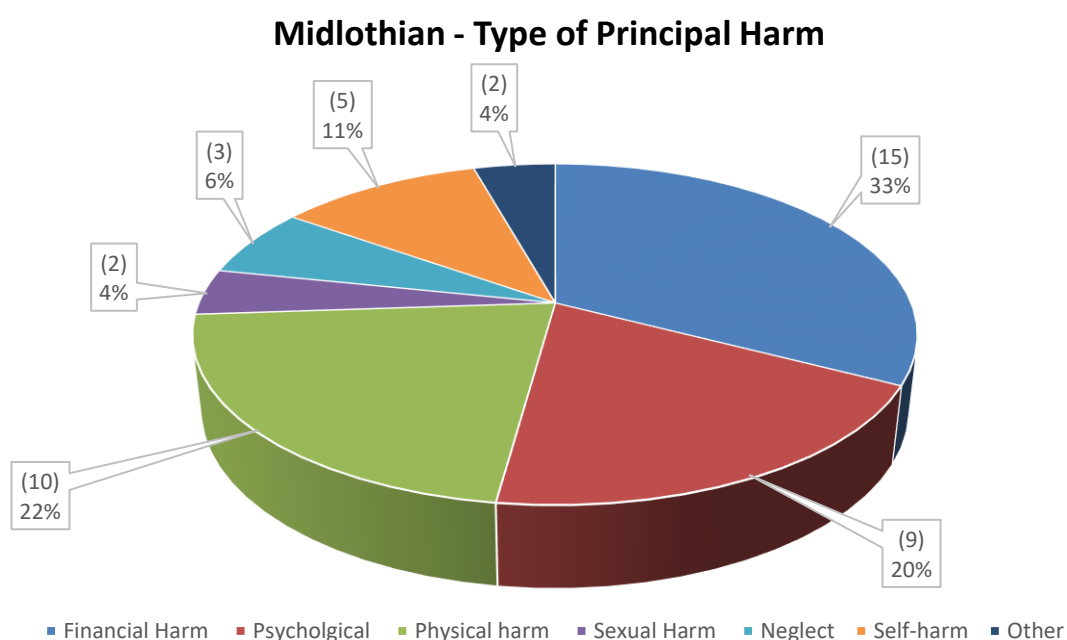
The impact of the above changes has resulted in our young people’s care homes taking a lead role in engaging and interviewing the young people who have been reported as missing from our care homes. This has resulted in more qualitative discussion and in some instances, has led to improvements in the types of intelligence shared with our partners.

#### Adult Support and Protection

As part of a wider review of fieldwork services within Midlothian a new team was developed; an Adult Support and Protection Team from 1<sup>st</sup> April 2019. The team consists of a Team Leader and three Council Officers and a Community Care Worker who focuses on the work required to meet the challenges of financial harm. The majority of Adult Support and Protection work is progressed by this team.

The main type of harm investigated by Midlothian is financial harm; this is reflective of National Data reporting. The majority of the investigations into financial harm were in relation to theft of monies within the family.

East Lothian and Midlothian Public Protection Committee endeavour to reduce the risk of financial harm by supporting national campaigns to raise awareness of these risks through the use of social media and council websites and working closely across the Partnerships with Trading Standards colleagues, Police Scotland, Citizens advice Bureau and the local branches of the financial sector.



Building on last year's successful events to raise awareness of Financial Harm in our communities, in collaboration with Police Scotland, Trading Standards, and Scottish Fire and Rescue Service EMPPC delivered a number of smaller events, targeted specifically at more vulnerable communities. These events involved raising awareness of Scams, Cold Callers, Rogue Traders and Home Fire Safety as well as providing information on how and where to report concerns about someone who may be at risk of harm.

In recognition of the National Adult Support and Protection Day 20<sup>th</sup> February 2020, EMPPC hosted an event on Self-neglect and Hoarding. This event was jointly funded by East Lothian and Midlothian Councils and the Scottish Fire and Rescue Service. We welcomed the expertise of Professor Michael Preston-Shoot, a Professor (Emeritus) Social Work at the University of Bedfordshire, England. His key message was that self-neglect and hoarding is not a “Lifestyle choice”, and requires a multi-agency response”. Self-neglect and Hoarding are complex and challenging areas of practice for staff as they have the challenges of balancing the adult’s right to self-determine and make choices with the responsibility to support and protect. 100 staff attended from a wide range of services across East Lothian and Midlothian and the event was evaluated highly.



Anne Neilson (Chair of East Lothian and Midlothian Public Protection Committee) and Denice Lilley (Lead Office for Adult Support and Protection) with Professor Michael Preston-Shoot at our Self-Neglect and Hoarding Learning Event on 04/02/20

EMPPC also launched their [EMPPC Self-neglect and Hoarding Protocol](#), which is publicly available on our website.

### Performance Framework and Improvement Plan

EMPPC are committed to the improvement of service delivery and outcomes for adults at risk of harm. The service delivery and the quality of the multi-agency response to adults at risk of harm are reviewed and evaluated each quarter through a set of Performance indicators that evaluate agency responses to: Multi-agency communication, assessment

and management of risk, support and protection planning, service user participation and timely responses for adults at risk of harm.

### Challenges and Priorities

EMPPC reported last year that seeking feedback from Service user and carers of their experience of the quality of the services provided through the adult support and protection process has proved challenging and considered this to be an area of priority. EMPPC are pleased to report their progress in this area and are now actively engaging adults and their carers in this process via the completion of a questionnaire on their experiences of the service delivery and adult support and protection processes via phone.

*"I found that everybody was very pleasant and polite and it was like they sat in my shoes and it did feel that they were looking at it from my point of view. They dealt with a very delicate situation very well"*

Feedback from adult

Although we have made progress in this area, EMPPC acknowledge that we are in the very early stages, therefore service user and carer self-evaluation remains a priority for us.

Prior to Covid 19 EMPPC delivered two development sessions for all staff across the Partnership, including third sector staff, to address the crossovers between Adult Support and Protection and Violence Against Woman and Girls, with a total of 56 staff attending.

These sessions focused on:

- Domestic abuse and inter-familial harm in older people aged 60+. This development session was delivered by the Dewis Project (a Big Lottery funded community led project based within the centre of Age, Gender and Social Justice at Aberystwyth University).
- How we see and respond to older peoples' experience of domestic abuse.
- Learning Disability and Gender Based Violence. This session was supported by the NHS Scotland Gender-based Violence Team.

In response to these sessions, our MARAC processes have been reviewed to capture the diversity of the victims referred as High Risk cases of domestic abuse. In addition, domestic abuse has been added as a type of Principal Harm within the Adult Support and Protection referral, Duty to inquire, Investigation and Case Conference processes to enable a more holistic response to Adults at risk of Harm of domestic abuse and inform EMPPC strategic response going forward. This remains a priority area.

## Violence Against Women and Girls

EMPPC's Violence Against Women Delivery sub-group, with more than twenty committed members from public and third sector services, meets quarterly and is responsible for action to deliver Scotland's Equally Safe Strategy at a local level.

### **16 Days of Activism to end Violence Against Women and Girls 25 November – 10**

**December** has been a key feature of our approach to fostering culture change and prevention in recent years. Our 2019 calendar was full of interesting initiatives from across our services. Our flagship Partnership '*Coming Together - Building Well-thy Communities*' event brought together around 70 participants including eight service users. The event featured contributions from survivors such as a testimony from one service user of the barriers she experienced her suggestions for improvement and another group presenting African drumming. A suite of presentations from service leads led to a lively and challenging discussion with women survivors on their experience of using services. As a direct result of this input a joint meeting with health and police partners took place to consider local service improvements; one service user shared her experience

and the importance of accessing specialist domestic abuse; three other service users shared poetry pieces developed at the creative writing sessions; and one other sang some popular songs and shared one of her own songs about her experience.



The international White Ribbon Campaign aims to bring men on board as allies. Midlothian Council held a White Ribbon training day with ten employees (within the 16 Days programme and their Equally Safe At Work bronze accreditation). [View them taking the White Ribbon Pledge and talking about the experience on YouTube](#) .

*“Every man needs to change their attitude (... to violence against women), and if they can do something about it then they should”*

Midlothian Council male participant

### Performance Framework and Improvement Plan

EMPPC are committed to the improvement of service delivery and outcomes for people experiencing gender based violence, the majority of whom are women and girls. The ten indicator set of key performance indicators focuses attention on the two main areas of multi-agency working: domestic abuse and rape and sexual assault. The improvement plan actions are designed to strengthen our work in relation to the indicators and the four priorities of the Equally Safe strategy. The indicators and improvement actions are monitored quarterly through the VAWG Delivery subgroup, the Performance and Quality Improvement subgroup and EMPPC.

### Challenges and Priorities

The Covid-19 pandemic has made visible the particular vulnerability of women, children and young people to gender based violence as a result of public health measures to contain the virus. This has not only increased the demand on universal and specialist services but has also highlighted the need for truly trauma-informed, person-centred services, which need to be gender competent if they are to cope with the compounded trauma from restrictions and the range of abuse with violence against women as well as other forms of abuse and neglect.

## Criminal Justice

### Community Justice

The Community Safety and Justice partnership hosted a very successful event titled ‘Introducing Community Justice in Midlothian’ on 20/11/19. This event was attended by over 80 individuals including services users, partners from Justice, health, elected members, representation from substance misuse and third sector agencies. Speakers included Karyn McCluskey (Chief Executive of Community Justice Scotland), Naomi Breeze (one woman drama performance) and James Docherty (who has professional and personal experience of navigating the care and criminal justice system). Feedback from the day was very positive.

After the event noted above, the partnership focused on rewriting the new three year plan- Community Justice Outcome Improvement Plan 2020-2023. This half-day workshop held on 19/02/20 brought together statutory partners, third sector, service users with lived experience of the justice system, elected members and Board members. ‘Inclusive Justice

Co-producing Change' by Weaver et al was used to ensure that voices, in particular of those with experience of the justice system, were heard and encouraged. Focus groups were established to look at the National Indicators which then formed the framework for writing our 40 actions.

The partnership recognised the need for a comprehensive Communication and Engagement Strategy and completed this in Spring 2020. The new three year plan (2020-23) outlines the partnership's approach towards engaging with individuals and communities. A performance framework highlights associated actions including the use of social media. Two mainstream social media platforms are used to share relevant local and national consultations, strategies and partnership movements. There were 884 posts shared on Twitter and 79 posts on Facebook in 2019/20.

### Safe and Together

To support the implementation of the Safe and Together Model in 2019, the Justice Team continues to work closely with Children and Families Social Work by offering Midlothian Families First, a structured intervention working with un-convicted male perpetrators of domestic abuse. MFF is the same as the Caledonian programme, inclusive of women and children's workers offering support, safety planning and advocacy services for partners, ex-partners and children. MFF are now open to referrals following contact with police.

### MAPPA

Quarterly data, accompanied by an analytical narrative is used to monitor performance and provide a level of scrutiny and assurance. At the end of quarter 4 (2019/20), the total number of sexual offenders subject to MAPPA at the period end date was 43; the lowest in the reporting year. The number of sex offender cases managed at MAPPA Level 1 at the period end stood at 40; again the lowest in the reporting year. There were no sex offender cases managed at MAPPA Level 3 during the reporting year.

In 2019/20 there were four Serious Incident Reviews completed within Midlothian. Of the four cases, three were progressed as Initial Analyses, whilst one was considered using the Comprehensive Review framework. All were considered as appropriate and signed off by the Care Inspectorate. An internal SIR review was undertaken by the previous Service Manager for Justice in order to identify learning opportunities for the Justice team. Data analysis showed that each of the individuals involved in an SIR were 18-26 year old men who had complex tri-needs (Justice involvement, substance misuse and poor mental health). From this review, the team developed a referral system into the established No 11 Allocation Meeting (multi- disciplinary team offering bespoke packages of care). This allowed for the identification of support packages for this group of men involved in the Justice system. Further, Midlothian Justice created a new Desistance Team Leader post to

look at supporting future service design and delivery for men on Community Payback Orders.

To further aid our supervision and monitoring, Midlothian Justice has a licence with 'ESafe'. This agency facilitates the monitoring of home computer devices to assess an individual's internet use, thus providing a further level of unique risk assessment/management. Midlothian Justice will continue to develop links with this agency to determine if further licenses can be purchased when necessary.

#### Women's Group Work Service – Midlothian Spring Service

The Spring service is relevant to Public Protection due to the number of women attending the service who have experiences of childhood abuse and domestic violence. All women on a Community Payback Order are considered for the Spring service. The service offers one to one support and programmed group work. Through support offered, opportunities are created to cope with difficult and stressful situations, manage complex emotions, build self-esteem and reduce isolation, improve health, wellbeing and safety and access a range of supports. In 19/20 there were 20 women referred to spring with 18 active users. Women made progress in all ten areas of the Outcome Star assessment tool (e.g. managing mental health, progress made was 64%). 25 women started phase 2 (group work), up from 12 the previous year.

#### Women's Supper

A complementary women's service is the 'Women's supper'; an example of a true community partnership project. The service was introduced following identification of a gap in service for a women only space to feel safe and feel less isolated and access services should they so desire. The Women's Social Supper was created in October 2019. Staff from Justice Social Work including Spring, Substance Misuse staff, Change Grow Live, Children's First, Horizon's Cafe and Mid and East Lothian Drugs provide support, encouragement and signposting to the women and children as well as the various activities each week. Access to Industry, Midlothian Housing, Health in Mind, Peer Support, With You Support Service, Citizens Advice Bureau as well as NHS Sexual Health staff have provided various services including dishwashing and food service and support to the women that attend. From October 2019 to March 2020, over 300 women and 100 children have attended.

#### Unpaid work

The 2019/20 financial year saw a new approach taken to the delivery of unpaid work in Midlothian. Following the conclusion of a service review in 2018/19 the team worked alongside community groups and organisations to undertake a variety of projects that have sought to promote clients' engagement in their communities whilst making reparation (payback) to those communities who experience the highest levels of crime and anti-social

behaviour. This has been a significant change in the practice of the team where in the past groups would often work alone in isolated rural locations and organisations knew little about the support the team could provide. This new approach has supported communities with initiatives including food and clothes banks, developing a community garden and community hub, gardening and maintenance work at a project for young people, creating a memory garden for a project supporting people with dementia and helping support the set-up of Midlothian's first early years outdoor nursery. Developing and maintaining the close working relationships with community groups allowed the Justice team to support these organisations and communities as they started to deal with the impact of Covid 19 in March 2020. The team supported the establishment of food banks providing hot food to the most vulnerable in the community and also assisted by delivering hot food and food parcels and in supplying the food banks by transporting donated food from supermarkets.

Alongside working in partnership with community groups and organisations the Unpaid Work Team have sought to target work on behalf of the most vulnerable members of our community. To this end we have met with colleagues from social work and NHS to promote the work that our team could do to support their clients and their interventions. This resulted in our Team receiving 170 referrals during the 2019/20 year to undertake projects for people with mental health problems, disabilities, financial problems and support needs that qualify them for social work support and intervention. This is a significant increase of 36% in referrals from the previous year when we undertook projects for around 125 individual beneficiaries. Examples of the work that we have done has included supporting the mental health team renovate a client's home to allow them to move to accommodation more suited their needs. We supported another mental health case by helping the social worker clear the house of a hoarder who was creating a fire risk in their home. Other work has included gardening to allow a disabled person access to their garden. Having formed these contacts with social work and NHS we were able to help services respond quickly to individual need when the Covid-19 situation developed. One example involved us assisting the NHS and community care colleagues furnish a property to allow a person with physical disabilities to leave hospital at a time when demand for hospital beds was increasing. Undertaking more work for individual beneficiaries has helped motivate clients who have reported being more motivated to undertake their Order as they can see the direct benefit for the beneficiary. Some quotes from clients includes:

"the changes in unpaid work have been brilliant. It's so different. We are helping people who without us would have nothing"

"in the past unpaid work was boring the supervisors didn't give us much to do, the day really dragged. The new guys have been great. We now help the elderly and do work that means something. I actually want to be here"

"I look forward to coming in. It's an amazing feeling being able to help. One old woman had no family and we were able to help clear her garden and make things better for her"

"I truly enjoyed my time and feel like I have immensely contributed to the community".

### Service User and Carer Empowerment

Capturing feedback and engaging with service users play an increasingly important role in shaping and evaluating services provided by the Council and partners. With the move towards more devolved locality working, service users will have a more significant say on the shape and development of services going forward

The introduction of the Community Empowerment Act, which aims to "help empower community bodies through the ownership of control of land and buildings and by strengthening their voices about public services" takes service user engagement a step further. Meaningful engagement of citizens using collaborative and co-productive approaches continues to grow.

### Midlothian Champions and Participation of Children and Young People

Midlothian Champions Board has developed a range of participation methods which have been developed to maximise opportunities for all our Care Experienced Young People to engage. These include:

#### Participation:

- Fortnightly core Champions group: This is our most developed group and consists of a regular cohort of attendees ranging in age from 12 to 23 years.
- Monthly Care Leavers Group: This group was formed to address specific issues such as housing and employment which were not always relevant for our younger core group members. Interestingly, most members of the care leavers group still attend the fortnightly core group.
- Pathways to Champs: Education provide funding for our Participation Assistant to facilitate a small group within Midlothian's education provision for those not in mainstream school. This occurs weekly term time.
- Monthly Satellite School Groups: We have successfully piloted lunch time satellite drop in sessions across all high schools.
- Quarterly Mini Champs: This is an informal arts based group for under 12's and has been designed to introduce the Champions Board to younger children and their

carers. These are always very popular and at our last group in April, we had over 60 individuals attend which include young people, parents, grandparents, foster carers, adopters, and kinship carers.

- Young Parents Champions Group: This was developed by a Social Work student, who is also heavily involved with our Champions Board, as part of her placement at a Children's Centre. This group is for Care Experienced parents who are receiving statutory social work intervention in response to child protection concerns.
- Social Media: Facebook, Instagram and Twitter.
- Facebook Care Experienced Family Group Chat: Over the years we have seen our family group chat evolve to become the most reactive forum in terms of seeking the views of our young champions.
- Feedback from children, young people and their families is sought following reviews and conferences and for children looked after at home the Independent reviewing officer did consultations with the children and young people on how to manage the meetings and agreeing what paperwork was helpful for their reviews. This included having a picture of the reviewing officer so that young people and their families knew who they were meeting when they attended the meeting.
- Hawthorn Children's Centre have engaged with children and their families around how to change and improve the service currently on offer. Their feedback is supporting the review which will take place in Autumn 2020.

The purchase and subsequent launch of the Mind Of My Own app in April 2017 has significantly contributed to improving service user's participation. An increasing number of children and young people are becoming more involved in giving their views on matters concerning to them. Midlothian has won several national awards in the last year due to the high level of usage.

#### Involvement of Users in Adult Services

The Criminal Justice Social Work team has also worked hard to consult with service users and beneficiaries about the services provided. All service users are interviewed at the end of every order or license and asked a series of questions about their experience of the service and the outcomes in relation to their lifestyle, behaviour and attitudes. In addition to this, a feedback form is provided to all beneficiaries of Unpaid Work to gather information about their experience of the work being carried out and their satisfaction with the end result. An interactive facility has also been created on the Council's website to enable members of the public to suggest ideas for Unpaid Work projects, provide feedback on existing projects and request information about how offenders are supervised in the community.

The membership of the Midlothian Integration Joint Board includes two places - one for a member of the public with experience of using health and social care services and an unpaid carer. There is also the opportunity to sit on the Strategic Planning Group and be involved in other sub groups of the Board, particularly the local joint planning groups.

The need to change the relationship between statutory agencies, their partner organisations in the third and independent sector and citizens and communities is at the heart of transformation in Midlothian. The promotion of good conversations, which empower citizens to take more control over their health and wellbeing and make increased use of community assets, is a strategic priority for both the Council and the Integration Joint Board.

### Involvement and Support of Carers

Carers are recognized as key partners and contributors to the shaping of strategic planning and delivery of services in Midlothian, demonstrated in local carers having provided significant contributions in roles as Carer Members on the Midlothian Integration Joint Board and Midlothian Strategic Planning Group. Implementation of the Carers (Scotland) Act 2016 (April 2018) resulted in the combination of the existing aims of the Midlothian Health & Social Care Strategic Plan relating to prevention/early intervention and increased ability to manage long term conditions in the community; along with the design of the Carers Act legislation designed to support carers' health and wellbeing and aiming to help make caring more sustainable. Both documents recognize the necessity and impact of caring, and the importance of early intervention and availability and provision of support for sustainability. Following successful participation in pilot work testing aspects of the Carers legislation during 2017, Midlothian HSCP took steps to share the responsibility of completing Adult Carer Support Plans with VOCAL Midlothian beginning in October 2018. This resulted in a higher consistency in the type of support planning offered, a significant increase in the number of carers undertaking support planning, whilst also improving choice and flexibility to carers in who they choose to complete this with.

Support resulting from the development of plans is accessed from a variety of sources dependent on individual outcomes. Direction and signposting to community and universally accessed supports for information and advice is utilized alongside targeted support for carers from condition specific resources and VOCAL Carer Centre, and also individualized budgets from Midlothian HSCP as required. Significant areas of work that continue to be developed relate to Short Breaks (production and publication of Short Breaks Service Statement) and Carer Emergency Planning; both of these areas of work again directed by the new act but sharing the HSCP agenda of prevention, self-management/future planning and sustainability.

Children's service has responded to statutory changes in legislation in terms of the implementation of the new Carers (Scotland) Act (2016); work was undertaken with Adult Services, Education and Children 1<sup>st</sup> Young Carers to ensure processes were in place for the Act coming into effect on 1<sup>st</sup> April 2018. The eligibility criteria and assessment process (Young Carers Statement) is now in place and awareness raising has been undertaken via partner organisations and information posters and leaflets circulated Midlothian wide.



### Complaints

Whilst complaints remain low they are a useful tool to monitor performance and look for cross-cutting issues and themes. A common theme of complaints throughout the year centred on the delivery of service provision from externally contracted providers.

Significant changes in contracting arrangements and the use of Large Scale Investigations to monitor concerns was utilised

### Self-Directed Support

The Social Care (Self Directed Support) (Scotland) Act 2013 was intended to give people eligible for social care support greater choice and control. Midlothian has had a focus on embedding outcomes within social work practice. To support this we have also undertaken work to review and streamline commissioning arrangements to facilitate choice and control in service provision.

## Workforce planning and development

The development of the workforce remains a key priority for the Council and for Midlothian Health & Social Care Partnership. A continuing programme of Learning and Development for the social care workforce using a variety of approaches has been employed with competency assessment being an integral part of some areas of practice. The following gives an overview of the ongoing work of the team:

### Children & Families and Practice Education

Development opportunities were re-instated in 2019 enabling staff across all children and families services to learn and contribute alongside their colleagues (including Children's panel members, foster carers and fostering panel members). Themes for the four days that ran during this period were: Getting to know our own services; Family Group Decision Making; staff wellbeing and resilience and permanence research (presented by Helen Whincup from Stirling University).

**Domestic Abuse and the Safe and Together model:** there are now 42 practitioners ('Champions') trained to utilize the model and associated tools and principles in their practice and to raise awareness of the model. A 90 min briefing session was designed combining an introduction to Safe and Together with updated information on the Domestic Abuse (Scotland) Act 2016 and other key supports in Midlothian. These sessions were delivered to children & families services staff as well as to health & social care staff, primary school head teachers, and health staff as well as to community council chairs. Since March 2020, this training has been adapted for online delivery and continues to reach and inform a wide range of staff across Midlothian.

Regular training has continued including child protection level 1 training and the seven day Effective Practice course enhancing staff's and knowledge and application of theories and practice around attachment, resilience, abuse and neglect and working with trauma.

In January 2020, Midlothian partnered with the Centre for Youth and Criminal Justice (CYCJ) at Strathclyde University, to facilitate a local delivery of the Scottish Government-recommended START-AV training for working with young people at high risk of offending.

Staff continue to undertake a range of Post-Graduate courses, including the Certificate in Child Welfare and Protection (Stirling University); Relative Matters course in kinship care and permanence (Adoption and Fostering Alliance (AFA), Securing Children's Futures (AFA) and the BA in Childhood Practice at Edinburgh College.

### Practice Learning

Midlothian Council continues to provide high quality student placements - 15 in total over the year. These involved students from the Open University, University of Stirling, University of Edinburgh and from the new PG Social Work degree course at Napier University. The team continues to work closely with key staff from the universities, including very close collaboration in responding to the challenges presented to student learning in social work by the Covid-19 pandemic.

Two members of the team have completed the training for trainer's workshop 'Transforming Psychological Trauma Framework. Online delivery of Level 1 training has now commenced.

### Training to support front line staff

Our contract with NHS Lothian Manual Handling Service ensures that we continue to provide a successful rolling programme of competency assessment using the Scottish Manual Handling Passport across social care services. An evaluation of this model evidenced that staff find this new model more beneficial because they receive support in

the workplace. In addition utilising the expertise of the NHS Lothian Manual Handling Service has proved useful for Occupational Therapists dealing with complex moving and handling situations alongside working with the Occupational Therapy team leaders on the implementation of a train the trainer course for Housing Solutions training.

We continue to deliver existing medication practical training for social care staff in addition to developing bespoke training sessions to support our care home services in partnership with Pharmacist colleagues. Providing medication workshops for staff to feedback about practice issues resulting in the design of practice guidelines.

The delivery of palliative care education using the Macmillan Foundations in Palliative Care resources has been done in partnership with health colleagues.

Other highlights include:

- Developing resources to support digital learning using our online e learning platform (Learnpro).
- Continuing to design bespoke team development days using the team development toolkit
- Participating in and supporting the Positive Behaviour Support steering and training group
- Continuing to deliver in house Level 1 Adult Support and Protection Training for new staff and providing reflective practice workshops about specific Adult Support and Protection issues.
- In partnership with NHS Lothian's clinical education team, we are implementing vital signs training for senior staff in the care homes and extra care setting.
- A new online PDA in Supervision is being trialled this year through Perth College with 12 staff nominated to start the course in January
- Our Team Teach Coordinator continues to support staff across all disciplines to learn how to reduce and manage conflict. A new cohort of Intermediate Tutors were trained in February 2020.

#### The SVQ Assessment Centre

The team continues to deliver and support frontline staff to achieve qualifications in Social Care, Childcare, Leadership & Management, Direct Management, Learning & Development, and Core Skills at various levels to meet the registration requirements for the SSSC. Thus ensuring our workforce have the skills and knowledge to meet service user's needs across the disciplines.

Delivery of Foundation Apprenticeships for S5 and S6 pupils continue in Midlothian's health & social care and children services to meet the needs for developing career opportunities for this age group. Modern Apprenticeships continue to be delivered and the team are looking to access Graduate Apprentices in future.

Increasing pressure on frontline staff whose priority is delivering care means that releasing staff to attend face to face training remains a challenge. The use of online platforms such as MS Teams is being developed and the team will collaborate to consider how to best convert some of the more practical elements of training into the virtual learning environment.

Regardless of the format of training the Learning and Development team works in close partnership with operational colleagues to ensure essential and bespoke staff training requirements are met, effectively and within acceptable timeframes.

## Key Challenges for Year Ahead

The fundamental aim of the Service is to commission and provide the best quality services for citizens of Midlothian. To achieve this aim there are a number of key service objectives described below which will help the move towards meeting more effectively the social, economic, health and care needs of the community:

Achieving service and business improvements identified through external inspection reports, internal audits, self-assessment analyses, 'Best Value Reviews' and feedback from users and carers.

Responding to recent legislation including full implementation of changes in relation to Integration of Health and Social Care; Self-Directed Care and the UK Welfare Reform, alongside forthcoming legislation in relation a new duty of Candour and the creation of an offence of wilful neglect. The Service continues to respond to national strategies including the 2017-27 Mental Health Strategy; the British Sign Language Act and the new Carers legislation.

In collaboration with partners, ensuring effective protection of adults at risk including those in transition from school to adult life. The Public Protection arrangements supports a whole lifespan approach. It also provides the opportunity to embed 'trauma' informed practice.

Ensuring that services for older people are sustainable and able to respond to the rapidly ageing population and growing numbers of people with dementia.

Ensuring services are managed within agreed, increasingly tight budgets to meet growing demand and complexity of need through increased targeting to those in greatest need;

maximum efficiency through service reviews; and developing partnership working with neighbouring LAs and other agencies.

Working closely with the statutory partners, the voluntary and private sector to deliver community planning outcomes in tackling inequalities, applying the three key approaches of prevention, coproduction and local access.

Ensuring services improve and change through clear strategic planning and direction and are supported by robust performance management frameworks and a positive performance improvement organisational culture.

Managing the programme of delivery, service redesign and retendering.

Ensuring leadership capabilities and workforce capacity continue to develop in a coherent planned way to meet changing needs of our citizens. This will involve workforce planning across all sectors and the delivery of the learning and development strategy

Strengthening the joint delivery of health and care services. In particular implementing arrangements to integrate services substance misuse and mental health including the development of recovery hub and developing more integrated arrangements in Learning Disability Services.

In collaboration with partners, ensuring effective protection of people at risk including those in transition from school to independent adult life

Ensuring that we can meet the needs of children and young people locally.

These objectives will be pursued within the new context of integration with an increasing emphasis on promoting prevention and recovery, on addressing health inequalities and working more effectively at a local level with users, carers, the third sector and private providers.

**MAPPA Annual Report for 2019/20 (which was published on 13<sup>th</sup> November 2020)****Report by Alison White, Chief Social Work Officer****Report for Noting****1 Recommendations**

Council is asked to: consider this report as a cover report for the annually published MAPPA report 2019-2020. The full report is attached.

**2 Purpose of Report/Executive Summary****Background:**

Edinburgh, the Lothians and Scottish Borders Multi-Agency Public Protection Arrangements (MAPPA) have published the 2019-2020 Annual Report. This report details roles and responsibilities, achievements, strategic overview arrangements and statistical information.

MAPPA was established in Scotland in 2007 to co-ordinate the response of a range of agencies in the management of registered sex offenders and restricted patients. In March 2016 MAPPA was extended to include violent offenders assessed as posing a risk of serious harm. A Joint Thematic Review took place in 2015 and was carried out jointly by the Care Inspectorate and HMICS. The Joint Thematic Review found that MAPPA is well established across Scotland and that robust arrangements are in place to manage registered sex offenders with good information sharing and partnership working.

**Date 25<sup>th</sup> November 2020****Report Contact:**

Name: Fiona Kennedy- Service Manager- Community Justice.

## **1 Background/Main Body of Report**

### **Statistical Data:**

The MAPPA Annual Report for 2019/20 showed no significant changes or trends from the previous year. 916 registered sex offenders were managed in Lothian and Borders over this period with 824 being managed at Level 1, 90 at level 2 and 2 at Level 3.

Of those 916 register sex offenders 14 were convicted of a further offence (group 1- non-sexual crimes of violence and group 2- sexual crimes).

To give local context, at the end of quarter 4 (2019/20) the total number of sexual offenders subject to MAPPA at the period end date was 43; the lowest in the reporting year. Similar to the overall picture in Lothian and Borders, the vast majority in Midlothian were managed at Level 1 (40 individuals at the end of the reporting period). There were no sex offender cases managed at MAPPA Level 3 (in Midlothian) during 2019-2020.

Further, Midlothian has supervised four Category 3 extension service user over 2019-2020. Three individuals were managed for a period of around 6 months whilst one individual remains managed as a Cat 3 under MAPPA. Each of the individuals were discussed at extensive multi-agency pre-release planning meetings with a range of agencies feeding into the process. Comprehensive risk management plans were then devised to assist in the management, supervision, monitoring and scenario planning for each person.

### **Environmental Risk Assessments (ERAs):**

The Scottish Government published updated National Accommodation Strategy for Sex Offenders in Scotland (NASSO) guidance in September 2019. Midlothian continues to assess and review all sexual offenders in line with this guidance. These are now subject to review, in line with guidance, and this process is supported by partners in Police Scotland and across the Council and Health & Social Care Partnership.

### **Community Intervention Services for Sex Offenders (CISSO):**

This service continues to support the risk management of partner agencies through the delivery of community-based group treatment programmes and individual interventions, addressing the behaviour and attitudes associated with sexual offending.

Over the 12-months until March 2020 a total of 51-men were involved in group work programmes delivered by the project, with a further 19-individuals seen for individual interventions. Midlothian continues to work closely with the CISSO team for consultation and intervention delivery.

### **Training and Development**

In May 2019, Midlothian Council hosted a multi-agency MAPPA presentation to local councillors. The aim of this event was to promote understanding relative to the assessment of risk and management of registered sex

offenders and violent offenders assessed as presenting a serious risk of harm who are living in our communities.

In November and December 2019 the MAPPA Co-ordinator delivered Level 1 and 2 chairs training to those new to the role.

In March 2020 the Lothian and Borders Strategic Oversight Group (SOG) hosted a half day training event on the management of young people who present a serious risk of harm as they transition into Adult Service and management under MAPPA.

## **4 Report Implications (Resource, Digital, Risk and Equalities)**

### **4.1 Resource**

There are no resource implications in this report.

### **4.2 Digital**

There are no digital implications noted.

### **4.3 Risk**

The MAPPA process makes a significant contribution to the management of risk and the protection of the public in Midlothian.

The East and Midlothian Offender Management Group is working to a plan that identifies improvement actions for the management of high risk offenders in East and Midlothian. In turn this group reports to the Public Protection Committee and the Critical Services Oversight Group.

While this is a challenging area of work, there is no evidence of any concerning performance in Midlothian. Justice social workers are highly skilled and extensively trained in risk assessment and management of sexual offenders and high risk violent offenders and in delivering accredited interventions to support behaviour change. We continue to analyse and learn from Serious Case Reviews from around the country when they are published.

### **4.4 Ensuring Equalities**

Not applicable.

### **4.5 Additional Report Implications (See Appendix A)**

The MAPPA Annual Report is accessible to the general public. A range of community engagement activities have taken place in Midlothian over the past few years about the MAPPA process and this engagement programme will continue with a date planned in January 2021.

## **Appendices**

The full report is attached.





# MAPPA

Edinburgh, the Lothians and Scottish  
Borders Multi-Agency Public  
Protection Arrangements

ANNUAL  
REPORT  
2019-2020

# MAPPA

Edinburgh, the Lothians and Scottish  
Borders Multi-Agency Public  
Protection Arrangements

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# 1

# Foreword

**MAPPA**

Edinburgh, the Lothians and Scottish  
Borders Multi-Agency Public  
Protection Arrangements

## Foreword

The purpose of the Multi Agency Public Protection Arrangements (MAPPA) is public protection and the reduction of serious harm. MAPPA aims to achieve this by providing a framework for partners in Edinburgh, the Lothians and Scottish Borders to share information, jointly assess risk and then deploy our resources proportionately to target those offenders we have assessed as presenting a risk of serious harm to the public. MAPPA is not a statutory body in itself but is a mechanism through which agencies work together in a coordinated manner to protect the public. Our utmost priority is to keep the public safe, particularly the most vulnerable members of our communities.

Re-offending by registered sex offenders is low, and our staff are determined to reduce both the risk posed by these offenders and the likelihood of re-offending. However, managing these offenders in the community

is not without risk and therefore it is essential that we work collaboratively to ensure that all reasonable steps have been taken to reduce the risk. We recognise that the impact on a victim can be profound, long-lasting and reach into all aspects of their lives. Managing the risks posed by offenders within the community is a complex task, cutting across the organisational boundaries of local authorities, police, prisons, housing and health services. Working together is effective as we can achieve far more than any one agency acting alone. I hope this annual report helps to explain the work undertaken by all agencies in our area and provides an insight into local public protection arrangements, which help to make our communities safer.

**Jackie Irvine**  
**Chair Edinburgh, the Lothians**  
**and Scottish Borders**  
**Strategic Oversight Group**

# 2

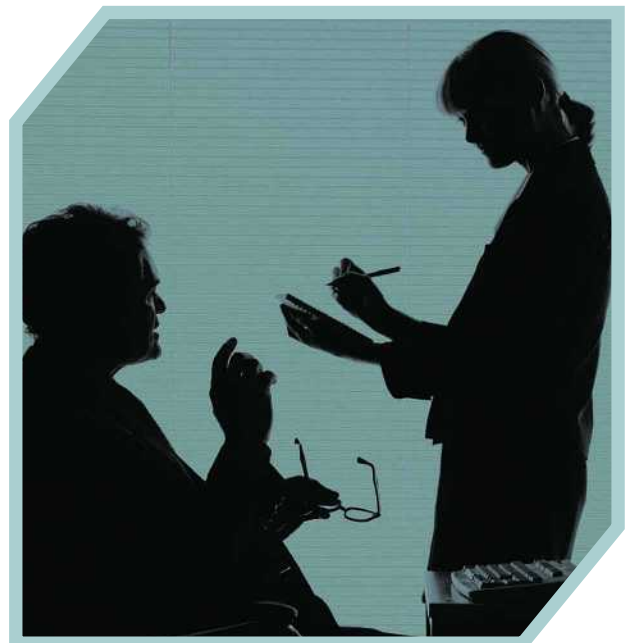
## What is MAPPA?

### Multi-Agency Public Protection Arrangements in Edinburgh, the Lothians and Scottish Borders

Multi-Agency Public Protection Arrangements (MAPPA) provide a framework to manage the risk posed by registered sex offenders and restricted patients (mainly violent offenders, with a small number of sex offenders). On 31 March 2016, the Scottish Government published new MAPPA Guidance. This guidance reflects the new risk of serious harm category 3, for offenders who by reason of their conviction are subject to supervision in the community, and are assessed by the responsible authorities as posing a high or very high risk of serious harm to the public, which requires active multi-agency management at MAPPA Level 2 or 3.

# MAPPA

Edinburgh, the Lothians and Scottish  
Borders Multi-Agency Public  
Protection Arrangements



MAPPA brings together professionals from the police, social work, housing, health and the Scottish Prison Service in Edinburgh, the Lothians and Scottish Borders. These agencies are known as the 'responsible authorities'. While the arrangements are co-ordinated by a central unit based in Edinburgh, the practical management of offenders remains the responsibility of these agencies at local level.

Community Justice Authorities ceased to exist on 31 March 2017, however, MAPPA continue to operate under the Management of Offenders etc (Scotland) Act 2005 and the boundaries previously covered by the Edinburgh, Lothian and Scottish Borders Community Justice Authority will remain. The area covered by our arrangements incorporates the local authority areas of the City of Edinburgh, East Lothian, Midlothian, West Lothian and the Scottish Borders, representing a mixture of urban and rural areas.

The responsible authorities represented are:

- » The City of Edinburgh Council
- » East Lothian Council
- » Midlothian Council
- » West Lothian Council
- » Scottish Borders Council
- » Police Scotland
- » Scottish Prison Service
- » NHS Lothian
- » NHS Borders

There are three MAPPA management levels to ensure that resources are focused where they are needed most to reduce the risk of harm. Over the course of this annual reporting year, we managed 916 registered sex offenders under MAPPA; 89.95% (824) at Level 1; 9.82% (90) at Level 2; and 0.21% (2) at Level 3.

Over the past year, there have been 63 MAPPA Level 2 meetings across Edinburgh, the Lothians and Scottish Borders, which managed RSOs and serious risk of harm violent offenders. Each Level 2 meeting will consider a number of offenders. A Level 3 meeting will only consider one offender and there were 14 Level 3 meetings convened during the reporting year, of which, 6 meetings related to RSOs and 8 meetings related to serious risk of harm violent offenders.

The 2019/20 MAPPA National Annual Report provides a picture of the main national developments in relation to MAPPA and can be viewed on the Scottish Government website under recent publications.

# 3

## Roles and Responsibilities

**MAPPA**

Edinburgh, the Lothians and Scottish  
Borders Multi-Agency Public  
Protection Arrangements

The responsible authorities for each area are required to involve other key agencies in the management of offenders. This is an important part of MAPPA, involving the exchange of information and drawing on the collective knowledge and expertise of numerous agencies. The roles and responsibilities in relation to MAPPA in our local area are outlined below.

Police Scotland is responsible for the enforcement of the notification and compliance requirements of the Sexual Offences Act 2003 (sex offender registration), and for policing activities, including risk assessment, preventative/monitoring strategies, coupled with investigation and prosecution of any registered sex offender who re-offends. Responsibilities include: maintaining an accurate record of those offenders resident in each local authority area subject to the notification requirements; the creation of risk management plans to mitigate or reduce risk; making enquiries where such persons fail to comply with the requirements placed on them and managing sex offenders whose current behaviour is of concern. Police Scotland is the lead responsible authority for those community-based registered sex offenders who are not subject to any other form of statutory supervision. These duties are carried out in partnership with all responsible authorities and 'duty-to-cooperate' agencies.

The local authority is the responsible authority for registered sex offenders who are subject to statutory supervision. The Council's justice social work service is responsible for the supervision of such offenders, but housing, adult social care and children and families services also play a key role in the management of sex offenders in the community.

Justice social work makes a significant contribution to public protection by supervising and managing registered sex offenders in accordance with the requirements of MAPPA and other public protection-related legislation.

Social workers supervise offenders on community payback orders and prisoners who have been released subject to formal supervision. Social workers are required to use accredited risk assessment tools, and in collaboration with other agencies, develop plans for the risk management and supervision of offenders. Social workers can request that additional requirements or conditions be placed on orders and licences by the courts and the Parole Board. These requirements and conditions can range from restrictions relating to accommodation and employment, to instructions to avoid certain locations or victims, or to attend counselling or treatment programmes. These requirements and conditions allow social workers to monitor and influence aspects of offenders' behaviour, as breaches of requirements or conditions can lead to the court or Parole Board returning the offender to custody.

Each local authority in Edinburgh, the Lothians and Scottish Borders has a Sex Offender Liaison Officer (SOLO) or Lead Officer, in the justice social work service, who acts as a single point of contact for information relating to registered sex offenders. They are responsible for chairing risk management case conferences and liaising with other agencies as appropriate.

Local authority housing SOLOs are responsible for offenders' access to housing, which includes accessing temporary accommodation and identification of suitable permanent housing.

Registered social landlords, as 'duty to co-operate' agencies, work with the local authority housing SOLO to identify positive housing solutions, which contribute to public protection.



The role of the housing service is to contribute to the responsible authorities' management of risk through:

- » providing suitable accommodation
- » contributing to environmental risk assessments to ensure accommodation is appropriate
- » liaising with the responsible authorities regarding the ongoing management and monitoring of the risk of the offender as a tenant, including any tenancy moves or evictions
- » having regard to community safety and having in place contingency plans for when a property is no longer suitable and/or the offender's safety is at risk.

The local authority is responsible for ensuring the development of a strategic response to the housing of sex offenders. However, in any local authority area there is likely to be a multiplicity of housing providers, and local authorities must involve and consult registered social landlords in their area when developing their strategic response.

It is the responsibility of the local authority to provide an initial single point of contact for accommodation requests from other responsible authorities. This single point of contact is the housing SOLO, whose role involves:

- » identifying the most appropriate housing provider, following risk assessment
- » ensuring that when an appropriate housing provider has been identified, they are included by the responsible authorities in liaison arrangements relevant to the identification of appropriate housing and the management of risk
- » liaising pro-actively with responsible authorities and housing providers regarding ongoing risk management and community safety issues.

NHS Lothian continues to play an important role in MAPPA locally, through being the responsible authority for mentally disordered restricted patients, and in fulfilling its wider duty to cooperate in the management of violent offenders and registered sex offenders.

NHS Lothian has a Public Protection structure (including child protection, adult protection and MAPPA), which is the responsibility of the Executive Nurse Director at Health Board level. There is a Director for Public Protection, a MAPPA Health Liaison Officer, alongside Designated Consultants for MAPPA (who are consultant forensic mental health clinicians). The aim of the NHS Lothian structure and input is to provide governance for NHS Lothian's contribution to MAPPA and to ensure that health issues (including mental health, physical health, staff and patient safety, information sharing) that arise in relation to MAPPA cases are dealt with appropriately. The Director for Public Protection attends all level 3 MAPPA meetings; SOLS representatives attend all level 2 and level 3 MAPPA meetings; and the Health Liaison Officer attends all level 2 and some level 3 MAPPA meetings.

NHS Borders also makes an important contribution to MAPPA. A consultant clinical psychologist from the learning disability service and a nurse consultant from the vulnerable children and young people service attend all Level 2 meetings, and the associate director of nursing attends all Level 3 MAPPA meetings.

## Community Intervention Services for Sex Offenders (CISSO)

This service continues to support the risk management of partner agencies through the delivery of community-based group treatment programmes and individual interventions, addressing the behaviour and attitudes associated with sexual offending. In addition, staff provide assessments and offer advice and consultation to criminal justice social workers in Edinburgh, the Lothians and Scottish Borders. Up until lockdown measures came into effect in March 2020 the service continued to deliver the group work programme for sexual offending, Moving Forwards: Making Changes (MF:MC). The CISSO team provided a range of MF:MC groups that ran weekly, including daytime and evening groups, with an adapted version of the programme run for men with lower cognitive functioning. The service also continued to deliver a specific Internet Offending Behaviour Programme on a bi-annual basis, providing places to 16 men per annum. Over the 12-months until March 2020 a total of 51-men were involved in groupwork programmes delivered by the project, with a further 19-individuals seen for individual interventions. CISSO has also continued to respond to a small number of referrals for individuals who have not been convicted for a sexual offence but have expressed concern about the nature of their sexual thoughts. 2-individuals worked separately with the CISSO senior practitioner on a voluntary basis for intervention around managing problematic sexual interests.

COVID-19 lockdown measure introduced in March 2020 resulted in the temporary suspension of all groupwork delivery. From March, CISSO staff have continued to support individuals, focussing on assessing levels of distress and monitoring for any signs that people may be having problems coping or evidencing increased risk and then providing advice and support around these issues as required. The team also found that a significant number of men (particularly those who were already established in the programme) were keen to continue with completing assignments and processing their work with staff. This has facilitated programmed intervention on a reduced basis. CISSO are currently developing plans to resume more programmed interventions with people over the coming weeks, initially focused on 2:1 delivery and then looking towards starting small groupwork delivery if safe to do so.

An area of development for CISSO has been through its inclusion in the pilot of a programme of trauma-informed service development and staff training across group work services. CISSO staff have now been trained to complete routine trauma and mental health screening assessments for all individuals referred for intervention. Staff also received additional training in delivering 'safety and stabilisation' interventions for people experiencing psychological distress. This has proved particularly helpful with engaging individuals who are ambivalent about engaging in interventions that are targeted more directly at their offending behaviour.

## Keeping Children Safe

The Community Disclosure Scheme provides that parents, carers and guardians of children under 18 can ask for information about a named person who may have contact with their child if they are concerned that he or she might have convictions for sexual offences against children (e.g. if a parent wants to find out more about a new partner). Police officers discuss the concerns of the applicant in a face-to-face meeting and offer advice and support.

In this reporting year, police in Edinburgh, the Lothians and Scottish Borders received 44 applications under this scheme.

Further information can be found at: <https://www.scotland.police.uk/about-us/police-scotland/strategic-planning/children-and-young-people/safety-and-protection/>

# 4

## Achievements in Developing Practice

**MAPPA**

Edinburgh, the Lothians and Scottish  
Borders Multi-Agency Public  
Protection Arrangements



## Training and Promoting MAPPA

During this reporting year, we have held a number of multi-agency training events.

In May 2019, Midlothian Council hosted a multi-agency MAPPA presentation to local councillors. The aim of this event was to promote understanding relative to the assessment of risk and management of registered sex offenders and violent offenders assessed as presenting a serious risk of harm who are living in our communities.

In November 2019, the MAPPA Co-ordinator facilitated a workshop attended by the Sex Offender Liaison Officers (SOLOs) or Lead Officer, in justice social work and the Detective Sergeants based with the Offender Management Units who are responsible for chairing Level 1 MAPPA Meetings. The aim of the workshop was to review practice and share learning across the Edinburgh, the Lothians and Scottish Borders area. The workshop also considered learning from Significant Case Reviews.

In December 2019, the MAPPA Co-ordinator facilitated a workshop attended at all Level 2/3 MAPPA Chairs. The aim of the workshop was to review practice and share learning across the Edinburgh, the Lothians and Scottish Borders area. The workshop also considered learning from Significant Case Reviews.

In March 2020, Edinburgh, the Lothians and Scottish Borders Strategic Oversight Group hosted a multi-agency half day conference, aimed at staff and managers relative to the assessment and management of young people who present a serious risk of harm as they transition into Adult Services and management under MAPPA.

## Developing the use of Sexual Offences Prevention Orders (SOPO)

The SOPO is an order granted by the Court. It places conditions on an offender's behaviour, provides a power of arrest if breached and enhances the police role in managing such offenders. SOPOs could initially only contain prohibitive measures, however, a change in legislation in November 2011 allows for these orders to contain positive obligations as well as prohibitions.

For some offenders, the existence of a SOPO is enough to provide structure to their daily life, through which they may avoid further offending. On 31 March 2020, there were 83 SOPOs in place in our area.

# 5

# Strategic Overview Arrangements

**MAPPA**

Edinburgh, the Lothians and Scottish  
Borders Multi-Agency Public  
Protection Arrangements



### **Edinburgh, the Lothians and Scottish Borders – Strategic Oversight Group**

This group is responsible for the overview and co-ordination of the Multi-Agency Public Protection Arrangements, ensuring the sharing of best practice and learning from significant case reviews. The group also provides a strategic lead for developing local multi-agency policy and strategy in relation to shared priorities regarding the management of offenders.

### **Edinburgh, the Lothians and Scottish Borders – MAPPA Operational Group**

This multi-agency operational group supports the work of the Strategic Oversight Group. Its remit is to share learning, develop best practice and ensure consistency of practice.

### **Offender Management/Reducing Re-offending Committees**

These committees monitor the performance and quality of local service delivery; they provide strategic direction to local member agencies; and develop local policy and practice. These committees include representatives from all key agencies, a number of whom are also members of the local child and adult protection committees, ensuring effective communication across public protection.

### **NHS Lothian Public Protection Action Group**

The main aim of this group is to ensure NHS Lothian discharges its responsibilities for MAPPA, and for child and adult protection. This group provides a general forum to discuss important practice issues, in addition to developing good practice in relation to the management of high-risk offenders in the health care setting.



# 6

# Statistical Information

Unless stated, the statistics recorded are  
for the reporting period 1 April 2019 to  
31 March 2020.

## MAPPA

Edinburgh, the Lothians and Scottish  
Borders Multi-Agency Public  
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Table 1: General

REGISTERED SEX OFFENDERS (RSOs)		No.
a) Number of:	I. per 100,000 population on 31 March	720
	II. per 100,000 population on 31 March	70
b) The number having a notification requirement who were reported for breaches of the requirements to notify		43

Table 2: Civil Orders applied and granted in relation to registered sex offenders

THE NUMBER OF	No.
a) Sexual Offences Prevention Orders (SOPOs) in force on 31 March	83
b) Risk of Sexual Harm Orders (RoSHO) in force on 31 March	2
c) Sex offenders convicted of breaching SOPO conditions between 1 April and 31 March	13
d) Number of people convicted of a breach of RoSHO between 1 April and 31 March	1
e) Foreign Travel Orders imposed by the courts between 1 April and 31 March	0
f) Notification Orders imposed by the courts between 1 April and 31 March	8

Table 3: Registered sex offenders by level, re-convictions and notifications

REGISTERED SEX OFFENDERS (RSOs)		No.
a) Number managed between 1 April and 31 March		916
I. Level 1 – Routine Risk Management		824
II. Level 2 – Multi-agency Risk Management		90
III. Level 3 – MAPPP		2
b) Convicted of a further Group 1 or 2 crime	I. MAPPA Level 1	12
	II. MAPPA Level 2	2
	III. MAPPP Level 3	0
c) Returned to custody for a breach of statutory conditions (including those returned to custody because of a conviction of Group 1 or 2 crime)		11
d) Indefinite registrations reviewed under the terms of the Sexual Offences Act 2003 (Remedial) (Scotland) Order 2011 between 1 April and 31 March		26
e) Notification continuation orders issued under the terms of the Sexual Offences Act 2003 (Remedial) (Scotland) Order 2011 between 1 April and 31 March		23
f) Notifications made to Jobcentre Plus under the terms of the Management of Offenders etc. (Scotland) Act, 2005 (Disclosure of Information) Order 2010 between 1 April and 31 March		227
g) Number of RSOs subject to formal disclosure		3

Table 4: Restricted Patients

RESTRICTED PATIENTS (RPs):		No.
<b>a) Number of RPs;</b>	I. Living in the area on 31 March	<b>32</b>
	II. During the reporting year	<b>34</b>
<b>b) Number of RPs per order</b>	I. CORO	<b>31</b>
	II. HD	<b>0</b>
	III. TTD	<b>3</b>
<b>c) Number within hospital/ community;</b>	I. State Hospital	<b>14</b>
	II. Other hospital no suspension of detention (SUS)	<b>10</b>
	III. Other hospital with unescorted SUS	<b>11</b>
	IV. Community (Conditional Discharge)	<b>11</b>
<b>d) Number managed by category on 31 March (does not include patients from Lothian in the State Hospital)</b>	Level 1 – Routine agency risk management	<b>31</b>
	Level 2 – multi-agency risk	<b>1</b>
	Level 3 – MAPPP	<b>0</b>
<b>e) Number of RPs convicted of a further crime of Group 1 or 2 crime</b>	I. MAPPA Level 1	<b>0</b>
	II. MAPPA Level 2	<b>0</b>
	III. MAPPP Level 3	<b>0</b>

RESTRICTED PATIENTS (RPs):		No.
<b>f) Number on suspension of detention;</b>	I. who did not abscond or offend	<b>20</b>
	II. who absconded	<b>1</b>
	III. who absconded and then offended	<b>0</b>
	IV. where absconding resulted in withdrawal of suspension of detention	<b>1</b>
<b>g) Number on conditional discharge;</b>	I. who did not breach conditions, not recalled or did not offend	<b>11</b>
	II. who breached conditions (resulting in letter from the Scottish Government)	<b>0</b>
	III. recalled by Scottish Ministers due to breaching conditions	<b>0</b>
	IV. recalled by Scottish Ministers for other reasons	<b>0</b>

**Table 5: Statistical Information –  
other serious risk of harm offenders**

SERIOUS RISK OF HARM OFFENDERS:		No.
<b>a)</b> Number managed between 1 April and 31 March	1. MAPPA Level 2	<b>21</b>
	2. MAPPA Level 3	<b>3</b>
<b>b)</b> Number of offenders convicted of a further Group 1 or 2 crime	1. MAPPA Level 2	<b>0</b>
	2. MAPPA Level 3	<b>0</b>
<b>c)</b> Number of offenders returned to custody for a breach of statutory conditions (including those returned to custody because of a conviction of Group 1 or 2 crime)		<b>2</b>
<b>d)</b> Number of notifications made to DWP under the terms of the Management of Offenders etc (Scotland) act, 2005 (Disclosure of Information) Order 2010 between 1 April and 31 March		<b>6</b>

**Table 6: Registered sex offenders  
managed in the community under  
statutory conditions and/or notification  
requirements on 31 March 2020**

CONDITIONS	Number	Percentage
On statutory supervision	221	30.69
Subject to notification requirements only	499	69.30

# MAPPA

Edinburgh, the Lothians and Scottish  
Borders Multi-Agency Public  
Protection Arrangements



**POLICE  
SCOTLAND**  
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**POILEAS ALBA**



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**Independent Review of Adult Social Care****Report by Alison White, Chief Social Work Officer****Report for Decision****1 Recommendations**

Council is asked to:

Note the report and agree to receive a further update in the New Year once the outcome of the review is known.

**2 Purpose of Report/Executive Summary**

An Independent Review of Adult Social Care (IRASC) in Scotland is currently underway.

They had invited comments until the 6<sup>th</sup> November 2020 and will report to the Scottish Government in January 2021. Terms of reference for the review are attached (appendix 1). This report highlights the scope of the review.

**Date 18<sup>th</sup> November 2020****Report Contact:**

Name Alison White Tel No 0131 2713283

[alison.white@midlothian.gov.uk](mailto:alison.white@midlothian.gov.uk)

## **1 Background/Main Body of Report**

- 1.1 The Review of Adult Social Care in Scotland was announced by the First Minister as part of the Programme for Government on 1 September.

The Review's chair is Derek Feeley, former President of the Institute for Healthcare Improvement and ex-Director General of the NHS in Scotland. An advisory panel supports him in this role.

Phase one of the review sought the views of people using social care services, staff working in them and social care provider organisations, as well as local authorities, Integration Joint Boards and NHS Boards.

The review will make recommendations for improvements in outcomes for people using adult social care services, their carers and families and improvements in the experience of people working in adult social care. The review will take a 'human rights' based approach.

The Review is focusing on:

- Dimensions of high quality social care
- Needs, rights and preferences of people using social care services and supports
- The experience of staff working in the social care sector
- Regulation, scrutiny and improvement of social care
- Human rights and ethics in social care
- Commissioning and procurement
- Finance
- Potential national aspects of a social care system.

The review has been seeking feedback from a wide range of stakeholders. The Chief Social Work Officer was involved in a meeting with the Chair of the review and contributed to a Social Work Scotland response to the review. (appendix 2)

## **4 Report Implications (Resource, Digital, Risk and Equalities)**

### **4.1 Resource**

This report does not make recommendations which entail the allocation of resources. The outcome of the review however may present implications.

### **4.2 Digital**

None

### **4.3 Risk**

There are no explicit risks as a result of this report.

### **4.4 Ensuring Equalities**

The review will be ensuring that equalities are considered throughout their process.

#### **4.5 Additional Report Implications (See Appendix A)**

##### **Appendices**

Appendix 1 Terms of the report

Appendix 2 SWS response to review





## Appendix 1

### Terms of Reference – Review of Adult Social Care in Scotland

#### Background

The Review of Adult Social Care in Scotland was announced by the First Minister as part of the Programme for Government on 1 September. It will be chaired by Derek Feeley and will report by January 2021.

#### Remit

The principal aim of the review is to recommend improvements to adult social care in Scotland, primarily in terms of the outcomes achieved by and with people who use services, their carers and families, and the experience of people who work in adult social care. The review will take a human-rights based approach.

The Review will consider and make recommendations on:

- The needs, rights and preferences of people who use services, their carers and families;
- The experience of people who work in social care, including their employment arrangements, opportunities for training and progression, and relationships with other professions across health and social care;
- Arrangements for funding, governance, ownership, administration and delivery of social care services;
- Arrangements for meaningfully involving users in the assessment of need and in co-design and co-production (including self-directed support);
- Social care and health care service models and their interaction with other services, such as housing, education and employment;
- Regulation, scrutiny, quality assessment and quality improvement capacity and capability;
- The role of local communities in providing capacity and assets to support people to live as well and as independently as possible and to enjoy the same facilities, universal services and opportunities as other citizens;
- The role and contribution of local and system level leadership;
- Future policy developments that should be a focus for the Scottish Government and any recommendations regarding the legislation that currently underpins social care provision and regulation; and
- Opportunities to redesign the overall system of social care to improve people's experience of care.

The review will consider what is required to achieve the highest attainable standard of support for the independence and wellbeing of people who use adult social care services. This will include, but not be constrained to, the following matters:

- How equitable and non-discriminatory enjoyment of rights can be achieved;
- How decision-making, participation, independent living and control can be maximised by people using adult social care services;

- People's experiences of adult social care support and outcomes achieved;
- How individuals' social care "needs" are assessed by social work, social care and health professionals;
- The overall quality, and sustainability of current social care services and supports;
- The need to develop a skilled, purposeful and sustainable adult social care workforce; and
- The effectiveness of the statutory environment within which adult social care is commissioned, procured and delivered.

### **Previous and ongoing work around adult social care**

The review will consider previous and ongoing work in this field, including:

- The programme for social care reform currently being taken forward by the Scottish Government and COSLA;
- Progress with integration of health and social care in Scotland, including the outcomes of the recent review undertaken by the Scottish Government and COSLA;
- Work undertaken by the Care Inspectorate to consider opportunities for improving adult social care provision;
- Work undertaken by wider partners including the third sector to understand people's experience of care and support improvement;
- Scrutiny by Audit Scotland of social care and progress with integrating health and social care; and
- Scrutiny by the Health and Sport Committee of the Scottish Parliament of reform of social care to date and progress with integrating health and social care.

### **Review outcomes**

The review will produce its report by January 2021, which will make such recommendations as the Chair considers appropriate in relation to improving adult social care in terms of any of the matters listed under Remit, and any other recommendations as the Chair considers appropriate.

The Chair has overall responsibility for the report but will ensure that people with lived experience of using social care are at the centre of the review, and fully involved in proposing recommendations for the final report, together with the views of carers and families, members of the workforce and local communities.

Secretariat to the Review of Adult Social Care in Scotland:

**[secretariat.adultsocialcarereview@gov.scot](mailto:secretariat.adultsocialcarereview@gov.scot)**

## **INDEPENDENT REVIEW OF ADULT SOCIAL CARE**

### **SUBMISSION FROM SOCIAL WORK SCOTLAND TO DEREK FEELEY, CHAIR OF THE INDEPENDENT REVIEW OF ADULT SOCIAL CARE**

**6 November 2020**

Social Work Scotland is the professional body for social work leaders, working closely with our partners to share policy and practice, and improve the quality and experience of social services. We are a key partner in the national Adult Social Care Reform Programme, creating an operational framework for Self-directed Support across Scotland, which through the practice of relationship-based social work, supports the consistent delivery of social care that is personalised, rights-based and which supports active citizenship. Another of our current projects is aligned to a Scottish Government programme (Health and Justice Collaboration Board) to test and implement frameworks for the delivery of integrated adult social services in Scottish prisons.

We welcome the focus of the Independent Review of Adult Social Care on sustainable improvement to adult social care in Scotland within a human-right frame of reference, and we have been delighted to welcome Derek Feeley, chair of the Review in meeting with Chief Social Work Officers and members of the Social Work Scotland Adult Social Care committee.

At that meeting, Social Work Scotland presented Mr Feeley with a summary report of key messages for the Review from social work leaders. Our formal submission to the Review expands on those key messages, and we look forward to ongoing engagement with the Review.

#### **Summary of Social Work Scotland submission**

The Independent Review of Adult Social Care<sup>1</sup> is an important opportunity for Social Work Scotland to articulate positions in respect of the scope, nature, delivery, management, governance, regulation, funding and future direction of adult social care in Scotland. Within this, engagement with the Review (both written and in person) provide a chance to emphasise the unique role and contribution of social work, as a distinct but core component of social care.

Social Work Scotland have responded to previous inquiries and consultations looking at similar questions (see Appendix A). Building on these responses, and

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<sup>1</sup> <https://www.gov.scot/publications/independent-review-of-adult-social-care-terms-of-reference/>

following structured discussions within (a) Chief Social Work Officer and Adult Social Care Standing Committees and (b) members of the Board and partners (including Chief Officers and COSLA), Social Work Scotland has identified a number of key messages / positions to be fed into the Review. Effort has been made to ensure these messages / positions are consistent with a vision for adult social care that is ambitious but deliverable. The key points are:

- 1) **Choice, control and personalisation** should be the foundations of our social care systems, enabling an asset-based approach to assessment and support, rather than a medicalised model based on deficits and eligibility criteria. However, it is the availability and flexibility of resources in the system (money fundamentally, but principally people) which significantly determines the degree to which an individual or family experience the system as positive and enabling, or detached, bureaucratic and impersonal. The need to manage insufficient and finite budgets requires local authorities and Health and Social Care Partnerships to impose eligibility criteria that render the concepts of choice and control meaningless to a great extent.
- 2) Only the person living their experience, and those who are close to them, can speak to that experience, describing the good and bad, their hopes and concerns. **The design of social care, from the level of an individual plan to the nation-wide system itself, must be led by people's own experience and insight.** Commitment to such an approach demands more, however, than providing opportunities for people to speak. Those listening must be motivated and equipped to understand what is being said, and take appropriate individualised or systemic action in response.
- 3) An effective social care system enables people to build on their own strengths, with support from others where necessary, to achieve positive, personal outcomes. Policies, structures and processes should be designed on the basis of **subsidiarity, pushing power down the system**, into the hands of those requiring support, and those who support them. Social workers, operating with the necessary skill, autonomy and authority, have an essential role in such a system, surfacing people's personal choices, and balancing rights and interests with society's duty to protect people from harm (in its many forms, including financial and emotional).
- 4) Social care – indeed all social services – should not just respect human rights, but **proactively work to give human rights meaning and effect.** That is only possible when people working in the social care system (and in particular social workers, who have statutory responsibilities to balance rights and risks in complex circumstances) feel empowered and incentivised to act in the defence or promotion of an individual's human rights.

- 5) People's circumstances are too unique, and Scotland's physical and human geography too complex, to guarantee consistency of experience within our social care system. But we can aim to deliver **consistency of practice** (enabling people to determine what package of support, and level of control, would be best for them) and greater **consistency of offer** (the support options available to a person) in every community.
- 6) **Social Work is a discrete but essential component of the Social Care system.** Reform of adult social care, as with reform of children's social care<sup>2</sup>, drug and alcohol services<sup>3</sup>, mental health<sup>4</sup> and justice<sup>5</sup>, must attend specifically to the unique role and requirements of the social work profession, which holds statutory responsibilities to safeguard, to assess need and to ensure provision of care and support. In other words, reform must answer the question "what does social work require in order to fulfil its statutory and ethical functions?"
- 7) Reform of adult social care must be considered in the context of parallel 'whole-system-change' agendas, including the Promise (children's social care) and justice. Individually, each is a positive opportunity to implement the type of public service reform identified by the Christie Commission. However, they also **risk fragmenting the social work profession into separate silos**, at a time when the profession's coherence and interconnections are critical to the realisation of holistic, ecological and person-led support. People do not fall neatly into silos, and social work as a generic profession is uniquely well situated to support an individual and their family and support network to navigate the boundaries of our public services and wider societal inequities.
- 8) Health and Social Care integration has delivered many benefits, and while it does present challenges, we are too early in our national change journey to expect all issues to have been resolved, or to risk unpicking the progress made to date. **Reform of adult social care should be focused on addressing the deficiencies of the current governance and delivery structures.**
- 9) Social care is just shorthand for a structure within which people work with people. **Real change will only come if proper attention is given to**

<sup>2</sup> In reference to implementation of the Promise.

<sup>3</sup> For example, the Drugs Deaths Taskforce

<sup>4</sup> For example, the Review of Mental Health Law in Scotland and Forensic mental health services: independent review

<sup>5</sup> In reference to development of the Community Justice agenda.

**people (workforce and leaders) within those structures**, utilising what we now know (in particular from research into implementation) about how to shift behaviours, practice and outcomes. A desire to change is not sufficient. Nor is an increase in resources or changes in law. Systematic work must be undertaken, over a number of years, which enables and supports the frontline workforce to change their approach. At Social Work Scotland we are attempting to incorporate the insights offered by implementation science, and encourage the Review to consider what that body of evidence tells us about effecting sustainable change.

- 10) The national improvement 'offer' for social work and social care needs to change. The recent introduction of National Health and Care Outcomes is a welcome development, but an effective national infrastructure is not in place to support sustained improvement across the sector. **The conflation of scrutiny and improvement functions within the Care Inspectorate and within SSSC has impacted on these organisations' efficacy in those capacities.** Decisions must be taken about the siting of scrutiny and improvement support functions so that there is maximum benefit for service delivery.
- 11) In attending to the unique role and requirements of social work over the long term, as well as improving consistency of practice, providing subsidiarity within the system, and offsetting the potential fragmentation of the profession, **Scotland should establish a national social work agency**, differentiated from a national care service. With responsibility for supporting quality and facilitating improvement, it would sit alongside equivalents already in place for education and health. This body would not have responsibility for the regulation of the workforce (which would remain with the Scottish Social Services Council) or delivery of services (which should happen at a local level), but it would lead on learning and development, implementation of new models of practice, attending to issues of professional parity, etc.
- 12) The **delivery of social work (safeguarding, assessment, monitoring, support, advice, review) and social care (practical actions to support people meet their personal outcomes) must be local**, embedded in and responsive to communities. People's contexts, needs and environments are varied, and our social care system must reflect that; particularly if our objective is for social care to be personalised, with people having control *and* choice. However, social care could be improved through the establishment of national structures which validate its central role in society, acknowledge the contribution and requirements of those who work within it, and which assist with improvement and implementation (e.g. adoption of new

technologies). A National Care Service, under this formulation, would not be involved in delivery of care, but rather the management of resources within the system.

- 13) Social Work Scotland acknowledges improvements made to the statistical information available about adult social care in Scotland, and the ongoing effort to link this data to that available for the NHS, so that a more holistic picture can be formed about health and social care as a whole. However, the staff resources needed to support and maintain information systems locally have been severely cut back in recent years. As a result, the national adult social care statistics published in *Insights in Social Care: Statistics for Scotland. Support provided or funded by health and social care partnerships in Scotland* have many gaps which have to be estimated, where possible, making some of the data difficult to use. Key data time-series, such as on social work assessments, are no longer published, and **we are concerned that the social care expenditure information collected by the Scottish Government is being severely cut.** We agree with the recent review by the Office of National Statistics that the evidence base for adult social care is under-resourced compared to that for the NHS.
  
- 14) Above all there is insufficient funding in the social care system to deliver the improvements the Independent Review seeks in terms of the outcomes achieved by and with people who use services, their carers and families, and the experience of people who work in adult social care. Despite the best efforts of local authorities to protect social care from the effects of funding reductions over the last eight to nine years of austerity, adult social care expenditure has fallen per head in real terms, especially for older people, and the demographic challenges posed by the ageing population have largely not been met. **We confidently believe significant additional investment will be needed, in the short, medium and long-term** and we urge the Review group to be bold in its recommendations to deliver the investment needed to achieve the national care system its people need and want.

## Rationale supporting our key messages / positions

### Definitions

A priority in our discussion with the Independent Review is building a common understanding of what is being referred to by the term 'adult social care'.

We believe a distinction should be drawn between social care<sup>6</sup>, a concept that implies the delivery of a service to an individual, and social work<sup>7</sup>, whose function is specified under the Social Work (Scotland) Act 1968 as undertaking holistic assessments and determining the level of support required to meet eligible needs. Moreover, social work is a proactive service, rather than simply a reactive one; it exists and is empowered to take action with people made vulnerable by their circumstances, balancing their rights with those of others, and the risks of their actions to themselves, their families and wider society.

The role of social work is therefore dynamic and complex, working alongside people and families at often challenging moment and transitions. In helping to protect people social workers must sometimes use statutory measures, bringing them into conflict with the individual and families. It is a difficult but essential role in a society (and social care system), where not every individual is in a position to determine their best interests alone, or the best interests of those they have responsibility for.

### The position of social work as a profession within social care

Social work is currently the gateway through which most individuals access social care support funded by the state. In order for that social care provision to be delivered to the right people in the right way, social work practice needs to be independent and robust (i.e. true to its statutory and ethical underpinnings), with the knowledge and expertise to navigate a variety of settings, including home, hospital, residential care homes, homelessness and prison. It needs to be equipped to work with people of any age, in a way which situates the individual within a web of relationships and interactions. Responding to an older person affected by domestic abuse may necessarily involve family, friends and other professionals.

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<sup>6</sup> "Social care means all forms of personal and practical support for children, young people and adults who need extra support. It describes services and other types of help, including care homes and supporting unpaid carers to help them continue in their caring role." [Scottish Government](#). A Social Work Scotland definition would expand this to include care and support provided at home.

<sup>7</sup> "Social work is a practice-based profession and an academic discipline that promotes social change and development, social cohesion, and the empowerment and liberation of people. Principles of social justice, human rights, collective responsibility and respect for diversities are central to social work. Underpinned by theories of social work, social sciences, humanities and indigenous knowledge, social work engages people and structures to address life challenges and enhance wellbeing." IFSW, July 2014

Among the regulated professions, Social Work is unique occupying the liminal spaces between universal services – education, health, justice, housing, welfare. Where there is contraction of universal service provision (usually followed by a heightening of thresholds) or a conflict between a universal service and an individual/family, social work responds, and in our response, we consider the person holistically. We have seen several examples of this in recent years:

- Where affordable and/or appropriate housing is unavailable, social work is tasked to coordinate the necessary support for people to live safely in their own homes.
- Where NHS capacity restricts (leading to longer waiting times or removal of service) social work is responsible for identifying or developing service models which can support people with very complex needs to live in their community.
- Where clinical assessments for autism or other learning disabilities (which can appear very inconsistent between areas) limit the NHS funded options for an individual or family, social work must engage to find alternatives.
- Where pastoral and pupil support posts are lost from schools, social work is challenged to manage the needs of vulnerable children within their families; many of whom will have complex needs of their own.

Due to a number of factors, some going back decades, the role of social work within the social care system has been pushed towards transactional care management and adherence to bureaucratic processes and procedures. In practice, this means that social work acts as both gateway to and gatekeeper of social care. Frontline social work effectively acts as a control for finite local authority budgets, and this causes us a professional dilemma. Resource allocation processes often impact on our ability to enhance human rights and on the quality of the relationship with families. It is more straightforward to develop a care and support plan for a service or a budget; it is much more time consuming to get alongside the person, consider their life complexities and the potential contribution of their community and natural support to them living a full and rich life, then work collaboratively with them on how to go forward. This approach benefits personal outcomes, but comes with a long term financial cost.

Cost-cutting and overreliance on a care management approach has resulted in proportionately fewer qualified social workers available who are able to engage in this way to support the growing population of adults with complex needs. Shifting to a more intense practice model will require additional financial and other resources, but in the end relational, therapeutic support would much better support people's

human rights, and should itself be a right. This is demonstrated where local authorities have shifted towards this approach<sup>8</sup>.

Social work's specific statutory duties centred on the delicate balance of rights and risks – both individual and societal – demands well trained autonomous professionals supported in their duties by their authority's [Chief Social Work Officer](#). The CSWO remit is wide ranging with safeguarding responsibility for individuals at risk, for proper deployment and support of the social work and social care workforce, for ensuring robust and effective systems and processes, care governance, and continuous improvement across the whole range of social work and social care services. The CSWO is directly responsible for some statutory functions which restrict personal liberty, and has specific duties in relation to safeguarding.

The widening of regulation and inspection into the social care workforce and services has, to an extent, diverted focus from social work as a distinct profession. This becomes problematic when social work enters into partnership arrangements across adults, children and families and justice, where the unique contribution of social work is lost to view. Social workers can become demoralised and disenfranchised as professionals.

Social Work Scotland believes that there is much to be gained by the proper integration of health, social work and social care. However, this needs to be on the basis of a differentiated understanding of the principles and values of all the professions involved, retaining each profession's unique contribution and impact within local integration arrangements. To facilitate this, we are supportive of measures which would consolidate social work as a genuinely national profession, recognised and supported nationally, underpinned by common terms and conditions and a strategy for its development.

A national profession, perhaps supported by a national agency, would also provide greater opportunities for professionals to progress professionally, without having to take on management responsibilities, and encourage greater professional autonomy in the carrying out of assessment and support planning. In parallel, similar steps for our colleagues in social care roles would potentially give their essential work proper value and status.

### **Resources and implementation of complex change**

The social care model in Scotland was not designed or funded to meet the current expectation of provision or demand. An increase in complexity of people's circumstances has been well documented, as has the disastrous impact of UK

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<sup>8</sup> [Thematic review of self-directed support in Scotland – June 2019](#), Care Inspectorate

welfare reform on the impoverishment of many people and their families. These factors serve to increase the demand on social work and social care services.

Social Work Scotland members increasingly experience the effect that real-term spending reductions is having on their ability to sustain levels of service, maintain quality and provide non-statutory early help to prevent escalation into crisis. Social services (social work and social care) as a whole system within the integration environment with health must be sufficiently funded to meet its statutory duties and have clear, fair and well-functioning mechanisms for resource allocation within the overall available funding. Despite an overwhelming commitment from social work and social care services, the fragility of the wider social care system has become all the more apparent during the Covid-19 pandemic.

Social Work Scotland believes that the system could be reimagined to be a much more dynamic interplay of social infrastructure supporting citizens' human rights as individuals and within families and communities, with a combined workforce operating at community level.

Whilst there is much widespread agreement across national and local, public and independent sector, and national partnership organisations, as to what good social services look like (enshrined in the Social Care (Self-directed Support) (Scotland) Act 2013), the question is what will it take to design and implement the changes necessary to meet these aims for everyone in all areas of Scotland?

It is critical that we come to a collective understanding of the essential elements that contribute to successful implementation of whole-system change, including the roles and remits of regulatory bodies, improvement agencies, and vehicles of service delivery. This is what has been missing in the implementation of recent ambitious and transformative social policy in Scotland.

Our view has been shaped by our experience progressing implementation of self-directed support in Scotland. Approaching this through the structure and insight offered by [implementation science](#), we have made progress in identifying the essential, non-negotiable components which need to be in place for a publicly funded social care system to enable a person and/or their families to be in control of their life, regardless of their disability (visible or hidden) or life circumstances. Among those core components are established practices, which when reliably delivered by a well-trained and supported workforce, consistently deliver desired results. We also know what infrastructure needs to look like (including upstream community assets, accessible housing, case management IT systems, technology, administrative support, commissioning and procurement, eligibility policy, finance and budgeting systems), and what leadership needs to look like (and have as skills) in what are highly adaptive environments.

## **Community-based support**

Over the past decade, support to build community capacity, in the shape of community learning and development services, community workers, and grants to community groups, has been critically reduced across Scotland.

Investment is required to ensure that communities are ready and resourced to engage in strategic planning and commissioning processes. Independent support organisations, such as those funded by Support in the Right Direction (SiRD), are vital in ensuring the voice of people who use services and carers are invited and heard.

Engagement should lie at the heart of decision-making and is the key to people having meaningful choice and control in their own support. Engagement supports the principles of personalisation underpinning Scotland's Self-directed Support (SDS) legislation. Practically, good engagement that personalises social care means that care arrangements are more likely to meet needs and less likely to go wrong. The wide range of asset-based approaches and resources already available are used in a piecemeal way across Scotland, but can be abandoned or distorted when budgets are tight. In order to implement these approaches, which often conflict with the traditional 'way we do things', attention needs to be given to workforce training and coaching, supportive systems and devolved leadership.

We feel very strongly that there needs to be consideration of the range of people's lived experience when designing and constructing social work and social care services. Often the focus of public discussion around social care is older people with personal care needs. Other individual experiences, such as adults with complex learning disabilities or mental health, are not so well profiled, or held in mind. Those experiencing alcohol and drug addiction, domestic abuse and the justice system tend to come from communities experiencing the greatest health and social deprivation. An adult social care system is as much about these experiences as any other; these voices must come to the fore.

## **Eligibility criteria reform and human rights**

Current eligibility criteria are deficit-based assessment of levels of risk to an individual if care is not provided. They run contrary to the principles of personalisation, as they drive time-and-task service provision. They are applied differently across Scotland and result in unnecessary variation in outcomes for individuals. The current approach to eligibility is impacting too severely on vulnerable people and those at the edge of social care, and we strongly recommend that the National Eligibility Criteria are reformed.

Social work and social care financing needs to be sufficient to support the quantity and types/models of care necessary to support our population. Services in many

areas of Scotland are currently constrained such that they are only able to address critical risks (as defined in the [National Eligibility Criteria](#)) by the provision of personal care only, leading vulnerable people to struggle when their needs change or when their needs are social in nature rather than physical. Our work in the implementation framework for SDS shows us that the current national eligibility criteria are not fit for purpose, and indeed run counter to the values and principles of Self-directed Support. We recognise that a framework is required to ensure fair distribution of resources which should support strengths-based social work, community social work and ensures early help is provided for people with lower levels of need.

The provision of only critical level services presumes that intervention for anything less can be picked up by family or local community, and that the person has the capacity to organise and manage sometimes complex support arrangements. In some settings (for example prison) people do not have this level of family or community support and are not able to follow signposting to where third sector support might be available. Lack of early help precipitates crises which are costly in outcomes for the person and financially for the local authority.

There should be consideration given also to the variation in charging and contributions policies across local authority areas and their disproportionate impact on individuals with similar needs in different areas of Scotland

While supportive, we recognise the challenge inherent in determining how social care needs (as articulated in social work law) are incorporated into a human-rights-based frame in a meaningful and measurable way. Underpinning principles should cover the range of activities necessary for 'active citizenship', including reducing isolation, supporting people to make and maintain friendships, promoting vocational skills, supporting people to develop and enhance life skills, promoting physical and mental well-being, and mitigating health inequalities.

This would involve supporting people with complex needs in personalised ways, supporting carers, promoting SDS and personalisation within partnerships, working with people at the earliest opportunity to maintain, improve or maximise independence, building capacity in the community and with sustainable services, ensuring best value and effective partnership working, reducing dependence on high-tariff services, and creating services that are aware and confident about using and utilising technology.

This ideal approach will require considerable additional resource, particularly as applied to a growing older population. The population shift will impact disproportionately on women, who provide most of the care to family members. Consideration must also be given to how to properly resource the Carers (Scotland) Act 2016, giving real affect to the principles of that legislation.

### **Commissioning for personalisation**

We note that the majority of pre-Covid local Commissioning Plans are weighted towards health-related matters and make little or no reference to personalised care and support. A perspective that embraces the holistic person with the right to choice and control should be central to framing more personalised commissioning practices. SDS legislation calls for innovative solutions to allow people to hold individual service funds, necessitating a shift in commissioning practice from block funding to personal commissioning, to enable more freedom of choice and greater control. We acknowledge that there is some financial risk in departing from traditional service models to new models that might initially be underused. We would support more discussion on how risk might be shared.

Many services commissioned and arranged by the local authority (Option 3) are delivered on the basis of 'time-and-task', and this runs counter to a human rights-based approach to delivering care and support, because people's needs and choices naturally change on a day-to-day basis. Introducing more of a personal approach to is essential to assist people receiving supports in a way that meets their personal outcomes. We believe that quantifying 'time' rather than 'task' would allow greater choice and control by individuals, whilst allowing for a budget to be allocated to meet personal outcomes.

### **Embedding Self-directed Support as good social work and social care**

Scotland is a country with significant geographically and economically variation, with a diverse and vibrant citizenship with whom we should be aiming to personalise care and support and to offer people choice and control of how they want to manage their lives.

We recommend that the review considers what implementation science might offer in our national attempts to implement SDS consistently across Scotland. We believe that this approach is the most suited to undertaking the sort of complex, adaptive change required to meet Scotland's ambitious progressive policies.

With national partners and local authorities, we are asking what it will take to embed SDS in a sustainable manner across the geographies of Scotland and across all care groups equally. In accordance with best international implementation practice, this includes examining practices and tools for their effectiveness and fidelity, and understanding and promoting the system drivers necessary for adaptive change.

Going forward, we strongly support a shift from traditional 'care management' approach in adult social work to more relationship-based practice with the supported people at the centre of decision making. Systems and processes would need to flow from that guiding principle.

This approach would see LAs/HSCPs move away from care management to a more traditional form of social work, working relationally and enhancing the natural supports of family, friends and neighbour's contribution through such models as Family Group Decision Making and Community-Led Support. A radical shift of focus of integration authorities to support people to self-manage, on personalising care and support at home and on effective early intervention and prevention would involve working collaboratively with a wider range of partners including education, housing and community representatives using shared decision-making processes and sharing both risk and responsibility.

Whilst housing statements are required to be considered by Integration Authorities, better arrangements are needed to influence housing providers when they're planning adaptations to existing housing stock. We would want to see housing developers required to contribute toward the provision of community health and social services. We could require a certain proportion of new build houses to be ready for use by someone with a high level of support needs.

Technology needs to be at the heart of the future of care preserving independence and supporting social interdependency. It should not substitute for human contact. The [National Digital Platform](#) should incorporate as great a focus on technology to deliver social care as on health, and should be given highest priority as a core enabler.

Data and other systems require to be better aligned to the principles of SDS. Much time and effort is spent on managing outdated information systems that do not link well around the person. There is no national requirement to capture outcomes achieved for adults.

Data that is useful to improve frontline operations currently has less priority than aggregated performance management data, which we argue from an implementation perspective is not sufficient as little can be learned from it.

We have also found differences in resource allocation across client groups that does not comply with a rights-based approach. Algorithms underpinning local resource allocation systems favour younger adults over older adults, leading to some outcomes being unfunded or underfunded. In many cases, only critical personal care needs are resourced.

## **Workforce**

A key driver of any adaptive system change is workforce; selection, training and coaching. In order to attract a competent and committed workforce, remuneration should reflect the complexity and responsibility of roles across a varied employment landscape. Innovation is required in how we support people to employ their own

personal assistants (employed with an Option 1 Direct Payment). We need an inward migration system that can attract skilled workers into social work and social care. We need to focus on attracting workers to urban, rural and island areas and keeping them engaged and motivated. We require a gendered analysis of the workforce if we are to understand how to attract men into the social work and social care workforce and how to best support women in the workforce.

With budget cuts over the past decade, local authority social work learning and development teams have all but disappeared, impacting greatly on the ongoing training of social work and social care staff. This highlights the lack of parity of social work and social care with other professions such as teaching and nursing. If adaptive change is to be implemented effectively, then the workforce requires not only high standard skill-based training but ongoing intensive coaching and supervision, and to expect pay rises in line with those offered to nurses and teachers.

### **National Care Service**

While we believe that social work and social care needs to be delivered locally, Social Work Scotland is supportive of the development of a national adults practice model (similar to GIRFEC) which support consistency of approach across Scotland whilst allowing for variation only where this is reasonable in the context of local geography, demography and cost of living.

However, we are unclear how the principles of choice and control central to Self-directed Support can be realised by the creation of a National Care Service if it is to be responsible for delivery of social care. It may be that a National Care Service can have most effect as a layer between national government and local delivery, driving greater consistency, improvement in the workforce, equitable distribution of resources, etc.

While the concept of a National Care Service may be attractive in some regard (e.g. a driver for consistency), we have practical concern about the design of such a service and how it might be implemented as intended within Scotland's governance landscape.

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## **APPENDIX A: SOCIAL WORK SCOTLAND RESPONSES TO RELEVANT INQUIRES AND CONSULTATIONS**

[Submission from Social Work Scotland to Health and Sport Committee, Scottish Parliament](#), 20 February 2020

[Housing to 2040: Consultation on Policy Options - Submission from Social Work Scotland, to the Scottish Government Consultation](#), 27 February 2020

[Covid-19 Workforce Planning for the Health and Social Care Workforce in Scotland – May 2020 - Submission from Social Work Scotland to Scottish Government](#), 26 May 2020

[How well is the Care Inspectorate fulfilling its statutory role? – Submission from Social Work Scotland to Scottish Parliament call for views](#), 10 August 2020

[Independent Review of Mental Health Law in Scotland: Submission from Social Work Scotland to John Scott QC](#), 29 May 2020

[Submission from Social Work Scotland to IJB Chairs and Vice Chairs Executive Group](#), 17 July 2020

[Social Work Scotland response to the Scottish Government Review of Local Authority Financial Returns – Social Work Services \(LFR03\)](#), 23 August 2020

## **Annual Procurement Report 2019/20**

**Report by Alan Turpie, Legal Services Manager**

### **Report for Information**

#### **1 Recommendations**

The Council is asked to note the Annual Procurement Report on regulated procurements during 2019/20.

#### **2 Purpose of Report/Executive Summary**

The Annual Procurement Report on regulated procurements during 2019/20 has been prepared and is presented to the Council for noting before being published on the Council's website.

**Date 3 December 2020**

**Report Contact:**

Name Alan Turpie

[alan.turpie@midlothian.gov.uk](mailto:alan.turpie@midlothian.gov.uk)

### **3 Background/Main Body of Report**

#### **3.1 Background**

Where a public organisation is required to prepare a procurement strategy or review an existing one, for example, and if it has an estimated value of regulated procurement spend of £5 million or more (excluding VAT) in a financial year, it must also publish an annual procurement report.

The Procurement Reform (Scotland) Act 2014 sets out what, as a minimum, each annual procurement report must contain.

The annual procurement report should be relevant and proportionate, providing transparency of its purchasing activities. The annual report monitors the authority's regulated procurement activities against delivery of its procurement strategy.

This Annual Procurement Report for the 2019-2020 financial year is attached as an Appendix to this report.

#### **3.2 Legislative Requirements**

The Procurement Reform (Scotland) Act 2014 lists the minimum requirements that the annual procurement report must contain, as follows:

- a) A summary of the regulated procurements that have been completed during the years covered by the report,
- b) A review of whether those procurements complied with the authority's procurement strategy,
- c) To the extent that any regulated procurements did not comply, a statement of how the authority intends to ensure that future regulated procurement do comply,
- d) A summary of any community benefit requirements imposed as part of a regulated procurement that were fulfilled during the year covered by the report,
- e) A summary of any steps taken to facilitate the involvement of supported businesses in regulated procurements during the year covered by the report,
- f) A summary of regulated procurements the authority expects to commence in the next two financial years,

- g) Such other information as the Scottish Ministers may by order specify.

The attached Midlothian Council Annual Procurement Report complies with the above statutory requirements.

#### **4 Report Implications (Resource, Digital and Risk)**

##### **4.1 Resource**

There are no direct resource implications as a result of this report

##### **4.2 Digital**

There are no digital issues as a result of this report.

##### **4.3 Risk**

There are no direct risks as a result of this report

##### **4.4 Ensuring Equalities (if required a separate IIA must be completed)**

There are no equality issues as a result of this report.

##### **4.4 Additional Report Implications (See Appendix A)**

See Appendix A

#### **Appendices**

**Appendix A – Additional Report Implications**

**Appendix B – Annual Procurement Report 2019/20**

## **APPENDIX A – Report Implications**

### **A.1 Key Priorities within the Single Midlothian Plan**

This report does not affect key priorities.

### **A.2 Key Drivers for Change**

Key drivers addressed in this report:

- ☐ Holistic Working
- ☐ Hub and Spoke
- ☐ Modern
- ☐ Sustainable
- ☐ Transformational
- ☐ Preventative
- ☐ Asset-based
- ☐ Continuous Improvement
- ☐ One size fits one
- x ☐ None of the above

### **A.3 Key Delivery Streams**

Key delivery streams addressed in this report:

- ☐ One Council Working with you, for you
- ☐ Preventative and Sustainable
- ☐ Efficient and Modern
- ☐ Innovative and Ambitious
- X None of the above

### **A.4 Delivering Best Value**

Following the Procurement Strategy 2018/23 will assist in delivering best value.

### **A.5 Involving Communities and Other Stakeholders**

Relevant staff have been consulted during the development of the annual procurement report

### **A.6 Impact on Performance and Outcomes**

There is no direct impact on performance and outcomes.

### **A.7 Adopting a Preventative Approach**

This report does not impact actions and plans in place to adopt a preventative approach

### **A.8 Supporting Sustainable Development**

Whilst the report does not itself support sustainable development, it should be noted that sustainability forms part of the assessment process in evaluating tenders.

## **APPENDIX B**

### **Annual Procurement Report 2019/20**

**Appendix B**

**Midlothian Council  
Annual Procurement Report  
(1<sup>st</sup> April  
2019 – 31<sup>st</sup>  
March 2020)**

## **Contents**

1. Introduction
2. Summary of Regulated Procurement
3. Review of Regulated Procurement Compliance
4. Community Benefit Summary
5. Supported Business Summary
6. Future Regulated Procurements Summary

Appendix 1: Regulated Procurements Completed

Appendix 2: Regulated Procurement Forward Plan 2020-22

## Introduction

The Procurement Reform (Scotland) Act 2014 requires any public contracting authority such as Midlothian Council (who is required to publish a procurement strategy) to prepare and publish an annual procurement report on all our regulated procurement activities.

The annual procurement report is intended to:

- Aid visibility of procurement activities
- Be a mechanism for conveying how the Council is meeting legislative requirements; and
- Outline how the Council's procurement activity is contributing to the delivery of its broader aims and objectives.

Section 18(2) of the Procurement Reform (Scotland) Act 2014 details the minimum content of the annual procurement report:

- A summary of regulated procurements completed during the year
- A review of whether those procurements complied with the authority's procurement strategy
- Where any procurements did not comply, a statement of how the authority intends to ensure future regulated procurements do comply
- A summary of community benefit requirements imposed as part of the regulated procurement that were fulfilled during the year
- A summary of any steps taken to facilitate involvement of supported businesses
- A summary of regulated procurements the authority expects to commence in the next 2 financial years

This procurement report will review Midlothian's Procurement Strategy 2018-2023 and evaluate the organisations procurement activity and further supports Midlothian Council's commitment to transparency within it procurement activity.

## **Summary of Regulated Procurements**

Section 18(2) of the Procurement Reform (Scotland) Act 2014 requires organisations to include “a summary of the regulated procurements that have been completed during the year covered by the report”.

Regulated procurement refers to any procurement above £50,000 for goods and services or £2,000,000 for works. A regulated procurement is completed when the award notice is published or where the procurement process otherwise comes to an end. Regulated procurements can refer to new contracts and framework agreements but also to mini-competitions and call-offs from existing framework agreements.

The principle of transparency requires an organisation to approach its public procurements in an open and inclusive manner.

During the period of this annual procurement report (1<sup>st</sup> April 2019 – 31<sup>st</sup> March 2020) Midlothian Council carried out the regulated Procurements found in Appendix 1 and provides a high level summary which includes:

- The date of award
- The name of the supplier(s)
- Title of contract
- Estimated value of contract/framework
- Contract start date
- Contract end date

## **Review of Regulated Procurement Compliance**

Section 17 of the Act requires all regulated procurements to be carried out in line with the organisations procurement strategy. Section 18(2) states that an annual procurement report must include a “a review of whether those procurements complied with the authority’s procurement strategy” and “the extent to which any regulated procurements did not comply, and a statement detailing how the organisation will ensure that future regulated procurements do comply”.

Prior to the commencement of any regulated procurement exercise a commodity strategy is developed. Commodity strategies are reviewed as part of the governance procedures. This involves a review by the project team and various members of management to ensure commodity strategies reflect and adhere to the values and principles set out in the overall procurement strategy. Commodity strategies reflect Midlothian Council’s procurement strategy and ensure that the procurement exercise follow a journey that embeds our organisations principles, values and objectives.

This methodology represents and ultimately ensures that all regulated procurements align with the Procurement Strategy. Furthermore, our approach to strategic procurement in this way maximises the added value potential in each and every procurement exercise.

Midlothian has recently reviewed the commodity strategy template to incorporate any changes to legislation with a particular focus on data protection and the recent introduction of GDPR. We continually strive to strengthen and develop our internal governance and recognise that strategy development is crucial in the creation of our contracts and frameworks.

To ensure suppliers (locally and nationally) are paid timeously the Council is committed to paying all suppliers within 30 days. Prompt payment clauses requiring a 30 day payment term are embedded within our contractual terms and conditions. Suppliers are required to apply the same terms and conditions with their subcontractors who are supporting and delivering the council contract. During the reporting period the Council paid 93.1% of invoices within agreed timescales.

The combined strategy development and procurement processes in place ensured that all regulated procurements were undertaken in compliance with the legal and procedural framework, and as a result in compliance with our overarching Procurement Strategy.

## **Community Benefit Summary**

Section 18(2) of the Procurement Reform (Scotland) act states that it is mandatory for the annual procurement report to include a summary of any community benefit requirements imposed as part of a regulated procurement that were fulfilled during the year covered by the report.

Section 25 of the Procurement Reform (Scotland) Act 2014 mandates that all contracting authorities must consider whether to impose community benefit requirements as part of the procurement when the estimated contract value is greater than or equal to £4,000,000. However, community benefits are a key objective of the Council's Procurement Strategy 2018-2023 meaning all appropriate procurements must consider community benefits during the commodity strategy stage.

Incorporating community benefits into our procurement activity recognises that we contribute to the delivery of social and environmental benefits. Suppliers are required to make a community benefits submission as part of their overall tender submission. Community benefits secured through the procurement process are recorded and monitored over the lifetime of the contract, going forward this will be carried out using the Cenefits software system .

Key community benefit outcomes secured during the reporting period include:

- Targeted Recruitment
- Apprenticeships created
- New jobs created
- Workplace/site visits for college students
- Workplace/site visits for school pupils
- Work experience Placements (College/University students)
- Work experience Placements (Schools)
- Meet the buyer events
- Financial support for communities

### **Supported Businesses Summary**

Section 18(2) of the Procurement Reform (Scotland) Act 2014 requires organisations to include a summary of any steps taken to facilitate the involvement of supported businesses in regulated procurements during the year covered by the report.

Supported Businesses make an important contribution to the Scottish economy, through the goods and services they deliver, but also by providing meaningful employment, training and social support for those who otherwise may be excluded from the workplace.

The council's procurement manual instructs that consideration be given to inclusion of supported businesses in all regulated procurements. In addition the procurement intranet page includes details of supported businesses who currently have contracts with Scottish Government and Scotland Excel.

During the reporting period there were no regulated Midlothian procurements awarded to supported business. The reason for this is that the goods, services or works associated with the awarded contracts over the reporting period are not currently provided by existing supported businesses.

### **Future Regulated Procurements Summary**

Section 18(2) of the Procurement Reform (Scotland) Act 2014 states that is mandatory that the annual procurement report must include a summary of the regulated procurements the authority expects to commence in the next two financial years.

Acting in a transparent and proportionate manner is an effective way by which an organisation can encourage competition and achieve better value for money in its procurements. It promotes wider participation in the public procurement process and this information will give notice to suppliers of future opportunities.

Future regulated procurements have been identified via the following means:

- Current contracts on the council's contract register that will expire and need to be extended or re-let over the next two years.
- New procurements identified via future work plans provided by Council service teams.

A full list of anticipated procurements in the next two years can be seen in Appendix 2.

#### **Appendix 1 –Regulated Procurements**

<b>Award Date</b>	<b>Suppliers</b>	<b>Contract Title</b>	<b>Start Date</b>	<b>End Date</b>	<b>Estimated Value</b>
20/11/2019	Ogilvie Construction Ltd	Proposed Housing Development Including	01/11/2019	01/04/2021	£12,935,000

		Intermediate/Extra Care Facility			
16/10/2019	Camerons	Mayfield Town Centre masterplan	02/10/2019	30/10/2019	£79,275
30/09/2019	Integri Consultants Ltd	Development and Commercial Management Services	10/09/2019	10/09/2022	£2,000,000
14/06/2019	Fleming Buildings Ltd	Extension and Internal Alterations at Sacred Heart PS	26/04/2019	26/04/2020	£2,965,349.6
20/12/2019	Instock Disposables Ltd	Mini Comp for Janitorial Products	21/10/2019	20/10/2023	£400,000
28/06/2019	Midlothian Sure Start	Family Learning Centres	01/07/2019	30/06/2022	£2,829,035

## Appendix 2 – Future Regulated Procurements

Subject Matter (Commodity)	Title of Contract	Contract Start Date	Estimated Total Contract Value	Type
Property and Facilities Management	M&E Term Contract	Mar-21	£4,600,000	Retender
Property and Facilities Management	Supply of External Doors and Window Units	Mar-21	£3,000,000	Retender
Property and Facilities Management	Provision of Servicing, maintenance and Upgrading of Domestic gas Central heating System	Nov-20	£8,250,000	Retender

Commercial Services	Treatment of Residual Waste and Associated Services	Jul-20	£4,000,000	Retender
Property and Facilities Management	Roughcasting	Mar-21	£3,000,000	New Opportunity
Property and Facilities Management	Burnbrae Road Bonnyrigg Housing and Retail Development	Nov-20	£3,500,000	New Opportunity
Property and Facilities Management	Housing at 32-38 Buccleuch Street Dalkeith	Mar-21	£2,500,000	New Opportunity
Land and Countryside	Framework for Horticultural Supplies	Nov-20	£330,469	Retender
Roads	Framework for Highway maintenance	Mar-21	£4,000,000	Retender
Property and Facilities Management	Stobhill Road Phase 4	Mar-21	£9,417,000	New Opportunity
Property and Facilities Management	Dundas Highbank Extra Care	Mar-21	£5,958,000	New Opportunity
Property and Facilities management	Newbattle High School	Mar-21	£13,453,000	New Opportunity
Property and Facilities Management	M&E Term Contract	Mar-21	£4,600,000	Retender
Business Solutions	Customer Service Platform	Apr-2020	£787,000	Re-Tender
Economic Development	Midlothian Science Zone Co-ordinator	Apr-20	£100,000	New Opportunity
HR Services	Physiotherapy Services	Apr-20	£90,000	Re-Tender
HR Services	Employee Assistance Programme	Mar-21	£88,000	Re-Tender
Transport	Provision of Taxi Services	Aug-21	£7,000,000	Re-Tender
Sport & Leisure	Ski Matting	Feb-21	£500,000	Re-Tender

Health and Social Care Partnership	Community Mental Health Support Services	Jan-21	£2,040,000	Re-design of Service
Health and Social Care Partnership	Carer Support and Short Breaks Service	Jan-21	£1,554,000	Re-design of Service
Health and Social Care Partnership	Care at Home	Apr-21	£20,000,000	Re-tender
Education	Early Learning and Childcare	Jun-21	£21,405,561	New
Education	School Counselling Service	May-21	£700,000	New
Health and Social Care Partnership	Primrose Lodge – LD Complex Care Facility	Aug-21	TBC	New
Health and Social Care Partnership	Day Care Services	May-22	TBC	Re-design of Service
Health and Social Care Partnership / Children's Services	Advocacy Services	Apr-22	£500,000	Re-design of Service
Health and Social Care Partnership	LD Complex Care	Jan-22	TBC	New
Commercial Services	Weather Forecasting and Related Services	Jan-22	£530,000	Re-Tender
Property and Facilities Management	Former Coop Site Bonnyrigg Phase 4	Apr-22	£4,900,000	New
Financial Services	Insurance Brokerage	Jan-22	£50,000	Re-tender
HR Services	Occupational Health	Apr-22	£320,000	Re-Tender
Financial Services	Insurance Services	Jul-22	£900,000	Re-Tender
Housing Services	Sheriff Officer & Debt Collection Services	Aug-22	£500,000	Re-Tender
Corporate Services	Document Storage & Related Services	Nov-22	TBC	Re-Tender

**School Christmas and New Year holidays 2020****Report by Fiona Robertson, Executive Director – People & Partnerships****Report for Information****1 Recommendations**

It is recommended that Council notes; the attached letter of notification from the Deputy First Minister, and Cabinet Secretary for Education and Skills, that the Scottish Government will not intervene to make changes to the current dates for the schools holiday period, which varies across local authorities based on advice from public health.

**2 Purpose of Report/Executive Summary**

To advise members of the public health advice in terms of the Covid -19 pandemic as it impacts across consideration of the school holidays for the Christmas 2020 and New Year 2021 period, and that there is no change to the published dates for Midlothian's schools.

**4 December 2020****Report Contact:** Kevin Anderson, Executive Director - Place**Tel No:** 0131 271 3102**E mail:** [kevin.anderson@midlothian.gov.uk](mailto:kevin.anderson@midlothian.gov.uk)

### **3 Background**

Letter attached from the Deputy First Minister, 3 December, 2020.

### **4 Report Implications (Resource, Digital, Risk and Equalities)**

#### **4.1 Resource**

Not applicable

#### **4.2 Digital**

Not applicable

#### **4.3 Risk**

Not applicable

#### **4.4 Ensuring Equalities**

Not applicable

#### **4.4 Additional Report Implications**

## **APPENDIX A – Report Implications**

### **A.1 Key Priorities within the Single Midlothian Plan**

### **A.2 Key Drivers for Change**

Key drivers addressed in this report:

- ☐ Holistic Working
- ☐ Hub and Spoke
- ☐ Modern
- ☐ Sustainable
- ☐ Transformational
- ☐ Preventative
- ☐ Asset-based
- ☐ Continuous Improvement
- ☐ One size fits one
- ☒ None of the above

### **A.3 Key Delivery Streams**

Key delivery streams addressed in this report:

- ☐ One Council Working with you, for you
- ☐ Preventative and Sustainable
- ☐ Efficient and Modern
- ☐ Innovative and Ambitious
- ☒ None of the above

### **A.4 Delivering Best Value**

Not applicable

### **A.5 Involving Communities and Other Stakeholders**

Not applicable

### **A.6 Impact on Performance and Outcomes**

Not applicable

### **A.7 Adopting a Preventative Approach**

Not applicable

### **A.8 Supporting Sustainable Development**

Not applicable



John Swinney BPA/MSP  
F/T: 0300 244 4000  
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3 December 2020

Clare Adamson MSP  
Convenor of the Education and Skills Committee

Dear Clare

### **School Christmas and new year holidays 2020**

As the Committee are aware, we have been exploring options around extending the school Christmas holiday period in light of COVID-19. We have discussed the issue at the Education Recovery Group, where there were mixed views on whether or not the Scottish Government should intervene to make changes to the current dates for the holiday period, which vary across local authorities.

I have reached the decision not to make any changes to the planned Christmas and new year holiday dates and I am writing today to set out the reasons for this.

The Public Health advice that I received is to keep schools open as planned as the controlled school environment is more preferable to social mixing outside of school if schools are closed early. In addition, vulnerable children may be at greater risk if they are out of school for an extended period. The view of the Chief Social Work Advisor is that being in school is a very significant protective factor for the most vulnerable children and the longer children are out of school the more chance there is of hidden harm.

Public Health advice is, on balance, that there would be less transmission of COVID-19 through children and young people being in school than mixing out of school. Adding this to the issues around vulnerable children and the need for childcare for key worker children, public health advice is to not change term dates at either end. I am also mindful that an extension to the school holidays could cause significant difficulties for working parents.

In addition, I asked the COVID-19 Advisory sub-group on education and children's issues for advice. The group discussed this at their meeting on Tuesday 1<sup>st</sup> December and concluded that there should be no change to the Christmas holiday dates. The group reiterated that there is no evidence that schools and ELC settings are driving transmission, and there is no clear rationale for disrupting them and children's education. I attach the advice which I received as annex A.

Tha Ministearan na h-Alba, an luchd-comhairleachaidh sònraichte agus an Rùnaire  
Maireannach fo chumhachan Achd Coiteachaidh (Alba) 2016. Faicibh [www.lobbying.scot](http://www.lobbying.scot)

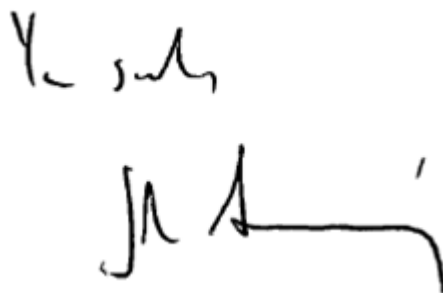
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One issue where there is broad consensus is around the need for school staff to have their planned holidays without interruption due to the need to engage in contact tracing. We also want to avoid families being disturbed on or around Christmas day due to any outbreaks which may involve a school prior to the start of the holiday period. In considering local arrangements, it will be vitally important that every effort is made to ensure that senior leadership teams and school staff get a proper break, and that the likelihood of staff being required to support contact tracing activities over the holiday period is minimised. Please note that contact tracing activities may go back as far as 7 days due to schools being complex environments. We understand that some local authorities have already made arrangements to address this risk, and we are now asking that similar arrangements are put in place as early as possible across all councils. While it is for local authorities, in consultation with their staff, to develop solutions that best suit local needs, options that have been implemented in some local authorities already include: (i) named individuals who have volunteered to be on-call for a local area in exchange for appropriate overtime payments, with access to information to support contact tracing if required; or (ii) putting in place central local authority teams who are on duty or on call over the relevant period and can access the relevant information. The National Contact Tracing Centre have also indicated that they stand ready to support work to contact affected individuals in the event of a case being identified in a school during this period. Public Health Scotland will agree with each Local Health Protection Team on the preferred approach.

Finally, I am sure that all members of the Committee will join me in expressing our gratitude and sincere thanks to school leaders, teachers, all school staff and local authority education officials for their outstanding commitment to the education and wellbeing of Scotland's children and young people this session. The exceptional professionalism and dedication of staff has enabled children and young people to learn safely in school since the return in August. We are also very grateful for the ways in which school staff have supported continuity of learning for children and young people who have been absent from school for COVID-19 related reasons.

Yours sincerely



**JOHN SWINNEY**

Tha Ministearan na h-Alba, an luchd-comhairleachaidh sònraichte agus an Rùnaire Maireannach fo chumhachan Achd Coiteachaidh (Alba) 2016. Faicibh [www.lobbying.scot](http://www.lobbying.scot)

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# COVID-19 Sub-group on Education and Children's Issues Summary of advice for school holidays over the festive season

1 December 2020

## Background

1. The sub-group on education and children's issues was asked to provide advice on possible changes to the school holiday arrangements, for the purpose of reducing social contact and driving down transmission of the virus before and after the 5 day relaxation of restrictions over the festive period.
2. The sub-group considered 3 possible options at its meeting today:
  - i. Maintain the current arrangements, whereby term dates are determined by local authorities and arrangements made in line with local circumstances
  - ii. Close school buildings from 18 December (meaning the final day of school activity would be 17 December) and reopen on 11 January throughout Scotland, while maintaining current term dates to provide remote learning on weekdays outwith the planned school holidays
  - iii. Close schools and change term dates so that holidays for all schools run from 18 December to 11 January, with no learning or teaching taking place during that period.
3. Prior to this discussion, the group had received a presentation on the current state of the pandemic and compliance; and clear concerns were expressed by sub-group members about the impact of the easing of restrictions over the festive period. The group also heard a short context-setting presentation relating to the decision about school holidays, setting out the legal considerations; views from education stakeholders, senior clinical advisors and the public health community; and practical issues relating to childcare provision and contact tracing.
4. In formulating its advice, the group was asked to apply its expertise and knowledge of the evidence, and to consider (i) the state of the epidemic – including prevalence and degree of community transmission, (ii) coherence with Scotland's wider strategy and consistency of communications, (iii) partner views and practicalities, and (iv) the balance of harms.

## Advice

5. Members of the sub-group recognised the range of factors to be considered, and that the decision was finely balanced. However, **the consensus view was in support of maintaining the current arrangements (option 1), subject to some specific considerations.** The following factors were fundamental in reaching this view.
6. There is no evidence that schools and ELC settings are driving transmission, and there is no clear rationale for disrupting them and children's education. Members talked about it making no sense to 'hit' schools, and that it was wrong for vulnerable children to have to 'pay' for the Christmas easing.

Tha Ministearan na h-Alba, an luchd-comhairleachaidh sònraichte agus an Rùnaire Maireannach fo chumhachan Achd Coiteachaidh (Alba) 2016. Faicibh [www.lobbying.scot](http://www.lobbying.scot)

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7. There were concerns about the message, which would be inconsistent with Scottish Government's emphasis on school safety and on keeping schools open. Clarity and consistency of message were seen to be important factors. Closing schools for a 3 week period to reduce transmission would undermine the consistent message that schools are safe, and would serve to amplify the concerns that had already been expressed by teachers about the safety of working in schools.
8. Equity was regarded as a key consideration, with significant concerns being expressed about the health, wellbeing and safety of vulnerable children and those living in poverty. Christmas and New Year are often particularly difficult times for these children and young people, and an extended period out of school would increase those difficulties and potentially result in more household mixing for children whose parents are unable to provide care for them. School closures would have a disproportionate impact on the most vulnerable children, those who are living in poverty, and those who are at risk from domestic violence or child sexual exploitation. For these groups, the 5 day relaxation of restrictions over Christmas would bring little benefit, and yet they would be the most adversely affected by a longer period without the regular contact, support, and safeguarding provided by schools.
9. It was recognised that we can't tell at this stage whether social mixing would be increased or decreased during a period of closure of school buildings with on-line learning, but group members talked about the considerable efforts made by schools and ELC settings to prevent and mitigate COVID-related harms, and were not aware of any evidence that closing schools for a longer period over Christmas would reduce social mixing. Schools provide a routine and a considerable degree of protection. School closures would not stop social mixing and might increase it. Modelling is not yet available to provide an understanding of likely impacts.
10. There was potential for learning loss (whether from school closure or on-line learning), particularly for disadvantaged students for whom existing inequalities have already been exacerbated by the school closures before the summer. This would be more of an issue in January than it would be in the few days before the holiday period.
11. There were also concerns about parity with other key workers, should additional holidays be agreed for school staff, but not those in health and social care roles, for example. Linked to this, the practical difficulties in providing critical childcare should school holidays be extended or online learning required, would have knock-on consequences for key workers across sectors – either resulting in greater absences from work, or necessitating household mixing to cover childcare.
12. All of these considerations led the group to advise that the current arrangements, whereby school term dates are decided locally and based on in-school learning, should be maintained. However, this was conditional on school staff being enabled to have a proper break over the festive period, and their wellbeing being given due attention. The prospect of having to undertake contact-tracing over Christmas is regarded as being the straw that might break the back of many teachers and headteachers. An alternative approach should be agreed urgently, working with local public health teams and the national contact tracing centre.

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13. Lastly, group members expressed significant concern about January, recognising the range of pressures that will come together, including: an anticipated post-Christmas increase in infections and hospitalisations; the return of schools and universities, likely to lead to a short term increase in cases and the potential for significant numbers to have to isolate; the delivery and administration of vaccine; and the normal winter pressures. For these reasons, allowing for local flexibility to reduce coincident challenges (for example through flexibility/delay of school return dates, and delay of university students returning) would be helpful.

## Summary

14. In summary, the sub-group recognised that it was a difficult and finely balanced decision. The members felt that, on balance, option 1 remained the best approach, with the requirement that authorities ensure that staff are able to have a good quality break over the festive season. Approaches to achieving this might include providing support for contact tracing in the run up to Christmas.

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