

Minute of Meeting

Cabinet
Tuesday 17 September 2024
Item No 4.1



Cabinet

Date	Time	Venue
Tuesday, 28 May 2024	11:00 am	Council Chambers, Midlothian House, Buccleuch Street, Dalkeith and MS Teams

Present:

Councillor Parry (Chair)	Councillor Alexander
Councillor Bowen	Councillor Cassidy
Councillor McKenzie	Councillor Scott
Councillor McManus (virtual)	

Religious Representatives:

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In attendance:

Grace Vickers, Chief Executive
Kevin Anderson, Executive Director Place
Derek Oliver, Chief Officer Place
Saty Kaur, Chief Officer Corporate Solutions
Rebecca Hooton, Service Manager, Children's Services, Partnerships and Communities
Nick Clater, Head of Adult Services and Deputy Chief Social Work Officer
Michelle Strong, Education Chief Operating Officer
Janet Ritchie, Democratic Services Officer
Hannah Forbes, Assistant Democratic Services Officer

1 Welcome, Introductions and Apologies

The Chair welcomed those in attendance to the meeting of Cabinet.

2 Order of Business

The Order of Business was as detailed within the agenda.

3 Declarations of interest

No declarations of interest were received.

4 Minutes of Previous Meetings

- 4.1 The Minute of the Meeting of Cabinet held on the 5 March 2024 was submitted and approved as a correct record.
- 4.2 The Action Log of Cabinet was submitted and noted. The Chair asked for an update on Item 4, and it was confirmed that an update from Joan Tranent would be provided post meeting. The Action log was otherwise noted.

5. Reports

Agenda No.	Report Title	Presented by:
5.1	Lasswade Primary School and Nursery Inspection Report	Education Chief Operating Officer
Outline of report and summary of discussion		
<p>The purpose of this report was to outline the outcomes of the inspection of Lasswade Primary School carried out by Education Scotland in November 2023.</p> <p>In presenting this report the Education Chief Operating Officer, Michelle Strong outlined the background to the inspection and highlighted the main sections as contained within the report. The Chief Operating Officer further advised that the inspection was positive, and many strengths of the school was highlighted including the leadership of the school, the pride the children have in the school and the commitment of staff. It was also noted that the Inspectors were confident in the school's capacity for further improvement and therefore will make no further visits to the school in relation to this inspection. The Chief Operating Officer congratulated the school on such a positive inspection outcome and expressed her thanks to the staff for their ongoing support to learners and families.</p> <p>Councillor Scott expressed her congratulations to the Head Teacher, staff, pupils and parents for this exceptionally good report and advised that she was confident that the school would go forward with the items identified in the report.</p>		
Decision		
Report noted.		
Action		

Agenda No.	Report Title	Presented by:
5.2	Lawfield Primary School and Nursery Inspection Report	Education Chief Operating Officer
Outline of report and summary of discussion		
<p>The purpose of this report was to outline the outcomes of the inspection of Lawfield Primary School and Nursery carried out by Education Scotland in February 2024.</p> <p>In presenting this report the Education Chief Operating Officer, Michelle Strong outlined the background to the inspection and highlighted the main sections as contained within the report. The Chief Operating Officer further advised that when the Inspectors visited this year it was noted that positive progress had been made and recognised the positive supports that had been put in place. It was also noted that following a positive verbal feedback session the Inspectors advised they will return for a further inspection within 12 months. The Chief Operating Officer advised that the Midlothian Council Education Department have been clear with HMI that they do not accept this next step and do not believe to be in the best interest of the school. It was also noted that a new Head Teacher took up post and the chief Operating Officer expressed her thanks to the interim Head Teacher who has led the school throughout this school session and the inspections process.</p> <p>Councillor Scott highlighted that the school had a few years of difficulties and commented on the hard work of the staff and the acting Head Teacher and wished her good luck with her new post. It was also noted that the Education department had supported the school and this was a good report but the continuing inspection was disappointing but the school was heading in the right direction. Councillor McKenzie also commented positively on this school and the progress they have made.</p> <p>The Chair echoed the comments made by Councillors and welcomed the new Head Teacher to the post.</p>		
Decision		
Report noted.		
Action		

Agenda No.	Report Title	Presented by:
5.3	Newbattle High School Inspection Report	Education Chief Operating Officer
Outline of report and summary of discussion		
<p>The purpose of this report was to outline the outcomes of the inspection of Newbattle High School carried out by Education Scotland in November 2023.</p> <p>In presenting this report the Education Chief Operating Officer, Michelle Strong outlined the background to the inspection and highlighted the main sections as contained within the report.</p>		

The Chief Operating Officer further advised that this was a positive outcome for the school, however Inspectors have requested a progress report within 18 months of the Inspection by the Education department. The Education Officer thanked the staff and partners for their ongoing commitment to the young people, families and community of Newbattle.

Councillor Scott commented positively on this report and highlighted that the school had a lot of children who had been impacted by COVID and Cost of Living and expressed her congratulations to the Head Teacher in turning this school around. Councillors noted the positive progress that Newbattle High School had made.

Decision

Report noted.

Action

Agenda No.	Report Title	Presented by:
5.4	Inspection of community Learning and Development (CLD) Services in Midlothian	Education Chief Operating Officer

Outline of report and summary of discussion

The purpose of this report was to highlight the positive partnership inspection of CLD through the recent progress visit in March 2024. The formal report was published on 30 April 2024.

In presenting this report the Education Chief Operating Officer, Michelle Strong outlined the background to the progress visit and highlighted the main sections as contained within the report. The focus of the visit was on two elements: the leadership of the service and impact of the service-on-service users. The service was recognised for strong partnership working and commitment of staff. It was noted that HMI awarded the highest evaluation to the CLD service and will take no further action in relation to this progress visit.

The Chief Operating Officer recognised the hard work for all those who deliver for CLD on a daily basis and the positive inspection outcome.

Councillor Scott commented positively on the work done by CLD staff and this was a very positive report. Councillor Cassidy also commented positively on the valuable work done by this service.

Decision

Report noted.

Action

Agenda No.	Report Title	Presented by:
5.5	Attendance Update for Midlothian	Education Chief Operating Officer
Outline of report and summary of discussion		
<p>The purpose of this report is to present a summary of attendance in Midlothian. The historic and current trends in attendance are presented alongside the ongoing work that is taking place across the authority and within schools to improve the outcomes of our young people.</p> <p>In presenting this report the Education Chief Operating Officer provided a brief overview of the main sections contained within the report and highlighted that school attendance is a national concern, with attendance rates across Scotland not returning to pre pandemic levels and advised on the ongoing work in strengthening its policies, procedures and partnerships. It was noted that Scottish Government continue to monitor attendance with a fortnightly data collection.</p> <p>The Chief Operating Officer acknowledged the ongoing work of the attendance strategy group for all that they have achieved this year and their focus for the year ahead.</p> <p>Councillor Scott advised that attendance is a priority for Midlothian Council and highlighted some of the complex issues which affect the children and families with regards to attendance.</p> <p>The Chair noted what was said and advised that Councillors would benefit from more in-depth detail on the intricacies and differences in schools and initiatives taken to improve this and proposed that Cabinet ask for a Briefing for all Councillors.</p>		
Decision		
Cabinet requested a Briefing for all Councillors and to otherwise note the content of the Report.		
Action		
The Education Chief Operating Officer		

Agenda No.	Report Title	Presented by:
5.6	Education 2023/24 Annual Performance Report	Education Chief Operating Officer
Outline of report and summary of discussion		
<p>The Education Chief Operating Officer presented the report, highlighting the salient points of the report, noting progress in the delivery of strategic outcomes and the challenges and risks. The Chief Operating Officer acknowledged everyone involved in both services and wished them a good holiday.</p> <p>The Chair thanked the Education Chief Operating Officer for the report and opened it up to questions.</p> <p>Councillors commented positively on the Midlothian aligned curriculum offer, the positive destinations but also raised concerns with regards to the increase in young</p>		

children with additional support needs and why there is such an increase in needs. It was also noted that there are green shoots after COVID and that the schools are recovering.

Decision

Report noted.

Action

Agenda No.	Report Title	Presented by:
5.7	Children's Services, Partnerships and Communities Performance Report Quarter Three 2023/24	Chief Social Work Officer and Chief Officer Children's Services, Partnerships and Communities

Outline of report and summary of discussion

The Service Manager, Rebecca Hooton was presenting the report on behalf of Chief Officer. The Service Manager presented the report highlighting the salient points of the report, noting progress in the delivery of strategic outcomes and the challenges and risks. The Service Manager also expressed her thanks to all staff during a very challenging year.

The Chair welcomed the Service Manager to Cabinet opened it up to questions.

In responding to a question raised with regards to the CAMHS waiting list and identifying those in crisis, the Service Manager advised that they are very aware of those families in stress and advised on the work with the self-directed support assessments and the systems in place which is capturing some of those families in stress and that assessments are carried out on the young people on the CAMHS waiting list prior to them getting a diagnosis. The Service Manager further advised on the support provided in group setting for some of those families which has proved successful and received positive feedback from the families.

Councillors also commented positively on the work done by this service and queried how much is natural diagnosable medical condition and how much is contributed to poverty. The Service Manager advised that they are working hard to get a better understanding and not focussing on a diagnosis but looking at the whole picture and what is impacting on attendance or on what is going on at school.

The Chair advised that she sat on the Promise oversight board and was incredibly proud to see the work that Midlothian does on the Promise and expressed her congratulations.

Decision

Report noted.

Action

Agenda No.	Report Title	Presented by:
5.8	Adult Health and Social Care Performance Report 2023/24	Head of Adult Services and Deputy Chief Social Work Officer
Outline of report and summary of discussion		
<p>The Head of Adult Services presented the report, highlighting the salient points of the report, noting progress in the delivery of strategic outcomes and the challenges and risks. The Head of Adult Services thanked all staff for their hard work during a very challenging year.</p> <p>The Chair thanked the Head of Adult Services for the report and opened it up to questions.</p> <p>Councillor McManus expressed his thanks to all the staff who had worked very hard under constrained circumstances for such a long time and acknowledged the focus on sickness absence.</p>		
Decision		
Report noted.		
Action		

Agenda No.	Report Title	Presented by:
5.9	Corporate Solutions Performance Report Quarter Three 2023/24	Chief Officer Corporate Solutions
Outline of report and summary of discussion		
<p>The Chief Officer, Corporate Solutions advised that this report was split into two parts, an annual summary across Corporate Solutions for 2023/24 and the quarter 4 performance for 2023/24. The Chief Officer presented the report, highlighting the salient points from the report, noting the delivery of the outcomes against the Council's strategic objectives and transformation blueprint.</p> <p>The Chief Officer thanked all the staff in Corporate Solutions for what has been achieved under really challenging circumstances and recognised the other services who have supported corporate solutions in delivering its priorities.</p> <p>Councillors expressed their thanks for the report and commented very positively on the work, the number of emails with complaints that has gone down, the library services and the scope that is being developed, the digital progress and the good practice in place particularly on the local procurement which is moving in the right direction.</p> <p>It was also raised that some members of the public are unable to pay Council tax and questions around changes in businesses and are they paying the proper business tax. The Chief Officer will respond to these comments offline.</p> <p>In responding to a further comment with regards to the customer contact centre answering calls and moving these on, the Chief Officer explained that calls are not put through to numbers which ring out and the first approach is to answer the</p>		

question or log the call and pass on to the relevant service. However, there is a switchboard function which callers can be diverted to the number they have asked for but unfortunately there is no caller tracking on these calls.

A comment was also expressed with regards to the number of people using Dalkeith Library and the success of keeping these libraries open and the services that are provided to the community from these libraries. A further positive comment was made with regards to the new electric bus and mobile library service which will be a great service for the rural communities.

Decision

Report noted.

Action

Agenda No.	Report Title	Presented by:
5.10	Place Performance Report Quarter Three 2023/24	Chief Officer Place

Outline of report and summary of discussion

The Chief Officer Place, presented the report, highlighting the salient points of the report, noting progress in the delivery of strategic outcomes and the challenges and risks.

The Chair thanked the Chief Officer Place for the report and opened it up to questions.

Positive comments were made with regards to the many ways Midlothian was going towards reaching the climate emergency targets especially the work done to deliver affordable heat, making council homes as efficient as possible and the work done by waste services with landfill sites and recycling. The roads team was congratulated on the carriageway resurfacing and pothole repairs and thanked for going above and beyond when out during the night to ensure people were kept safe and roads clear during the flooding period. It was also noted the rise in leisure facility membership and the work done by the countryside team and volunteers to ensure green spaces are kept green and the towns and villages are kept beautiful which has a positive impact on mental and physical health. The uptake on school meals was also a positive outcome and it is hoped this continues to rise.

The Chair echoed the comments and thanked the Chief Officer and the team for the work done with regards to the flooding and the communication to Elected Members.

In responding to a comment regarding void work the Chief Officer advised that with the journey of improvement a contractor and utility company has been engaged to fast track that process that otherwise was being held back and voids were not being turned around as quick as they could.

A further comment was raised with regards to environmental services and the increase in the number of wardens and the Chief Officer explained that the pilot

has concluded, and a report will come forward to BTSG and then on to Council. He further advised the good interface work and engagement that the wardens undertook with the community will continue and there will be a handover with the neighbourhood environment team so the good engagement with community groups will continue and the enforcement prospectus will be brought forward for Councillors to consider how this is taken forward.

A very positive comment was also made with regards to all the bulb planting and the big difference this makes to our environment.

Decision

Report noted.

Action

Agenda No.	Report Title	Presented by:
5.11	Midlothian Council Report Quarter 4 2023/24 and Balanced Scorecard	Chief Executive
Outline of report and summary of discussion		
<p>The Chief Executive presented the report. The report, together with the Balanced Scorecard, provides a summary of actions in line with the Single Midlothian Plan, which further complements the reports presented from each of the services during the meeting.</p> <p>The Chief Executive took the opportunity as Chief Executive and Head of paid services to express her thanks to all staff and partners for their hard work over the course of the year.</p> <p>The Chair thanked the Chief Executive for the report and opened it up to questions, of which there were none.</p>		
Decision		
Report noted.		
Action		

Agenda No.	Report Title	Presented by:
5.12	Highbank Intermediate Care Home Inspection Report	Head of Adult Services and Deputy Chief Social Work Officer
Outline of report and summary of discussion		
<p>The Head of Adult Services presented the report on behalf of Head of Primary Care and Older People. This report provides an overview of the resent unannounced care inspection for Highbank Intermediate Care Home.</p>		

The Head of Adult Services provided a brief overview of this positive Inspection advising that there were no recommendations or requirements and expressed his thanks to all the staff who work there.

The Chair thanked the Head of Adult Services for the report and opened it up to questions.

Councillors commented on this very positive report and expressed their thanks to the team.

Decision

Report noted.

Action

Agenda No.	Report Title	Presented by:
5.13	Protective Services, Business Regulations Food Service Plan	

Outline of report and summary of discussion

The Chief Officer Place presented the report and introduced Gail McElroy, Business Regulations Consumer Manager who was also present for this report.

The purpose of this report was to advise Cabinet of the obligation upon the Council to document and implement an annual Food Service Plan; and to seek approval of the Protective Services, Business Regulation Food Service Plan for 2024/2025.

In addition, the Food Law Enforcement Policy, reviewed every 24 months, has been revised and requires Council approval.

The Chief Officer in presenting the highlighted the main sections as contained within the report and advised that Cabinet is asked to:

- i) note the Review of Performance of the Food Service for period 2023/24
- ii) note the likely impact of the current staffing position and the difficulties to successfully recruit due the national shortage of EHOs
- iii) note the proposal by Food Standards Scotland for work towards a new model of food law delivery in Scotland, namely 'Scottish Authorities Food Enforcement Rebuild' (SAFER)
- iv) approve the Protective Services, Business Regulation Food Service Plan 2024/25; and
- v) approve the revised Food Law Enforcement Policy

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

Councillors welcomed this paper and commented on the positivity of growing your own and expressed their congratulations to the team.

It was raised that when premises are receiving a food license is there something that can be enforced with regards to managing the litter, in response officers advised that businesses have an obligation to manage waste effectively and suitably and if complaints are received the Council will go out and give advice businesses with regards to their duty regarding managing their waste. The Chief Officer also provided further explanation on food premises which do not operate beyond 11 o'clock they only need to be registered but licensing conditions are added with regards to litter in the area they are trading but engagement is taking place with Scottish Government to extending licensing to all food premises.

The Chief Officer in responding to a question raised with regards to food concerns advised on the various measures that are put in place to notify the public and Food Standard Scotland also run several initiatives and campaigns around issues that are now or not widely known. It was further noted that all food intelligence and information which comes to Local Authorities from Food Standard Scotland the appropriate actions are taken.

Decision

The Cabinet approved the recommendations as detailed in the report.

Action

6 Private Reports

7 Date of the Next Meeting

The date of the next meeting was noted as Tuesday 17 September at 11:00am.

The meeting terminated at 12:38 pm.