

# Minute of Meeting

Cabinet  
Tuesday 5 September 2023  
Item No: 4.1



## Cabinet

Date	Time	Venue
Tuesday 30 May 2023	11.00 am	Council Chambers, Midlothian House, Buccleuch Street, Dalkeith

### Present:

Councillor Parry (Convener)	Councillor Alexander
Councillor Cassidy	Councillor McKenzie
Councillor Scott	

### Religious Representatives:

Ms Elizabeth Morton	
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### In attendance:

Dr Grace Vickers, Chief Executive
Kevin Anderson, Executive Director Place
Nick Clater, Head of Adult Services
Jo Foley, Service Manager
Derek Oliver, Chief Officer Place
Saty Kaur, Chief Officer Corporate Solutions (Acting)
Michelle Strong, Chief Operating Officer (Education)
Janet Ritchie, Democratic Services Officer
Hannah Forbes, Democratic Services Assistant

## 1 Welcome, Introductions and Apologies

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Councillor Parry welcomed those in attendance to the meeting of Cabinet.

Apologies were then noted on behalf of Anne–Theresa Lawrie

## 2 Order of Business

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The Order of Business was as detailed within the Agenda.

## 3 Declarations of interest

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No declarations of interest were received.

## 4 Minutes of Previous Meetings

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4.1 The Minute of the Meeting of the Cabinet held on the 28 February 2023 was submitted and approved as a correct record with an amendment to item 5.6, 2<sup>nd</sup> paragraph which should read: *There was a discussion regarding not using pre-payment meters.*

4.2 The Action Log of Cabinet was submitted and actions completed noted.

## 5. Reports

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Agenda No.	Report Title	Presented by:
5.1	Adult Health and Social Care Annual Performance Report 2022/23	Nick Clater, Head of Adult Services
<b>Outline of report and summary of discussion</b>		
<p>Head of Adult Services, Nick Clater provided an overview of the Performance Report 2022/23 highlighting the progress in the delivery of the strategic outcomes and provided a summary of the emerging challenges as contained within the report.</p> <p>Councillor McManus commented that although there are some things which require improvement the staff and carers do a fantastic job on a daily basis and the report highlights Midlothian's commitment to provide a high-quality health care service to the residents of Midlothian during the ongoing challenges of the COVID-19 pandemic. He also highlighted through the Scottish Government funding the achievements of the Substance Misuse Service at No 11 in Dalkeith which continues to provide outreach treatment. He further expressed his thanks to all the services involved in delivering these services.</p> <p>Mr Clater responded to concerns raised with regards to Tone Zone membership advising that under the Sport and Leisure review all the issues raised will be addressed as a matter of priority and that any individual complaints can be raised directly with him so he can discuss further with the service. He further responded to a question raised with regards to alcohol use confirming there is a larger trend coming through and the challenges that this brings to the service. He also advised that they are considering bringing in a dedicated alcohol nurse. Mr Clater also provided an update on the Buvidal uptake and the outcomes with regards to</p>		

stabilisation were positive, but it was still too early to report on the outcomes with regards to the justice service, police etc.

The Chair expressed her thanks to the teams involved in the visit with the Minister of Mental Health, Wellbeing and Support to the Midlothian Community Hospital.

#### Decision

Cabinet noted the content of the report and progress made and agreed to forward the report to the Performance Review and Scrutiny Committee.

#### Action

Democratic Services

Agenda No.	Report Title	Presented by:
5.2	Children's Services Partnerships and Communities Annual Performance Report	Jo Foley, Service Manager, Children's Services

#### Outline of report and summary of discussion

The Service Manager, Jo Foley provided an overview of the Performance Report 2022/23 highlighting some of the key achievements and outlined some of the challenges and risks as contained within the report.

Following the presentation Councillor Scott commented positively on the family support service, the CAMHS service and the single point of access which will reach so many families. In responding to a question raised by Councillor Scott with regards to the resilience of the 3<sup>rd</sup> sector, Ms Foley provided clarity on the commissioning review and that the 3<sup>rd</sup> sector were key partners going forward in the family wellbeing service and advised that an independent person would be looking at the commissioning of the 3<sup>rd</sup> sector in terms of equity and sustainability to ensure services were not duplicated and identifying gaps in services.

Councillor Cassidy commented on the in-depth report and expressed his appreciation on the work done by this team.

#### Decision

Cabinet noted the content of the report and progress made and agreed to forward the report to the Performance Review and Scrutiny Committee.

#### Action

Democratic Services

Agenda No.	Report Title	Presented by:
5.3	Corporate Solutions Annual Performance Report 2022/23	Chief Officer Corporate Solutions (Acting)

#### Outline of report and summary of discussion

Chief Officer Corporate Solutions (Acting), Saty Kaur provided an overview of the Performance Report 2022/23 highlighting the delivery of the transformation work and some of the key achievements and provided a summary of some of the challenges as contained within the report.

Ms Kaur also provided a brief update on the next steps advising that the balanced budget for future years relies on achieving a number of transformation work streams and provided an outline of some of the main work streams going forward. Ms Kaur expressed her thanks to all the staff across Corporate Solutions who have worked extremely hard to deliver services and supported colleagues across the Council as well as advancing new ways of working to improve the customer experience.

Thereafter Ms Kaur and Mr Oliver in responding to a question regarding procurement and local businesses provided an update on the work in Place which included the revised Procurement Strategy which will come forward next year, the work of Business Gateway and the refresh of the Economic Development strategy, the Community Benefits work taking place and the actions in place to support local businesses. Clarification was also provided on the data figures and the reasons why these are not reflected correctly but further work is taking place to improve the analysis of this data.

An action was noted that communication would improve between Councillor Cassidy as the Portfolio holder for Economic Development to ensure that regular updates are provided with regards to procurement and business gateway.

Ms Kaur in responding to a further question provided an update on the overall customer service platform and the number of modules that are planned.

Further concerns were raised with regards to customers not being able to access services or members of staff and Ms Kaur advised that all calls should be forwarded on to the staffs' mobile phone but highlighted that if there are specific complaints about individuals or services if this can be passed on this will be investigated.

#### Decision

It was noted that communication would improve between the Portfolio holder for Economic Development to ensure that regular updates were provided with regards to Procurement and Business Gateway.

To otherwise note the content of the report and progress made and agreed to forward the report to the Performance Review and Scrutiny Committee.

#### Action

Saty Kaur, Derek Oliver, and Democratic Services

Agenda No.	Report Title	Presented by:
5.4	Education Performance Report 2022/23	Michelle Strong, Education Chief Operating Officer
<b>Outline of report and summary of discussion</b>		
Education Chief Operating Officer, Michelle Strong provided an overview of the Performance Report 2022/23 highlighting the some of the positive achievements within the Education Service and outlined some of the challenges and risks as contained within the report.		

Councillor Scott commented on the hard work done by the staff and the positive impact this has on our schools. She further highlighted the concerns regarding attendance but acknowledged there was a drop nationally in attendance and outlined some of the factors which has contributed to the attendance figures. Councillor Scott commented positively on the increase in attainment at Newbattle High School and thanked all staff for all their hard work.

The Chair also commented on attendance and the increase in exclusions both in Primary and Secondary schools.

Ms Strong in responding to the above comments highlighted that this year's focus was on attendance and that there are firm foundations for moving forward and that all Head Teachers have a weekly dashboard providing all the information they require to ensure attendance is monitored and the supports that can be put in place for families to ensure they engage with schools. Ms Strong also commented that this year has been challenging but this is a national picture and work is ongoing with partners to address these issues, she further advised that work is ongoing with exclusions, and this should not be seen as a punishment and the school should be working with the pupils to put plans and support packages in place.

#### Decision

Cabinet noted the content of the report and progress made and agreed to forward the report to the Performance Review and Scrutiny Committee.

#### Action

Democratic Services

Agenda No.	Report Title	Presented by:
5.5	Place Performance Report 2022/23	Derek Oliver, Chief Officer Place

#### Outline of report and summary of discussion

Chief Officer, Derek Oliver provided an overview of the Performance Report 2022/23 highlighting some of the key achievements and the areas for improvement across Place services as detailed within the report.

Councillor Cassidy raised concerns with regards to the spraying of Glyphosate before the end of May and Councillor Alexander in supporting this highlighted if there was a need to use this at all and felt it should be banned for the sake of our environment.

Councillor Alexander also raised: participation of school meals especially in High Schools and if this can be improved; the promotion of growing our own food especially with young people; the reduction of grass cutting and managing our grasslands to make them more environmentally friendly; the positive improvements to our cycle paths and the benefit of these for the residents of Midlothian; the reduction of bus routes in some parts of Midlothian in particular the changes to the bus service for Rosewell and some parts of Bonnyrigg; the stop on the glass deposit return scheme and commented positively on the development of Vogrie Country Park.

In responding to the above points raised Mr Oliver advised on the outdoor nursery at Vogrie and the growing of food and this could be discussed further with Education in terms of the learning experience for young people. Mr Oliver advised with regards to gully maintenance the second gully machine will be arriving shortly and in terms of improving the local amenity visual aspects this will be delivered through the new neighbourhood environment teams and provided a brief update on this work.

Mr Oliver then provided an update on bike grants and the provision of bike shelters as well as the additional funding received from Scottish Government which will be used to further improve active travel in Midlothian.

With regards to bus routes Mr Oliver advised on the transport review and an invitation from Lothian Buses for all Elected Members to engage with them at their Headquarters to discuss any concerns on bus routes.

In responding to the questions regarding Glyphosate Mr Oliver advised that there was Council approval how to utilise it but unfortunately there had been an error in when it was started but he was assured it only happened in a small number of areas. He further advised that Glyphosate is only used on a spot treatment basis.

Councillor McKenzie raised a question with regards to planting bamboo and the commitment to only planting native species, Mr Oliver will investigate this and provide feedback.

#### Decision

Mr Oliver will provide feedback on the planting of Bamboo.

To otherwise note the content of the report and progress made and agreed to forward the report to the Performance Review and Scrutiny Committee.

#### Action

Derek Oliver and Democratic Services

Agenda No.	Report Title	Presented by:
5.6 and 5.7	Midlothian Balanced Scorecard Indicators Annual Report and Midlothian Council Annual Performance Report 2022/23	Grace Vickers, Chief Executive
Outline of report and summary of discussion		
<p>5.6 The Balanced Scorecard provides an overview of performance in line with the Single Midlothian Plan and 5.7 Midlothian Council Annual Performance report provides a summary of the information from the individual Performance Reports presented by Officers.</p> <p>The Chief Executive, Grace Vickers highlighted that on the balance scorecard out of the 113 indicators, 23 were off target and provided a brief explanation on the indicators which were off target.</p> <p>Councillor Scott commented positively on the meeting with the Scottish Housing Regulator and Housing Services and the material improvements around housing and homelessness and thanked the team for all their hard work in manging this.</p>		

### Decision

Cabinet noted the content of the Balanced Scorecard and the Midlothian Council Annual report and agreed to forward the report to the Performance Review and Scrutiny Committee.

### Action

Democratic Services

**At 12.20 pm the Chair advised that there would be a short recess and asked Members to return at 12.30 pm.**

Agenda No.	Report Title	Presented by:
5.8	Cherry Road Inspection Report	Head of Adult Services, Health and Social Care

### Outline of report and summary of discussion

This report advises of the outcome of the Inspection of Cherry Road Resource Centre and the actions that were being progressed as a result of the Centre.

Nick Clater, Head of Adult Services presented this inspection report advising that this was a short notice inspection of Cherry Road Resource Centre and that it had been 5 years since the last inspection, the Care Inspectorate awarded the following grades:

- How well do we support people's wellbeing? 4 – Good
- How good is our leadership? 4 – Good
- How good is our setting? 3 – Adequate
- How well is our care and support planned? 5 – Very Good

Mr Clater advised that these grades are assessed against a different evaluation framework since the last inspection.

The report identified 2 areas of improvement and makes one requirement in relation to the Environment. The first area for improvement was in relation to Personal Protective Equipment (PPE) and the other in relation to mealtimes and Mr Clater provided an update on the actions being progressed to address the areas for improvement and the requirements to improve the environment as detailed within the report.

Mr Clater highlighted that it was a positive report and that he was proud of the service provided and thankful to the staff. He further commented that these services had remained open during the challenging times of the pandemic and he was extremely pleased with the general outcome of the inspection but did acknowledge that work needs done to improve the environment.

Councillor McManus highlighted the positive outcomes experienced by the people using the service and the high level of staff consistency and quality of care plans. He further commented that the staff have gone above and beyond to ensure the people they support receive the best possible care tailored to meet the individual needs and the staff should be commended for the high standard of commitment and care and expressed his thanks to the team for this.

Councillor Alexander advised that when she was in the area when Cherry Road had a visit from a Pipes and Drums band and it was really wonderful to see all the staff and residents out enjoying the music and it was very noticeable the staff do a lot to ensure the residents are very happy.

#### Decision

Cabinet noted the outcome of the inspection of Cherry Road Resource Centre by the Care Inspectorate and agreed to forward the report to the Performance Review and Scrutiny Committee

#### Action

Democratic Services

Agenda No.	Report Title	Presented by:
5.9	Burnbrae Primary School Inspection	Michelle Strong, Chief Education Operating Officer

#### Outline of report and summary of discussion

The report outlined the outcome of Burnbrae Primary School Inspection as carried out by Education Scotland in January 2023.

Ms Strong, Chief Education Operating Officer advised that Burnbrae was first inspected in January 2020 and a return visit took place in February 2022 and they reported that the new headteacher was making a positive start on improving the ethos and culture but due to the significant impact of COVID they would return a year later.

A further visit took place in January 2023 and the inspection team reported positively on the strategic leadership of the school, the relentless focus on improvement and the progress in terms of relationship, nurture and outcomes.

HMI have reported that they have confidence in the school's capacity for further improvement and will not make a return visit but have asked the Local Authority to report on progress within a 12-month period. The Local Authority are pleased with the progress made since the first visit and would like to thank the headteacher, the staff, pupils and families for the positive improvements made at Burnbrae.

Councillor Scott thanked Ms Strong for the report and commented on the headteacher's relentless focus on improvement supported by depute headteacher and principal teachers in developing a culture of learning across the school and expressed her thanks to the Head Teacher.

#### Decision

Cabinet:

- (i) Noted the content of the inspection follow through report.
- (ii) Agreed to pass this report to the Performance, Review and Scrutiny Committee for its consideration.
- (iii) Congratulated the pupils, parents and staff connected with Burnbrae Primary School on the key strengths highlighted in the report.



**Action**

Democratic Services

Agenda No.	Report Title	Presented by:
5.10	Danderhall Primary School Inspection Report	Michelle Strong, Chief Education Operating Officer

**Outline of report and summary of discussion**

The report outlined the outcome of Danderhall Primary School inspection as carried out by Education Scotland in February 2023 which was communicated in their report of April 2023.

Ms Strong, Chief Education Operating Officer advised that an acting headteacher who was in the post only a few months before the Inspection took place was able to confidently articulate the school's strengths and areas for improvement. HMI identified and discussed the areas for improvement with the acting headteacher.

Education Scotland are confident that the school has the capacity to continue to improve and so we will make no more visits in connection with this inspection. Midlothian Council will inform parents/carers about the school's progress as part of its arrangements for reporting on the quality of its schools.

**Decision**

Cabinet:

- (i) Noted the content of the inspection report.
- (ii) Agreed to pass this report to the Performance, Review and Scrutiny Committee for its consideration.
- (iii) Congratulated the pupils, parents and staff connected with Danderhall Primary School on the key strengths highlighted in the report.

**Action**

Democratic Services

Agenda No.	Report Title	Presented by:
5.11	Sacred Heart Primary School Inspection Report	Michelle Strong, Chief Education Operating Officer

**Outline of report and summary of discussion**

The report outlined the outcome of Sacred Heart Primary School inspection as carried out by Education Scotland in February 2023 which was communicated in their report of May 2023.

Ms Strong, Chief Education Operating Officer advised the inspection outcome was not as positive if they would like, HMI advised that the school needs additional support and more time to make the necessary improvements. Ms Strong further advised that an action plan has been created and additional support provided to

accelerate improvement across the school. The interventions put in place are being closely monitored to ensure impact and if required an updated report can be brought back in the Autumn.

Councillor Scott advised that this was a disappointing report and commented positively on the school and as highlighted in the report there are enthusiastic confident children and asked on what support and measures are put in place to support the school to ensure we get this right.

Ms Strong further advised on the work with the headteacher in creating an action plan and that this has also been shared with HMI in terms of the areas of improvement which were identified in the report. Ms Strong further explained that they have put in place the support of a headteacher to support the interim headteacher at Sacred Heart and the additional resources and supports put in place to ensure improvement when inspectors return.

#### Decision

Cabinet is asked to:

- (i) Noted the content of the inspection report.
- (ii) Agreed to pass this report to the Performance, Review and Scrutiny Committee for its consideration.

#### Action

Democratic Services

Agenda No.	Report Title	Presented by:
5.12	Protective Services, Environmental Health Food Service Plan 2023/24 Report	Chief Officer Place

#### Outline of report and summary of discussion

Food Standards Scotland (FSS) require each local Food Authority to produce a periodic plan showing how it will meet the duty of the Authority to regulate and enforce food law in its area. This plan is produced following the Framework Agreement on Official Feed and Food Controls by Local Authorities, issued by Food Standards Agency (FSA).

Chief Officer, Mr Oliver presented this report for approval which details the Environmental Health Food Service Plan 2023/24. Mr Oliver brought to the attention of Cabinet some key points, capability and capacity and explained the issues regarding recruitment to this service and an update on the Council's graduate trainee in this service. He further advised that succession planning is being factored into structures and the impact capacity has on statutory undertakings. Mr Oliver provided an update on the Food Standards risk based approach entitled SAFER and the agreement by SoLACE and Midlothian Council's Corporate Management Team to endorse this.

Mr Oliver highlighted the excellent work of the Business Regulation team as part of wider environmental health service with their colleagues across Protective Services.

**Decision**

Cabinet:

- i) Noted the Review of Performance of the Environmental Health Food Service for period 2022/23.
- ii) Noted the likely impact of the current staffing position regards the inability to successfully recruit due the national shortage of EHOs,
- iii) Noted 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) and agreement by SoLACE and Midlothian Council Corporate Management Team to endorse the participation of Environmental Health colleagues in this work and the related temporary relaxations that can be introduced on a risk basis to create the capacity for this work, and
- iv) Approved the Environmental Health Food Service Plan 2023/24.

**Action**

Chief Officer Place

Agenda No.	Report Title	Presented by:
5.13	Waste Services – Proposed application for external funding to facilitate the introduction of kerbside collections of textiles and small electrical appliances	Chief Officer Place

**Outline of report and summary of discussion**

The purpose of this report is for members approval to submit a funding application to the Recycling Improvement Fund for the capital costs associated with the proposed introduction of a kerbside collection of textiles, small electrical appliances and batteries.

Chief Officer, Mr Oliver outlined the main sections as contained within the report and the positive impact on the environment and economy if the funding application is successful.

Councillors commented positively on this report and the improvement on recycling in going forward.

**Decision**

Cabinet:

- i. Noted the content of this report in conjunction with the proposed application to the Scottish Government / Zero Waste Scotland's Recycling Improvement Fund, and to
- ii. Approved submission of the funding application in Appendix B as attached.

**Action**

Chief Officer, Place

## **6 Private Reports**

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In view of the nature of the business to be transacted, the Cabinet agreed that the public be excluded from the meeting during discussion of the undernoted items, as contained in the Addendum hereto, as there might be disclosed exempt information as defined in paragraph 6 of Part I of Schedule 7A to the Local Government (Scotland) Act 1973:-

- 6.1 Minute of Dalkeith High Education Appointment Committee of 7 April 2022
- 6.2 Minute of St Andrews Primary School Education Appointment Committee of 30 June 2022.
- 6.3 Minute of Saltersgate School Education Appointment Committee of 2 March 2023
- 6.4 Minute of Bonnyrigg Primary School Education Appointment Committee of 4 May 2023.
- 6.5 Minute of Tynewater Primary School Education Appointment Committee of 4 May 2023.
- 6.6 Minute of Danderhall Primary School Education Appointment Committee of 5 May 2023
- 6.7 Minute of Beeslack Community High School Education Appointment Committee of 5 May 2023

## **7 Date of the Next Meeting**

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The next meeting is scheduled for Tuesday 5 September 2023 at 11 am.

The meeting terminated at 12.50 pm