

**MINUTES of MEETING of the MIDLOTHIAN COUNCIL CABINET** held in the Council Chambers, Midlothian House, Buccleuch Street, Dalkeith on Tuesday, 15 January 2013 at 11.00 am.

**Present:-** Councillors Constable (Convener), Beattie, Bryant, Johnstone and Thompson.

**Religious Representatives Present:-** Mr V Bourne, Mr P Hayes and Mrs M Harkness.

**1 Audio Recording**

Before the commencement of the business the Convener reminded members that the proceedings were being audio recorded.

**2 Declarations of Interest**

Councillor Thompson advised the Cabinet that he had a non financial interest in item 7 – Inspection of Tynewater School and Nursery class (paragraph 6 below refers) in view of the fact that his wife worked there and he indicated that it was his intention to withdraw from the meeting for that item.

**3 Minutes**

The Minutes of Meetings of 8 October, 13 November (1) and 13 November (2) 2012, were submitted and approved as correct records.

Arising from the Minutes of Meeting of 8 October 2012, the Director, Education and Children's Services, advised that the post of Head of Education remained unfilled and it was his intention to bring forward alternative proposals to Cabinet in due course.

**4 Inspection of Midfield Young People's Centre**

There was submitted report, dated 22 November 2012, by the Director, Education and Children's Services, outlining the outcome of the inspection of Midfield Young People's Centre as carried out by the Care Inspectorate in June and July 2012.

Based on the findings of the inspection the Care Inspectorate had awarded the following grades:

Quality of Care and Support	Grade 3 – Adequate
Quality of Environment	Grade 3 - Adequate
Quality of Staffing	Grade 4 – Good
Quality of Management & Leadership	Grade 2 – Weak

The following particular strengths were indicated by the Inspection Team:-

- The staff were very good at recognising the needs of the young people and were caring and friendly towards them;
- Staff were creative in making best use of all the facilities available in the home; and
- The young people continued to benefit from the involvement of the Looked After Children's Teacher.

The Inspection Team also reported that the Authority could do better in the following areas:-

- The provider needed to consider how they could provide stable long term leadership and ensure that all staff were committed to the continuing vision and progression of the service; and
- The provider needed to ensure that incident records and other recordings were monitored to ensure that they were of sufficient quality and actions were identified and carried out.

The Head of Children and Families spoke in amplification of the report and the steps that had been taken to address the issues which the Inspectorate had identified. She also advised that an unplanned inspection had been held by the Inspectorate the previous week and their informal report was that good progress had been made.

### **Decision**

- (a) To note the content of the Inspection Report;
- (b) To pass the report to the Performance, Review and Scrutiny Committee for its consideration; and
- (c) To congratulate Young People and Staff connected with Midfield Young People's Centre on the key strengths highlighted in the report.

(Action: (b) Legal and Secretariat Manager (c) Head of Children and Families)

## **5 Inspection of St Mathew's RC Primary School**

There was submitted report, dated 21 November 2012, by the Director, Education and Children's Services, advising that St Mathew's RC Primary School had been inspected in October 2012 as part of a national sample of primary and nursery education. The report had been published on 4 December 2012 and had been distributed to all Elected Members and Religious Representatives on the Cabinet for their information.

The inspection covered key aspects of the work of the school at all stages.

Following the inspection of each school, the Scottish Government gathered evaluations of three important quality indicators to keep track of how well all the Scottish Schools were doing and noted below were the evaluations for St Mathew's RC Primary School.

Improvements in Performance	Good
Learners' Experiences	Very Good
Meeting Learning Needs	Very Good

HMIE had also evaluated the following aspects of the work of the school:-

The Curriculum	Good
Improvement through self – evaluation	Good

The following key strengths were indicated by the Inspection Team:-

- Polite, well-behaved children who were proud of their school;
- Effective, partnerships with parents and the wider community to support children's learning;
- Children's knowledge and understanding of healthy lifestyles;
- The very effective teamwork of all staff and their commitment to the children; and
- The impact of the acting Head Teacher in improving the curriculum and approaches to learning and teaching.

The following areas for improvement had been agreed between Education Scotland, the School and the Education and Children's Services Division:-

- Continue to improve attainment in mathematics;
- Further improve achievement by developing quality programmes and courses across curriculum areas; and
- Develop more systematic approaches to self-evaluation, which focused on further improvements to learning, teaching and attainment.

### **Decision**

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

- (c) To congratulate the pupils, parents and staff connected with St Mathew's RC Primary School on the key strengths highlighted in the report; and
- (d) To note that, whilst acknowledging progress reflected in this report, the Council would continue to challenge, support and monitor the service in relation to achieving excellence through further improving performance.

(Action: (b) Legal and Secretariat Manager (c) & (d) Director, Education and Children's Services)

### **Sederunt**

As previously intimated Councillor Thompson declared a Declaration of Interest and withdrew from the meeting for the following item of business at 11.19 am.

## **6 Inspection of Tynewater Primary School and Nursery Class**

There was submitted report, dated 21 November 2012, by the Director, Education and Children's Services, advising that Tynewater Primary School and Nursery Class had been inspected in September 2012 as part of a national sample of primary and nursery education. The report had been published on 13 November 2012 and had been distributed to all Elected Members and Religious Representatives on the Cabinet for their information. The inspection covered key aspects of the work of the school at all stages.

Following the inspection of each School, the Scottish Government gathered evaluations of three important quality indicators to keep track of how well all Scottish Schools were doing. Noted below were the evaluations for Tynewater Primary School and Nursery Class.

	<b>Primary School</b>	<b>Nursery Class</b>
Improvements in performance	Good	Good
Learners' experiences	Good	Good
Meeting learning needs	Good	Good

The Inspectors also evaluated the following aspects of the work of the School and the Nursery class:-

Curriculum	Good
Improvement through self-evaluation	Good

The following key strengths were indicated by the Inspection Team:-

- Enthusiastic, eager learners who have good relationships with each other and the staff;
- A highly committed Head Teacher and staff with a desire for ongoing improvement;

- Very good support from parents in the Community;
- A wide and varied range of learning opportunities; and
- A school environment which was highly conducive to quality learning.

### **Decision**

- (a) To note the content of the Inspection Report;
- (b) To pass the report to the Performance, Review and Scrutiny Committee for its consideration;
- (c) To congratulate the pupils, parents and staff connected with Tynewater Primary School on the key strengths highlighted in the report; and
- (d) To note that, whilst acknowledging progress reflected in this report, the Council would continue to challenge, support and monitor the service in relation to achieving excellence through further improving performance.

(Action: (b) Legal and Secretariat Manager (c) & (d) Director, Education and Children's Services)

### **Sederunt**

Councillor Thompson rejoined the meeting after the above item of business at 11.35 am.

## **7 Minutes of Education Appointment Committee**

The Cabinet noted and approved the Minutes of Meeting of the Education Appointment Committee of 14 December 2012, as shown in the **Appendix** hereto, thereby approving the appointment of L Dunbar to the post of Head Teacher at Lawfield Primary School.

(Action: Director, Education and Children's Services)

## **8 Biennial Report of the Independent Chair of East and Midlothian Adult Protection Committee**

There was submitted report, dated 10 December 2012, by the Director, Communities and Wellbeing, introducing the report of the Independent Chair of the Adult Protection Committee and advising the Cabinet of the work of the Adult Protection Committee. The report gave an overview of adult protection activity in Midlothian since the last Biennial report in October 2010 and a copy of the report had been issued with the Agenda. The report had been submitted to the Scottish Government on 30 October 2012 and feedback had not yet been received.

In summary the adult protection activity in 2010-2012 was as follows:-

#### Midlothian Area 2010-12

Measure	Short Term Trend	Long Term Trend	2010/11	2011/12
Referrals	↑	↑	699	802
Inquiries	↑	↑	112	126
Investigations/IRD	↑	↑	65	76
Case conference	↑	↑	37	59
Open cases (average)	↑	↑	27	34
LSI	↓	↑	2	4
Protection Orders	▬	↑	0	2

The number of Referrals leading to a Duty to Inquire had increased slightly from 112 in 2010-11 to 126 in 2011-12 (13%) with 76 (39%) progressing to Inter-agency Referral Discussion, and 64 (84%) of those progressing to case conference / professionals meeting. The percentage of referrals progressing to Inquiry was comparable for both years but in 2011/12 a higher percentage progressed to case conference (84% this year, 53% in 2010-11). The average number of cases being managed under Adult Support and Protection Procedures over the year increased from 27 in 2010/11 to 34 in 2011/12

#### Protection Orders

The use of Protection Orders was still a very small part of the ongoing work introduced by the Act, however as practice experience had grown; a Protection Order was routinely considered when someone was at risk of serious harm. In Midlothian there were no Protection Orders in 2010/11 and two Banning Orders with powers of arrest in 2011/12. The subjects were acquaintances who had befriended the adult and caused serious psychological and financial harm. Following the granting of these Orders the Sheriff concerned had produced positive judicial guidance with regard to the application process in future cases from which a local practice protocol had been developed.

#### Large Scale Investigations

In total there had been six Large Scale Investigations in Midlothian in the last two years. Four were for Care Homes (three relating to the same Care Home) and two regarding Care at Home agencies. For Care Homes, issues were around management of medication, tissue viability, dignity and respect and poor standards of nursing care. Evidence showed that the significant multi-agency and cross council response had enabled considerable progress towards sustained improvements. For Care at Home agencies, issues were around financial harm, medication management and communication, and the response included routine consideration of Adults with Incapacity interventions.

## **Decision**

To note the contents of the Biennial report of the Independent Chair of East and Midlothian Adult Protection Committee.

### **9 Industrial Communities Alliance Scotland Ten Point Action Plan for Government**

There was submitted report, dated 18 November 2012, by the Director, Corporate Resources, reviewing the content of the Industrial Communities Alliance (ICA) Scotland Ten Point Action Plan for Government and highlighting how the Plan might link to existing and emerging economic development strategies of the Council and Midlothian Community Planning Partnership (MCP) partners.

The Action Plan was the Industrial Communities Alliance view of what was needed to revive the economy in Scotland's current and former traditional industrial areas. It was based on extensive discussion within the ICA and its constituency member local authorities on the challenges facing some of Scotland's most difficult local economies and disadvantaged communities.

The Action Plan recognised the economic policy was only partially a devolved matter. In some cases, the policy proposals outlined in the Action Plan needed direct action by the Scottish Government. In other cases, the initiative lay with the Westminster Government. In some instances, both Governments would have to play a joint role.

From a Council prospective there were a number of ways in which the ten point action plan could be utilised.

- Circulate the Action Plan to a wide range of key Council contacts including Midlothian Community Planning Partnership partners;
- Refer to the document when holding discussions with, for example, Scottish Government Officials on economic development/regeneration project initiatives; and
- Utilise the document as key background reference material in the preparation of strategic documents such as the Midlothian Economic Recovery Plan which was currently being drafted.

## **Decision**

- (a) To note the content of the Industrial Communities Alliance Scotland's Ten Point Action Plan for Government; and
- (b) To agree that the Action Plan be forwarded to a wide range of key Council contacts including Midlothian Community Planning Partnership partners.

(Action: Economic Development Manager)

## **10 Exclusion of Members of the Public**

In view of the nature of the business to be transacted, the Cabinet agreed that the public be excluded from the meeting during discussion of the undernoted items, as contained in the addendum hereto, as there might be disclosed exempt information as defined in paragraphs 4 and 6 of Part 1 of Schedule 7A to the Local Government (Scotland) Act 1973:-

East of Scotland Investment Fund – Application for Loan Assistance agreed.

The meeting terminated at 11.59 am.



**APPENDIX**  
(relevant to paragraph 7)

**MINUTES of MEETING of the EDUCATION APPOINTMENT COMMITTEE** held in the Committee Room, Midlothian House, Buccleuch Street, Dalkeith on Friday 14 December 2012 at 9.15 am

**Councillors Present:-** L Beattie (Chair), Rosie and Russell

**Lawfield Primary School Parent Representatives Present:-** Mrs W Bruce, Ms M Ferguson and Mrs L Souness.

**In Attendance:-** Ms S Dawe, Acting Head of Education.

**Exclusion of Members of the Public**

In view of the nature of the business to be transacted, the Committee agreed that the public be excluded from the meeting during discussion of the undernoted item, as contained in the Addendum hereto, as there might be disclosed exempt information as defined in paragraph 1 of Part I of Schedule 7A to the Local Government (Scotland) Act 1973:-

Appointment of Head Teacher, Lawfield Primary School.

The meeting terminated at 10.45 am.

