

Minute of Meeting

Cabinet
Tuesday 10 October 2017
Item No 4.1



Cabinet

Date	Time	Venue
15 August 2017	11.00 am	Council Chambers, Midlothian House, Buccleuch Street, Dalkeith

Present:

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

Religious Representatives:

Mr V Bourne	Mr M Khan

1 Apologies

Apologies were received from Councillor Hackett and Rev. R. Halley.

2 Order of Business

The order of business was confirmed as outlined in the agenda that had been circulated.

3 Declarations of interest

No declarations of interest were received.

4 Minutes of Previous Meetings

The Minutes of (i) Meeting of the Cabinet held on 13 June 2017 and (ii) Special Meeting of the Cabinet held on 12 July 2017 were submitted and approved as correct records.

5. Reports

Agenda No	Report Title	Presented by:
5.1	Inspection of Hawthornden Primary School	Head of Education
Outline of report and summary of discussion		
Based on the findings of this inspection, Education Scotland had awarded the following grades:		
Primary Stages		
Leadership of change		Satisfactory
Learning, Teaching and Assessment		Satisfactory
Ensuring wellbeing, equality and inclusion		Satisfactory
Raising Attainment and Achievement		Satisfactory
The Inspection Team noted the following strengths:		
<ul style="list-style-type: none">• The good start of the newly appointed Head Teacher in making improvements to the school.• Children who enthusiastically speak about strategies to support their learning.• Positive relationships between children, staff and the emphasis and impact on parental partnerships.• Staff who are engaged in practitioner enquiry and are enthusiastic about developing the work of the school.		
The following areas for improvement were agreed between Education Scotland, the School and the Education service:		
<ul style="list-style-type: none">• Improve the quality of learning, teaching and assessment across the school to ensure all children are making the best possible progress in their learning.• To raise attainment in literacy and numeracy, staff need to improve the use of assessment information during the course of their teaching to meet the individual needs of children.		

- Develop flexible curricular pathways, to ensure that there are shared standards and expectations across the school so that children make the best possible progress in their learning.
- Ensure that the specialist provision is better integrated within the school so that children, particularly on part-time placements achieve their full entitlement to a broad general education.

The Head of Education was heard in amplification of the report after which several Members as well as Vic Bourne congratulated all concerned on the positive aspects of the inspection report and the work being done to ensure further improvement.

Decision

- (a) To note the content of the inspection report;
- (b) To note the areas for further development;
- (c) Note the positive steps by Education Scotland to review their findings in twelve month's time; and
- (d) To pass this report to the Performance, Review and Scrutiny Committee for its consideration.

Action

Director Education, Communities and Economy/Head of Education

Agenda No	Report Title	Presented by:
5.2	Update on the Children and Young People (Scotland) Act 2014 Parts 4 - Named Person	Head of Children's Services
Outline of report and summary of discussion		
<p>This report provided an update on the Named Person provisions contained in Part 4 of the Children and Young People (Scotland) Act 2014, advising that in response to a Supreme Court judgment of 28 July 2016, which had found that whilst the aims of Part 4 of the Children and Young People (Scotland) Act 2014 Act were "legitimate and benign", the information sharing provisions of that Part were not "in accordance with the law", the Children and Young People (Information Sharing) (Scotland) Bill had been presented to the Scottish Parliament on 19 June 2017.</p> <p>The aim of the Bill was to respond to the Supreme Court judgment, bringing consistency, clarity and coherence to the practice of sharing information whilst at the same time ensuring that the rights of children, young people and parents were respected when information was shared under Part 4 (Provision of Named Persons) and Part 5 (Child's Plan) for the purpose of promoting, supporting or safeguarding children's or young people's wellbeing.</p> <p>The Head of Children's Services was heard in amplification of the report, confirming that the Council and its partners had already put in place, or had amended in line with the requirements of the Act, information sharing provisions and that they would continue to work together as the further provisions came into force to safeguard the wellbeing of children and young people in Midlothian.</p>		

Decision
<p>The Cabinet, having emphasised the importance of protecting vulnerable children and young people,</p> <p>(a) Welcomed the reassurances given by the Head of Children's Services;</p> <p>(b) Noted the update on the Named Person and Child Plan's, Parts 4 & 5 of the Children & Young People (Scotland) Act 2014: and</p> <p>(c) Noted the new Bill on Information Sharing presented to parliament on 19 June 2017 in response to the Supreme Court Judgement of 28 July 2016 which found the information sharing provisions of the Part were 'not in accordance with the law'.</p>
Action
Director Education, Communities and Economy/Head of Children's Services

Agenda No	Report Title	Presented by:
5.3	Scottish Government: Education Governance Review - Next Steps.	Head of Education
Outline of report and summary of discussion		
<p>With reference to paragraph 8.10 of the Council minutes of 20 December 2016, there was submitted a report which sought to draw to the Cabinet's attention the Education Governance: Next steps report which was published by the Scottish Government in June 2017; a copy of which was appended to the report.</p> <p>The report highlighted in particular some of the short, medium and long term actions were proposed and the changing roles for national and local government.</p> <p>The Cabinet, having heard the Head of Education in amplification of the report, considered the likely future role for Local Government and acknowledge the concerns being expressed by COSLA and others about any diminution as a result of changing roles.</p>		
Decision		
<p>(a) To note the short, medium and long term actions proposed in the Scottish Government's report entitled <i>Education Governance – Next Steps</i>; and</p> <p>(b) To seek further update as appropriate.</p>		
Action		
Director Education, Communities and Economy/Head of Education		

Agenda No	Report Title	Presented by:
5.4	Scottish Government's Consultation: Education Governance Review – Fair Funding to achieve Excellence and Equity in Education	Head of Education

Outline of report and summary of discussion

With reference to paragraph 8.10 of the Council minutes of 20 December 2016, there was submitted a report which sought to draw to the Cabinet's attention the Scottish Government's consultation entitled Education Governance Review – Fair funding to achieve excellence and equity in education. The consultation was launched in June 2017 and closed on 13 October 2017.

The consultation invited views on: the way school education was currently funded in Scotland, including early year's provision within school settings; the purpose of developing a new, more consistent approach to school funding; and the principles that should underpin any changes. It also set out and sought views on possible future funding approaches to support a vision of excellence and equity for all children and young people across Scottish education.

The report advised that following consultation with stakeholders in Midlothian, a further report would be brought back to Cabinet in September 2017 prior to submission to the Scottish Government.

The Head of Education was heard in amplification of the report.

Decision

- (a) To note the launch of the Scottish Government's Consultation entitled Education Governance Review – Fair funding to achieve excellence and equity in education;
- (b) To agree to recommend to Council that in order to assist understanding and also the preparation of the Council's response a Seminar, involving Head Teachers be arranged; and
- (c) To note that a further report outlining the Midlothian response to this consultation would be brought back to Cabinet in September 2017.

Action

Director Education, Communities and Economy/Head of Education

Agenda No	Report Title	Presented by:
5.5	Anti Fraud and Corruption, and Anti Bribery Policies	Internal Audit
Outline of report and summary of discussion		
This report presented for the Cabinet's approval the Anti Fraud and Corruption Policy and Strategy and Anti Bribery Policy. The Council's Anti Fraud and Corruption policy had been updated and a separate Anti Bribery policy had been developed in accordance with current best practice. Copies of the relevant policies were appended to the report and Internal Audit where heard in amplification of it.		
Decision		
To endorse the updates to the Anti Fraud and Corruption, and Anti Bribery policies attached to this report		
Action		
Internal Audit Manager		

Agenda No	Report Title	Presented by:
5.6	Objection to Proposed Traffic Regulation Order – School Streets, Lasswade Primary School	Head of Commercial Operations
Outline of report and summary of discussion		
<p>With reference to paragraph 8.8 of the Council minutes of 28 June 2016, there was submitted a report updating Cabinet on the responses to consultations and advertisement of a proposed Traffic Regulation Order for the introduction of School Streets (banning most driving at times, with some exemptions) around Lasswade Primary School. The Cabinet were invited to consider the responses received and to approve the making of the Order.</p> <p>The Head of Commercial Operations was heard in amplification of the report.</p>		
Decision		
<p>(a) To note the objections, and the responses to the objections, as detailed in Appendices 2 and 3 respectively to the report;</p> <p>(b) To authorise the making of the Traffic Regulation Order T5.3.8 to introduce traffic restrictions around Lasswade Primary School; and</p> <p>(c) To keep Cabinet and the local Ward Members advised of any issues arising as a result of the introduction of the Order.</p>		
Action		
Head of Commercial Operations		

Agenda No	Report Title	Presented by:
6.1	Registration of Care at Home staff in Midlothian	Joint Director, Health and Social Care
Outline of report and summary of discussion		
<p>The report advised Cabinet of the need for home care and housing support staff to register with the Scottish Social Services Council (SSSC) and the work that was being undertaken to support staff in meeting this legislative requirement. All staff needed to commence their registration application from 2 October which would be supported by managers and trade unions. This required to be completed by 2020.</p> <p>The Joint Director, Health and Social Care was heard in amplification of the report.</p>		
Decision		
<p>(a) To note the requirement for home care and housing support staff to register with the Scottish Social Services Council;</p> <p>(b) To note the support being made available to assist staff in this process; and</p> <p>(c) To encourage staff to register at the earliest opportunity and not to leave it to the last minute.</p>		
Action		
Joint Director, Health and Social Care/Chief Social Work Officer		

Agenda No	Report Title	Presented by:
6.2	Q1 Performance Report 2017/18 - (a) Adult Social Care	Joint Director, Health and Social Care
Outline of report and summary of discussion		
The Quarter 1 2017/18 Performance Report for Adult Social Care was submitted. The Joint Director, Health and Social Care highlighted to the Cabinet the progress in the delivery of strategic outcomes and summary of the emerging challenges as detailed in the Report. Thereafter the Joint Director, Health and Social Care highlighted to the Cabinet the notable items and also the challenges going forward from the Report and responded to questions raised by the members of the Cabinet.		
Decision		
To note the report.		
Action		
Joint Director, Health and Social Care		

Agenda No	Report Title	Presented by:
6.2	Q1 Performance Report 2017/18 - (b) Customer and Housing Services	Head of Customer and Housing Services
Outline of report and summary of discussion		
The Quarter 1 2017/18 Performance Report for Customer and Housing Services was submitted. The Head of Customer and Housing Services highlighted to the Cabinet the progress in the delivery of strategic outcomes and summary of the emerging challenges as detailed in the Report. Thereafter the Head of Customer and Housing services responded to questions raised by the members of the Cabinet.		
Decision		
To note the report.		
Action		
Joint Director, Health and Social Care/Head of Customer and Housing Services		

Agenda No	Report Title	Presented by:
6.2	Q1 Performance Report 2017/18 - (c) Children's Services	Head of Children's Services
Outline of report and summary of discussion		
The Quarter 1 2017/18 Performance Report for Children's Services was submitted. The Head of Children's Services highlighted to the Cabinet the progress in the delivery of strategic outcomes and summary of the emerging challenges as detailed in the Report. Thereafter the Head of Children's Services responded to questions raised by members of the Cabinet.		
Decision		
To note the report.		

Action
Director, Education, Communities and Economy/Head of Children's Services

Agenda No	Report Title	Presented by:
6.2	Q1 Performance Report 2017/18 - (d) Communities and Economy	Head of Communities and Economy

Outline of report and summary of discussion

The Quarter 1 2017/18 Performance Report for Communities and Economy was submitted. The Head of Communities and Economy highlighted to the Cabinet the progress in the delivery of strategic outcomes and summary of the emerging challenges as detailed in the Report. Thereafter the Head of Communities and Economy responded to questions raised by the members of the Cabinet.

Decision

To note the report.

Action

Director, Education, Communities and Economy/Head of Communities and Economy

Agenda No	Report Title	Presented by:
6.2	Q1 Performance Report 2017/18 - (e) Education	Head of Education

Outline of report and summary of discussion

The Quarter 1 2017/18 Performance Report for Education was submitted. The Head of Education highlighted to the Cabinet the progress in the delivery of strategic outcomes and summary of the emerging challenges as detailed in the Report. Thereafter the Head of Education responded to questions raised by members of the Cabinet.

Decision

To note the report.

Action

Director, Education, Communities and Economy/Head of Education

Agenda No	Report Title	Presented by:
6.2	Q1 Performance Report 2017/18 - (f) Commercial Operations	Director, Resources

Outline of report and summary of discussion

The Quarter 1 2017/18 Performance Report for Commercial Operations was submitted. The Director, Resources highlighted to the Cabinet the progress in the delivery of strategic outcomes and summary of the emerging challenges as detailed in the Report. Thereafter the Director, Resources responded to questions raised by the members of the Cabinet.

Decision
To note the report.
Action
Director, Resources/Head of Commercial Operations

Agenda No	Report Title	Presented by:
6.2	Q1 Performance Report 2017/18 - (g) Finance and Integrated Services	Director, Resources
Outline of report and summary of discussion		
The Quarter 1 2017/18 Performance Report for Finance and Integrated Service Support was submitted. The Director, Resources highlighted to the Cabinet the progress in the delivery of strategic outcomes and summary of the emerging challenges as detailed in the Report. Thereafter the Director, Resources responded to questions raised by the members of the Cabinet.		
Decision		
To note the report.		
Action		
Director, Resources/Head of Finance and Integrated Service Support		

Agenda No	Report Title	Presented by:
6.2	Q1 Performance Report 2017/18 - (h) Property and Facilities Management	Director, Resources
Outline of report and summary of discussion		
The Quarter 1 2017/18 Performance Report for Properties and Facilities Management was submitted. The Director, Resources highlighted to the Cabinet the progress in the delivery of strategic outcomes and summary of the emerging challenges as detailed in the Report. Thereafter the Director, Resources responded to questions raised by the members of the Cabinet.		
Decision		
To note the report.		
Action		
Director, Resources/Head of Property and Facilities Management		

Agenda No	Report Title	Presented by:
6.2	Q1 Performance Report 2017/18 - (i) Midlothian Council	Chief Executive
Outline of report and summary of discussion		
The Quarter 1 2017/18 Performance Report for Midlothian Council was submitted detailing the delivery of Midlothian Council's priorities through the Community Planning Partnership and the Single Midlothian Plan. The Council Transformation Strategy and Individual Service Plans outlined how Midlothian Council would		

deliver its contribution to the Single Midlothian Plan. The Chief Executive highlighted to the Cabinet the notable items and also the challenges going forward from the Report.

Decision

To note the report.

Action

Chief Executive.

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 item, 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:-

Irrecoverable Debt Write-Off – Approved.

The Cabinet thereafter agreed to proceed as detailed in the Addendum hereto.

The meeting terminated at 12.34pm.