

# Notice of Meeting and Agenda



## Performance, Review and Scrutiny Committee

**Venue:** Council Chambers/Hybrid,  
Midlothian House, Dalkeith, EH22 1DN

**Date:** Tuesday, 07 November 2023

**Time:** 11:00

### Executive Director : Place

**Contact:**

Clerk Name: Democratic Services

Clerk Telephone:

Clerk Email: [democratic.services@midlothian.gov.uk](mailto:democratic.services@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)

## **1 Welcome, Introductions and Apologies**

---

## **2 Order of Business**

---

Including notice of new business submitted as urgent for consideration at the end of the meeting.

## **3 Declaration of Interest**

---

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 Minute of Previous Meeting**

---

**4.1** Minute of meeting of 19 September 2023 submitted for approval 3 - 14

**4.2** Action Log 15 - 16

## **5 Public Reports**

---

**5.1** Inspection of Midlothian Community Access Team 17 - 22

**5.2** Inspection of St Andrews RC Primary School and Nursery class 23 - 28

**5.3** Inspection of Saltersgate School 29 - 34

**5.4** Midlothian Council Statutory Report to Scottish Ministers on Public Bodies Climate Change Duties 2022/23 35 - 44

## **6 Private Reports**

---

No items for discussion

## **7 Date of Next Meeting**

---

The next meeting will be held on Tuesday 12 December at 11.00am.

# Minute of Meeting

Performance Review and Scrutiny Committee  
Tuesday, 7 November 2023  
Item No: 4.1



## Performance, Review and Scrutiny

Date	Time	Venue
Tuesday, 19 September 2023	11.00 am	Hybrid meeting held in the Committee room at Midlothian House and virtually via Microsoft Teams

### Present:

Councillor Imrie (Interim Chair)	Councillor Bowen (left at 13:12)
Councillor Drummond	Councillor Russell
Councillor McKenzie	Councillor Pottinger
Councillor Smaill (left at 12:56)	Councillor Virgo
Councillor Winchester (Virtually)	Councillor Curran (Virtually) (joined at 11:12)
	Councillor McCall (Virtually) (joined at 11:45)

### In attendance:

Grace Vickers, Chief Executive
Derek Oliver, Chief Officer Place
Saty Kaur, Chief Officer Corporate Solutions (Acting)
Michelle Strong, Education Chief Operating Officer
Joan Tranent, Chief Social Work Officer & Chief Officer Children's Services, Partnerships and Communities
Morag Barrow, Director of Health & Social Care: Midlothian HSCP / Chief Officer to Midlothian IJB
Nick Clater, Head of Adult and Social Care Services

Grace Cowan, Head of Primary Care & Older People's Services
Gary Leadbetter, Democratic Services Officer
Hannah Forbes, Democratic Services Assistant

## 1 Welcome, Introductions and Apologies

Gary Leadbetter, Democratic Services Officer, welcomed Members and Officers to the Performance, Review and Scrutiny Committee and noted that apologies were offered from the Chair, Councillor Milligan and Councillor McEwan, and that Councillor Curran and Councillor McCall had indicated that they would be delayed and would join virtually.

Due to the absence of the Chair, Gary enquired if there was a motion to nominate another Member to be interim Chair for the purposes of this meeting. Councillor Drummond nominated Councillor Imrie, with Councillor Russell seconding.

## 2 Order of Business

The Order of Business was as detailed in 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 the Performance Review and Scrutiny Committee held on 20 June 2023 was submitted and approved as correct record.

4.2 The Action Log was noted.

## 5. Reports

Agenda No.	Report Title	Presented by:
5.1	Adult Health and Social Care Q1 2023/24 Performance Report	The Head of Adult and Social Care Services, Nick Clater and the Head of Primary Care and Older People's Services, Grace Cowan
Outline of Report and Summary of Discussion		

The Head of Adult and Social Care Services, Nick Clater and the Head of Primary Care and Older People's Services, Grace Cowan presented the Adult Health and Social Care Q1 2023/24 Performance Report, providing an overview and highlighting achievements and challenges outlined within the report.

Nick noted that, at the end of their update, they would provide an update on drug and alcohol related death figures, as well as suicide rates, as they were recently published.

The Chair thanked Nick and Grace C for their Report and opened it up to questions.

The following questions and comments were raised and responded to where appropriate:

- To a query from the Chair about whether the drugs & alcohol figures were resulting from the Council's position on preventative intervention, Nick noted that there is fluctuation, however a degree of credit can be given to the preventative model the Council have implemented.
- The Chair further raised a question about the management of pressure on staff, due to the demanding nature of the services, alongside related recruitment challenges. Nick noted that recruitment can be challenging, particularly in relation to mental health nurses, explaining that there are always around one to two vacancies. Nick explained that they were exploring temporarily converting these posts to social worker or occupational therapist posts to secure full staffing. Nick and Grace C both spoke to some of the support provided to staff, acknowledging that it is, however, a difficult area to work within.
- Councillor Smaill noted that in a previous Council meeting there was a general agreement that there ought to be a seminar on drug use and raised that it would be useful to hold this.
- Councillor Russell raised a question in relation to the impact on staff when Normandy Court opens. Grace C noted there was still work to be completed, but that it will positively impact travel time for staff.
- Councillor Pottinger noted the need for additional training around drugs for Members. Councillor Pottinger raised a question around whether there were links between the four drug deaths in terms of relationship and substance type. Nick explained that the circumstances of these deaths were still being explored, so could not provide additional information in relation to this.
- Councillor Virgo raised a question in relation to engagement and communication with staff in order to improve the support provided to them. Nick noted that, in terms of the substance abuse service, there is a high level of supervision and managerial support of and for these staff. More widely, Nick spoke to the communication and engagement strategy in

relation to staff and planned improvement work.

- In relation to a question from Councillor Winchester regarding i-matters, Grace C confirmed that this is used across all services, with action plans being developed which are passed through to the Heads of Services.
- Councillor Pottinger raised a query regarding the justice service and the impact/potential detriment of unpaid-work/volunteers within the Food Facts Friends service on other services. Councillor Pottinger also queried whether the community cooperative would be the one-stop shop and if the ownership would sit with Midlothian. Nick, noted in relation to the latter that they would have to check and in terms of the former they were not aware there was an overlap but they can double check.

#### Decision

Members noted the Report.

Consider a training session on drugs for Members.

Provide answers in relation to Councillor Pottinger's questions (see above).

#### Action

The Head of Adult and Social Care Services, Nick Clater and the Head of Primary Care and Older People's Services, Grace Cowan

Agenda No.	Report Title	Presented by:
5.2	Children's Services Partnerships and Communities Q1 2023/24 Performance Report	Chief Officer Children's Services, Partnerships and Communities

#### Outline of Report and Summary of Discussion

Chief Officer Children's Services, Partnerships and Communities, Joan Tranent presented the Children's Services Partnerships and Communities Q1 2023/24 Performance Report, highlighting achievements and challenges contained within the report.

The Chair thanked Joan for the Report and opened it up to questions.

The following questions and comments were raised and responded to where appropriate:

- Councillor Winchester queried whether there was any action that could be taken to support families who are waiting for a CAMHS referral. Joan highlighted numerous avenues of support in place although recognised that there is a significant number of referrals. On a follow-up question regarding online resources families might use, Joan responded that they would take this question away and bring back an answer.
- Councillor Smaill inquired as to funding for non-Ukrainian asylum-seekers/refugees and any impact on Midlothian Council from any absence of such funding. Joan confirmed that the UK Government provided funding

for young persons, although noted that there were challenges experienced in assessing and confirming ages. Further noted that funding decreasing when people move out of foster or residential care.

- Councillor Drummond raised a question in relation to support provided to parents who are waiting for their children to receive a diagnosis. In response, Joan noted some of the support available, whilst recognising the gap and the national scale of this issue.
- Councillor Pottinger raised a question in relation to foster carer numbers and any potential age limits in respect of foster carers. Councillor Pottinger further queried whether exploration had taken place about pan-Lothian/Edinburgh partnership working in respect of foster carers. Joan noted that they would check age limits and report back and further noted that the pan-Lothian and Edinburgh has been explored previously but is unlikely to materialise, yet work does occur with East Lothian.

#### Decision

Members noted the Report.

Provide an answer in relation to Councillor Winchester's question (see above).

Provide an update on foster carer age limits.

#### Action

Chief Officer Children's Services, Partnerships and Communities

Agenda No.	Report Title	Presented by:
5.3	Corporate Solutions Q1 2023/24 Performance Report	Chief Officer Corporate Solutions (Acting)
<b>Outline of Report and Summary of Discussion</b>		
<p>The Chief Officer Corporate Solutions (Acting), Saty Kaur, provided an overview of the Corporate Solutions Q1 2023/24 Performance Report, emphasising key areas.</p> <p>The following questions and comments were raised and responded to where appropriate:</p> <ul style="list-style-type: none"> <li>• Councillor Virgo asked for clarity on the pay-gap information presented in the report. Saty noted that the pay gap is influenced by the fact that some roles may, for a variety of reasons, still be considered more attractive to certain genders and so the impact of this is that it is difficult to get this percentage to zero. Saty highlighted however that there were no particular areas of concern here and if there was to be, action would be taken.</li> <li>• Councillor Virgo further queried why there was a drop in female employees in top 5% from Q4 2022/2023 to Q1 2023/2024. Saty noted that more analysis was required on this to understand this.</li> <li>• Councillor Smaill queried whether staff are encourage to take flu &amp; covid</li> </ul>		

inoculations. Grace Curran, in response, confirmed that staff are encouraged to do so.

- The Chair raised a question around expansion of library services and the planning service offered in libraries. Saty noted that they will take the planning services question away and provide an answer in due course. Saty spoke to current and planned expansions of library services and the ongoing and reoccurring exploration of future potential expansions.
- Councillor Curran asked about enhancements for staff which may be realised from the MS Office 365 rollout. Saty noted that some of the transformation, in terms of implementation and realised benefits, had been slower than intended. Saty spoke to benefits of the rollout and plans going forward in terms of the implementation.

#### Decision

Members noted the Report.

Provide an answer regarding planning service in libraries.

#### Action

Chief Officer Corporate Solutions (Acting)

Agenda No.	Report Title	Presented by:
5.4	Education Q1 2023/24 Performance Report	Executive Director Children, Young People and Partnerships
<b>Outline of Report and Summary of Discussion</b>		
<p>The Executive Director Children, Young People and Partnerships, Michelle Strong presented the Education Q1 2023/24 Performance Report, advising on key areas and recognising that there are aspects that do not show positive trends.</p> <p>The Chair thanked Michelle for the Report and opened it up for questions.</p> <p>The following questions and comments were raised and responded to where appropriate:</p> <ul style="list-style-type: none"><li>• The Chair raised questions in relation to a truancy database, home education and the approval mechanisms/tests in relation to this and whether there is a law or mechanism by which school attendance can be enforced. Michelle stated that there is a management information system tracking school attendance, the data of which is used rigorously to address truancy concerns. In terms of home education, Michelle explained that applications for home education needed to be submitted and approved, with this being reviewed on an annual basis. Michelle further noted, in terms of promoting school attendance, work that is undertaken with parents and guardians to ensure regular attendance and engagement.</li><li>• Councillor Drummond queried whether engagement through digital devices</li></ul>		



from home, given its challenges, is being investigated. Councillor Drummond also questioned whether lack of attendance is more prevalent within later school years. In response to the former question, Michelle highlighted the benefits of maximising the use of digital device use to support attendance in specific circumstances. Responding to the question on prevalence, Michelle confirmed there is greater concern around attendance in secondary school, however, noted that there are variances between schools and so it cannot be pinned down to certain year groups. Noted that there are reports of some attendance issues resulting from pupils taking up employment.

- Councillor Pottinger queried whether planned absences, such as holidays out with the regular school holiday calendar are recorded and whether half-day absences are recorded within the system. Councillor Pottinger noted that there would be a benefit to providing a breakdown of absence per school year. Councillor Pottinger further queried the performance in relation to absences compared to other local authorities. In relation to the half-day question, Michelle confirmed that the system allowed for this, so patterns of attendance could be seen and support given where appropriate. In respect of planned absences, Michelle also confirmed that the system allowed for a range of reasons for the absence to be recorded. Finally, Michelle noted that many local authorities are not experiencing pre-pandemic levels of attendance data and national discussions are occurring on how this can be improved.

#### Decision

Members noted the Report.

#### Action

Agenda No.	Report Title	Presented by:
5.5	Place Q1 2023/24 Performance Report	Chief Officer Place

#### Outline of Report and Summary of Discussion

Chief Officer Place, Derek Oliver presented the Place Q1 2023/24 Performance Report, outlining the main achievements and providing an overview of the areas for improvement.

The Chair thanked Derek for the Report and opened it up to questions.

The following questions and comments were raised and responded to where appropriate:

- Councillor Smaill raised questions in relation to the decision-making on which Midlothian parks are to be improved and the low uptake of meals in secondary schools. In relation to the former, Derek noted that the Report submitted to Council which laid out the funding application and funding secured from Scottish Government included a programme of which parks

were to be improved in both this and future years. Noted that this could be provided again and if there were certain areas of concerns then a reassessment could occur. In terms of the second question, Derek confirmed that there was ongoing work to drive uptake.

- Councillor Curran, in relation to the rapid rehousing transition plan, requested an increase going forward in the delivery of education talks. Councillor Curran also raised a question in relation to food waste uplifts in rural areas. Derek noted that the education talks would be picked up again, now that covid restrictions had been removed. In relation to the food waste, Derek stated that the aim is to include rural areas and routes are currently being drafted and once formalised will be distributed to councillors.

#### Decision

Members noted the Report.

#### Action

Agenda No.	Report Title	Presented by:
5.6	Midlothian Council Q1 2023/24 Performance Report	Chief Executive
<b>Outline of Report and Summary of Discussion</b>		
Chief Executive, Grace Vickers, presented the Midlothian Council Q1 2023/24 Performance Report which provides a summary of actions outlined in the meeting that are in line with the Single Midlothian Plan.		
The Chair thanked Grace V for the Report and opened it up to questions.		
<b>Decision</b>		
Members noted the Report.		
<b>Action</b>		

Agenda No.	Report Title	Presented by:
5.7	Lawfield Primary School Inspection Report	Executive Director Children, Young People and Partnerships
<b>Outline of Report and Summary of Discussion</b>		
Executive Director Children, Young People and Partnerships, Michelle Strong, presented the Lawfield Primary School Inspection Report. The report outlines the outcome of the above inspection as carried out by Education Scotland in January 2023.		
The Chair thanked Michelle for the report and opened it up to questions.		
The following questions and comments were raised and responded to where		

appropriate:

- Councillor Drummond noted that it would be beneficial for this matter to come before the committee more regularly, given the longevity of the issues.
- Councillor Pottinger raised several questions relating to the management structure, information on ASN numbers and recruitment issues. Michelle confirmed they were happy to provide regular updates on the improvement progress. Michelle further stated that ASN numbers are complex, although happy to categorise this and detail the range of support the school has in place. Michelle noted that they were happy to share the range of factors in relation to recruitment as well.
- The Chair queried whether the additional post being created for a second deputy head teacher met with the agreed structure for management in the school and, if so, why no-one was in this post previously. The Chair further questioned whether the headteacher in place would remain. Michelle explained that an experienced teacher had been asked to take on the role to pick up the action plan, further explaining that it had been acknowledged there needed to be temporary additional capacity in the senior leadership team to move forward at pace. Michelle noted that it is not unusual for a new headteacher to be in post for a limited timeframe before an inspection takes place. Michelle further commented that the issues did not sit with the headteacher alone but the whole school.
- Councillor Virgo noted that if there was anything Members could do to support the school with flourishing, to let Members know.

Noted that the connection dropped temporarily for Members attending virtually. Confirmed that the meeting was still being webcast and recorded despite this.

#### Decision

Members noted the Report.

#### Action

Agenda No.	Report Title	Presented by:
5.8	Moorfoot Primary School Inspection Report	Executive Director Children, Young People and Partnerships,
Outline of Report and Summary of Discussion		
Executive Director Children, Young People and Partnerships, Michelle Strong, presented the Moorfoot Primary School Inspection Report. The report outlines the outcome of the above inspection as carried out by Education Scotland which was communicated in their report of December 2022.		
The Chair thanked Michelle for the report and opened it up to questions.		
Decision		

Members noted the Report.
<b>Action</b>

Agenda No.	Report Title	Presented by:
5.9	Care Inspectorate Inspections of Day Care of Children August 2022, April 2023	Executive Director Children, Young People and Partnerships
<b>Outline of Report and Summary of Discussion</b>		
Executive Director Children, Young People and Partnerships, Michelle Strong, presented the Care Inspectorate Inspections of Day Care of Children August 2022, April 2023. The report concerns a range of funded providers that were inspected including private nurseries and local authority settings and provides a summary of the outcomes of the inspections, outlined in the report, in Early Learning and Childcare settings for three- and four-year-olds as carried out by the Care Inspectorate.		
The Chair thanked Michelle for the report and opened it up to questions.		
<b>Decision</b>		
Members noted the Report.		
<b>Action</b>		

Agenda No.	Report Title	Presented by:
5.10	Newbyres Care Home Inspection Report	Head of Primary Care & Older People's Services
<b>Outline of Report and Summary of Discussion</b>		
Head of Primary Care & Older People's Services, Grace Cowan, presented the Newbyres Care Home Inspection Report. This report provides an overview of the recent Care Inspectorate report for Newbyres Village Care Home from 5 <sup>th</sup> May 2023, and the subsequent unannounced follow up visit on 4 <sup>th</sup> August 2023		
The Chair thanked Grace C for the Report and opened it up to questions.		
The following questions and comments were raised and responded to where appropriate:		
<ul style="list-style-type: none"> <li>The Chair raised a question around what more can be done, given that the matter has fluctuated in terms of positive and negative for some time. The Director of Health &amp; Social Care: Midlothian HSCP / Chief Officer to Midlothian IJB, Morag Barrow, noted that the concerns are shared, highlighting that there is still work to be done in terms of the model, culture and securing a strong leadership team. Morag spoke to a commissioned piece of work that will review all of the beds across Midlothian, explaining</li> </ul>		

that the model being operated had been inherited, and this work will look at what changes are necessary. Morag further noted that there will be further discussions that will be brought back as to what model will be retained going forward.

- Councillor Russell stated that she was unable to support Newbyres Care Home in its current situation, running through her concerns in relation to this. Morag noted Councillor Russell's concerns, stating that there was indeed more to be done as it was not currently in a desirable circumstance. Grace C explained that Newbyres was set up as a residential care placement, however, over half of the residents now meet nursing requirements. Grace C highlighted that this required a different level of care to be provided, which is more complex for social care staff given that they are now having to flag clinical requirements. Grace C noted that there was ongoing trade union and management work to support the staff to take this forward, including the need for lessons learned work to allow improvement. Grace C further noted the difficulties of doing so when staff need to consistently provide care to a significant number of residents and there needed to be a balance between the two aspects, which was currently being worked through.
- Councillor Russell further raised a question as to whether working group, as had been set up in the past on this matter, would be helpful. Councillor Russell also raised a question around involvement and input of residents and families in relation to this matter. Morag explained that a Social Work Assurance Group had been set up, which is led and Chaired by the Chief Social Work Officer & Chief Officer Children's Services, Partnerships and Communities, Joan Tranent with the Head of Adult and Social Care Services, Nick Clater as deputy Chair. It has monitoring and oversight responsibilities in relation to the improvement of Newbyres Care Home. Morag then spoke to involvement of families, residents and staff throughout the process. Morag also mentioned that a Friends of Newbyres Group had also been established.
- Councillor Pottinger noted that a reoccurring issue is staff vacancies, raising queries as to agency staff reliance and staff turnover. Grace C noted that there is not a high turnover of staff, yet there is still reliance on agency staff to provide additional care due to the acuity of care for residents having increased.
- Councillor Virgo raised a question in relation to a medium-term plan, indicating a desire to have sight of this. Grace C confirmed this could be brought back to the Committee and welcomed the Members to visit Newbyres.
- The Chair stated that regular reports to the Committee on Newbyres would be welcomed.
- Councillor Drummond queried how the upward trajectory of improvement will be maintained and whether there were markers in place to ensure that things do not revert. Grace C noted that audit cycles had been implemented

and now go before the Social Work Assurance Group every fortnight and that the Service Manager is required to bring the Action Plan to this Group as well. Grace C also spoke to the movement from reactive to proactive action and the work both around and resulting from this, in relation to maintaining and increasing the upward trajectory.

- Councillor Drummond further questioned whether, once a satisfactory level had been reached, ongoing monitoring was still in place to ensure things did not worsen again. Grace C highlighted and explained the role of the newly established Social Work Assurance Group, noting that this will help going forward. Morag spoke to the commissioned work reviewing beds in Midlothian in relation to this matter.

#### Decision

Members noted the Report.

Medium-term plan to be brought to Committee.

#### Action

Head of Primary Care & Older People's Services

## 6 Private Reports

No items for discussion

## 7 Date of the Next

The next meeting will be held on 7 November 2023.

The meeting terminated at 13:52.

## Action Log

Date of Meeting	Item No	Item	Action	Action Owner	Expected completion date	Comments
20 June 2023	<b>5.4</b>	Education Performance Report	<ul style="list-style-type: none"> <li>A further report on the analysis of the attendance in schools will be provided</li> <li>Clarification would be provided on the attainment figures.</li> <li>An update would be provided on the Education Reform Consultations</li> </ul>	Fiona Robertson	April 2023	
20 June 2023	<b>5.11</b>	Education Performance Report	An updated report will be provided on Sacred Heart Primary School in 6 months	Fiona Robertson	December 2023	
19 September 2023	<b>5.1</b>	Adult Health and Social Care Q1 2023/24 Performance Report	Additional training/seminar around drug use for Members	Nick Clater	TBC	
19 September 2023	<b>5.1</b>	Adult Health and Social Care Q1 2023/24 Performance Report	Answer query on whether the community cooperative would be the one-stop shop and if the ownership would sit with Midlothian	Nick Clater	Next meeting	

Date of Meeting	Item No	Item	Action	Action Owner	Expected completion date	Comments
19 September 2023	<b>5.2</b>	Children's Services Partnerships and Communities Q1 2023/24 Performance Report	<ul style="list-style-type: none"> <li>Answer query in relation to whether there were online resources families might use whilst waiting for CAMHS referral</li> <li>Provide an update on foster carer age limits</li> </ul>	Joan Tranent	Next meeting	
19 September 2023	<b>5.3</b>	Corporate Solutions Q1 2023/24 Performance Report	Provide an answer regarding the offer of a planning service in libraries	Saty Kaur	Next meeting	
19 September 2023	<b>5.10</b>	Newbyres Care Home Inspection Report	Medium-term plan on Newbyres to be brought back to Committee	Grace Cowan	TBC	



## **Inspection of Midlothian Community Access Team**

**Report by Nick Clater, Head of Service, Health and Social Care**

### **Report for Noting**

#### **1 Recommendations**

Performance Review is requested to note the outcome of the inspection of Midlothian Community Access Team by the Care Inspectorate.

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

This report advises of

1. The outcome of the inspection of Midlothian Community Access Team
2. The actions that are being progressed as a result of the inspection

**Date:** 12/10/23  
**Report Contact:** Nick Clater

### 3 Background

#### 3.1 Inspection

Midlothian Community Access Team is a community based Day Support Service, operated by Midlothian Council that provides support for adults with Learning Disabilities. It caters for individuals with learning disabilities and provides support for individuals in community based settings.

In August 2023 the Care Inspectorate conducted and announced (short notice) inspection of Midlothian Community Access Team. A copy of the report is contained in Appendix B of this report.

#### 3.2 Grades

Following the inspection the Care Inspectorate awarded the following grades.

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

The Inspection report noted strengths in the following areas:

- People said that they enjoyed meeting their peers, taking part in activities and attending groups.
- Family said that they welcomed the opportunities offered to their loved ones through attending the Community Access Team Hubs.
- Staff were skilled and able to work effectively with the people they support

It should be noted that this was the first time the service had been inspected since 2015 and the first time under changed inspection criteria.

It is noted that the report is broadly very positive and appreciation is due to the staff working in the service.

#### 3.2 Areas for Improvement

The report identifies 3 main areas where improvements should be made:

***Aspects of the service's quality assurance and quality engagement processes needed development.***

- The service should consult with and determine key stakeholders views on engagement with quality assurance processes in the service. Consideration should be given to developing a forum or forums which allow people to share their views and contribute to service development and improvement plans.
- The service should provide notifications of accidents and incidents to the Care Inspectorate in line with regulatory guidance.

***The service should consider approaches to evaluating staff skills and practice.***

- The service should develop competency-based observations of staff practice, clarifying that they have the requisite skills and that they put them into practice during support. Observations should include feed back from people who experienced care and inform discussion, supervision and professional development for the staff concerned.
- The service should develop a training matrix which allows management overview of learning undertaken and insight into when refresher training updates are needed.

***Personal plans and risk assessment were maintained inconsistently.***

- In order to ensure that personal plans are relevant and adequately guide staff response to any presenting risk, the service should:
  - Ensure that personal plans identify all risk, health, welfare and safety issues in a manner which documents how needs are met.
  - Ensure that personal plans are shared with people who experience care and their representatives.
- In order to ensure that people can contribute to their personal planning and evaluate outcomes arising from support, the service should:
  - Ensure that reviews are carried out a minimum of six monthly intervals
  - Review capture and fully record people's evaluations of the outcomes derived from their support.

### **3.3 Actions Being Progressed**

The following actions are being progressed to address the areas for improvement identified in the inspection report:

1. Quality assurance processes to be reviewed and existing good practice to rolled out to all hubs. By 02/24
2. Process for notifying Care Inspectorate of relevant accidents/incidents to be updated. COMPLETE
3. Observation of workers practice to be incorporated into supervision feedback. By 12/23
4. Training Matrix to be developed. By 12/23
5. Support plans to be updated to include Personal Risk Plans By 12/23
6. All support provision to be reviewed and to review to include carer & service user contributions. By 02/24.

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

##### **4.1 Resource**

There are no direct resource requirements arising from the inspection.

##### **4.2 Digital**

There are no digital implications related to this paper.

##### **4.3 Risk**

There is a reputation risk to Midlothian Health and Social Care Partnership should the identified improvements not be progressed.

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

The provision of day services by Community Access Team addresses inequalities experienced by people with Learning Disabilities.

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

There are no additional report implications at present.

## **Appendices**

**Appendix A – Additional Report Implications**

**Appendix B – Background information/Links**

## **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**

The report does not directly impact on Delivering Best Value

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

Subsequent to the inspection there has been consultation with users of the service and their families in relation to the arrangements for mealtimes.

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

This report highlight a number of actions that will improve performance and the outcomes of people using the service.

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

Not applicable

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

Not applicable

## APPENDIX B

### Inspection Report



CAT Inspection  
Report\_Aug 23.pdf

## **Inspection of St Andrew's RC Primary School and Nursery class**

### **Report by Michelle Strong, Education Chief Operating Officer**

#### **Report for Information**

#### **1 Recommendations**

Performance Review and Scrutiny Committee is asked to:

- (i) Note the content of the inspection report.
- (ii) Congratulate the pupils, parents and staff connected with St Andrew's Primary School and Nursery class on the key strengths highlighted in the report.

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

The report outlines the outcome of the above inspection as carried out by Education Scotland which was communicated in their report of 19 September 2023.

**27 September 2023**

#### **Report Contact:**

Julie Fox, Quality Improvement Manager  
Julie.Fox@midlothian.gov.uk

### 3 Background/Main Body of Report

3.1 In June 2023, a team of inspectors from Education Scotland visited St Andrew's RC Primary School and Nursery class. The report was published on 19 September 2023, is now published on the Education Scotland website and is available from this [link](#).

3.2 Education Scotland is responsible for inspecting education settings throughout Scotland. They do so using core quality indicators and following the inspection awarded the following grades for the primary school and nursery:

#### Quality indicators for the primary school

QI 2.3 Learning, teaching and assessment – good

QI 3.2 Raising attainment and achievement – good

#### Quality indicators for the nursery

QI 2.3 Learning, teaching and assessment – good

QI 3.2 Securing children's progress – good

The inspection team found the following strengths in the school's work; the team noted the welcoming, friendly and enthusiastic children who are keen to engage in their learning and are proud of their school. The nurturing and inclusive relationships across the school and nursery between the staff and the children that are based on mutual respect, understanding and kindness. The commitment of all staff to improving their professional skills and knowledge leading to positive outcomes for children.

3.3 The following areas for improvement were identified and discussed with the Leader of Learning and a representative from Midlothian Council; the school should continue to develop children's targets for what they will learn, next steps for improvement and skills they are acquiring. Senior leaders and staff should strengthen how they use assessment data and other key information to help to ensure that all children are making the best possible progress. In the nursery, practitioners should continue to streamline approaches to planning and assessing children's learning.

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

#### 4.1 Resource

There are no financial and human resource implications associated with this report.

#### 4.2 Digital

There are no Digital implications.

#### 4.3 Risk

Education Scotland's team of Inspectors visit a sample of education settings every year to find out how they are performing. A report is published which informs parents about the key strengths of the setting and its capacity for further improvement.

Following the publication of the report further visits may be made to the setting, by the Education Authority to assist improvement and monitor progress.



Monitoring, review and evaluation of progress by central officers in the Education Team is the control measure in place to reduce the risk of failure of settings to demonstrate their capacity to improve.

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

The School Improvement Plan will be screened for equalities implications.

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

**Appendices**

**Appendix A – Additional Report Implications**

**Appendix B – Background information/Links**

## **APPENDIX A – Report Implications**

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

Themes addressed in this report:

- ☐ Community safety
- ☐ Adult health, care and housing
- ☒ Getting it right for every Midlothian child
- ☒ Improving opportunities in Midlothian
- ☐ Sustainable growth
- ☐ Business transformation and Best Value
- ☐ None of the above

### **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 noted within.

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

Copies of the report have been made available to Elected Members, parents of children currently attending St Andrew's RC Primary School and Nursery Class and other interested parties.

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

The setting will continue to improve its work in line with the school improvement plan and the Early Years team from the Education Service will continue to challenge and support the setting in relation to developing and implementing a range of quality improvement strategies.

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

The Education (Scotland) Bill aims to take preventative action in order to close the attainment versus deprivation gap by implementing key policies and programmes which are designed to target support to children and young people from disadvantaged communities. Midlothian is highly committed to closing the attainment gap which compliments the strategies employed by Midlothian which are highlighted in the National Improvement Framework report which was presented to Council on 3 November 2015.

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

The School Improvement Plan allows for sustainable development and improvement.

**APPENDIX B**

Background Papers/Resource Links - [link](#)

## **Inspection of Saltersgate School**

### **Report by Michelle Strong, Education Chief Operating Officer**

#### **Report for Information**

#### **1 Recommendations**

Performance Review and Scrutiny Committee is asked to:

- (i) Note the content of the inspection report. .
- (ii) Congratulate the pupils, parents and staff connected with Saltersgate School on the key strengths highlighted in the report.

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

The report outlines the outcome of the above inspection as carried out by Education Scotland which was communicated in their report of 26 September 2023.

**29 September 2023**

**Report Contact:**

Anna Walton, Quality Improvement Manager  
[Anna.Walton@midlothian.gov.uk](mailto:Anna.Walton@midlothian.gov.uk)

### 3 Background/Main Body of Report

**3.1** In June 2023, a team of inspectors from Education Scotland visited Saltersgate School. The report was published on 26 September 2023, is now published on the Education Scotland website and is available from this [link](#)

**3.2** Education Scotland is responsible for inspecting education settings throughout Scotland. They do so using core quality indicators and following the inspection awarded the following grades:

<b>QI</b>	<b>2.3</b>	<b>Learning, teaching and assessment – good</b>
<b>QI</b>	<b>3.2</b>	<b>Raising attainment and achievement – satisfactory</b>

The inspection team found the following strengths in the school's work; Staff have created a calm, caring and nurturing learning environment. There are strong relationships across the school. Children and young people are supported well to engage purposefully in learning activities. Children and young people use a wide range of approaches to communicate effectively. They listen well, make choices and confidently express their views. Staff have effective approaches to supporting young people well for life beyond school. They are working with a range of partners to tailor personalised programmes for each young person. As a result, young people are building their confidence to move on successfully to college or adult education.

**3.3** The following areas for improvement were identified and discussed with the Head Teacher and a representative from Midlothian Council; Senior leaders and staff need to continue to review and refresh the school curriculum to improve children and young people's learning experience. In doing so, they should ensure that all learning activities build on what children and young people have already learned. Senior leaders and staff need to introduce approaches to help them understand better the progress children and young people are making in their learning. They should use these approaches to help ensure children and young people are attaining as well as possible.

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

#### 4.1 Resource

There are no financial and human resource implications associated with this report.

#### 4.2 Digital

There are no IT implications.

#### 4.3 Risk

Education Scotland's team of Inspectors visit a sample of education settings every year to find out how they are performing. A report is published which informs parents about the key strengths of the setting and its capacity for further improvement.

Following the publication of the report further visits may be made to the setting, by the Education Authority to assist improvement and monitor progress.

Monitoring, review and evaluation of progress by central officers in the Education Team is the control measure in place to reduce the risk of failure of settings to demonstrate their capacity to improve.

- 4.4 Ensuring Equalities (if required a separate IIA must be completed)**  
The School Improvement Plan will be screened for equalities implications.

- 4.4 Additional Report Implications (See Appendix A)**

## **Appendices**

**Appendix A – Additional Report Implications**

**Appendix B – Background information/Links**

## **APPENDIX A – Report Implications**

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

Themes addressed in this report:

- ☐ Community safety
- ☐ Adult health, care and housing
- ☒ Getting it right for every Midlothian child
- ☒ Improving opportunities in Midlothian
- ☐ Sustainable growth
- ☐ Business transformation and Best Value
- ☐ None of the above

### **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 noted within.

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

A link to the published report has been made available to Elected Members, parents of children currently attending Saltersgate School and other interested parties.

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

The setting will continue to improve its work in line with the school improvement plan and central officers in the Education Team will continue to challenge and support the setting in relation to developing and implementing a range of quality improvement strategies.



**A.7 Adopting a Preventative Approach**

The Education (Scotland) Bill aims to take preventative action in order to close the attainment versus deprivation gap by implementing key policies and programmes which are designed to target support to children and young people from disadvantaged communities. Midlothian is highly committed to closing the poverty related attainment gap.

**A.8 Supporting Sustainable Development**

The School Improvement Plan allows for sustainable development and improvement.

**APPENDIX B**

Background Papers/Resource Links - [link](#)

## **Midlothian Council Statutory Report to Scottish Ministers on Public Bodies Climate Change Duties 2022/23**

Report by Chief Officer Place

### **Report for Noting**

#### **1 Recommendations**

- 1.1 It is recommended that Performance Review and Scrutiny note:
- (a) the Council's Report on Compliance with the Public Bodies Climate Change Duties for 2022/23 submitted and approved at Council; and
  - (b) note the submission of the report to Scottish Ministers by 30th November 2023.

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

- 2.1 The purpose of this report is to inform Cabinet of the Council's statement of compliance with its statutory climate change reporting duties for 2022/23, a copy of which is available in the CMIS Member's Library, and to recommend its submission to Scottish Government by the due date of 30 November 2023.

**Date: 14 October 2023**

#### **Report Contact:**

Richard Lamond, Research & Information Officer (Planning, Sustainable Growth and Investment Service)

[richard.lamond@midlothian.gov.uk](mailto:richard.lamond@midlothian.gov.uk)

### **3 Background**

- 3.1 Since 2007, all Scottish local authorities have been signatories to Scotland's Climate Change Declaration; publicly committing themselves to reducing greenhouse gas emissions and taking steps to adapt to climate change impacts.
- 3.2 The Climate Change (Scotland) Act 2009 set economy-wide (not organisational) emissions reduction targets. It introduced a statutory requirement for public bodies to undertake 'climate change duties' and to operate in the way best calculated to contribute to delivering these targets and to help meet any Scottish programme for adapting to the impacts of a changing climate. The Scottish Government voted in 2019 to strengthen the Act's targets for cutting greenhouse gas emissions. It now requires a 75% cut in emissions by 2030 (compared to a 1990 baseline) and it set a net-zero emissions target for 2045. In 2019, Midlothian Council adopted a target of reaching net zero by 2030.
- 3.3 The Climate Change (Duties of Public Bodies: Reporting Requirements) (Scotland) Order 2015, as updated by the Climate Change (Duties of Public Bodies: Reporting Requirements) (Scotland) Amendment Order 2020, requires local authorities and other major public bodies to report to Scottish Ministers each year on what they have done to comply with the above duties, the focus being estate and operational activity. Local authorities must submit reports by the end of November in respect of the preceding financial year.
- 3.4 The format of the report is prescribed by legislation and administration is managed by the Sustainable Scotland Network (SSN). A copy of the Council's proposed submission is available in the CMIS Member's Library. This has been adapted from the exact proposed template return to SSN due to that spreadsheet pro-forma not being conveniently presentable for discussion at this Cabinet meeting. The version in the CMIS Member's Library is nevertheless an accurate representation of both the substance and spirit of the proposed return.
- 3.5 The sections of the report entitled 'Recommended Reporting: Reporting on Wider Influence' and 'Other Notable Reporting Activity' are non-statutory and often relate to activity and emissions beyond the Council's estate and operational activities (i.e. by others but able to be influenced by the Council).

### **4 Summary of the Statutory Report to Scottish Ministers on Public Bodies Climate Change Duties 2022/23**

- 4.1 This section provides a summary of the key findings of the Statutory Report to Scottish Ministers on Public Bodies Climate Change Duties (PBCCD) 2022/23, hereafter referred to as the 'submission'.

## **STATUTORILY REQUIRED SECTION**

### **PART 1: PROFILE OF REPORTING BODY**

- 4.2 During the report year, the Council employed 4,053 full-time equivalent staff and its revised budget was £268,000,000.
- 4.3 According to the latest (mid-2021 based) population estimates from National Records of Scotland (NRS), Midlothian Council provided local authority services to a population of 94,680. This was an increase of 1.6% on the mid-2020 estimate; the joint-highest percentage increase of all Scottish local authorities over the period. NRS project that the population of Midlothian will grow to 107,000 by 2031 (an increase of 13.5%). This compares to an equivalent Scotland-wide figure of 1.4%. These figures are indicative of the scale of growth locally and the attendant challenges and opportunities faced by the Council in addressing climate change. Since the production of the last NRS estimate, the Midlothian population has risen to around 98,600.

### **PART 2: GOVERNANCE, MANAGEMENT AND STRATEGY**

- 4.4 Political leadership for the Council's climate change work lies with a Cabinet of Elected Members drawn from the political administration. Council management and staff follow their direction in relation to climate change mitigation and adaptation. The Council's emergency motion of December 2019 declared a climate emergency and set the goal of making the Council's activities net zero carbon by 2030 and is a primary driver for the response and how this is governed.
- 4.5 The motion led to the creation of the Council's Climate Change Strategy and a 'Climate Emergency Group' to focus collective effort on meeting the commitments of the motion across Midlothian and within the Council. This is composed of representatives of the Council, industry, community groups and non-departmental bodies of the Scottish Government. Its work has led to several outcomes related to climate change forming part of the Single Midlothian Plan. The Plan in turn requires the Service Plans of Council departments to have regard to its aims, therefore service managers must take its commitments for carbon emissions into account when organising their activities.
- 4.6 Other means by which strategic matters such as climate change are governed by the Council are:
- The Business Transformation Steering Group (BTSG);
  - The Council's Business Transformation Board; and
  - The Corporate Management Team.
- 4.7 The Council's Internal Auditors and Audit Committee also help steer Midlothian Council's climate change governance. The Audit Committee provides independent review of the Council's governance, risk management and control frameworks and internal auditors have reported twice on climate change work, once in 2017/18 and again in

2021/22. Internal Audit have also reported on energy and water consumption in 2022/23. These reports have been fed back to the Audit Committee and to senior management.

- 4.8 While emissions reduction is a Council-wide priority, services in the Place Directorate perform many of these actions, including:
- From Planning, Sustainable Growth and Investment – drafting the Council's latest Climate Change Strategy and compiling information provided by other services to complete the annual PBCCD submission;
  - From Property & Facilities Management – monitoring power/fuel use to track the emissions from the Council's estate, and taking forward emissions reductions projects (including with the Council's Energy Services Company, Midlothian Energy Ltd);
  - From Neighbourhood Services – replacing street lights with low-energy LEDs and managing emissions from the Council's vehicle fleet;
  - From Building Services - delivering the Energy Efficiency Standard for Social Housing and implementing the Local Authority Carbon Management Plan.
- 4.9 In the submission, Councils must identify specific climate change mitigation and adaptation objectives in its corporate plans. Those listed include:
- The Climate Emergency Declaration of December 2019 and the Climate Change Strategy that was created in response to it;
  - The Single Midlothian Plan 2023-27, which has three intended outcomes for the next four years, one of which is 'significant progress is made towards net zero carbon emissions by 2030'; and
  - The Midlothian Council Transformation Blueprint, which is designed in line with the Single Midlothian Plan and is supported by the Council's Service Plans, both of which aim to reduce the emissions from the Council's activities.
- 4.10 The submission requires the identification of other corporate documents and strategies that cover more specific areas of climate change work, such as adaptation, energy efficiency, transport and biodiversity. Those referred to include the Economic Growth Strategy 2020 – 2025, the Midlothian Local Development Plan and the Council's Procurement Strategy.

### **PART 3: EMISSIONS, TARGETS & PROJECTS**

- 4.11 Estate/operational emissions for the purposes of the submission are those arising from the use of mains electricity, mains (i.e. natural) gas, mains water, heating and fuel oils, diesel and petrol. These are detailed in tables 3a and 3b using data supplied by the Council's Property & Facilities Management Service (see section 5 of this report regarding future risks in this area). Emissions in these tables are broken down into the following components:

- 'Scope 1' emissions are those arising from the direct use (burning) of primary fuels by the Council;
  - 'Scope 2' emissions are from electricity use; and
  - 'Scope 3' emissions are those resulting from electricity losses in the power network, water supply & treatment and those from homeworking employees.
- 4.12 Table 3a shows that total emissions for 2022/23 are 16,974 tonnes of carbon dioxide equivalent (tCO<sub>2</sub>e). Though it should be viewed in light of the important caveat explained below, this is an increase of 3.3% over the figure of 16,433 in 2021/22. The table also shows that there were only minor changes in the Council's scope 1 and scope 2 emissions between those years. Scope 3 emissions on the other hand increased from 991tCO<sub>2</sub>e to 1,790tCO<sub>2</sub>e. This is due to a change in the methodology used in the reporting template provided by SSN for calculating emissions from homeworking employees so that this figure can be more accurately estimated than it has been previously.
- 4.13 Table 3b also reveals that year-on-year:
- Electricity consumption in Council buildings increased by 11%;
  - Electricity consumption from street lighting was stagnant;
  - Natural gas consumption used to heat the Council's building estate decreased slightly, by 1.5%;
  - Fuel consumed by the Council's fleet of vehicles increased by 1%; and
  - Emissions from journeys from staff using their vehicles for work purposes (i.e. arising via business mileage claims) fell by 5%.
- 4.14 The effect on the Council's emissions of the increase in electricity consumption was partially offset by the reduction in carbon intensity of grid electricity. A further 110,000kWh of electricity consumption was avoided by the generation of this amount by the solar photovoltaic systems installed on the Council's estate. This avoided the release of 21tCO<sub>2</sub>e.
- 4.15 It is important to consider the Council's emissions in the context of demographic trends. In 2014/15 for example, its carbon footprint was 23,500tCO<sub>2</sub>e and Midlothian's population was 86,500. The respective figures for 2022/23 were 16,974tCO<sub>2</sub>e and 98,620. This means that the carbon efficiency with which it has delivered its services over this time has improved dramatically, from 0.27tCO<sub>2</sub>e annually per resident to 0.17tCO<sub>2</sub>e – an improvement of 37%.
- 4.16 Another way of expressing the Council's carbon footprint would be to relate it to the size of its workforce. In 2014/15 this was 3,350 staff, compared to around 4,050 in 2022/23. This means that the carbon footprint of its staff has reduced from 7.02tCO<sub>2</sub>e per employee per year to 4.19tCO<sub>2</sub>e per employee per year at present.

## **PART 4: ADAPTATION**

- 4.17 This part of the submission sets out how the Council has assessed climate-related risks, arrangements for managing them and adaptation actions. It references the Council's Strategic Risk Profile and work done by the Council's Internal Audit staff. Also referred to is the Forth Estuary Local Flood Risk Management Plan which assists in managing and adapting to such risks alongside internal Council plans which include the Winter Service Policy and Operational Plan and the Severe Weather Plan. The Council's overall approach in the area of risk and accountability for it is outlined in its Risk Management Policy and Strategy.
- 4.18 Part 4 of the submission also requires public bodies to demonstrate progress in delivering the goals of the Scottish Climate Change Adaptation Programme. The response on this topic highlights work in several areas: flood risk management, work to improve the energy efficiency of the Council's building stock and outdoor learning in nature.

## **PART 5: PROCUREMENT**

- 4.19 The final mandatory part of the submission (other than validation and sign off information) sets out how procurement policies and activities contribute to compliance with climate change duties. It notes that environmental matters are addressed prominently within the Council's Procurement Strategy. It has five strategic themes to promote ethical standards, including staff in this area working to secure environmental benefits. In practical terms this may involve considering sustainability factors where appropriate in supplier selection and tender evaluation, and taking a whole lifecycle approach to costs.

## **RECOMMENDED REPORTING (NON-STATUTORY) PARTS**

- 4.20 Table 1a of this part of the submission shows that Midlothian's per capita level of greenhouse gas emissions (those considered by the UK Government to be at least influenced by the Council) have reduced from 6.22tCO<sub>2</sub>e in 2010 to 3.99tCO<sub>2</sub>e in 2021 (the latest year for which an official figure is available). This equates to a reduction of 36%. The table also shows that the Midlothian's total emissions have fallen from 511,900tCO<sub>2</sub>e in 2010 to 377,360tCO<sub>2</sub>e in 2021. Most sectors have seen substantial falls over this timescale. Reductions in emissions from transport however, one of the largest contributors, have been modest<sup>1</sup>.
- 4.21 Under 'Other Notable Reporting Activity', table Q5 sets out climate change actions that are not readily amenable for inclusion elsewhere within the submission. Examples provided include work to improve

---

<sup>1</sup> Transport emissions were substantially lower in 2020, but this was likely due to reduced journeys over the periods of Covid lockdowns.



biodiversity, investment in energy efficiency and renewable energy projects, use of the Council loan funding for projects that have a climate change element to them and measures to promote active travel.

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

### **Resource**

- 5.1 Previous reporting to management noted that the Council's services were not adequately resourced to fulfil the requirements of the Climate Change (Scotland) Act. This was highlighted by an Internal Audit report in 2018. A follow-up in 2022 came to similar conclusions and noted the importance of agreeing the Terms of Reference and membership of a 'Carbon Neutral by 2030 Board' as soon as possible. The resourcing of this group and the cascading of information from it is integral to future PBCCD submissions.
- 5.2 Similarly, the full completion of other portions of the pro-forma relies on the collaboration of managers and staff across the Council's services to support the work of the proposed Board and to ensure compliance with our statutory duties and avoid the risks noted below.

### **Digital**

- 5.3 None.

### **Risk**

- 5.4 The Officer within the Property & Facilities Management Service who provided the data for Part 3 (Emissions, Targets and Projects) departed their post in July 2023. Only that Service have access to this information and control of the factors that influence it. Without it the Council will not be able to produce its 2023/24 PBCCD and will therefore be non-compliant with the Climate Change (Duties of Public Bodies; Reporting Requirements) (Scotland) Order 2015. An Internal Audit report from early 2023 noted the key person dependency risk associated with the post.
- 5.5 Under the Climate Change (Scotland) Act, Scottish Ministers may instruct investigations into PBCCD reports. Critical scrutiny in this area has already come from the local and national press, and Audit Scotland.
- 5.6 Though the content of the reporting template has remained largely similar over the last few years, expectations for what is included increased substantially prior to that. Alterations in what is required in future returns may expose any deficiencies in resourcing of climate change work within the Council.

## **Ensuring Equalities**

- 5.7 Not applicable.

## **Additional Report Implications**

- 5.8 For additional report implications see Appendix A.

## **Appendices**

Appendix A – Additional Report Implications

Appendix B – Background Papers/Resource Links

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

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

Midlothian Council and its Community Planning Partners have made a commitment to addressing climate change a key priority under the Single Midlothian Plan. This report will assist in reporting on progress towards this goal.

### **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 all
- ☐ 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 PBCCD submission has been expanded in recent years to provide a more thorough account of activities that the Council has been doing in relation to climate change. This has been done partly through the use of information within existing department Service Plans and Performance Reports, ensuring that this expansion in the content of the submissions has been done in a manner which is as efficient as possible for staff. It has not involved the use of additional financial or equipment resources.

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

Not applicable – producing the PBCCD submission is an internal Council process.

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

The submission of the report will demonstrate compliance with climate change legislation. The comprehensive nature of the submission demonstrates transparency and a commitment to go beyond the minimum requirements in this regard.

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

The timely and thorough completion of the PBCCD submission reduces the likelihood of legal challenge or investigations into the Council regarding non-compliance with the requirements of climate change legislation. The participation of Council staff in making future submissions as comprehensive as possible is necessary in maintaining this position.

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

This report only concerns sustainable development in that it reports on what the Council is doing to promote it.

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

Midlothian Council Statutory Report to Scottish Ministers on Public Bodies Climate Change Duties 2022/23

