

MINUTES of MEETING of the MIDLOTHIAN COUNCIL PERFORMANCE REVIEW AND SCRUTINY COMMITTEE held in the Council Chambers, Midlothian House, Buccleuch

Street, Dalkeith on Tuesday, 21 January 2014 at 11.00 am.

Present:- Councillors, Milligan (Chair), Bennett, Imrie, Montgomery, Pottinger, Russell, de Vink and Wallace.

Apologies for Absence:- Councillors Baxter, Beattie, Coventry and Muirhead.

1. Declarations of Interest

No declarations of interest were intimated.

2. Minutes

The Minutes of Meetings of 22 October 2013 and 27 November 2013 (2 no.), were submitted and approved as correct records.

3 Single Midlothian Plan – Six Month Performance Report.

With reference to paragraph of the Minutes of the Cabinet of 14 January 2014, there was submitted report, dated 14 January 2014, by the Director, Resources, incorporating a report dated 21 November 2013, by the Chief Executive, updating the Committee on the current status of the Single Midlothian Plan. The report advised that of 173 specific actions within the Plan, 103 had either been achieved or were on target; 38 still required work to define baselines and measurements; and 32 were off target at the six month point. The report highlighted the steps being taken in the second half of the year, in some cases, to redress the situation.

Decision

To note the report.

4 Financial Comparison of School Projects delivered in the last Ten Years

With reference to paragraph of the Minutes of 3 September 2013, there was submitted report, dated 24 December 2013, by the Head of Finance & Integrated Service Support providing the Committee with an analysis and comparison of the costs of school replacement/improvement in the last ten years via Public Private Partnership DBFM; hubCo South East Scotland; traditional design, procurement and finance; and via developer contributions.

The report explained in detail, the differences in the respective financial models; provided information on the financial model used in respect of each school project; the capital costs of new schools and the funding of those costs in respect of both Secondary and Primary schools; the capital cost comparisons based on the construction cost per square metre in respect of both High Schools and Primary Schools; the Scottish Government funding available in respect of each of the financial models; the cost of operational serviced provided for each project and the

30 year nominal cost for each of these; the overall cost to the Council of each project; and the overall cost to the public purse of each project.

Thereafter, the Head of Finance and Integrated Service Support, answered questions from Elected Members.

Decision

- (a) To note that the overall cost to the public purse in respect of Dalkeith Schools Community Campus; Lasswade Centre; and Newbattle High School, were £214; £197; and £ 215 per square metre per annum;
- (b) To note that at the time, PPP was the only financial vehicle available to the Council , to provide the Dalkeith Schools Campus and a number of Primary Schools;
- (c) To note that the Council received annual revenue grant funding of circa £7m in respect of annual revenue costs associated with PPP contracts;
- (d) To note that the capital receipts for the sale of the former St. David's High School and Lugton School sites were added to the Council's capital fund; and
- (e) To refer the report to the Council for further debate.

(Action: Head of Finance and Integrated Service Support/Legal and Secretariat Manager)

5 Inspection of Cuiken Primary School Nursery Class

With reference to paragraph of the Minutes of the Cabinet of 14 January 2014, there was submitted report, dated 14 January 2014, by the Director, Resources, incorporating a report, dated 13 December 2013, by the Director, Education, Communities and Economy, outlining the outcome of an unannounced inspection carried out at Cuiken Primary School Nursery by the Care Inspectorate in November 2013.

The evaluations were as follows:-

Quality of Care and Support -	Very Good (Grade 5)
Quality of Environment -	Very Good (Grade 5)
Quality of Staffing -	Very Good (Grade 5)
Quality of Management and Leadership -	Very Good (Grade 5)

The Care Inspectorate had concluded that the Nursery offered children very good care and support and that parents consulted during the course of the inspection were happy with the service.

Decision

- (a) To note the content of the inspection report;

- (b) To congratulate the management and staff connected with Cuiken Primary School Nursery on the very good work being carried out at the nursery; and
- (c) To note that, whilst acknowledging the very good work being carried out at the Nursery the Council would continue to challenge, support and monitor the service in relation to achieving excellence through further improving performance.

(Action: Director, Education, Communities and Economy).

6 Inspection of Mount Esk Nursery School

With reference to paragraph of the Minutes of the Cabinet of 14 January 2014, there was submitted report, dated 14 January 2014, by the Director, Resources, incorporating a report, dated 12 December 2013, by the Director, Education, Communities and Economy, outlining the outcome of a joint inspection carried out at Mount Esk Nursery School by the Care Inspectorate and Education Scotland in October 2013.

Education Scotland had awarded the following grades, viz:-

Improvements in Performance	Very good
Children's Experience	Very good
Meeting Learning Needs	Very good
The Curriculum	Very good
Improvement through Self Evaluation	Very good

The Care Inspectorate had awarded the following grades, viz:-

Quality of care and support	Very good (Grade 5)
Quality of environment	Very good (Grade 5)
Quality of Staffing	Very good (Grade 5)
Quality of management and Leadership.	Very good (Grade 5)

The inspection teams had indicated that they were satisfied with the overall quality of provision and were confident that the nursery's self- evaluation processes were leading to improvements. As a result they would make no further visits in connection with these inspections.

Decision

- (a) To note the content of the inspection report;
- (b) To congratulate the pupils, parents and staff connected with Mount Esk Nursery School on the key strengths highlighted in the report; and

- (c) To note that, whilst acknowledging the progress reflected in these reports, the Council would continue to challenge, support and monitor the service in relation to achieving excellence through further improving performance.

(Action: Director, Education, Communities and Economy).

7 Inspection of Midlothian Council Adoption Service/ Inspection of Midlothian Council Fostering Service

In view of the fact that the subject matter of the reports referred to above, were inextricably linked, the Committee agreed to consider both reports simultaneously.

With reference to paragraphs and of the Minutes of the Cabinet dated 14 January 2014 there were submitted reports, dated 14 January 2014, by the Director, Resources, incorporating reports dated 29 November 2013 and 3 January 2014, by the Director, Education, Communities and Economy, outlining the outcome of inspections carried out by the Care Inspectorate in May 2013, in respect of the Adoption and Fostering Services provided by the Council.

In respect of the Adoption Service, the Care Inspectorate had awarded the following grades:-

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

The report advised that the Care Inspectorate concluded that there was a commitment to improve and develop the adoption service within Midlothian Council for Midlothian children and explained that the Adoption Service had only been recently formed after recognising that, despite commissioning external agencies to provide adoptive families, many children continued to 'drift' into care. The report further advised that since the inspection report a number of actions to improve the service had been undertaken.

In respect of the Fostering Service the Care Inspectorate had awarded the following grades:-

Quality of Care and Support	Grade 5 – Very good
Quality of Staffing	Grade 5 – Very Good
Quality of Management and Leadership	Grade 4 - Good

The Care Inspectorate had concluded that the Midlothian Council Fostering Service was committed to improving and developing on an ongoing basis.

In amplification of both reports, the Director drew the Committee's attention to the fact that the inspections had been carried out simultaneously, albeit by different

inspectors, and involved the same group of staff for both services. The variance in the gradings had not been satisfactorily explained.

Decision

- (a) To note the successful recruitment of Adoption Panels in the past year;
- (b) To note that further representations had been made to the Care Inspectorate in respect of the inconsistency of the gradings awarded to the two services;
- (c) To acknowledge the positive and ongoing work by management and staff connected with the Midlothian Council Adoption and Fostering Services;
- (d) To note that the Council would continue to challenge, support and monitor the services in relation to achieving excellence through further improving performance; and
- (e) To otherwise note the reports.

8 Joint Inspection of Services for Children and Young People in Midlothian

With reference to paragraph of the Minutes of the Cabinet dated 14 January 2014, there was submitted report, dated 13 January 2014, by the Director, Education, Communities and Economy, advising of the outcome of a Joint Inspection of Services for Children and Young People in Midlothian, undertaken jointly by the Care Inspectorate, Education Scotland and Healthcare Improvement Scotland. The joint report was incorporated into the Director's report. The joint report had recommended a number of areas for improvement and an action plan to respond to these recommendations was in development, aligned with the Single Midlothian Plan.

The Director however, drew attention to the mismatch between the positive narrative of the report and the gradings awarded which ranged from "Very Good" to "Adequate". The Care Inspectorate had therefore been challenged on these gradings and this remained a matter of dispute.

Decision

- (a) To note the representations made to the Care Inspectorate; and
- (b) To otherwise note the report.

9 Lothians Joint Mental Health and Wellbeing Strategy 2011-2016 - "A Sense of Belonging"

With reference to paragraph of the Minutes of the Cabinet, dated 14 January 2014, there was submitted report, dated 14 January 2014, by the Director, Resources, incorporating a report, dated 17 December 2013, by the Joint Director, Health and Social Care, advising the Committee of progress made in implementing the Lothians Mental Health and Wellbeing Strategy 2011 – 2016.

Decision

To note the report.

**10 “Call-in” from Meeting of Cabinet on Tuesday 14 January 2014:
Funding Bid Project for Arts in Midlothian**

With reference to paragraph of the Minutes of the Cabinet, dated 14 January 2014, there was submitted report dated 14 January 2014 by the Director, Resources, incorporating a notice of “Call-In” under paragraph 4.2 of the Scheme of Administration (Standing Order No 7), relating to the Cabinet’s decision in respect of the possible provision of a Midlothian arts facility in Newtongrange *“To confirm its support for the steps taken so far ,and to authorise appropriate staff to continue to seek funding and develop the business case for a Midlothian arts facility with NMMS trust , the arts community and external funders.”* The report considered by the Cabinet on 14 January 2014 was also submitted for information purposes.

Decision

- (a) To note that consultations on the proposal had been undertaken with Arts organisations; Community Council; and local elected members;
- (b) To note that if the Council’s application to Creative Scotland for funding was successful, there would be no deadline by which the funds required to be utilised;
- (c) To note that, if the application for funding to Creative Scotland, was successful, this would allow further work to be undertaken and would then allow the Council to determine whether it wished to proceed with the project or otherwise and there was no financial commitment on the Council’s part; until the Council determined its position; and
- (d) In the light of (c) above, to note the Cabinet’s decision.

(Action: Legal and Secretariat Manager)

11 School Crossing Patrol Service

With reference to paragraph 12 of the Minutes of the Council of 17 December 2013, the Committee received an update from the Director, Resources, in respect of the intended withdrawal of some lunchtime School Crossing Patrol Services, with effect from 1 August 2014. In this respect, there was tabled a list detailing where (i) there was no lunchtime service provided at the moment; (ii) it was intended to remove the service; and (iii) there would be no change to the service. The Director and Head of Commercial Services advised that no action to implement the Council’s decision could be taken until formal consultations were complete and, in this respect, meetings with Trades Unions had been/ were taking place as would meetings with affected staff.

Elected Members drew attention to the fact that a number of the affected staff had only learned of the proposals by way of a press report and expressed the view that this was totally unacceptable and that steps should be taken to ensure that there was no recurrence.

Decision

- (a) That the Corporate Management Team review its processes in respect of proposed budget cuts to ensure that affected staff were aware of the proposals before these were presented to the Council;
- (b) To note that a progress report on this issue would be submitted to the Council in the Spring of 2014; and
- (c) To otherwise note the position.

(Action: (a) All Directors; (b) Head of Commercial Services)

The Meeting terminated at 1.00 pm.