

# Minute of Meeting



## Cabinet

Date	Time	Venue
16 January 2018	11.00 am	Council Chambers, Midlothian House, Buccleuch Street, Dalkeith

### Present:

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

### Religious Representatives:


## 1 Apologies

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Apologies were received from Vic Bourne and Matin Khan.

## 2 Order of Business

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The Chair advised that he had agreed to consider as a matter of urgency, an additional item of business entitled “SPSO Annual Statistics for Midlothian Council Cases handled in 2016-17 - Report by Chief Executive”, as dealt with at paragraph 5.7 below.

## 3 Declarations of interest

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No declarations of interest were received.

## 4 Minutes of Previous Meetings

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The Minutes of Meeting of the Cabinet held on 21 November 2017 were submitted and approved as a correct record.

## 5. Reports

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Agenda No	Report Title	Presented by:
5.1	Inspection of Midlothian Council Care at Home service	Joint Director, Health and Social Care
<b>Outline of report and summary of discussion</b>		
<p>The report outlined the outcome of the above inspection as carried out by the Care Inspectorate in August 2017. The inspection report graded the areas of inspection from 1 – Unsatisfactory to 6 - Excellent. This inspection report graded the three areas as follows:-</p> <p>Quality of care and support 3 – Adequate Quality of staffing 3 – Adequate Quality of Management and Leadership 2 - weak.</p> <p>The following areas of recommendation for improvement were agreed between the Care Inspectorate, Care at Home service and the Health and Social Care Partnership:</p> <ul style="list-style-type: none"><li>• The Care Inspectorate advised that the service was operating at an adequate level and had repeated four of the requirements under “Quality of care and support”. Since 2013 the Care Inspectorate had asked the service to improve in these areas. At this inspection, the Care Inspectorate advised they were concerned that there was limited improvement.</li><li>• What was highly challenging was the number of requirements and recommendations from previous inspections that had not been met. This included 17 outstanding requirements and only 1 had been partially met since the previous inspection. There were also 6 recommendations made from previous inspections and again only 3 had been met. A number of measures have already been put in place to improve the situation.</li></ul>		

- The Care Inspectorate advised that under the “quality of Management and Leadership” the service’s performance was weak and they had repeated 4 requirements. They saw little improvement in this area and were concerned this was having a major impact on the rest of the service.
- They found that most of the paperwork from people homes were not returned to the office to be checked and no formal record of this was made. This was discussed at length with the manager.
- Despite these concerns the Care Inspectorate also found that people were very happy with the care and support that they were receiving. They heard from people first hand how good their carers were. They could see that people had their needs met most of the time and people overall were very complimentary about the care staff who visited them in their own homes.
- They were concerned about the help that people were getting to take their medication. It was unclear what level of support some people needed and some people needed greater support than they were getting.
- However, there were no incidents of people coming to harm and this may be because people often had the same groups of regular carers who knew them well. However, people may not always have the same carer.
- Similarly, they saw that the other records in people's home, kept by the service, needed to improve. They found that personal plans did not have enough information in them and that some risk assessments were blank. Many records were not signed by the person receiving the care. This was important as it told us that the person had been involved in planning their care.
- It was a legal necessity that people care and support was reviewed with them every 6 months. However, they found that the service overall had not done this. One part of the service was up to date with this. Though the two larger parts of the service had not been able to complete their face to face reviews.

The Care at home service had responded to this inspection with a detailed action plan responding to all the requirements and recommendations with clear timescales and outputs to deliver to the plan. There was new management arrangements in place who meet on a fortnightly basis to update and review on progress against the action plan to ensure it keeps to the timescales.

The new management team had since met with the Care Inspectorate and they were happy with the recent progress and developments. The Care Inspectorate were due to re-visit in January 2018 however in light of the recent progress they had lifted their risk from high risk to medium risk and would re-visit within the next year. This provided a great opportunity to deliver on all the requirements and recommendations to ensure the grades would increase on their next inspection. Allister Short was heard in amplification of the report.

Several Members were heard providing positive anecdotal evidence received from clients of the Care at Home service and expressing their surprise at the overall gradings received from the Care Inspectorate. It was therefore considered necessary for the Cabinet to receive regular updates on the progress being made in this area.

Decision
<p>(a) To note the content of the inspection report;</p> <p>(b) To acknowledge the ongoing challenges of providing good quality care at home service to the people of Midlothian and the effort that has been established to improve the service delivery;</p> <p>(c) To receive a Quarterly report on the progress being made to address the areas for improvement agreed between the Care Inspectorate, Care at Home service and the Health and Social Care Partnership; and</p> <p>(d) To pass this report to the Performance, Scrutiny and Audit Committee for its consideration.</p>
Action
Joint Director, Health and Social Care

Agenda No	Report Title	Presented by:
5.2	Inspection of Roslin Primary School and Nursery Class	Head of Education

#### Outline of report and summary of discussion

The report outlined the outcome of the above inspection as carried out by Education Scotland which was communicated in their letter dated 19 December 2017. Noted below are the evaluations for Roslin Primary School and Nursery Class:

#### Primary Stages

Leadership of change	Good
Learning, teaching and assessment	Very Good
Raising attainment and achievement	Good
Ensuring wellbeing, equality and inclusion	Good

#### Nursery Stage

Leadership of change	Good
Learning, teaching and assessment	Good
Securing children's progress	Good
Ensuring wellbeing, equality and inclusion	Good

The inspection team found the following strengths in the school's work:

- The Head Teacher and her principal teacher who had led and supported staff in delivering high quality teaching for all children. This included encouraging and supporting staff to think creatively, for example, in the whole school approach taken to improving children's attainment in writing.
- In the primary stages, children knew themselves well as learners and can talk confidently within an inclusive and supportive classroom environment. The positive classroom ethos, and a focus on individual learners, enables all children to achieve success and to feel valued. In the nursery children receive positive interactions with staff who respond well to their learning interests.

- The rich and varied learning experiences offered to children across the school and nursery. At the primary stages, this includes learning across the expressive arts and in the nursery through high quality learning outdoors. Primary children experience music and singing and the opportunity to link with their local community through drama, as tour guides at Roslyn Chapel. All of this is helping to develop children's confidence and communication skills.

The following areas for improvement were identified and discussed with the Head Teacher and a representative from Midlothian Council:

- Staff should refine approaches to implementing innovation, based on a clear rationale, in order to ensure a positive impact and to ensure outcomes are sustainable for learners.
- Children in the nursery would benefit from building their opportunities in play, in order to further develop literacy skills.
- Continue to build on approaches to assessment to ensure robust evidence of children's progress and next steps in learning.

Grace Vickers was heard in amplification of the report during which Jo Wilson, Head Teacher provided detailed information at the request of elected Members.

#### Decision

- (a) To note the content of the inspection report;
- (b) To congratulate the pupils, parents and staff connected with Roslin Primary School and Nursery Class on the key strengths highlighted in the report;
- (c) To note the areas for further development; and
- (d) To pass this report to the Performance, Review and Scrutiny Committee for its consideration.

#### Action

Head of Education

Agenda No	Report Title	Presented by:
5.3	Inspection of St Luke's Primary School	Head of Education

#### Outline of report and summary of discussion

The report outlined the outcome of the above inspection as carried out by Education Scotland which was communicated in their letter dated 12 December 2017.

Noted below are the evaluations for St Luke's Primary School:

QI 1.1 Self-evaluation for self-improvement	Satisfactory
QI 3.2 Raising attainment and achievement	Weak

The inspection team found the following strengths in the school's work:

- The Head Teacher has a clear vision for the school. Supported by the acting Depute Head Teacher, she is developing systems to gather and analyse information on the work of the school. She knows children and their families well.
- In partnership with cluster schools she has produced a plan for next session to direct Pupil Equity Funding to reduce barriers to learning and raise attainment.
- The support given by learning assistants to raise the attainment of the most vulnerable children
- The schools' partnership working with its campus partner to plan a joint improvement programme directly linked to the context of both schools.

The following areas for improvement were identified by inspectors:

- Staff should increase the opportunities for children to be actively involved in planning and assessing their own learning to increase their understanding of the purpose of learning.
- Staff should work collaboratively to realise the whole school vision of raising attainment in a learning environment where staff and pupils have high expectations of themselves and each other.

Grace Vickers was heard in amplification of the report during which Head Teacher, Lindsey Walker provided detailed information at the request of elected Members.

#### Decision

- (a) To note the content of the inspection report;
- (b) To note that Education Scotland are trying out some new approaches to inspection and this inspection followed one of the new approaches called the short, more focussed school visit as outlined in the report;
- (c) To note the key strengths outlined in the report;
- (d) To note the significant areas for improvement;
- (e) To note the challenges faced by the school as outlined in the report;
- (f) To note that Education Scotland will return within one year of the published Report; and
- (g) To pass this report to the Performance, Review and Scrutiny Committee for its consideration.

#### Action

Head of Education

Agenda No	Report Title	Presented by:
5.4	Inspection of Midlothian Council Adoption Service	Head of Children's Services

#### Outline of report and summary of discussion

This report outlined the outcome of the above announced inspection as carried out by the Care Inspectorate on 17 November 2017. Based on the findings of this inspection the Care Inspectorate awarded the following grades:

Quality of Care and Support	Grade 4 – Good
Quality of Staffing	Not assessed
Quality of Management and Leadership	Grade 4 – Good

The Care Inspectorate noted the following strengths:

- The co-location of the service was found to be beneficial in terms of collaborative working practices which should improve outcomes for children.
- Adopters reported positively on preparation groups, the assessment process and training. This tracking system has reduced the amount of delay in decision making for children.
- Linking processes were reported to be robust and therefore adopters felt that relevant information about the child was shared. In addition Inspectors noted positive developments in terms of more robust process for life story work and later life letters.
- The Inspectors observed an adoption panel and reported that the panel was child focused and demonstrated thoughtful and sound decision making.

The Inspection Team reported that the service could do better in the following areas:

- The loss of experienced staff coupled with the high level of maternity cover has resulted in the service operating with diminished capacity and capability.
- The need to ensure that Adoption Support Plans are in place for every child in particular when placing a child out-with Local Authority.
- The need to raise awareness to ensure that support is offered to prospective adopters whilst waiting for a child to be placed.
- To consider a Midlothian representative attending the preparations groups when they are held in neighbouring authorities to make these early links.

Mary Smith was heard in amplification of the after which she answered questions from elected Members.

Decision
<p>(a) To note the content of the inspection report;</p> <p>(b) To pass this report to the Performance, Review and Scrutiny Committee for its consideration; and</p> <p>(c) To acknowledge the progress and ongoing work to improve the service.</p>
Action
Director Education, Communities and Economy/Head of Education

Agenda No	Report Title	Presented by:						
5.5	Inspection of Midlothian Council Fostering Service.	Head of Children's Services						
Outline of report and summary of discussion								
<p>The report outlined the outcome of the above announced inspection as carried out by the Care Inspectorate on 17 November 2017.</p> <p>Based on the findings of this inspection the Care Inspectorate awarded the following grades:</p> <table><tr><td>Quality of Care and Support</td><td>Grade 3 – adequate</td></tr><tr><td>Quality of Staffing</td><td>Not assessed</td></tr><tr><td>Quality of Management and Leadership</td><td>Grade 4 – Good</td></tr></table> <ul style="list-style-type: none"><li>The Care Inspectorate noted that since the last inspection the service has further developed by stating  “The service is now co-located with other children’s services. During the past year there has been significant changes within the agency in relation to a high turn-over of staff, however a new manager has also been appointed and this has had a positive effect on the service.”</li></ul> <p>The Inspection Team noted the following strengths:</p> <ul style="list-style-type: none"><li>There was evidence of a robust approach to care planning for children. Information provided to carers was usually very good and carers felt that effective matching was always attempted and their views listened to.</li><li>Carers reported that they attended and took an active part in multi-agency meetings, reviews and hearings and where appropriate children and young people also attended.</li><li>Training for foster carers was seen as a strength within the service. There was evidence of regular visits and contact. There was also evidence of additional support being offered to individual children and young people when requested and most carers reported positively on the support they received from the child’s social worker.</li></ul>			Quality of Care and Support	Grade 3 – adequate	Quality of Staffing	Not assessed	Quality of Management and Leadership	Grade 4 – Good
Quality of Care and Support	Grade 3 – adequate							
Quality of Staffing	Not assessed							
Quality of Management and Leadership	Grade 4 – Good							



- The Care Inspectorate found service development plans were coherent with the feedback received and the organisational goals. The decision to be co-located with other teams and appoint only one manager for the team was viewed positively.
- The new team manager is viewed by all staff and others as a key strength for the service and the quality of the fostering panels remains a strength within the service.

The Inspection Team reported the following areas for improvements:

- Relationships between the service and carers is an area for improvement. As a result of the service review, which seen a large number of staff leave this area of work, this has led to inconsistencies in approaches to working with carers. Some carers reported that they felt undervalued or under supported at times.
- The standard of assessments and reports was found to be variable. This was linked to the lack of expertise within the team and the turnover of staff.
- There was concern around workload management and the pressure on staff. The Care Inspectorate were concerned that staff were at times overwhelmed by their workload and this should be looked at as a matter of urgency.

#### Decision

- (a) To note the content of the inspection report;
- (b) To pass this report to the Performance, Review and Scrutiny Committee for its consideration; and
- (c) To acknowledge the continued progress and the ongoing work by management and staff.

#### Action

Director Education, Communities and Economy

Agenda No	Report Title	Presented by:
5.6	Midlothian consultation on the Education (Scotland) Bill 2017	Head of Education

#### Outline of report and summary of discussion

With reference to paragraph 5.4 of the Cabinet Minutes of 21 November 2017, there was submitted a report advising Cabinet on the outcome of the Midlothian consultation on the new Education (Scotland) Bill 2017. A hyperlink to a copy of the national consultation was provided within the report.

In total twenty two responses to the survey were received. A summary of respondents is shown below:

<b>Respondent</b>	<b>Responses</b>
Member of staff	16
Parent/carer Group (2 CPP, 2 CC, 1 PC) Primary Head Teacher group response Secondary Head Teacher group response	6
<b>Grand Total</b>	<b>22</b>

Overall, the responses have the following key themes:

#### **Advantages**

- Allow Head Teachers to plan for the specific needs of their School and Communities.
- Increased feedback to Parent/Pupil Councils and the wider School Community.
- Increased flexibility in staffing and recruitment.
- Wider consultation within School communities
- Ensure Head Teachers have the freedom to choose the systems of planning, reporting and monitoring that best suits the needs of their School community.

#### **Disadvantages**

- Requirements for additional training HR/Finance/Legal issues.
- Most actions already facilitated well by Local authority, worry about time required to implement in individual Schools.
- All staff already require registration to professional bodies SSSC, GTCS etc.
- Additional burden on support staff and drain on Head Teachers time.
- Already a focus within schools to ensure collaboration across the school community. Local Authority also provides support and encouragement to reach out across the school community and keeps this as focus and priority.

Grace Vickers was heard in amplification of the report during which she responded to questions from elected Members.

#### **Decision**

- (a) To note the contents of the report;
- (b) To note the outcome of the Midlothian survey; and
- (c) To authorise officers to submit the Midlothian response to the Scottish Government before 30 January 2018.

#### **Action**

Head of Education

Agenda No	Report Title	Presented by:
5.7	Midlothian consultation on the Education (Scotland) Bill 2017	Chief Executive
<b>Outline of report and summary of discussion</b>		
<p>With reference to paragraph 2 above, there was submitted and considered as a matter of urgency, a report providing an update regarding the annual Scottish Public Services Ombudsman (SPSO) letter and statistics relating to Midlothian Council complaint cases handled by the SPSO for 2016/17 and for which decisions were published online in October 2017.</p> <p>In addition the report also presented the Annual Complaints Report, recently approved for publication on the Council's website by the Corporate Management Team at their meeting dated 29 November 2017.</p> <p>Appendix 1 to the report provided an account of the complaints data about Midlothian Council that the SPSO had looked at and published on their website in October 2017. An extract of the information shown in appendix 1 was also included in the Annual Complaints Handling report as detailed within appendix 2 of the report. The Chief Executive was heard in amplification of the report.</p>		
<b>Decision</b>		
<p>(a) To note the statistics presented in Appendix 1 of the report, a summary of which was highlighted in Annual Complaints Report 2016/17, appendix 2 to the report; and</p> <p>(b) To note the newly published Annual Complaints Report provided in appendix 2 of the report.</p>		
<b>Action</b>		
Chief Executive		

The meeting terminated at 11.53am