

# Notice of Meeting and Agenda



## Midlothian Council

**Venue:** Virtual Meeting,

**Date:** Tuesday, 23 March 2021

**Time:** 11:00

**Executive Director : Place**

**Contact:**

Clerk Name: Verona MacDonald, Democratic Services Team Leader

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Clerk Email: [verona.macdonald@midlothian.gov.uk](mailto:verona.macdonald@midlothian.gov.uk)

**Further Information:**

This is a meeting which is open to members of the public.

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**1 Welcome, Introductions and Apologies**

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**2 Order of Business**

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

**3 Declaration of Interest**

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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 Deputations**

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None

**5 Minutes**

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Minute of Midlothian Council of 23 February 2021 submitted for approval as a correct record and Minutes of Meetings for approval, noting and consideration of any recommendations contained therein (as per Minute Volume)

Minute Volume Index - 23 March 2021

4 - 5

**6 Questions to the Council Leader**

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None

**7 Motions**

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None

**8 Public Reports**

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- |            |   |           |
|------------|---|-----------|
| <b>8.1</b> | Local Housing Strategy 2021-26 - Report by Executive Director Place   | 6 - 153   |
| <b>8.2</b> | ESESCR Transport Appraisal Board bid to the Bus Partnership Fund - Report by Executive Director Place                 | 154 - 156 |
| <b>8.3</b> | Midlothian Library Services - Removal of Library Fines and Hire Charges - Report by Chief Officer Corporate Solutions | 157 - 160 |
| <b>8.4</b> | East Lothian and Midlothian Public Protection Committee (EMPCC) Annual Report 2019-2020                               | 161 - 202 |

<b>8.5</b>	Covert Surveillance - Report by Executive Director Place	203 - 206
<b>8.6</b>	Glyphosate Weed Killer - Report by Executive Director Place	207 - 214
<b>8.7</b>	Annual iESE Transformation Awards 2021 - Report by Chief Executive	215 - 219
<b>8.8</b>	Equally Safe at Work - Achievement of Bronze Accreditation - Report by Chief Officer Corporate Solutions	220 - 224
<b>8.9</b>	Local Code of Corporate Governance - Report by Chief Internal Auditor	225 - 246
<b>8.10</b>	Intake Figures and Limits for Primary and Secondary Schools Session 2021 - 2022	247 - 267

## **9 Private Reports**

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None

## **10 Date of Next Meeting**

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The next meeting will be held on 11 May 2021

# Midlothian Council Minute Volume



**Presented to the Meeting  
of Midlothian Council  
on Tuesday, 23 March 2021**

**1 Minutes of Meetings submitted for Approval**

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Midlothian Council 23 February 2021 3 - 16

**2 Minutes of Meetings submitted for Consideration**

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**Approved Minutes for Noting, Information and Consideration of any recommendations contained therein**

Cabinet 1 December 2020 17 - 22

Audit Committee 8 December 2020 23 - 30

**3 Minutes of Meetings submitted for Information**

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**Approved Minutes of Outside Organisations to which Council appoints representatives**

No Minutes submitted for Information.

**Local Housing Strategy 2021/26****Report by Kevin Anderson, Executive Director - Place****Report for Decision****1 Recommendations**

Council is recommended to approve the Local Housing Strategy (LHS), 2021-26.

**2 Purpose of Report/Executive Summary**

This report provides the finalised Midlothian Council's LHS, 2021-26 following the consultation and planned engagement activity previously approved by Council on 17 November, 2020.

**Date:** 4 March 2021**Report Contact:** Simon Bain, Acting Head Housing Services**email:** [simon.bain@midlothian.gov.uk](mailto:simon.bain@midlothian.gov.uk)**tel:** 0131 271 6679

### 3 Background

- 3.1 The LHS is at the heart of arrangements for housing and planning through its links with the Council's Development Plans and its strategic role in directing investment in housing and housing related services locally. It sets out a strategic vision for the delivery of housing and related services and the outcomes that it seeks to achieve.
- 3.2 The development of a LHS provides an opportunity for local authorities to identify strategic housing priorities and it enables the monitoring of progress against delivery of local and national priorities and targets. The Scottish Government expects a LHS to be prepared and submitted around every five years. Development work has been underway for some time to develop the LHS, 2021/26 which is attached at Appendix 1. The LHS has been developed in accordance with Scottish Government guidance <https://www.gov.scot/publications/local-housing-strategy-guidance-2019/pages/2/>
- 3.3 The LHS includes chapters on: equalities; engagement and consultation; local context; place making and communities; preventing and addressing homelessness; specialist provision; fuel poverty, energy efficiency and climate change; house condition; and housing, health and social care integration.
- 3.4 The LHS has been informed by extensive community and stakeholder consultation and engagement undertaken over 2 phases during July and August 2020, November 2020 and January 2021.
- 3.5 In accordance with the Scottish Government guidance, the draft LHS was submitted to the Scottish Government for review in November 2020. The review process was completed in February 2021 with comments provided by Scottish Government Policy Teams, the More Homes Division Area Team and the peer reviewer, Angus Council identifying the particular strengths and areas for improvement. These comments have been incorporated into the LHS.
- 3.6 The LHS 2021-26 is attached at Appendix 1 for consideration.
- 3.7 The LHS's strategic vision for housing in Midlothian is that all households in Midlothian will be able to access housing that is affordable and of good quality in sustainable communities. In order that this vision is realised, the LHS must ensure that the following outcomes are realised within the five-year period of the Strategy. The following outcomes are included in the Outcomes Action Plan section of the LHS:
- Access to housing and the supply of new housing has increased across all tenures in Midlothian.
  - Improve Place Making in Midlothian.
  - Homeless households and those threatened with homelessness are able to access support and advice services and all unintentionally homeless households will be able to access settled accommodation.
  - The needs of households with particular needs will be addressed and all households will have equal access to housing and housing services.

- Housing in all tenures will be more energy efficient and fewer households will live in, or be at risk of, fuel poverty.
- The condition of housing across all tenures is improved.
- Integration of Housing, Health and Social Care in Midlothian is improved.

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

##### **4.1 Resource**

There are no resource implications related to this report.

##### **4.2 Digital**

There are no digital implications related to this report.

##### **4.3 Risk**

It is a statutory requirement for the LHS to be kept under review and the Scottish Government expects all local authorities to review and report on progress annually.

It is critically important to prepare a LHS document. The LHS is a key corporate Strategy that sets out a strategic vision for the delivery of housing and housing related services and the outcomes that it will seek to achieve. The Scottish Government expects a LHS to be prepared and submitted around every five years.

##### **4.4 Ensuring Equalities**

The Scottish Government expects to see equality issues embedded throughout a LHS including housing advice, homelessness, procurement, new build and refurbishment, specialist housing services, housing management services, allocations and private sector housing.

A comprehensive Integrated Impact Assessment has been developed.

##### **4.5 Additional Report Implications**

Appendix 1 – LHS 2021-26



## **APPENDIX A – Report Implications**

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

The LHS contributes to the Midlothian 2020 vision of improving the quality of life for Midlothian's citizens and safeguarding housing assets for future generations.

### **A.2 Key Drivers for Change**

Key drivers addressed in this report:

- ☐ Holistic Working
- ☐ Modern
- ☒ Sustainable
- ☐ Transformational
- ☒ Preventative
- ☐ Asset-based
- ☐ Continuous Improvement

### **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

### **A.4 Delivering Best Value**

There are no direct implications related to this report.

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

In accordance with Scottish Government LHS Guidance, the LHS has been informed by extensive community and stakeholder consultation and engagement undertaken over 2 phases during July and August 2020, November 2020 and January 2021.

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

The LHS sets out ambitious plans to deliver good quality housing and housing related services.

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

The Scottish Government expects the preventative approach is embedded throughout the LHS.

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

The Scottish Government expects sustainable development aspects are contained throughout the LHS.

Midlothian Council

Local Housing Strategy 2021-2026



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## 1 Introduction

The Housing (Scotland) Act 2001 requires local authorities to prepare a Local Housing Strategy (LHS) for their area, supported by an assessment of housing need and demand. This Local Housing Strategy 2021 – 2026 is the sole strategic document for housing in Midlothian and as such, sets out the key housing issues to be addressed across all tenures in Midlothian. This LHS will embed equality issues into addressing homelessness, procurement, housing advice, new build and refurbishment, specialist housing services, fuel poverty and energy efficiency/climate change, housing management services, allocations and private sector housing.

The Local Housing Strategy's strategic vision for housing in Midlothian is that:

**“All households in Midlothian will be able to access housing that is affordable and of good quality in sustainable communities.”**

Our LHS Outcomes 2021-2026

In order that this vision is realised, the Local Housing Strategy must ensure that the following outcomes are realised within the five-year period of the Strategy. These outcomes are:

- Access to housing and the supply of new housing has increased across all tenures in Midlothian
- Improve Place Making in Midlothian
- Homeless households and those threatened with homelessness are able to access support and advice services and all unintentionally homeless households will be able to access settled accommodation.
- The needs of households with particular needs will be addressed and all households will have equal access to housing and housing services.
- Housing in all tenures will be more energy efficient and fewer households will live in, or be at risk of, fuel poverty.
- The condition of housing across all tenures is improved.
- Integration of Housing, Health and Social Care in Midlothian is improved

These outcomes will be enabled through the following activities that the Local Housing Strategy will monitor through the period 2021 – 2026:

**Partnership working** with local and national organisations to ensure ownership of the local housing strategy and an ability to work together to find solutions, jointly fund initiatives and ensure the broadest reach of strategic influence.

**Effective communication** to ensure that stakeholders are aware of the progress towards meeting outcomes and new developments that arise.

**Using resources most effectively** to ensure that funds are prioritised to the most important strategic objectives.

**Monitoring, Evaluation and Annual Updates** of the Strategy to address changes, such as new legislation, and to monitor performance against targets.

#### Our Progress

Midlothian's previous Local Housing Strategy, published in 2013 set out an ambitious Strategy for the five-year period with some key successes being:

- Completing 1,083 new build houses between 2008 and 2018.
- Committing to the development of 1,000 additional council homes.
- Completing an extra care housing complex at Cowan Court, Penicuik.
- Completion of housing for people with complex care needs at Teviot Court, Penicuik.
- Assisting 1,399 households in Midlothian to purchase their own home using Scottish Government home ownership schemes.
- The introduction of a new affordable housing tenure – Mid Market Rented Housing suitable for households in employment, with 127 units developed across Midlothian.
- Effective housing options advice and homeless prevention activities has led to a reduction in the level of homelessness.
- Use of bed and breakfast accommodation for homeless households ended on 30 November 2020
- Increasing the energy efficiency of many homes in Midlothian through measures such as external and cavity wall insulation, loft insulation and energy advice services to local residents across Midlothian.
- Old Dalkeith Colliery Gypsy/Traveller site has been substantially upgraded to provide improved facilities and amenities.

## 2 Requirements, Links and Outcomes

This chapter will provide details of the progress made since the last Local Housing Strategy as well as any outstanding outcomes which have still to be addressed.

Local Housing Strategy 2013-2017

Midlothian Council's previous LHS had the following outcomes:

- Households have improved housing options across all tenures.
- Homeless households and those threatened with homelessness are able to access support and advice services and all unintentionally homeless households will be able to access settled accommodation.
- The condition of housing across all tenures is improved.
- The needs of households with particular needs will be addressed and all households will have equal access to housing and housing services.
- Housing in all tenures will be more energy efficient and fewer households will live in, or be at risk of, fuel poverty.

Following consultation with residents, tenants and stakeholders, it has been decided that the outcomes for this strategy should remain unchanged.

This LHS consolidates and builds on the successes of the previous Strategy, recognising that while much has been accomplished, there is still more that can be done. Outstanding actions are detailed within the relevant key action tables within each chapter.

Key actions, consultations and Outcome Action Plan

The LHS 2021-2026 key actions are at the end of each chapter along with the consultation and engagement responses for each subject. Further details of our consultation process will be found in the 'Engagement and Consultation' chapter. The LHS Outcome Action Plan is at the end of the document – appendix 1.

Statutory Requirements

Reference will be made to housing related policy throughout this document – both national and local. Key legislative and housing policies which were influential in shaping aspects of the Local Housing Strategy are detailed here:

- Housing (Scotland) Act 2001
- Equality Act 2010 and the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012, 2015, and 2016
- House Condition (Housing (Scotland) Act 2006, Section 10
- Climate Change (Scotland) Act 2009 – Section 44
- Fuel Poverty (Targets, Definition and Strategy) (Scotland) Act 2019
- Scottish Housing Quality Standard (SHQS)
- Energy Efficiency Standard for Social Housing (EESH) Child Poverty (Scotland) Act 2017

- Public Bodies (Joint Working) (Scotland) Act 2014 (Section 53)
- Children and Young People (Scotland) Act 2014
- Place Principle
- National Planning Framework
- Scottish Planning Policy
- Planning (Scotland) Act 2019
- Community Empowerment (Scotland) Act 2015
- Getting It Right For Every Child (GIRFEC)

### 3 Equalities

The Housing (Scotland) Act 2001 states that local authorities must exercise the functions conferred on them by the Act in a manner that encourages equal opportunities and observance of the equal opportunity requirements set out in the **Equality Act 2010**. More information on legislation to protect the rights and welfare of disabled people in Scotland can be found by visiting: [www.gov.scot/policies/disabled-people/](http://www.gov.scot/policies/disabled-people/)

The Equality Act 2010 includes a statutory public sector equality duty to:

- Eliminate discrimination, harassment and victimisation
- Advance equality of opportunity
- Foster good relations between people who share a protected characteristic and those who do not.

The statutory duty requires consideration of the protected characteristics:

- Age
- Disability
- Sex
- Pregnancy and Maternity
- Gender reassignment
- Sexual orientation
- Race
- Religion and Belief and
- Marriage and Civil Partnership (with regard to eliminating unlawful discrimination in employment).

#### Integrated Impact Assessment

Midlothian Council is committed to tackling and reducing inequalities. Accordingly, provisions have been made for the mainstreaming of equalities in both preparing this LHS and in all aspects of planning for housing / delivery of LHS actions. The comprehensive approach taken to equalities is set out in our Integrated Impact Assessment (appendix no.2). This ensures the principle of equalities underpins all aspects of the LHS.

#### Equality Impact Assessment

Our Equality Impact Assessment (appendix no.3) findings were integrated into the key actions within the relevant chapters which have in turn, formed the basis of our Outcome Action Plan. Our Child Rights and Wellbeing Impact Assessment was undertaken as part of the Equality Impact Assessment.

#### Strategic Environmental Assessment (SEA)

The **Environmental Assessment (Scotland) Act 2005** places a statutory obligation of considering and if necessary undertaking a Strategic Environmental Assessment (SEA) of all public plans, programmes and strategies. Midlothian Council has carried out a pre-screening notification for the LHS as all decisions and options surrounding housing are assessed and consulted upon through the Local Development Plan process and have therefore avoided assessment duplication.



## 4 Engagement and Consultation

The Housing (Scotland) Act 2001 requires local authorities to consult on their Local Housing Strategies and the statutory Equality Duty on public bodies requires the involvement, consultation and engagement of as wide a range of local residents and tenants and communities of interest as possible.

Midlothian Council engaged and consulted with tenants and residents throughout the development of this LHS. The engagement and consultation:

- Was undertaken early on in the LHS development process, continued through its development and will continue into the annual LHS reviews
- Used a range of media to ensure as wide an audience as possible within local communities and from relevant representative groups including people with or who share protected characteristics
- Ensured that the make-up of the local population was accurately reflected
- Recognised that some people's views may not be readily heard through traditional engagement methods and we have provided evidence of how those less willing or able to engage, were given the opportunity to do so
- Has influenced the development of LHS priorities, outcomes and actions.

It should be noted that this LHS was developed throughout the Covid-19 pandemic and some traditional consultation methods could not be used e.g. face-to-face discussions and tenant meetings.

### Stakeholders

The following stakeholders were consulted with:

- Tenants
- Waiting list applicants
- Residents
- Registered Tenants Organisations
- Resident and Tenants Groups
- Midlothian Tenants Panel
- Registered Social Landlords
- Shelter Scotland
- Home Energy Scotland
- Changeworks

This LHS recognises that some people's views may not be readily heard through traditional engagement methods. A range of media was used to ensure as wide an audience as possible and to ensure that relevant representative groups, including those who share protected characteristics (see below), were able to give their views.

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership

- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

Using a variety of media also ensured, in an effort to end inequality, that the make-up of the local population is accurately reflected.

#### Engagement and Consultation Methods

The following consultation methods were employed:

- Social media
- SurveyMonkey
- Microsoft Teams virtual consultation meetings
- Zoom virtual consultation meetings

Initially stakeholders were provided with some background information on Local Housing Strategies and the broad areas to be examined and discussed. These areas were revisited throughout the development of this strategy at different points throughout the engagement process. Stakeholders were provided with the draft document for the final consultation process along with key challenges to prioritise for the duration of the Local Housing Strategy.

#### Place Principle

The Place Principle aims to encourage community involvement, break down boundaries and improve the resources and investments within Scotland's communities. It is an approach the service will adopt to change based upon a shared understanding of what that place is for and what it wants to become with partners and communities collaboratively agreeing the joint actions required to make that happen. The Place Principle was central to the LHS consultation, respondents were asked to use it when considering:

- How services and local communities can work together to improve Midlothian's towns and villages
- How resources, services and assets are currently directed and used by local communities
- How resources, services and assets should be directed to improve Midlothian's towns and villages

#### Consultation

The initial consultation period was held between Monday 3 August and Friday 28 August 2020. Midlothian residents were encouraged to complete an online survey, attend a virtual meeting or email/text/phone with their comments.

Virtual meetings were held using Zoom and Microsoft Teams on:

- Friday 14 August at 1pm
- Tuesday 18 August at 10am
- Wednesday 19 August at 11am

- Thursday 20 August at 12noon
- Tuesday 25 August at 10am
- Wednesday 26 August at 11am
- Thursday 27 August at 12noon

The consultation was promoted on the Midlothian Council website, Facebook, Twitter and the weekly Midlothian Council Staff Newsletter. It was also promoted by the Midlothian Advertiser and Scottish Housing News. A small number of paper surveys were posted to those who requested them.

## Midlothian Council to host online housing consultation sessions

Published 7 August 2020



**BITESIZE BRIEFINGS**

**Annual Assurance Statement**  
Lessons learned from year one & outcome of the SHR consultation

**10th September 2020**  
at 9.30am - 12.45pm  
Delivered via Zoom

The Scottish Housing Regulator launched their Lessons learned from the Annual Assurance Statement report at the end of March. A lot has happened since then and in response to COVID-19 they are currently consulting with the sector. The consultation closes on 14th August.

This event gives delegates the chance to hear about lessons learned from year one AND the outcome of the most recent consultation on the Annual Assurance Statement.

**Costs: Members £140.00 | Non-Members £190.00**

**3 Delegates**  
For the price of **2**

**CLICK HERE TO BOOK YOUR PLACE TODAY**

Delivered via Zoom

**Midlothian Council** is due to hold an online consultation session on a draft Local Housing Strategy (LHS) to cover the period 2020-2025.

The council is asking locals to join an online chat about how it can improve housing in the region.

The LHS is a five-year strategic document which sets out the council's plans to improve housing provision in the area.

As part of this, the council is carrying out a consultation to find out what ideas and suggestions local residents have about housing in the area.



Scottish Housing News – 7 August 2021

## Midlothian Council launches housing strategy consultation

Published 3 December 2020



**Midlothian Council** is seeking feedback on its Local Housing Strategy 2021-2026 so it can be finalised and implemented in February 2021.

Virtual public meetings, open to all, will start next week as part of this consultation.

The strategy is a five-year plan for housing in the area. It is shaped by legislation, demand, key challenges and public feedback. Areas covered include homelessness, specialist housing provision, house condition and fuel poverty.



[https://www.midlothian.gov.uk/news/article/3004/tell\\_us\\_how\\_to\\_improve\\_housing](https://www.midlothian.gov.uk/news/article/3004/tell_us_how_to_improve_housing)

MIDLOTHIAN.GOV.UK

**Tell us how to improve housing | Midlothian Council**

Join us for an online chat about how we can improve housing in Mi...

1,732  
People reached

47  
Engagements

**Boost Post**

## Tell us how to improve housing

This article was published  
6 Aug 2020

News Archive

Join us for an online chat about how we can improve housing in Midlothian.

### Help shape what we do for the next five years

Midlothian Council is currently working on a draft Local Housing Strategy (LHS) to cover the period 2020 to 2025. This is a five year strategic document which sets out our plans to improve housing provision in the area.

### Give us your views

As part of this the council is carrying out a consultation to find out what ideas and suggestions local residents have about housing in the area. The consultation



Midlothian Council Housing Local Housing Strategy 2020-2025	1 Place Making and Communities	3 Specialist Housing Provision
<p><b>What is the Local Housing Strategy (LHS)?</b></p> <p>All Local Authorities have to provide a Local Housing Strategy - a five year strategic document which sets out the Local Authority's plans to improve housing and housing provision in the area. Midlothian Council is currently working on a draft Local Housing Strategy to cover the period 2020 to 2025 and we need your ideas and suggestions on the following areas:</p> <ul style="list-style-type: none"> <li>Place Making and Communities</li> <li>Homelessness</li> <li>Specialist Housing Provision</li> <li>Fuel Poverty, Energy Efficiency and Climate Change</li> <li>House Condition</li> </ul> <p><b>What will we do with your comments and suggestions?</b></p> <p>Your comments and suggestions will be added to the draft LHS which will be viewed by your local councillors in October 2020. Following that the draft LHS will require further consultation and feedback before the document is finalised and returned to your elected members for consideration at the end of the year.</p> <p><b>What else should you know about the LHS?</b></p> <p>The LHS is at a very early stage and as such we do not have a document to share with you. At this point we want your ideas and suggestions on a variety of housing areas so these can be incorporated into a draft document.</p> <p>Thank you for your valuable and essential feedback. If you require any further information about the Local Housing Strategy please contact on 07608 903454.</p> <p><b>Place Principles</b></p> <p>The Scottish Government and COSLA (The Convention of Scottish Local Authorities) have asked that we use the Place Principle when writing the Local Housing Strategy. The Place Principle aims to encourage community involvement, break down boundaries and improve the resources and investments within Scotland's communities. It is an approach the service will adopt to change based upon a shared understanding of what that place is for and what it wants to become with partners and communities collaboratively agreeing the joint actions required to make that happen and doing them. Please consider the Place Principle when submitting your ideas by thinking about the following:</p> <ul style="list-style-type: none"> <li>How can services and local communities work together on these issues to improve Midlothian's towns and villages?</li> <li>How are <a href="#">public spaces</a>, <a href="#">community assets</a> currently directed and how are they used by local communities?</li> <li>How should resources, services and assets be directed to improve Midlothian's towns and villages?</li> </ul>	<p>When thinking about your neighbourhood - how <a href="#">good</a> services and your local community work together to improve the area?</p> <p>When thinking about your neighbourhood - how <a href="#">good</a> resources and services currently delivered and used by your local community?</p> <p>When thinking about your neighbourhood - how <a href="#">should</a> resources and services be directed to improve your local area?</p>	<p>Specialist Housing Provision (all types of specialist housing including supported accommodation, sheltered accessible housing, adapted housing, housing for the armed forces, key workers and Gypsy Travellers)</p> <p>When thinking about your neighbourhood - how <a href="#">good</a> services and your local community work together to help provide the specialist housing needed?</p> <p>When thinking about your neighbourhood - how <a href="#">should</a> resources and services be directed to provide the specialist housing required?</p>
	<p><b>2 Homelessness</b></p> <p>When thinking about homelessness in Midlothian - how <a href="#">good</a> services and your local community work together to tackle homelessness?</p> <p>When thinking about homelessness in Midlothian - how <a href="#">should</a> resources and services be directed to tackle homelessness?</p>	<p><b>4 Fuel Poverty, Energy Efficiency and Climate Change</b></p> <p>When thinking about your neighbourhood - how <a href="#">good</a> services and your local community work together to improve fuel poverty, energy efficiency and climate change?</p> <p>When thinking about your neighbourhood - how <a href="#">should</a> resources and services be directed to improve fuel poverty, energy efficiency and climate change in your local area?</p>

Local Housing Strategy survey – August 2020

The draft Local Housing Strategy and final consultation was launched at the Midlothian Community Development Day on Thursday 26 November 2020. The virtual event was attended by 120 residents and stakeholders. The LHS presentation was recorded which allowed the information to be shared with others after the event.

The final consultation period was held between Friday 27 November 2020 and Friday 15 January 2021. Midlothian residents were encouraged to read the draft Local Housing Strategy before completing an online survey to prioritise key actions, attend a virtual meeting or email/text/phone with their comments.

## Stakeholder comments and suggestions

The consultation process generated numerous comments of a wide-ranging nature. Comments have been incorporated into the Key Actions section within the relevant chapters. The Key Actions were then used to create the Outcomes Action Plan (appendix no.1). Complaints of an individual nature (e.g. complaint that a bin has not been emptied), were removed from the action plan outcomes but were followed up by Midlothian Council's Contact Centre. The Key Actions prioritisation exercise

carried out during the final consultation period is reflected in the Key Actions section within the relevant chapters.

#### Peer Review

The intention of the Local Housing Strategy review process is to support continuous improvement and provide constructive feedback to Local Authorities. The Scottish Government has provided feedback on this LHS by way of a Peer Review carried out by Angus Council, Scottish Government Policy Teams and the More Homes Division Area Team in Winter 2020/21. Comments and suggestions have been incorporated into the final document.

#### Web-links to LHS Impact Assessments

Details of the following documents can be accessed using the links below:

- Tenant Participation and Consultation Strategy
- Equality Impact Assessment
- Children's Right and Wellbeing Impact Assessment
- Health Impact Assessment
- Equalities and Human Rights Impact Assessment

## 5 Local Context

### **Key Policy and Legislation in relation to Housing Supply and Affordability in Midlothian:**

#### **Housing Need and Demand Assessment (HNDA)**

The Housing (Scotland) Act 2001 places a duty on local authorities to prepare an LHS supported by an assessment of housing provision. A Housing Need and Demand Assessment is a key part of the evidence base for the LHS. As Midlothian is part of the south-east Scotland housing market area, HNDAs are prepared to cover the south-east Scotland Strategic Development Planning Area or 'SESplan' area. At local authority level, HNDAs should inform individual Local Development Plans and Local Housing Strategies. The purpose of the LHS is to provide strategic direction to tackle housing need and demand (as identified through the HNDA) and inform future investment in housing and related services across a local authority area.

#### **Strategic Housing Investment Plan (SHIP)**

The purpose of a Strategic Housing Investment Plan (SHIP) is to set out strategic investment priorities for affordable housing over a 5-year period to achieve the outcomes set out in the Local Housing Strategy (LHS). The SHIP is also the key document for identifying housing projects towards meeting the Government's 50,000 affordable housing target. This document is updated annually to present up to date information on affordable housing investment plans.

#### About Midlothian

Midlothian is a small local authority area adjoining Edinburgh's southern boundary and framed by the Pentland Hills in the west and the Moorfoot Hills of the Scottish Borders in the south. The majority of the population lives in larger towns and villages in the northern part of the county. The southern half of the authority is predominantly rural, with a small population spread between a number of villages and farm settlements.

The population of Midlothian accounts for 1.6% of the total population of Scotland. In June 2018, the population for Midlothian was 91,340. It is projected that by 2026 the population of Midlothian will increase to 100,410 which is an increase of 10% compared to the population of Scotland which is projected to increase by only 3% during the same period.<sup>1</sup> Chart 3.1 below, shows the projected population increase for the Midlothian area; it is estimated that by 2041 the population will have risen to 115,697 which is a 31% increase in 25 years.

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<sup>1</sup> [https://www.nrscotland.gov.uk/files//statistics/council-area-data-sheets/midlothian-council-profile.html#population\\_projections](https://www.nrscotland.gov.uk/files//statistics/council-area-data-sheets/midlothian-council-profile.html#population_projections)

**Chart 3.1: Area Population Projections for Midlothian (2016 projections)**

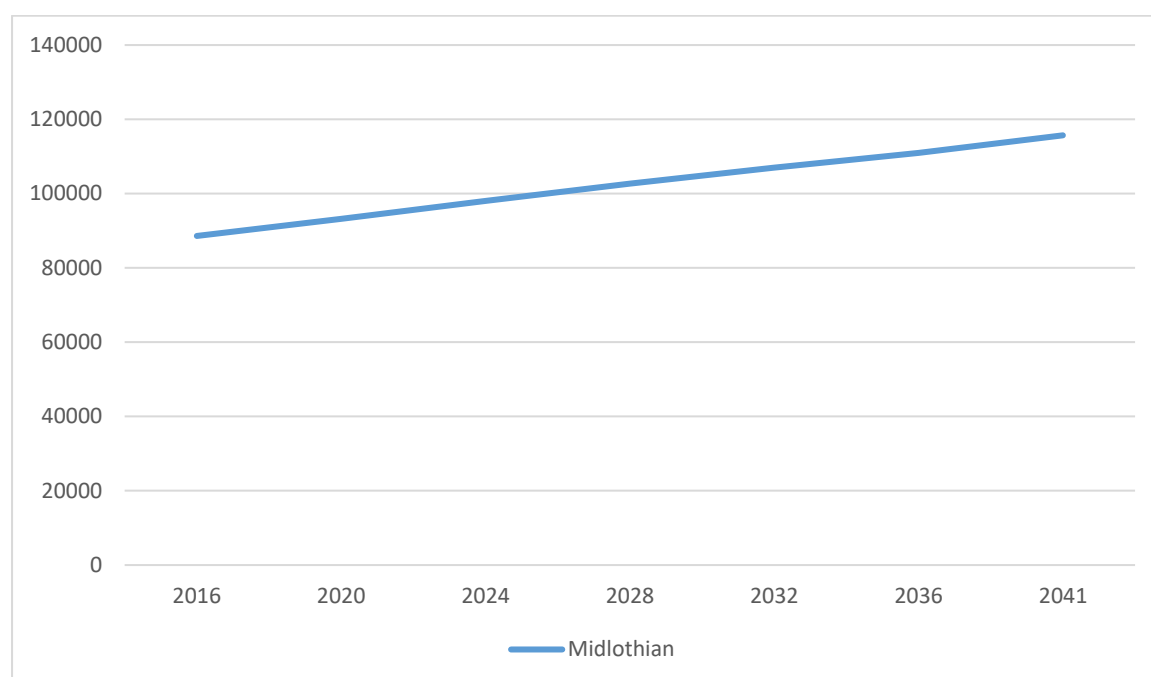


Table 3.1 below shows that the population of all age groups is projected to increase with the 75+ age group doubling by 2041. This is followed by the 0 to 15 age group (30%), the 65 to 74 group (26%), the 45 to 64 group (25%), the 16 to 24 group (24%) and the 25 to 44 age group increasing by 20%.

**Table 3.1: Projected population, by age group, in Midlothian, 2016-2041**

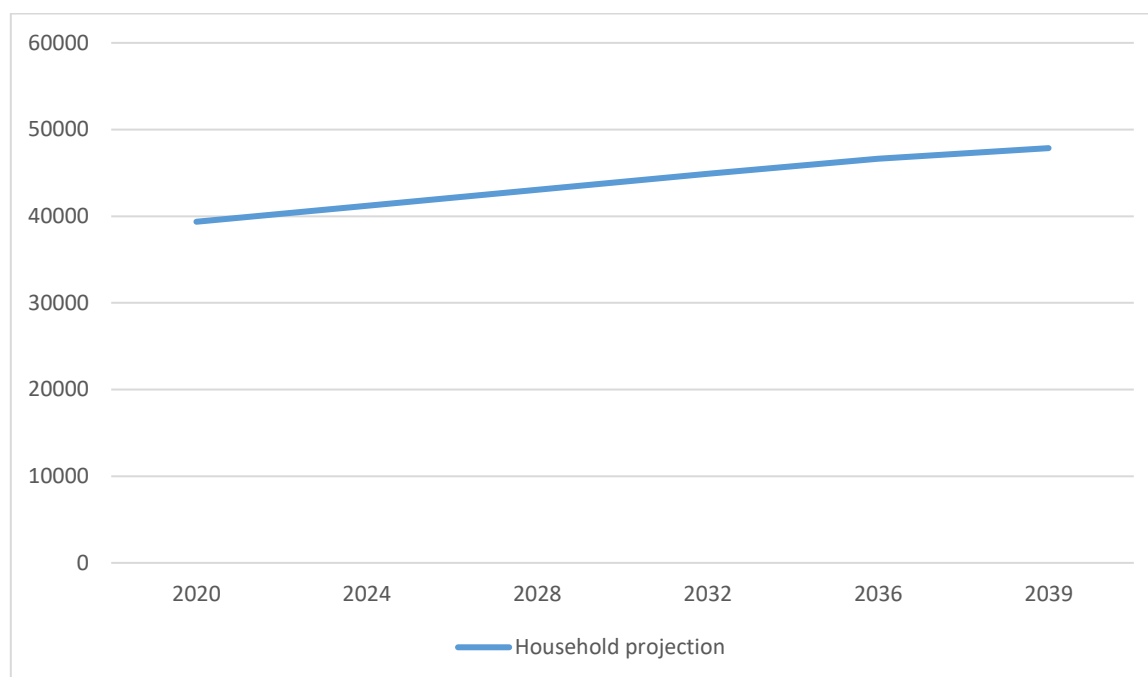
Age group	Base year	Projected years						% Increase
	2016	2020	2024	2028	2032	2036	2041	
<b>0 to 15</b>	16,884	18,178	19,418	20,279	20,848	21,452	21,934	30%
<b>16 to 24</b>	8958	8457	8555	9415	10,275	10,633	11,129	24%
<b>25 to 44</b>	21,613	23,611	25,337	25,930	26,155	25,835	25,841	20%
<b>45 to 64</b>	24,763	25,247	25,348	25,836	26,680	28,358	31,056	25%
<b>65 to 74</b>	9588	10,122	10,332	11,264	12,144	12,665	12,119	26%
<b>75 +</b>	6804	7600	9030	10,000	10,942	12,027	13,618	100%
<b>All ages</b>	88,610	93,215	98,020	102,724	107,044	110,970	115,697	31%

Source: NRS principal population projections by sex, single year of age and year (2016 based)



In terms of the total number of households in Midlothian, they are projected to increase from 39,363 to 47,856 between 2020 and 2039, representing a 22% increase. In Scotland as a whole, the projected number of households is set to increase by 30% over the same period.

**Chart 3.2: Projected Household Population in Midlothian**



It is also projected that different household types will change by 2039, for example:

- The number of single person households are projected to increase by 46%
- Households headed by 60-74 year olds are projected to increase by 17%
- Households headed by the 75+ age group are projected to increase by 96%. The average household size continues to decrease and is projected to decrease from 2.33 people per household to 2.23 by 2039.<sup>2</sup>

#### Local Housing Context

The housing market in Midlothian is divided into two sub areas: Midlothian West and Midlothian East (as shown in Table 3.2). Most new housing units are in Midlothian East with the plan to identify land for additional development in Midlothian West.

**Table 3.2: Settlements in Housing Sub Market Areas**

<b>Midlothian West</b>	Penicuik, Loanhead, Bilston, Roslin, Straiton, Auchendinny
<b>Midlothian East</b>	Dalkeith, Bonnyrigg, Gorebridge, Rosewell, Mayfield, Easthouses, Pathhead, Newtongrange

<sup>2</sup> <https://www.nrscotland.gov.uk/statistics-and-data/statistics/statistics-by-theme/households/household-projections/2014-based-household-projections/list-of-tables>

## Housing Tenure in Midlothian

The most common housing tenure in Midlothian is owner occupied housing (62%) followed by social rented housing (25%) and private rented housing accounting for 11% of properties in Midlothian (Table 3.3). Compared to Scotland overall there is a slightly higher percentage of home owners and council tenants in Midlothian while there is a lower proportion of private rented housing and Housing Association properties.

**Table 3.3: Housing Tenure**

Tenure	Midlothian Tenure (000)		Scotland Tenure (000)	
	%	No.	%	No.
Owner occupied	62%	25	59%	1,541
Rented privately	11%	4	14%	371
Vacant private dwellings and second homes	2%	1	4%	97
Housing Associations	8%	3	11%	282
Council Housing	17%	7	12%	314
Total	100%	40	100%	2,605

<http://www.gov.scot/Topics/Statistics/Browse/Housing-Regeneration/HSfS/KeyInfoTables>

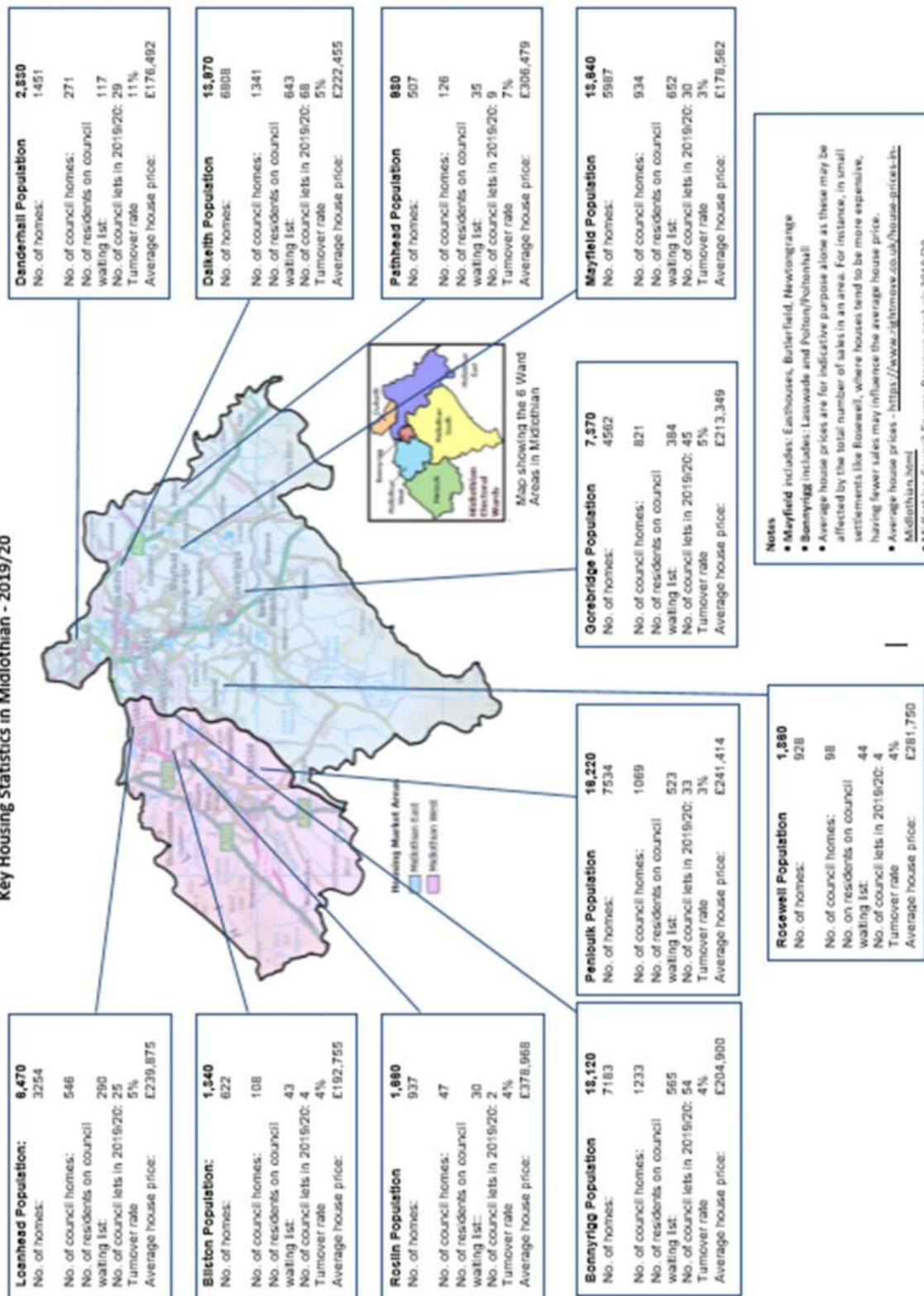
## Midlothian Settlement Area Analysis

The following page shows the location of the main settlements in Midlothian, together with some key housing statistics for these areas. Key points include:

- There are four settlements in Midlothian with a population over 10,000: Bonnyrigg, Dalkeith, Penicuik and Mayfield.
- The average residential property price in Midlothian is £225,400 whilst the average residential property price in Scotland is £181,272.<sup>3</sup>
- The areas with the highest house prices were Rosewell (£210,586), Bilston (£191,721) and Roslin (£174,308).
- The areas with the lowest house prices were Newtongrange/Mayfield (£135,377) and Danderhall (£150,450).
- The variations in house prices in settlements were often due to the level of private house sales in each area. For instance there were fewer new homes built and sold in Newtongrange/Mayfield and Danderhall, whilst in Rosewell and Bilston there has been significant building of new homes which tend to be more expensive than older housing for sale on the open market.
- Roslin has the highest percentage of owner occupation with 75% followed by Loanhead (72%) and Penicuik (71%) The lowest levels of owner occupation were in Gorebridge (51%).
- The proportion of social rented housing was highest in Gorebridge (41%) and lowest in Roslin (16%). In all areas demand for social rented housing was high and turnover levels were low.

<sup>3</sup> <https://www.ros.gov.uk/data-and-statistics/house-price-statistics>

## Key Housing Statistics in Midlothian - 2019/20



## 6 Housing Delivery

**Outcome: Access to housing and the supply of new housing has increased across all tenures in Midlothian.**

The ability to provide housing of the right type in the right place to meet the needs of the current and future population is fundamental to every Local Housing Strategy. This section will look at how housing is currently delivered, the challenges ahead and the key actions arising.

Housing Completions in Midlothian 1999-2019

According to the South East Scotland Strategic Development Planning Authority (SESplan), the average annual assessed housing requirement (affordable and market housing) for the SESplan area between 2019 and 2032 is 6208 properties. Table 6.1 below, shows actual housing completions across the SESplan area between 1999 and 2019 with an annual average completion of 5436 units - 12% less than the assessed housing requirement for 2019-32.

Of all the new build completions between 1999 and 2019, just 8% of these were in Midlothian which had the lowest number of new build completions of all the SESplan Local Authorities. When examining this in the context of Housing Association new builds and private new builds, 4% and 8% were completed in Midlothian accordingly. The percentage of Local Authority new build completions over the same 20-year period shows that 23% were in Midlothian; only Fife (26%) and West Lothian (28%) Councils built more. It is interesting to note that of the 8437 new build properties completed in Midlothian between 1999 and 2019, 80% were private developments, 14% were Local Authority developments and 7% were Housing Association developments.

**Table 6.1: SESplan New Build Completions 1999-2019**

	1999-2004	2004-2009	2009-2014	2014-2019	Total
<b>Total New Build Completions (all tenures)</b>					
East Lothian	1833	2875	1763	2780	9251
Edinburgh	9276	10,711	6157	10,209	36,353
Fife	8174	7944	4835	6789	27,742
<b>Midlothian</b>	<b>1046</b>	<b>1370</b>	<b>2758</b>	<b>3263</b>	<b>8437</b>
The Scottish Borders	3228	3094	1850	1635	9807
West Lothian	6559	4453	2449	3670	17,131
Total	30,116	30,447	19,812	28,346	108,721
<b>Housing Association New Build Completions</b>					
East Lothian	197	353	260	256	1066
Edinburgh	1851	2043	2407	1371	7672
Fife	1060	1225	783	645	3713
<b>Midlothian</b>	<b>100</b>	<b>79</b>	<b>210</b>	<b>170</b>	<b>559</b>
The Scottish Borders	383	326	303	447	1459
West Lothian	438	439	479	145	1501
Total	4029	4465	4442	3034	15,970

	Local Authority New Build Completions				
East Lothian	0	74	477	72	623
Edinburgh	0	0	99	427	526
Fife	3	0	251	1085	1339
<b>Midlothian</b>	<b>45</b>	<b>289</b>	<b>642</b>	<b>176</b>	<b>1152</b>
The Scottish Borders <sup>4</sup>	0	0	0	0	0
West Lothian	0	0	639	778	1417
Total	48	363	2108	2538	5057
	Private New Build Completions				
East Lothian	1626	2448	1026	2452	7552
Edinburgh	7425	8668	3651	8411	28,155
Fife	7111	6719	3801	5059	22,690
<b>Midlothian</b>	<b>901</b>	<b>1002</b>	<b>1906</b>	<b>2917</b>	<b>6726</b>
The Scottish Borders	2845	2768	1545	1188	8346
West Lothian	6121	4014	1331	2747	14,213
Total	26,029	25,619	13,260	22,774	87,682
	1999-2004	2004-2009	2009-2014	2014-2019	Total
5 Yearly Average	15,055	15,223	9905	14,173	54,358

Source: <https://www.gov.scot/publications/housing-statistics-for-scotland-new-house-building/>

The LHS will aim at supporting the delivery of social and market housing as well as specialist housing to ensure the housing targets during 2019-32 are achieved.

#### Affordable Housing Delivery in Midlothian

Table 6.2 below, shows:

- the number and location of affordable housing units built by the Council and RSLs in Midlothian since 2009
- the number of ex-council properties/Open Market Purchases that Midlothian Council has purchased (as these have been subsidised by the Scottish Government) since 2009
- the results of other forms of affordable housing available since 2009

It shows a total of 1883 affordable or subsidised housing options have been delivered in Midlothian. Dalkeith and Penicuik had the highest number of new units built since 2009, with 261 and 233 units respectively. Whilst the Council's investment in new housing has been significant in providing a large number of households with good quality affordable homes, it should also be recognised that RSLs have delivered 31% of the total new affordable rented units in this period, 6% of which through the completion of 118 Mid-Market Rent properties. In addition there are several schemes which have supported households to own their own home; 31% of affordable housing has been provided by the Scottish Government's Help to Buy Schemes.

<sup>4</sup> Scottish Borders Council housing stock transferred to Scottish Borders Housing Association in 2003

Consideration of where future investment should be targeted is influenced by the level of housing need and by the level of investment required in each area. The level of housing need is calculated via the Housing Needs and Demands Assessment (HNDA) and more locally, the annual Strategic Housing Investment Plans.

Please note that the table does not contain details of all affordable housing completions since the new build programme began - details of sites prior to 2009 can be found in the previous Local Housing Strategy and the Strategic Housing Investment Plans. The table covers a ten year period for ease of comparison with other statistics.

**Table 6.2: Affordable Housing Completions in Midlothian, 2009 - 2019<sup>5</sup>**

Location	Council Units	RSL Units	RSL MMR Units	Other types of affordable housing (e.g. Open Market Shared Equity) *	Open Market Purchases (purchase of ex-council properties)*	Total* <sup>6</sup>
Bilston	8	28	21	*	*	*
Bonnyrigg/Lasswade	110	14	0	*	*	*
Dalkeith	129	118	14	*	*	*
Danderhall	23	15	0	*	*	*
Gorebridge	117	43	34	*	*	*
Loanhead	88	0	0	*	*	*
Mayfield/Easthouses	0	121	12	*	*	*
Newtongrange	0	34	21	*	*	*
Penicuik	177	56	0	*	*	*
Rosewell	0	32	16	*	*	*
<b>TOTAL</b>	<b>652</b>	<b>461</b>	<b>118</b>	<b>580</b>	<b>72</b>	<b>1883</b>

<sup>5</sup> Source: Scottish Government More Homes Division

<sup>6</sup> These statistics cannot be broken down per location



## Investment in new Council Housing in Midlothian

The Council is committed to the construction of new build council homes in Midlothian. The first phase provided 864 additional houses within Midlothian over a period of 7 years with a total budget of £108,700,000 and is now complete.

Phase 2 targeted providing a further 412 additional homes within Midlothian with a budget of £77,121,000 funded from the Housing Revenue Capital Account and Scottish Government grant funding. Phase 3 & 4 is targeting a further 789 additional homes within Midlothian with a budget of £171,374,000 funded from the Housing Revenue Capital Account and Scottish Government grant funding.

Table 6.3 shows the location and number of homes completed<sup>77</sup>.

**Table 6.3: Midlothian Council New Build Programme Completed Units**

Name	Location	Units Completed
<b>Phase 1 Council Housing Programme</b>		
Bill Russell Grove	Dalkeith	27
Park Avenue/Road	Gorebridge	48
Stone Place	Mayfield	44
Suttieslea	Newtongrange	55
Cuiken Terrace	Penicuik	18
Campview Road	Bonnyrigg	12
Barleyknowe	Gorebridge	64
Eskview Road	Mayfield	86
Cameron Crescent	Lasswade	100
New Hunterfield	Gorebridge	60
Hopefield	Bonnyrigg	85
Gore Avenue	Gorebridge	64
Eastfield Farm Road	Penicuik	37
Polton Gardens	Lasswade	12
Salters Road	Dalkeith	105
Academy Lane	Loanhead	47
<b>Phase 2 Council Housing Programme</b>		
Pentland Way	Penicuik	30
Cowan Court	Penicuik	32
Woodburn Court	Dalkeith	14
Craigiefield Crescent	Penicuik	17
Eastfield Drive	Penicuik	17
Jackson Street	Penicuik	14
Edgefield Road	Loanhead	22
Charpentier Avenue	Loanhead	5

<sup>77</sup> As of September 2020

## Other Types of Affordable Housing

### Mid Market Rent Housing

Mid Market Rent (MMR) provides affordable housing at rental levels above social rent but below private sector levels. MMR is designed to help people on low and modest incomes who may have difficulty accessing social rented housing, buying their own home or accessing high quality affordable rented accommodation. MMR housing supports the creation of sustainable communities as they generally provide a mix of housing tenures. Since 2009, 118 MMR units have been built in Midlothian. They are managed by three RSLs:

- Dunedin Canmore Housing Association with 92 units (78%)
- Places for People (Castlerock Edinvar Housing Association) with 14 units (12%)
- Melville HA with 12 units (10%)

Most Mid Market Rent properties are located in Gorebridge with 34 units (29% of all MMR properties in Midlothian), followed by Newtongrange and Bilston with 21 units each (18%), Rosewell with 16 units (14%) Dalkeith with 14 units (12%) and Mayfield/Easthouses with 12 units (10%).

The LHS will continue to support the development of MMR units across Midlothian to ensure that households who are able to afford this house tenure can access it. The LHS will also support the development of other MMR housing models.

### National Housing Trust (NHT)

It is a guarantee-based model which is delivering homes for mid-market rent for a period of between five and 10 years at various locations across the country. Under NHT, developers are appointed to build a specified number of affordable homes on land they already own.

Once complete, a local partnership company – made up of the developer, the participating council and the Scottish Futures Trust (SFT) – buys the homes and lets them to tenants at affordable, mid-market rent for a period of between five and 10 years, after which time they are sold.

### Local Affordable Rent (LAR)

LAR Housing Trust was set up by the Scottish Futures Trust and been funded by a £55 Million loan from the Scottish Government with a further £75 Million anticipated from private investment. LAR aims to be a long-term provider of high quality, energy efficient, mid-market rental homes in Scotland and intends to build approximately



1,000 units across Scotland which will be rented out at below market levels to eligible households.

Unlike the National Housing Trust and the Council's social rented housing which requires the Council to lend or borrow, LAR does not require any financial input from the Council and also does not require any grant subsidy from the Scottish Government. This is due to the loan already received by LAR from the Scottish government and rents being capped slightly higher than other Mid Market Rented properties at 100% of the Local Housing Allowance rate. This enables Scottish Government grant funding to be prioritised for council housing and other affordable rented housing projects.

Low Cost Initiative for First-Time Buyers (LIFT)<sup>8</sup>

Shared equity helps people on low to moderate incomes to become homeowners where it is affordable for them over the long term. The shared equity schemes in operation are New Supply Shared Equity (NSSE) and the Open Market Shared Equity Scheme (OMSE).

Under the **New Supply Shared Equity** scheme, the Scottish Government gives grants to registered social landlords to help them build or buy new homes for sale and provide them on a shared equity basis to people on low to moderate incomes. Buyers fund 60%-80% per cent of the purchase price and the Scottish Government holds the remaining share under a shared equity agreement.

The **Open Market Shared Equity** scheme helps first-time buyers and other priority groups get onto the property ladder by providing an interest free loan towards the cost of a home. The Scottish Government provides funding of between 10% and 40% of the sale price and gets the same percentage back when the property is sold. Table 6.4 below shows the current threshold prices in Midlothian: prospective buyers can consider properties up to these price thresholds.

**Table 6.4: Open Market Shared Equity, Midlothian thresholds**

Property size	Threshold price
2 apartment	£110,000
3 apartment	£125,000
4 apartment	£145,000
5 apartment	£165,000
6 apartment	£270,000

Shared Ownership

Under this scheme households buy part-ownership of a property, in tranches of 25%, 50% or 75% and make an occupancy payment to the RSL on the remaining portion. (The occupancy payment entitles a sharing owner to occupy the whole property although technically the housing association still owns a share). Over a period of

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<sup>8</sup> More Homes Division February 2017, Affordable Housing Supply Programme Out-turn Report 2015-16

time the sharing owner has a right to buy further 25% shares of equity, up to and including 100% when they become the full owner of the property.

#### Partnership Support for Regeneration (PSR) – (former GRO Grants)

These grants can be awarded to private developers to help build houses for sale. They are used to introduce housing for sale in areas with little or no private housing and to help meet local shortages. Grant is only considered where projects meet the local strategic investment objectives of the area and are consistent with the Local Housing Strategy of the local authority where development is proposed.

#### Home Owners' Support Fund (HOSF)

The 'Mortgage to Rent' scheme and the 'Mortgage to Shared Equity' scheme make up the Home Owners' Support Fund, which helps owners who are experiencing difficulty in paying any loans that are secured against their property. The Mortgage to Rent scheme enables households to remain in their home by selling it to a social landlord - such as a housing association or local authority – and continuing to live there as a tenant. The Mortgage to Shared Equity scheme enables home owners to sell a stake in their property to the Scottish Government, thus reducing the amount of the secured loan to be paid back.

#### Empty Homes Loan Fund (EHLF)

A loan fund to encourage owners of empty homes to bring these back into use as affordable housing. Under the Local Government Finance (Unoccupied Properties etc.) (Scotland) Act 2012, Midlothian Council reduced the amount of discount for long-term empty dwellings and second homes from 50% to 10%, with the extra revenue used to support affordable housing. A total of £239,000 was raised between 2016/17 and 2019/20 which is being used to support Midlothian's New Build Council Housing Programme.

## Social Housing in Midlothian

### Midlothian Council Housing

There are 6648 Council houses in Midlothian. The majority of stock has 2 bedrooms (3631 units), followed by 3 bedrooms (1829 units), 1 bedroom properties (870 units) and properties with four or more bedrooms (318 units).

**Chart 6.1: Midlothian Council: Proportion of Stock by House Size 2019/20**

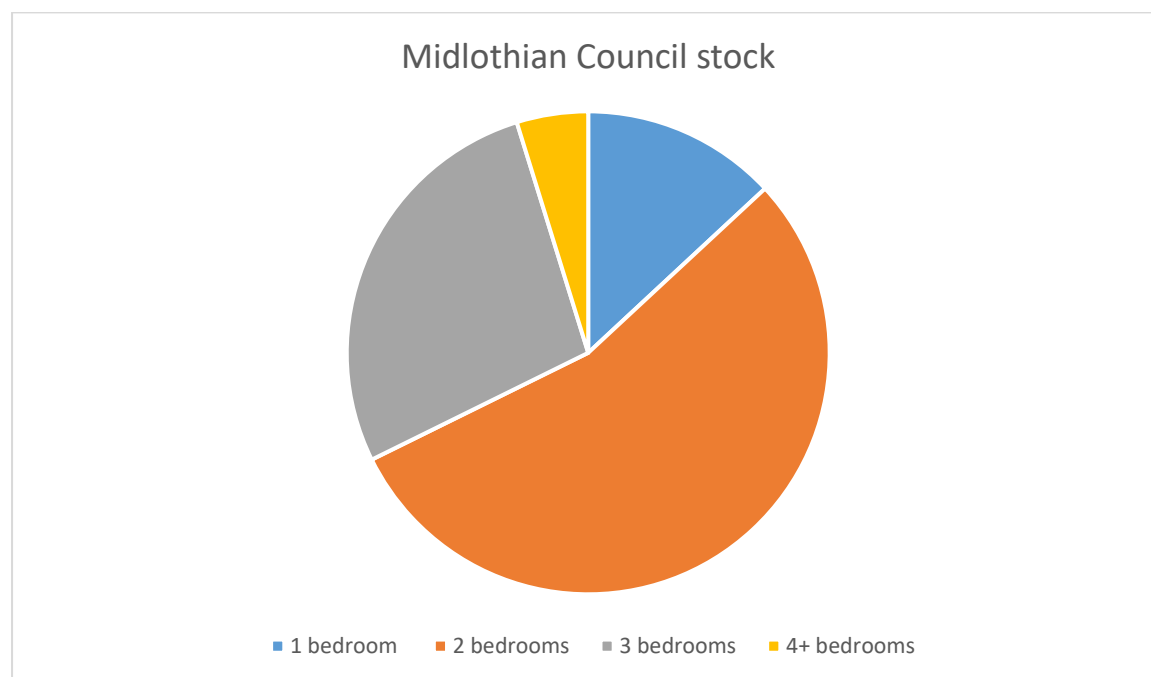
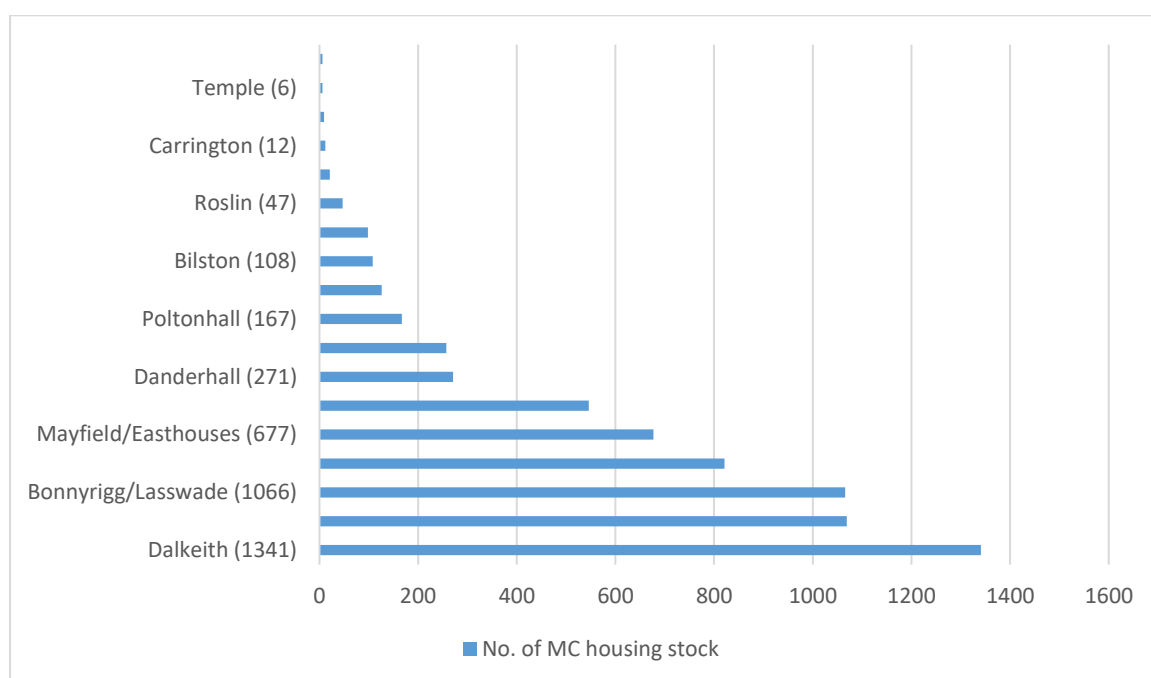


Chart 6.2 below shows that the three largest towns in Midlothian are also the areas with the largest number of council homes: there are 1341 homes in Dalkeith (accounting for 20% of all stock), followed by Penicuik with 1069 houses (16%) and Bonnyrigg/Lasswade with 1066 houses (16%). The other areas with a significant proportion of council housing are Gorebridge with 821 units (12%) and Mayfield/Easthouses with 677 units (10%). There are a number of small settlements such as North Middleton and Temple which have very low numbers of council housing. It is often difficult to increase the supply of housing in these areas as land for development is limited.

**Chart 6.2: Midlothian Council Housing Stock per area 2019/20**



The level of turnover for Council properties in Midlothian is very low, only a small proportion of Council properties are available for let annually and applicants have to wait a long time before accessing council housing. For instance, in 2019/20, 306 properties were let representing a turnover of 5%. Many local authority landlords in Scotland have a turnover level close to 10%<sup>9</sup>.

#### Social Housing Demand

An analysis of waiting list applicants shows that households aged 26-35 years made up 27% of the waiting list, followed by those aged 36-45 years (20%), 16-25 years (18%), 46-55 (14%) and 56-65 and 65+ both comprising 10%.

**Table 6.5: Age of Housing List Applicants**

Age	16-25	26-35	36-45	46-55	56-65	65+	All
No	711	1098	811	570	413	404	4007
%	18%	27%	20%	14%	10%	10%	100%

Table 6.6 below shows clearly that two bedroom properties are most demand in Midlothian with 63% of waiting list applicants requesting one, followed by 1 bed properties (21%).

<sup>9</sup> [www.scotlandshousingnetwork.org](http://www.scotlandshousingnetwork.org)

**Table 6.6: Property Size demand - 2019/20**

No. of bedrooms in property	%
1	21%
2	63%
3	12%
4	3%
Total	100%

Chart 6.3 shows that the number of households on Midlothian Council waiting lists increased by 97% between 2006 and 2016 but has since reduced by 18%. This sharp reduction does not reflect a lessening of demand for social housing, it illustrates the removal of the 'Choice' waiting list in 2020. The 'Choice' list was comprised of households who wanted a council property but did not have a defined housing or medical need e.g. health issues, overcrowding, homelessness etc. Removing this group has allowed the Council to allocate more properties to those on the remaining lists who have defined housing/medical needs.

**Chart 6.3: Number of Households on Midlothian Council Housing List**

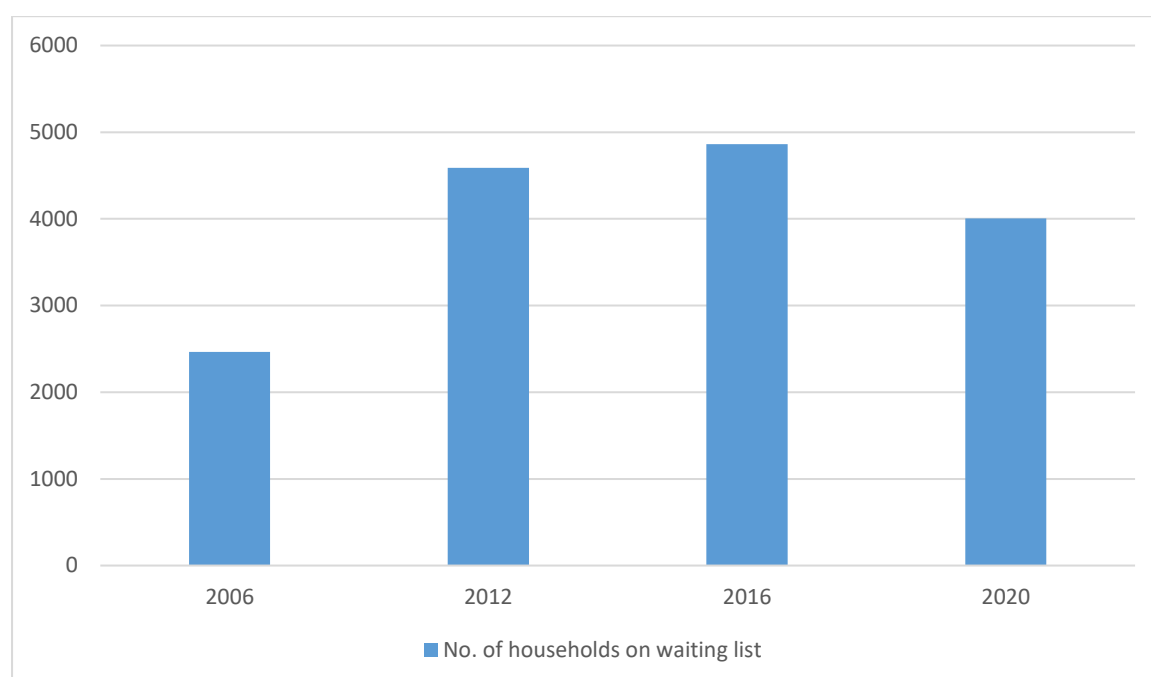
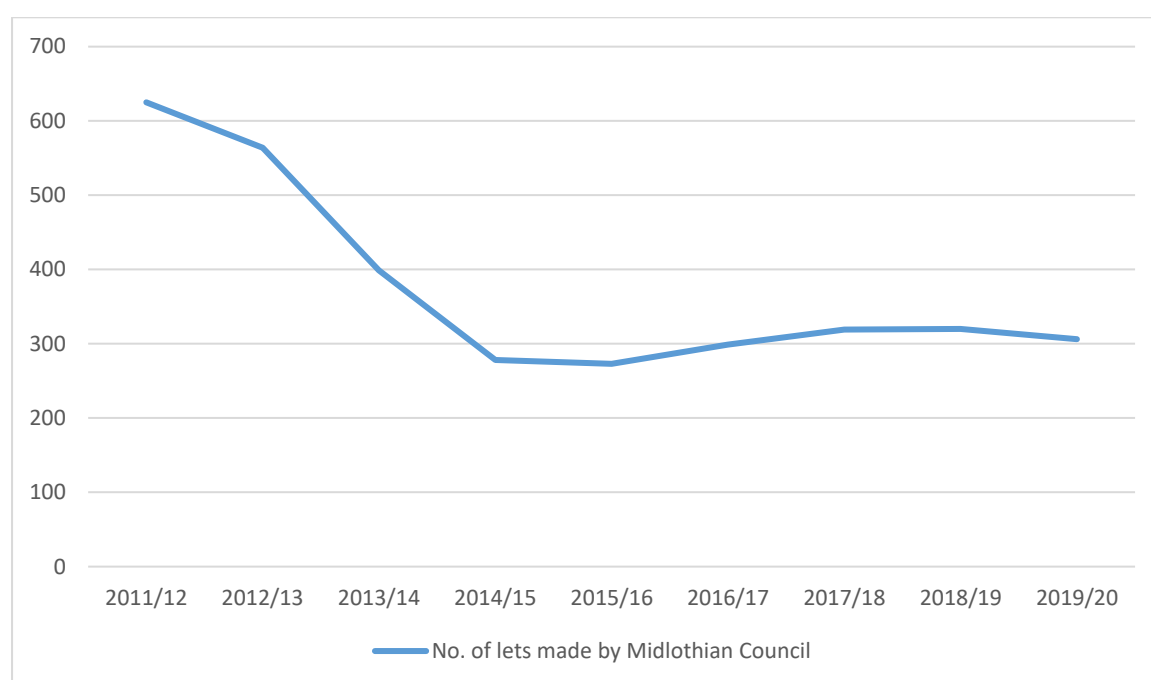


Chart 6.4 below, shows the number of council lets in recent years. The high number of lets between 2011/12 and 2012/13 was due to the high number of new build completions at that time. For the last six years turnover rate in Midlothian has been very low averaging between 4% and 5%.

**Chart 6.4: Midlothian Council lets per year**



Registered Social Landlords (RSL)

There are currently 3,338 RSL properties in Midlothian (Table 6.7). Melville HA has the highest number of properties in Midlothian with 60% of total property stock followed by Castle Rock Edinvar HA with 29%. The other RSLs form the remaining 11% of RSL stock in Midlothian.

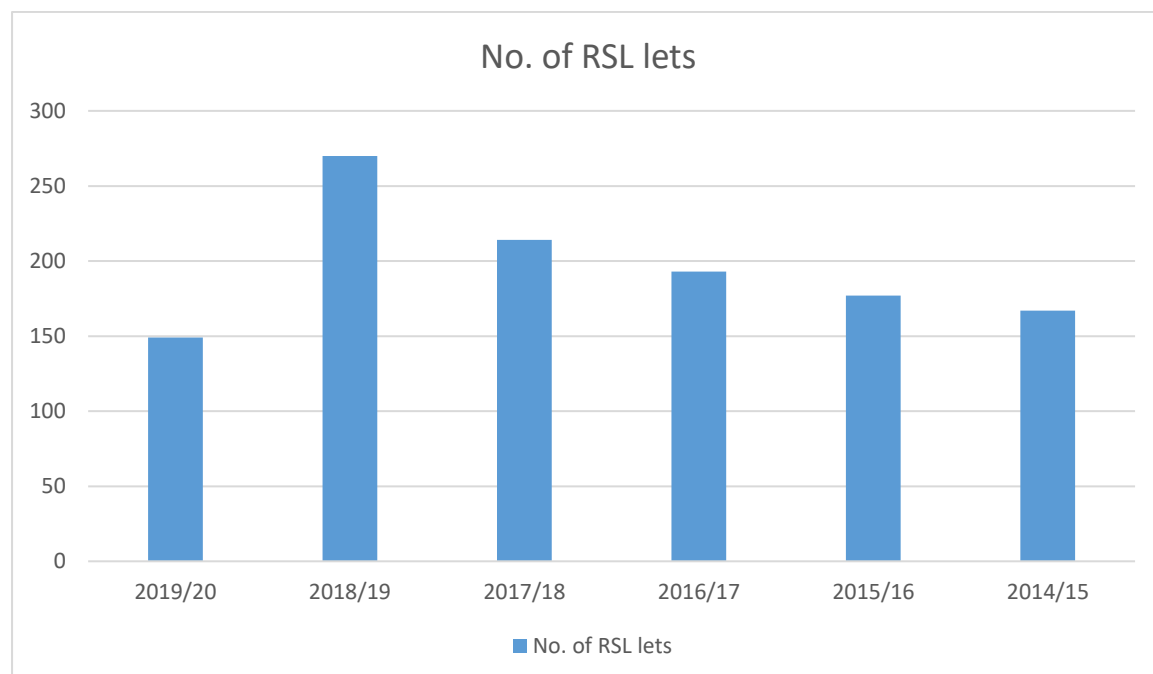
**Table 6.7: Stock Profile Collection by Midlothian Area**

Type of provision	Total Units	%
Ark Housing Association	6	1%
Bield Housing Association	116	3%
Blackwood Housing Association	23	1%
Castle Rock Edinvar Housing Association	984	29%
Dunedin Canmore Housing Association	98	3%
Link Housing Association	20	1%
Melville Housing Association	2022	60%
Trust Housing Association	35	1%
Viewpoint Housing Association	34	1%
<b>Total</b>	<b>3338</b>	<b>100%</b>

Source: Scottish Housing Regulator

**Chart 6.5** shows the number of RSLs lets in Midlothian, averaging 195 properties in the last 6 years.

**Chart 6.5: RSL Lettings in Midlothian**



Similar to the Council's lettings, RSL lettings are quite low in Midlothian suggesting a low turnover rate. In 2019/20, there were 149 lets by RSLs in Midlothian, representing 4% of total RSL stock (it should be noted these figures do not include lets by Ark, Bield or Link Housing Associations). Overall, RSL lettings are very important as they provide additional homes and options to people applying for housing in Midlothian. It should be pointed out that lettings by RSLs have been at times driven by new RSL housing development. Chart 6.6 shows how many properties have been let by each Housing Association in Midlothian over the last ten years.

**Chart 6.6: Lets per Housing Association<sup>10</sup>**

Housing Association	2019/20	2018/19	2017/18	2016/17	2015/16	2014/15	2013/14	2012/13	2011/10	2010/11	2009/10
Ark Housing Association	*	7	0	3	3	2	1	1	0	0	0
Bield Housing Association	*	*	*	*	*	*	*	*	*	*	*
Blackwood Housing Association	1	3	1	0	2	6	1	0	2	0	*
Castle Rock Edinvar Housing Association	60	86	65	67	34	44	*	*	*	*	*
Dunedin Canmore Housing Association	9	13	40	8	2	3	21	7	1	22	*
Link Housing Association	*	*	*	*	*	*	*	*	*	*	*
Melville Housing Association	72	150	94	100	132	110	164	190	*	*	*
Trust Housing Association	5	8	10	10	*	*	*	*	*	*	*
Viewpoint Housing Association	2	3	4	5	4	2	3	9	6	5	5
Total number of lets	149	270	214	193	177	167	190	207	9	27	5

#### Owner Occupied Housing in Midlothian

Since 2009 the sale of privately owned properties has increased in Scotland by 49% from 69,016 in 2009 to 102,911 in 2019. During the same period, sales in Midlothian rose by 97%; the highest increase of all the SESplan areas. The results for the other local authorities in the South East Scotland area vary but have all seen dramatic increases as seen in table 6.8 below.

**Table 6.8: Residential Property Sales by Local Authority 2009-2019**

Local Authority	2009	2019	% Change
East Lothian	1229	2410	+96%
Edinburgh	7345	11 345	+54%
Fife	4746	7033	+48%
<b>Midlothian</b>	<b>938</b>	<b>1850</b>	<b>+97%</b>
Scottish Borders	1413	2020	+43%
West Lothian	1829	3269	+79%
<b>Scotland</b>	<b>69,016</b>	<b>102,911</b>	<b>+49%</b>

Source: <https://www.ros.gov.uk/data-and-statistics/house-price-statistics>

The volume of sales within the private housing sector has steadily recovered following the financial crash in 2008, particularly so in Midlothian. Residential property prices have also risen as shown in table 6.9 below. Between 2009 and 2019, the average house price in Midlothian increased from £165,974 to £225,400,

<sup>10</sup> \* indicates information is not available



representing a 36% increase. By comparison, the average house price in Scotland rose by 21% from £150,354 to £181,272 during the same period. Therefore the average house price in Midlothian is 15% higher than the Scottish average. It is worth noting that Midlothian has the highest increase of all the South East Scotland Local Authorities.

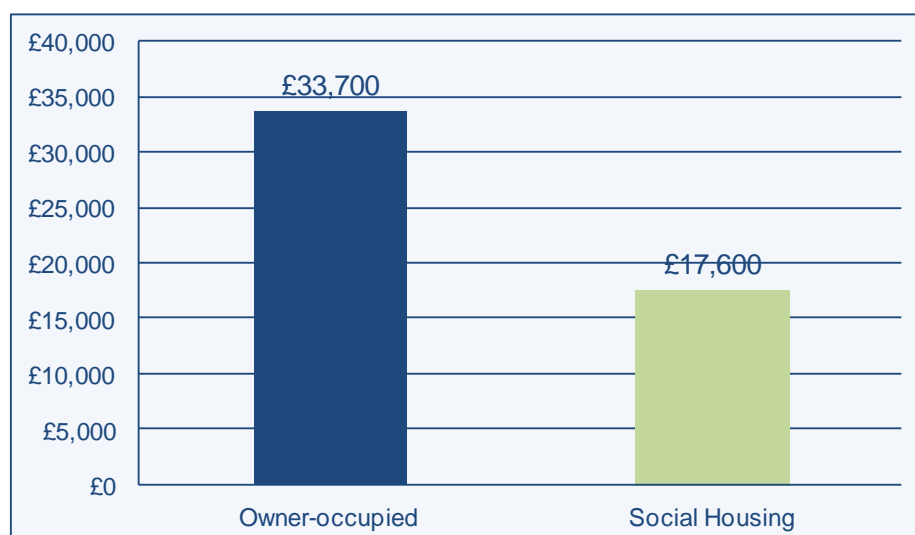
**Table 6.9: Housing Market Average Price by Local Authority Area 2009-2019**

Local Authority	2009	2019	% Change
East Lothian	£191,111	£256,750	34%
Edinburgh	£202,407	£266,808	32%
Fife	£135,385	£160,420	18%
<b>Midlothian</b>	<b>£165,974</b>	<b>£225,400</b>	<b>36%</b>
Scottish Borders	£163,269	£174,134	7%
West Lothian	£137,779	£180,441	31%
<b>Scotland</b>	<b>£150,354</b>	<b>£181,272</b>	<b>21%</b>

Source: <https://www.ros.gov.uk/data-and-statistics/house-price-statistics>

In terms of affordability and household income, in 2019 the median income level for Midlothian residents (£552.50 per week) was lower than the level for Scotland (£577.70 per week)<sup>11</sup>, this means that many Midlothian residents may not be able to afford the higher cost of private housing in the area which increases the demand for affordable housing options. Additionally, Chart 6.7 below indicates the significant difference in household income between owner-occupiers and social rented households in Midlothian.

**Chart 6.7: Income Levels by Tenure**



Source: <http://www.gov.scot/Topics/Statistics/SHCS/keyanalyses>

<sup>11</sup> <http://www.nomisweb.co.uk/reports/lmp/la/1946157423/report.aspx#tabearn>

Further analysis of the origin of buyers in Midlothian shows that around a third of property buyers originate from households living in Edinburgh. It is likely these purchasers see the close proximity to Edinburgh and lower house prices compared to Edinburgh as attractive<sup>12</sup>. However, as noted earlier the cost of new build housing is more expensive and new private estates are likely to have a higher proportion of non-Midlothian buyers due to the higher cost of new housing and lower incomes amongst Midlothian households.

This is a clear indication of the attractiveness of the Midlothian housing market areas to outside buyers and the pressure from other housing market areas is likely to exacerbate affordability concerns for local residents when competing with demand from buyers out with Midlothian.

#### Private Rented Sector (PRS) Housing in Midlothian

This section will examine the extent and location of the Private Rented Sector (PRS) in Midlothian and the associated local issues which have been identified.

##### **The Private Rented Sector Strategy**

The Private Rented Sector (PRS) in Scotland has undergone significant change in terms of the overall size of the sector and the tenant and landlord profile. “A Place to Stay, A Place to Call Home: a Strategy for the Private Rented Sector in Scotland” is the Scottish Government’s vision for “a private rented sector that provides good quality homes and high management standards, inspires consumer confidence, and encourages growth through attracting increased investment”.

The three strategic aims of the PRS strategy are to:

- Improve the quality of property condition, management and service in the sector;
- Deliver for both tenants and landlords - meeting the needs of those living in the sector and those seeking accommodation and landlords committed to continuous improvement;
- Enable growth and investment to help increase overall housing supply.

Midlothian Council is meeting the aims of this strategy by:

- Implementing the Landlord Registration Scheme – Landlords must register with Midlothian Council to ensure they are a "fit and proper person" to let property
- Providing advice and guidance to tenants and landlords on the PRS and its statutory standards – the tolerable standard, repairing standard, gas safety certification.

<sup>12</sup> <http://www.sesplan.gov.uk/assets/images/HNDA/HNDA2%20-%20Sup%20Doc%201%20Housing%20Market%20Area%20Assessment.pdf>

Table 6.10 below shows that between 2011 and 2019, there was a significant increase in the average PRS rental costs in Midlothian. Rental costs for 1 bedroom properties increased by 21%, 2 bedrooms by 24%, 3 bedrooms by 22% and 4 bedrooms by 26%. The average monthly rent for a Midlothian Council tenancy is £320.94, the average rent for a one bedroom PRS tenancy at £621 is therefore 93% higher. The cost of private rented housing may restrict housing options for low-income households who are both unable to purchase a property and unlikely to receive an offer of social housing.

**Table 6.10: Average Rental Cost by Bedroom Sizes in Midlothian in PRS (per month)**

Year	1 Bed	2 Bed	3 Bed	4 Bed
2011	£513	£588	£717	£991
2012	£502	£585	£703	£998
2013	£509	£600	£727	£1127
2014	£547	£610	£748	£1154
2015	£560	£634	£772	£1125
2016	£543	£665	£780	£1177
2017	£609	£684	£837	£1133
2018	£570	£674	£876	£1249
2019	£621	£729	£877	£1253

Source: Zoopla monthly figures for Midlothian

In terms of demonstrating the affordability of rental charges, it is suggested that when housing costs exceed 33% of a household's income, the cost is judged to be unaffordable. Table 6.11 below shows the affordability of an average three-bedroom Midlothian Council property when tenanted by an individual (over the age of 25) who earns a full time minimum wage (£8.21 per hour). Midlothian Council rent levels are well below the 33% affordability level with housing costs of 25%. A full time employee earning the average Midlothian wage would have to pay 40% of his/her income to live in the same size of private rented sector tenancy and an owner occupier on the same wage would have to pay 34% of his/her earnings on the mortgage. It should be noted that the Owner Occupancy Affordability table below is based on a 100%, 25-year mortgage. If the individual secured a 90% deposit over the same time period (by paying a 10% deposit), the percentage of income spent on a mortgage drops to 31% which is within affordability levels.

<sup>13</sup> Full details of Midlothian Council's work to meet the aims of 'the PRS Strategy' is available here: [https://www.midlothian.gov.uk/info/1053/private\\_housing](https://www.midlothian.gov.uk/info/1053/private_housing)

**Table 6.11: Housing Affordability in Midlothian**

**Midlothian Council Rent Affordability**

<b>Average Weekly Rent (3 Bedroom)</b>	£83.41
<b>Minimum Wage Income (gross) – 40 hours/week</b>	£328.40 <sup>14</sup>
<b>Percentage of Income Spent on Rent</b>	25%

**Private Rented Sector Affordability**

<b>Average Weekly Private Rent (3 Bedroom)</b>	£219.25
<b>Average Midlothian Full Time Earning</b>	£552.50 <sup>15</sup>
<b>Percentage of Income Spent on Rent</b>	40%

**Owner Occupancy Affordability**

<b>Approximate Mortgage Payment for Midlothian average house price (£225,400)</b>	£187.33
<b>Average Midlothian Full Time Earning</b>	£552.50
<b>Percentage of Income Spent on Mortgage</b>	34%

**Rent Pressure Zones**

A local authority can apply to Scottish Ministers to have an area designated as a Rent Pressure Zone if it can prove that:

- Rents in the area are rising too much;
- Rent rises are causing problems for tenants;
- The local authority is coming under pressure to provide housing or subsidise the cost of housing as a result.

Rent Pressure Zones only apply to rent increases for tenants with a Private Residential Tenancy and if an area is designated, a maximum limit is set on how much rents are allowed to increase each year. There are currently no Rent Pressure Zones in Scotland<sup>16</sup>.

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<sup>14</sup> Based on 2019/2020 rent levels and 2019/20 minimum wage rate

<sup>15</sup> <https://www.nomisweb.co.uk/reports/lmp/la/1946157423/report.aspx>

<sup>16</sup> September 2020

## **Build to Rent**

The Build to Rent (BtR) sector provides opportunities to diversify housing delivery and increase housing choice. Build-to-Rent is the term used for the residential schemes being designed, built and managed specifically for rent. Midlothian Council does not currently have a Build to Rent Strategy but will consider developing the Private Rented Sector through the implementation of a BtR Strategy.

### Housing Supply Target

Although the starting point for setting housing targets is the Housing Needs and Demand Assessment (HNDA), the Housing Supply Target (HST) sets out the realistic number of homes to be built in each SESplan Housing Market Area taking into account a range of material considerations including wider economic, social and environmental factors, issues of capacity, resource and deliverability, and other important requirements.

This methodology used in setting the HSTs was agreed between the SESplan member authorities and it involved:

- Reviewing HNDA alternative futures to inform HSTs by considering the various scenarios in the 2015 HNDA, current economic trends and consultation responses from the Main Issues Report
- Setting affordable HSTs at a rate that is considered realistic and deliverable
- Setting market HSTs at levels that can be delivered by considering a range of factors such as planning and spatial strategy; past and recent development levels and availability of resources to deliver development and capacity within the construction sector
- Considering the impact of demolitions as targets are lowered by level of planned demolitions

A Project Team and Executive Board comprising of representatives from each SESplan area was set up to deliver the Housing Supply Target for the SESplan area. Table 6.12 below shows the Housing Supply Targets agreed by SESplan Member Authorities for 2018-30 with 165 affordable housing and 369 market housing agreed for Midlothian. The Housing Supply Targets are robust, supported by evidence and have been set using a methodology designed to be compliant with Scottish Planning Policy and related guidance.

**Table 6.12: SESplan Housing Supply Targets 2018-2030**

	Affordable		Market		Combined	
	Annual Average	Period Total	Annual Average	Period Total	Annual Average	Period Total
City of Edinburgh	1,200	14,400	1,220	14,640	2,420	29,040
East Lothian	189	2,268	330	3,960	519	6,228
Fife	262	3,144	605	7,260	867	10,404
Midlothian	165	1,980	369	4,428	534	6,408
Scottish Borders	128	1,536	220	2,640	348	4,176
West Lothian	300	3,600	333	3,996	633	7,596
<b>SESPLAN</b>	<b>2,244</b>	<b>26,928</b>	<b>3,077</b>	<b>36,924</b>	<b>5,321</b>	<b>63,852</b>

Source: Housing Background Paper October 2016<sup>17</sup>

#### Houses in Multiple Occupation

Houses in Multiple Occupation (HMOs) are properties occupied by three or more unrelated people who share bathroom and kitchen facilities. HMOs have a mandatory licensing scheme to ensure that they are kept to an appropriate standard. In 2004, there were only 11 HMOs in Midlothian, increasing to 24 HMOs in 2010 and 50 in 2019. Table 6.13 below shows that although the number remains low in Midlothian, the use of HMOs has increased significantly in recent years. HMOs are used for a variety of reasons, principal amongst these is student accommodation.

**Table 6.13: Houses in Multiple Occupation in Midlothian<sup>18</sup>**

	2004	2006	2008	2010	2013	2015	2017	2019
Scotland	4,280	7,608	10,181	11,881	13,911	14,908	15,289	15,651
Midlothian	11	14	13	24	45	45	45	50

Midlothian Council has eight HMOs which provide temporary supported accommodation for homeless households as an alternative to using bed and breakfast accommodation. There are 99 bed spaces in the eight HMOs.

The LHS will continue to support the provision of HMOs towards meeting the housing needs of relevant households.

<sup>17</sup> <http://www.sesplan.gov.uk/assets/Housing%20Background%20Paper%2023%2009.pdf>

<sup>18</sup> <https://www.gov.scot/publications/housing-statistics-houses-in-multiple-occupation/>

## Self-Build and Custom-Build

Midlothian Council recognises the important role that self and custom build housing can play in providing homes, sustaining communities and supporting smaller building companies in both rural and urban areas. Self-build, or on a larger scale, custom build can be individually driven, collective, or community led, providing viable options for a range of households. It can be an affordable option for housing delivery, with the flexibility to support the development of accessible housing. Developers of custom-build projects work with individuals or groups of individuals to provide new housing, using a range of different models and approaches. This differs from self-build, where an individual organises the development. Self-build and custom-build can be viable alongside mainstream developer activity or as a way of encouraging private sector investment in areas where developers have shown less interest.

The Scottish Government is currently consulting on and publishing new Planning (Scotland) Act 2019 regulations which will include regulations on self-build and custom-build processes. Midlothian Council seeks to publish local self-build and custom-build guidance following the release of the relevant Planning (Scotland) Act regulations. Scotland's Self and Custom Build Portal provides up to date advice on national funding.

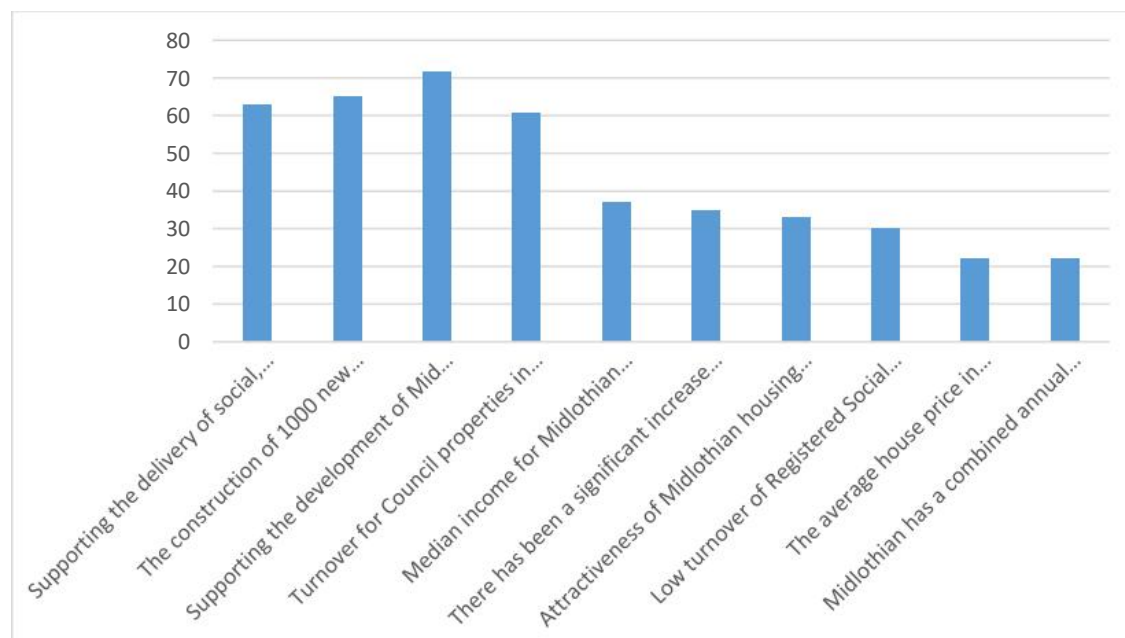
## Key Challenges

- Supporting the delivery of social and market housing as well as specialist housing to ensure the housing targets during 2019-32 are achieved.
- The construction of 1000 new council homes as per phase 2 of Midlothian Council's Affordable Housing Programme
- Supporting the development of MMR units across Midlothian to ensure that households who are able to afford this house tenure can access it.
- The level of turnover for Council properties in Midlothian is very low and applicants have to wait a long time before accessing council housing.
- Low turnover of RSL properties in Midlothian and applicants have to wait a long time before accessing RSL housing
- The average house price in Midlothian is 15% higher than the Scottish average
- The median income for Midlothian residents is lower than the Scottish average
- This is a clear indication of the attractiveness of the Midlothian housing market areas to outside buyers and the pressure from other housing market areas is likely to exacerbate affordability concerns for local residents
- There has been a significant increase in the average PRS rental costs in Midlothian
- Midlothian has a combined annual Housing Supply Target of 534 units (165 affordable housing, 369 market housing)

## Consultation Responses

As part of the final consultation sessions held in Winter 2020/21 Midlothian residents and stakeholders were asked to prioritise five of key issues above when considering the Housing Delivery Outcome: 'Access to housing and the supply of new housing has increased across all tenures in Midlothian'. The results are shown in chart 6.8 below which illustrates that 72% of respondents wish to prioritise the development of Mid-Market Rent properties, 65% support the development of 1000 new council homes, 63% support the delivery of social, market and specialist housing, 60% have prioritised the key challenge of low turnover within council housing and 37% have prioritised the key challenge of addressing the issue that median income in Midlothian is lower than the Scottish average.

**Chart 6.8: Housing Delivery priorities**





Question asked	Individual response	Council response/LHS Outcome
General comments on Housing Delivery	1. More houses are more than necessary, which is a huge cost, however, so is having homeless people living in various areas and paying for this.	Noted.
	2. The expansion of the population of Midlothian by building huge estates without an increase in employment opportunities and provision of services does not add up.	A comprehensive housing need and demand assessment approved by the Scottish Government as 'robust and credible' has informed the LHS. The assessment estimates that 369 households will require market housing and 165 households will require affordable housing in Midlothian each year until 2032. This is a total of 534 households per annum. In 2020 there were 4007 households on the council housing list, with only 306 allocations made during 2019/20. It is clear that need and demand for housing far exceeds available supply. However while the scale of need is evident across the county, the LHS recognises it is critical that investment responds to local need and circumstances at town and village level. The challenge is to ensure there is a sufficient number of homes of the right types in appropriate locations, to accommodate anticipated growth in the number of households living across the county.
	3. Midlothian Council have been facing a large deficit, yet seem intent on building more social housing. More expensive properties mean more council tax and higher spending. Which in turn means less deficit. It might sound harsh, but that's the reality when you face a shortfall. Bonnyrigg is at capacity in terms of the transport structure, so think about current residents rather than more potential residents.	Noted – see response to no.2.
	4. Please address the lack of affordable/ social housing in the area. Look at ways to prohibit private landlords from buying up large amounts of properties in an area.	The Strategic Housing Investment Plan contains details of all affordable housing planned for the next five years and can be found here: <a href="https://www.midlothian.gov.uk/strategic-housing-investment-plans">Strategic Housing Investment Plans (SHIP)   Strategic Housing Investment Plan 2021/22 to 2025/26 (midlothian.gov.uk)</a>

		Midlothian Council has an Open Market Purchase Scheme which allows those in ex-council homes to sell them back to the Council. The properties are then let to those on waiting lists.
	5. Stop allowing the building of so many new houses.	Noted – see response to no.2
	6. Too many large family homes being built with no investment in local businesses. Local people not being able to afford homes within the community that they were brought up in and not enough local jobs. House builders should provide homes that Local people want and affordable to them. Not homes that provide them with the biggest profit.	A comprehensive housing need and demand assessment approved by the Scottish Government as 'robust and credible' has informed the draft LHS. The assessment estimates that 369 households will require market housing in Midlothian each year until 2032.
	7. Too much building for infrastructure to bear creating more and more transport issues. Some new and proposed estates are a blight on the landscape and only add to overload.	Noted – see response to no.2
	8. Don't just build houses, build communities with all essential services catering for those expanding communities, inc key services, schools, play areas, shops, and safe ways for pedestrians, cyclist and cars to move around and park.	Noted – see response to no.2
	9. I am currently stuck in private housing. I cannot afford to save to get a deposit for a mortgage. More needs done to support the likes of my family who just earn too much to qualify for benefits so are lost in the housing system	The Local Housing Strategy contains details of other affordable housing options including Mid-Market Rent, Open Market Shared Equity and New Supply Shared Equity Schemes.
	10. More focus is needed on local services like roads, doctors, public transport etc. to cope with the huge numbers of new houses being built.	Noted – see response to no.2
	11. Stop approving so many new housing developments - Midlothian already cracks at the seams. Primary schools with 500 kids and huge secondary's, GP practices that you can't join or can't get appointments- it's not sustainable	Noted – see response to no.2
	12. Do nothing till you have checked in with people who are locals. Ecologists, and activists for improved sewage streams, waterways, plumbing, sewage, trees, meadows, green areas and always remember these points improve people's physical and mental health.....and the planets.	The Planning (Scotland) Act 2019 requires closer collaboration between land use planning and Community Planning – all in the spirit of the Place Principle. Equally the Act introduces Local Place Plans – Midlothian Council formally invites community groups to prepare Local Place Plans focused on the development and change of use of land in their local area over a prescribed period of time. Local Place Plans are intended to inform the preparation of future Local

		Development Plans and is an opportunity for greater collaboration and involvement of communities in the development planning process.
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#### Key Actions:

1. The construction of 1000 new council homes as per phase 2 of Midlothian Council's Affordable Housing Programme
2. Deliver 165 affordable housing units per annum as per Housing Supply Target
3. Deliver 369 private housing units per annum as per Housing Supply Target
4. The construction of 1000 new council homes as per phase 2 of Midlothian Council's Affordable Housing Programme
5. Support the development of MMR units and undertake further polling measuring attitudes to MMR and demand in Midlothian
6. Prepare a revised Housing Need & Demand Assessment (SESplan HNDA3) for the South East Scotland (SESplan) area
7. Investigate improved incentives to move (via the Incentive to Move Scheme) to improve MC turnover
8. Apply to Scottish Ministers to have Midlothian designated a Rent Pressure Zone
9. Create media campaign to improve knowledge of Incentive to Move Scheme and housing transfers (including between MC and RSL tenants)
10. Agree specialist Housing Supply Targets including wheelchair supply targets
11. Create media campaign to increase applications to LIFT Scheme (Low Cost Initiative for First Time Buyers), OMSE (Open Market Shared Equity) and NSSE (New Supply Shared Equity)

**Outcome: Access to housing and the supply of new housing has increased across all tenures in Midlothian.**

## 7 Place Making and Communities

### The National Context

Housing and place have an important effect on our lives, health and wellbeing. Creating high quality places, whether new or existing, helps tackle inequalities, allowing communities to thrive. Places that are well designed, safe, easy to move around, offer employment and other opportunities and with good connections to wider amenities will help create vibrant sustainable neighbourhoods for people to live, work and play. Quality of place has an important role to play in improving health and wellbeing and reducing health inequalities.

Key to sustainable communities is the concept of 'place-making'. Place-Making is one of the two Principal Policies of Scottish Planning Policy<sup>19</sup> and is a process involving design, development, renewal and / or regeneration. The outcome should be sustainable, well-designed places and homes which meet people's needs. In order to achieve this, it is important to understand the distinct characteristics and strengths of an area, to improve quality of life for residents. The Scottish Government's policy agenda 'Creating Places'<sup>20</sup>, emphasises that quality places are 'successful' places. The qualities of successful places are:

- Distinctive
- Safe and pleasant
- Welcoming
- Adaptable
- Resource efficient
- Easy to move around and beyond

Creating Places recognises the role that good housing plays in promoting healthy, sustainable lifestyles; delivering our environmental ambitions and providing a sense of belonging, identity and community. The planning system is expected to take every opportunity to create high quality places by taking a design-led approach; direct the right development to the right place and support high quality development.

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<sup>19</sup> <https://www.gov.scot/publications/scottish-planning-policy/>

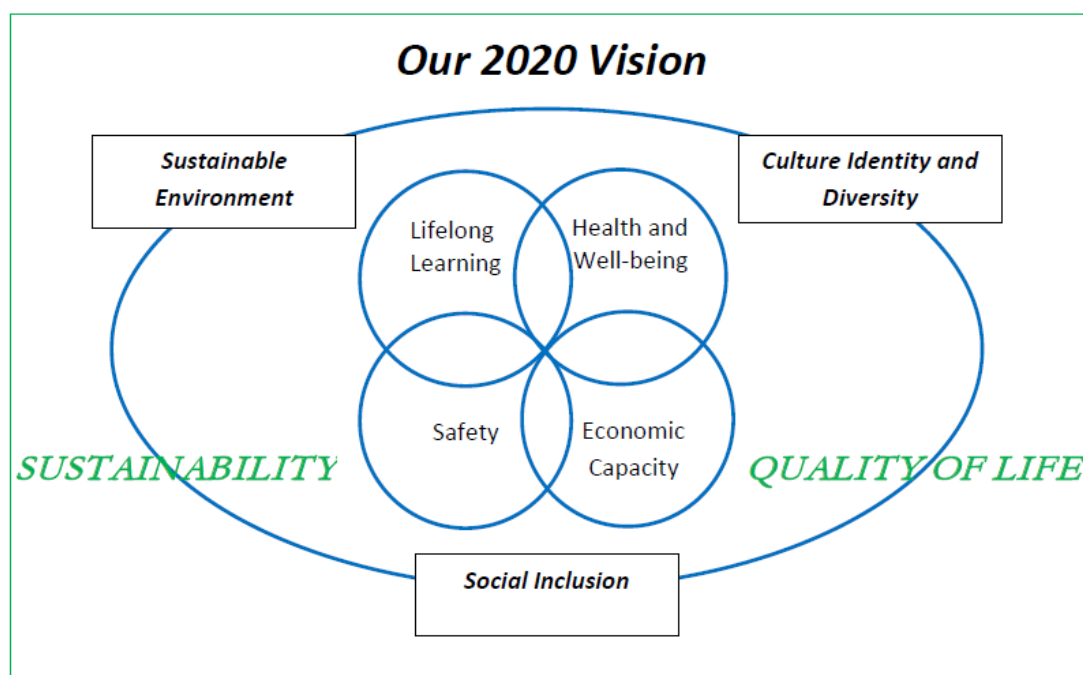
<sup>20</sup> <https://www.gov.scot/publications/creating-places-policy-statement-architecture-place-scotland/pages/0/>

## The Midlothian Context

The Single Midlothian Plan 2020/21<sup>21</sup> is the local outcomes improvement plan for Midlothian and the vision at the heart of the plan is based on 2 key principles of 'People' and 'Place'. The vision is to:

- Improve quality of life for everyone
- Safeguard the resources we have today for future generations

## Single Midlothian Plan 2020/21 Vision



Furthermore, the Midlothian Local Development Plan 2017's vision sets out how the Council has planned for and managed the physical, social and economic changes that are anticipated in the county:

'The South East of Scotland is an area of economic and population growth. Midlothian will play its part in this growth, securing long-term social, economic and environmental benefits. Whilst demonstrating a renewed vibrancy, our towns and villages will retain their character and identities, striving to meet needs locally. Wherever possible, new housing will be located close to good community facilities, shops and employment opportunities, with efficient and high quality public transport connections. New development shall be of high quality, balancing a desire for good contemporary design with respect for the area's heritage. The established community will benefit as much as possible from growth, through new affordable homes, enhanced employment prospects, improved facilities and the development of green networks with opportunities for leisure and recreation. Midlothian will continue to have a close relationship with the capital city for employment and services, supported by improvements in transport provision, not least Borders Rail. The natural and built environment will be protected and be an attraction and inspiration to

<sup>21</sup> [https://www.midlothian.gov.uk/info/200284/your\\_community/214/community\\_planning\\_in\\_midlothian/2](https://www.midlothian.gov.uk/info/200284/your_community/214/community_planning_in_midlothian/2)

its communities and visitors alike. Recognising its responsibilities to both existing and new residents, the Council will work with its communities and partners to ensure that prosperity, quality of life and wider sustainable development principles are central to its planning decisions.’<sup>22</sup>

#### Place-Making Principles

The Place Principle was adopted by the Scottish Government in February 2018. The following link briefly outlines what the principles and how it can be applied – <https://www.improvementservice.org.uk/data/assets/pdf/0026/9548/place-principle.pdf> The Place Standard tool is part of the Place Principal approach and is widely advocated by Government in the preparation of Local Development Plans, however the current Midlothian Local Development Plan was adopted in November 2107 prior to this new approach being rolled out. It is Midlothian Council’s intention to incorporate the Place Principle into the preparation of the next Midlothian Local Development Plan review and to use the Place Standard Tool as a key part of the engagement programme.

#### Partnership Working and Community Engagement

##### Community Planning Partnerships

Community Planning Partnerships (CPPs) bring together public, voluntary and private sector bodies, and local communities to deliver a shared ‘plan’ to improve the lives of local people. CPPs are set up by law under the Community Empowerment (Scotland) Act 2015

The CPP priorities are to reduce the economic circumstances gap, reduce the gap in learning outcomes, reduce the gap in health outcomes and reduce Midlothian carbon emissions to net zero by 2030.

The CPP gathers evidence about Midlothian and its people every year, bringing together all available information about the area. The resulting ‘Midlothian Profile’, is used by the CPP as the starting point for an annual “Strategic Assessment” of Midlothian. This involves reviewing the political, social, economic, technological, environmental, and legal changes facing the area. The document describes the impact that these changes are likely to have on Midlothian’s communities.

The ideas for areas of work that come from the Profile and the Strategic Assessment are shared across a wide range of community groups, including neighbourhood planning groups and community councils. Discussions and input from groups such as people with a physical disability, learning disability, mental health issues, or caring for someone, as well as with older people and young people’s forums, contribute to the design and planning of service provision.

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<sup>22</sup> [https://midlothian-consult.objective.co.uk/portal/midlothian\\_local\\_development\\_plan\\_2017](https://midlothian-consult.objective.co.uk/portal/midlothian_local_development_plan_2017)

## Neighbourhood Planning

In 2008, Midlothian Council initiated a process of neighbourhood planning covering all 16 community council areas with the intention of producing plans from 3 areas per year.

Neighbourhood Planning involved partnerships between public agencies, voluntary organisations, community councils and community activists, and aimed to provide local communities with clear sets of priorities and evidence to help them attract external resources. The completed plans were presented and signed off by the Community Planning Partnership.

In 2014, the Community Planning Partnership commenced a review of the process in order to assess its achievements, strengths and challenges, and to inform the planning of a future model for localised engagement and participation following the completion of all current Neighbourhood Plans.

## Place Standard Tool

The Place Standard Tool has been used to update neighbourhood plan consultations and support community conversations. Using the framework allows structured conversations, about 'place' and 'community', from both a physical and social aspect. The tool has been used to facilitate group discussions and results have been collated through a survey monkey format.

The tool enables communities to identify assets as well as areas for improvement. Working with the local community, colleagues within the Communities and Lifelong Learning sector are currently entering in to a review of the neighbourhood plan<sup>23</sup> in Gorebridge, Midlothian and will be using the Place Standard to support the development of the plan.

The Planning (Scotland) Act 2019 requires closer collaboration between land use planning and Community Planning – all in the spirit of the Place Principle. Equally the Act introduces Local Place Plans – Midlothian Council formally invites community groups to prepare Local Place Plans focused on the development and change of use of land in their local area over a prescribed period of time. Local Place Plans are intended to inform the preparation of future Local Development Plans and is an opportunity for greater collaboration and involvement of communities in the development planning process.

The Place Principle aims to encourage community involvement, break down boundaries and improve the resources and investments within Scotland's communities. It is an approach the housing service will adopt to change based upon a shared understanding of what that place is for and what it wants to become with partners and communities collaboratively agreeing the joint actions required to make that happen. The Place Principle was central to the LHS consultation, respondents were asked to use it when considering:

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<sup>23</sup> October 2020



- How services and local communities can work together to improve Midlothian's towns and villages
- How resources, services and assets are currently directed and used by local communities
- How resources, services and assets should be directed to improve Midlothian's towns and villages

#### Town Centre First Principle

The Midlothian Local Development Plan (adopted 2017) incorporates the Town Centre First Principle as part of the decision making process to determine planning applications for retail and commercial leisure development –the Midlothian Local Development Plan Policy TCR2 Location of New Retail and Commercial Leisure Facilities<sup>24</sup> applies the approach. This can lead to the refusal of planning applications where the application is not in a town centre.

The Local Development Plan establishes a network of centres, setting out the role of town centres and that of other types of centre and how they relate to each other. Policy TCR1 Town Centres<sup>25</sup> supports development, which contributes to the vitality of town centres and allows for diversification away from retail. This is phrased, as an 'encouraging' policy however and Midlothian Council have not yet sought to extend the policy controls that channel retail/commercial leisure development to town centres to other activities such as education and healthcare facilities. The town centre first principle needs to be applied carefully, as depending on the catchment of the proposed facilities a non-town centre location may be more convenient and sustainable.

Through the supportive planning framework of policy TCR1 and the constraints on other locations in TCR2 which reflect the town centre first principle, the Council seeks to encourage investment in the town centres. The Council also carries out town centre health checks to identify how town centres are performing and identify deficiencies. The Council has led and collaborated with partners on a number of capital investment projects in recent years to improve town centres, most notably the Townscape Heritage Initiatives in Dalkeith and Penicuik.

#### Compulsory Purchase Orders

Put simply, Midlothian Council's strategy is to acquire properties by voluntary acquisition failing which it will give consideration to using its powers of compulsory acquisition where it is necessary and proportionate to do so in order to provide social housing.

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<sup>24</sup> [https://midlothian-consult.objective.co.uk/portal/midlothian\\_local\\_development\\_plan\\_2017?pointId=s1510758699942](https://midlothian-consult.objective.co.uk/portal/midlothian_local_development_plan_2017?pointId=s1510758699942)

<sup>25</sup> [https://midlothian-consult.objective.co.uk/portal/midlothian\\_local\\_development\\_plan\\_2017?pointId=s1510758699942](https://midlothian-consult.objective.co.uk/portal/midlothian_local_development_plan_2017?pointId=s1510758699942)



## Empty Homes

Under the Council Tax (Discount for Unoccupied Dwellings) (Scotland) Regulations 2005, Midlothian Council reduced the amount of discount for long term empty dwellings and second homes from 50% to 10%, with the extra revenue used to support affordable housing. A total of £239,000 was raised between 2017/18 and 2019/20 which is being used to support Midlothian's New Build Council Housing Programme as shown in table 7.\* below.

**Table 7.\*: Increased Income from Council Tax Generation**

	<b>Council Tax Raised</b>	<b>Council Tax Used to Support Affordable Housing</b>	<b>Council Tax Carried Forward to Subsequent Years</b>
<b>2017/18</b>	<b>£86,000</b>	<b>£86,000</b>	<b>£0.0</b>
<b>2018/19</b>	<b>£79,000</b>	<b>£79,000</b>	<b>£0.0</b>
<b>2019/20</b>	<b>£74,000</b>	<b>£74,000</b>	<b>£0.0</b>

Midlothian Council does not have a dedicated 'Empty Homes Officer'. Home owners of empty properties are advised to contact the Housing Strategy and Performance Team for advice on how to bring their homes back into use. Midlothian Council also advocates use of the Scottish Empty Homes Partnership and Empty Homes Advice Service which look at different options and the support available. Table 7.\* below shows how many empty properties are in Midlothian.

**Table 7.\*: Empty Homes in Midlothian**

	Number (as per 9 October 2020)
Second Homes	51
Empty Homes	383
Empty Homes (included in above figure) which have been vacant for 6 months+	339

There are 41,708 dwellings on Midlothian's Council Tax database. Empty Homes account for 0.9% of these whilst second homes account for 0.1%.

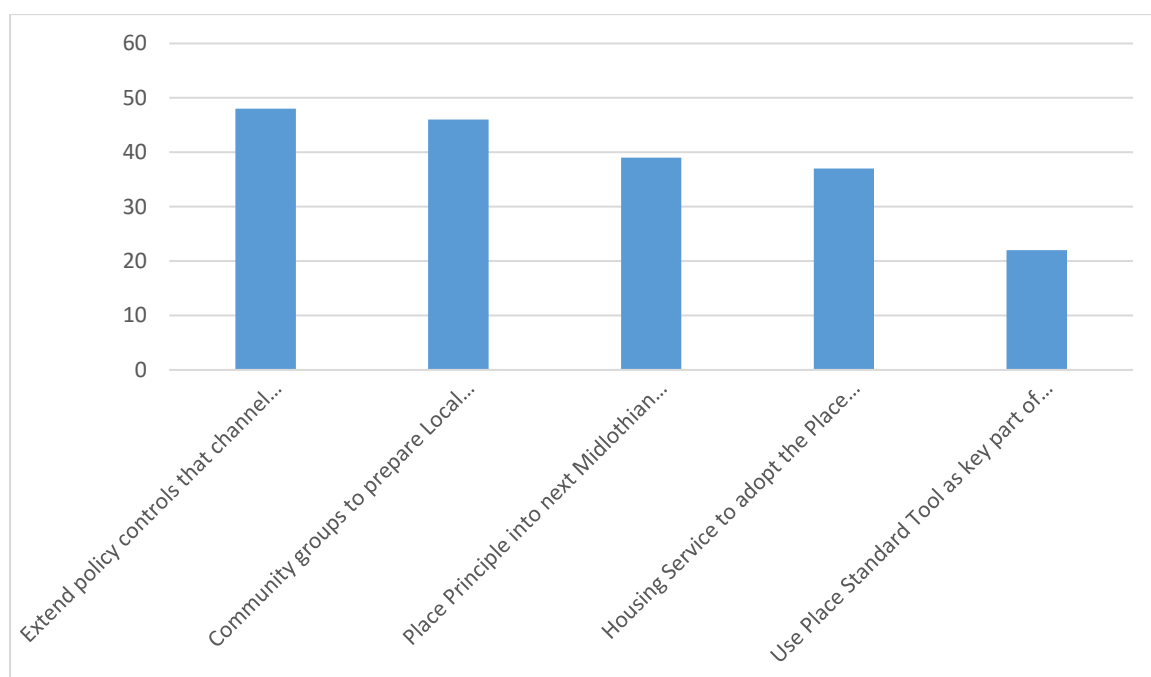
### Key Challenges

- To incorporate the Place Principle into the preparation of the next Midlothian Local Development Plan review
- To use the Place Standard Tool as a key part of the engagement programme.
- Midlothian Council to continue to formally invite community groups to prepare Local Place Plans focused on the development and change of use of land in their local area.
- The Housing Service to adopt the Place Principle to encourage community involvement, break down boundaries and improve the resources and investments within Scotland's communities.
- Midlothian Council have not yet sought to extend the policy controls that channel retail/commercial leisure development to town centres to other activities such as education and healthcare facilities.

### Consultation responses

As part of the final consultation sessions held in Winter 2020/21 Midlothian residents and stakeholders were asked to prioritise two of the key issues above to improve Place Making in Midlothian. The results are shown in chart 7.1 below which illustrates that 48% of respondents prioritised that Midlothian Council should seek to extend the policy controls that channel retail/commercial/leisure development to town centres to other activities such as education and healthcare facilities and 46% have prioritised that Midlothian Council should continue to formally invite community groups to prepare Local Place Plans focused on the development and change of use of land in their local area.

**Chart 7.1: Improving Place Making in Midlothian**



Question asked	Individual response	Council response/LHS Outcome
1. How can services and your local community work together to improve the area?	1. It be a good start to make streets looking better. THE BETTER IT LOOKS. THE BETTER IT BE LOOKED AFTER. And by this I mean rubbish and weeds on paving. It looks bad, on council when volunteers have to step up with no help from council.	Street cleaning can be requested by emailing: <a href="mailto:contactcentre@midlothian.gov.uk">contactcentre@midlothian.gov.uk</a>  Those carrying out Community Payback Orders can also assist with Unpaid Work projects. Email: <a href="mailto:community.payback@midlothian.gov.uk">community.payback@midlothian.gov.uk</a>
	2. Make sure services engage with the community and have infrastructure in place before expanding housing beyond what the area can cope with	The Planning (Scotland) Act 2019 requires closer collaboration between land use planning and Community Planning – all in the spirit of the Place Principle. Equally the Act introduces Local Place Plans – Midlothian Council formally invites community groups to prepare Local Place Plans focused on the development and change of use of land in their local area over a prescribed period of time. Local Place Plans are intended to inform the

		preparation of future Local Development Plans and is an opportunity for greater collaboration and involvement of communities in the development planning process.
	3. My neighbourhood is Dalkeith. It is essential in place making and developing communities that we are as proactive as possible. For example, in terms of new housing developments, it appears that Midlothian Council has permitted unconstrained numbers of new houses for sale to be built which put pressure on the already stretched infrastructure of schools, medical practices, roads, recreational facilities etc. Prior to or concurrent with building, action should be taken to ensure that the infrastructure can support the increase in number of residents, not as a problem to be solved afterwards. Such an approach will require more discussion between service providers and local community representatives - and therefore, perhaps, delay building. However, the final outcome would be a better one for all concerned.	Noted – see response to no.2.
	4. By supporting local communities with places to meet and discuss their needs. By having more face to face access to council services for those that don't find online communications easy. Better explanations when the council can't solve a problem and suggestions about what the community can try instead.	Midlothian Council's Communities and Lifelong Learning Team can provide this. Email: cll@midlothian.gov.uk
	5. There is a lack of services that is the problem. Need more doctors, high schools and commercial businesses, it's just pubs and hairdressers	The Local Development Plan establishes a network of centres, setting out the role of town centres and that of other types of centre and how they relate to each other. Policy TCR1 Town Centres supports development which contributes to the vitality of town centres and allows for diversification away from retail. This is phrased as an 'encouraging' policy however and Midlothian Council have not yet sought to extend the policy controls that channel retail/commercial leisure development to town centres to other activities such as education and healthcare facilities. The town centre first principle needs to be applied carefully, as depending on the catchment of the proposed facilities a non-town centre location may be more convenient and sustainable.

	6. More encouragement if walking and cycling - this creates a better sense of community than when everyone drives in their own private vehicles.	Noted – The Midlothian Active Strategy was adopted in 2019. Full details can be found here: <a href="#">Active Travel Strategy   Midlothian Active Travel Strategy</a>
	7. Integrate active transport and recreation within Midlothian. Despite huge growth in housing there is very little investment to encourage active transport and outdoor experience.	Noted – see response to no.6
	8. Communication is key - as someone who gets sent to clean up after community councils it infuriates me that they do “good” and then expect the council workers to clean up after them. I once got sent to “lift” a tonne sack, full of soil on to a van. A tonne. If there is no clear plans of action to improve the local aesthetic then it becomes a war between the two sides. Communication is key.	Noted
	9. Often in new build developments there is lacking a sense of community as everyone moves in new. Consider means to have applicants involved together in the process so relations are developed in advance. Particularly if a portion of allocations are transfer led.	Noted – Midlothian Council's Tenant Participation Officer can assist with new council developments: <a href="mailto:tenantparticipation@midlothian.gov.uk">tenantparticipation@midlothian.gov.uk</a>
	10. To be able to have online meetings with Community Council etc. as due to the current situation these cannot happen. Also a different way to give information.	Midlothian Council's Communities and Lifelong Learning Team can assist with this. Email: <a href="mailto:cll@midlothian.gov.uk">cll@midlothian.gov.uk</a>
	11. More engagement with the Community Councils who should/can lead on community engagement	Noted – see response to no.10
	12. Community events , clean ups , action groups etc.	Noted – see response to no.10
	13. Collaborate working with partnerships, when debating what is needed or if there is options for certain projects, make it more accessible and apparent for the public to have an opinion	Noted – see response to no.10
	14. Work through and with the local Community Councils and do on line consultations/questionnaires and paper based for older folks	Noted – see response to no.10
	15. MLC could - and should - ensure that all communities are aided to develop their own Local Place Plan. This must not be left to Community Councils, although they are a good place to start. Council officers in the Communities team know all the local Facebook groups and could be using them to mobilise consultations (via Zoom, or similar) and training sessions on the basics of Place Planning and then facilitate a LPP process for each community.	Noted – details for the Communities Team can be found here: <a href="#">Contact Communities and Lifelong Learning   Communities Team   Midlothian Council</a>
	16. Any new developments should have appropriate infrastructure, such as bus routes and green spaces. Also amenities, like schools and GP surgeries need to be localised and have space for new people moving to the area.	Noted – see responses to no.s 5 and 6

	Also more cycle paths to encourage healthy active travel	
2. How are resources and services currently delivered and used by your local community?	17. Bonnyrigg & Lasswade is a community deprived of civic space with the sell off and leases given to a few favoured groups. The Community space within the High School Centre is hardly available to local groups because of the poor estimate of the requirements of the School.	Community spaces for hire or let in Bonnyrigg can be found here: <a href="#">Community spaces for let or hire in Bonnyrigg   Midlothian Council</a>
	18. Resources and services are overstretched and the pace of building additional housing needs to stop until they are improved	A comprehensive housing need and demand assessment approved by the Scottish Government as 'robust and credible' has informed the LHS. The assessment estimates that 369 households will require market housing and 165 households will require affordable housing in Midlothian each year until 2032. This is a total of 534 households per annum. In 2020 there were 4007 households on the council housing list, with only 306 allocations made during 2019/20. It is clear that need and demand for housing far exceeds available supply. However while the scale of need is evident across the county, the LHS recognises it is critical that investment responds to local need and circumstances at town and village level. The challenge is to ensure there is a sufficient number of homes of the right types in appropriate locations, to accommodate anticipated growth in the number of households living across the county.
	19. There is a perception that services and resources, including developer contributions, have not been spent on improving the Midlothian County town of Dalkeith, particularly the outdated town centre, but it appears that improvements have been made to other town centres across Midlothian. So, it seems there is an imbalance in how resources are used.	Dalkeith residents can contact their local Councillors to discuss the proposed New Developers Contribution Committee: <a href="#">Midlothian Council &gt; Councillors (cmis.uk.com)</a>
	20. Local community seems to converge to Edinburgh instead of shopping and spending time in Midlothian. There's not enough jobs, leisure activities.	Noted
	21. Not very well. Libraries and sports centres threatened with closure last year. Very little investment in community hub, roads, doctors' surgeries, cycle paths, amenities, and regeneration. It's all about new housing without any thought of local sustainability.	Noted – see response to no.18

	22. I personally don't know if there's any	Midlothian Council's Communities and Lifelong Learning Team can provide information on this. Email: <a href="mailto:cll@midlothian.gov.uk">cll@midlothian.gov.uk</a>
	23. Have no idea. Would love to know.	Noted – see response to no.22
	24. Midlothian Sure Start is great, the beacon offers some good things too	Noted
	25. Council, transport services important. Community groups do some service delivery. We are missing third sector organisations in immediate area	Noted
	26. Don't know because I have never seen or heard anything about resources	Midlothian Council's Communities and Lifelong Learning Team can provide information on this. Email: <a href="mailto:cll@midlothian.gov.uk">cll@midlothian.gov.uk</a>
3. How should resources and services be directed to improve your local area?	27. Through effective communication and the use of up to date data, really understand who lives in that neighbourhood. What are their current needs but also what are their future needs? If an area consists of purely large family homes, it may meet the needs of the family's resident there today, but as people grow older, their needs from their community and their physical requirements change. In order to have their needs met, they then need to leave a community they have perhaps lived in for decades.	Noted – see response to no.2
	28. Resources and services should look at the whole picture, taking into account everything a community has to offer. We should prioritise opportunities to promote health and quality of life, looking at safe and vibrant green spaces, affordable and safe active travel options and opportunities to work remotely from community hubs. We should look to work with local businesses and licencing to make sure there are opportunities to eat well and live well at an affordable price locally, we should encourage gardening and allotments and we should build on the network of 'good neighbours' which have been built up through covid. If every household across Midlothian knew two more of their neighbours they could turn to when something happens it would make it a safer and happier place to live.	Noted.
	29. More local space dedicated to cycling and walking. Space in towns should be more pedestrianised to make it more appealing to visit = better for businesses and locals.	Noted – The Midlothian Active Strategy was adopted in 2019. Full details can be found here: <a href="#">Active Travel Strategy   Midlothian Active Travel Strategy</a>
	30. Building on communication - start community initiatives to make the area look more appealing but also develop skills for the local communities. If community councils enjoy gardening use the workers who are knowledgeable to lend a helping hand to create a better working relationship.	Noted

	31. Community engagement is the key as there is such a diverse range of people in the area and there is currently too much emphasis on children and young people and the elderly. How about activities and groups for the 30 - 60 age group. And community led initiatives such as litter picking, planting, a community food project such as community gardening and cookery classes.	Noted. Details of activities for adults can be found here: <a href="#">Communities and Lifelong Learning   Midlothian Council</a>
	32. Regular and detailed surveys should be conducted within community groups to identify the key issues within each community. Community Councils could be used as a vehicle to advertise and mobilise responses. Surveys should be professionally developed so that questions are clear and responses can be meaningful. MLC must utilise multiple channels to ensure appropriate engagement, with targets set for levels of response.	Midlothian Council's Communities and Lifelong Learning Team can provide help and advice on this. Email: <a href="mailto:cll@midlothian.gov.uk">cll@midlothian.gov.uk</a>
	33. More impetus on community capacity building and community management and accountability for their decisions	Noted – see response to no.32

**Key Actions:**

1. Midlothian Council to seek to extend the policy controls that channel retail/commercial leisure development to town centres to other activities such as education and healthcare facilities.
2. Midlothian Council should continue to formally invite community groups to prepare Local Place Plans focused on the development and change of use of land in their local area.

**Outcome: Improving Place Making in Midlothian.**



## 8 Preventing and Addressing Homelessness

**Outcome - Homeless households and those threatened with homelessness are able to access support and advice services and all unintentionally homeless households will be able to access settled accommodation.**

### Homelessness – the National Context

The Housing (Scotland) 2001 Act places a statutory duty on each local authority to carry out an assessment of homelessness in its area and to prepare and submit to Ministers, a strategy (as part of the LHS) for the prevention and alleviation of homelessness. In 2017 The Scottish Government established a Homelessness and Rough Sleeping Action Group (HARSAG). The final HARSAG report, published in June 2018, made the following recommendations to address homelessness in Scotland.

- Homelessness should be resolved through effective prevention whenever possible;
- Homeless applicants should be rapidly resettled in a permanent housing solution;
- Homeless applicants should have access to the widest range of housing options;
- Temporary accommodation should only be used as a stop-gap;
- Effective support should be made available from day one to enable the homeless household to sustain their tenancy;
- Supported accommodation is available for that small minority of applicants who are not able to sustain their own tenancy.

Following publication of the HARSAG recommendations the Scottish Government required all Local Authorities to publish a rapid rehousing transition plan by December 2018. Within these plans Local Authorities are required to demonstrate the following:

- How they will move to a rapid rehousing model over a period of no more than five years;
- Demonstrate how both homeless demand will be met, and how any backlog of demand from homeless households currently in temporary accommodation will be addressed.

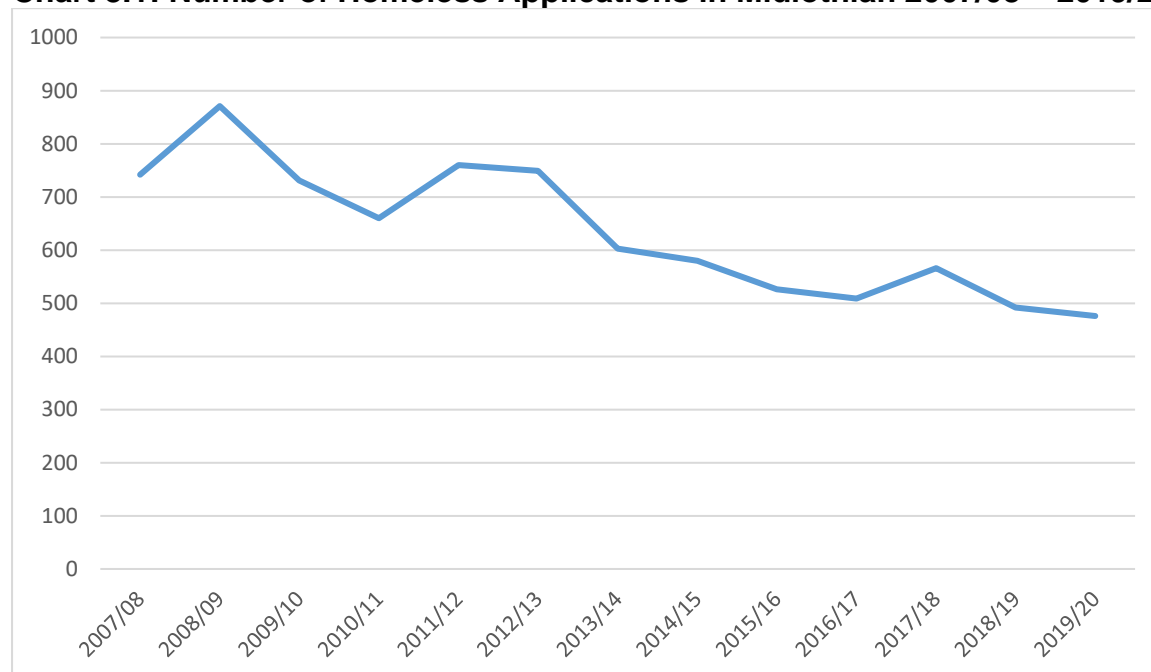
This chapter will reference Midlothian's RRTP; examine the local homelessness situation and how the council is working to meet current legislative requirements.

### Homelessness – the Midlothian Context

Chart 8.1 below shows the annual number of homeless applications made to Midlothian Council since 2007/08. It shows that the highest number of homeless applications were assessed in 2008/09 (871 applications). Since then there has been a significant reduction in the annual number of applications assessed as being homeless or potentially homeless. A key reason for the decline in homeless applications is the increased focus on homeless prevention and providing housing

options advice to those households who were at risk of becoming homeless. Table 8.1, below shows that the proportion of people presenting to Midlothian Council as homeless was lower than the average for Scotland as a whole – approximately 5.6 persons per 1,000 people in Midlothian compared to 6.8 in Scotland. As of November 2019 there were 895 homeless cases where the Council had a duty to source suitable permanent accommodation.

**Chart 8.1: Number of Homeless Applications in Midlothian 2007/08 – 2019/20**



**Table 8.1: Number of Homeless Applications per 1,000 People during 2018/19**

Area	No. of Applications per 1000
Midlothian	5.6
Scottish Average	6.8

Source: Midlothian Performance Analysis, SHN November 2019

Table 8.2 below, indicates the causes of homelessness in Midlothian. It shows that 28% of cases have been because a person has left a household following a non-violent relationship breakdown. 21% of homeless applications were because a person was asked to leave a household and 16% were due to a violent dispute within a household.

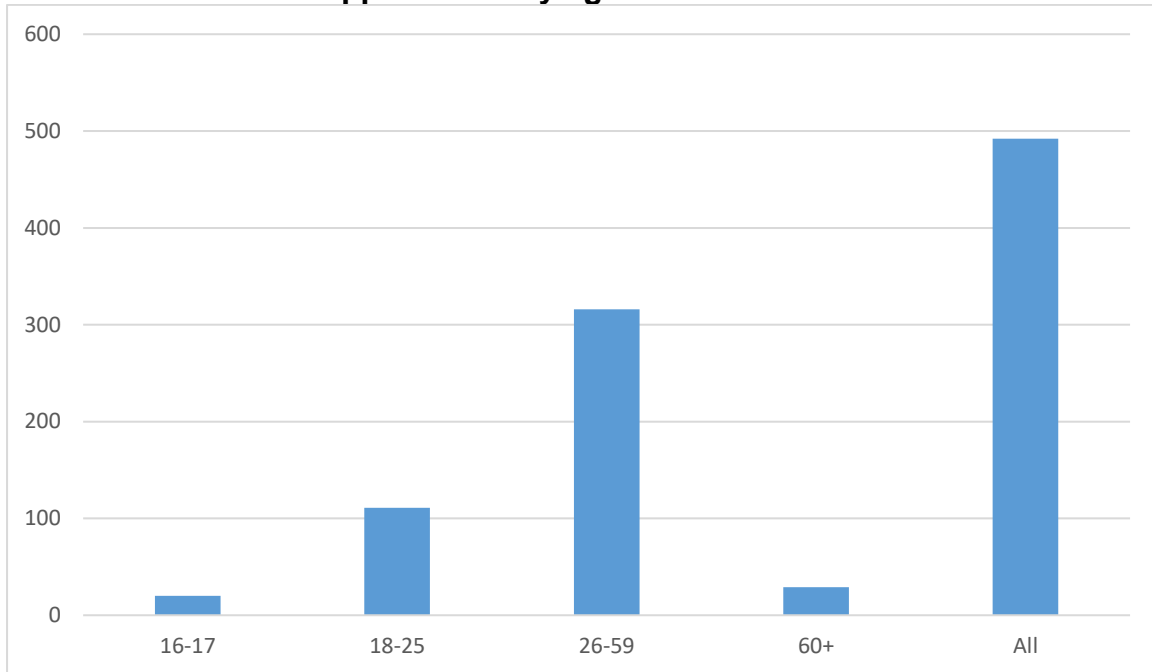
**Table 8.2: Reasons for Homelessness, 2019/20**

Reasons For Homelessness	Percentage
--------------------------	------------

Asked to leave	21%
Dispute within household / relationship breakdown: non-violent	28%
Dispute within household: violent or abusive	16%
Other action by landlord resulting in the termination of the tenancy	8%
Other reason for leaving accommodation / household	0.6%
Overcrowding	5%
Other reason for loss of accommodation	9%
Discharge from prison / hospital / care / other institution	3%
Termination of tenancy / mortgage due to rent arrears / default on payments	3%
Applicant terminated secure accommodation	1.9%
Forced division and sale of matrimonial home	0.8%
Loss of service / tied accommodation	0.4%
Harassment	0.2%
Fleeing non-domestic violence	1.9%
Emergency (fire, flood, storm, closing order from Environmental Health etc.)	0%
<b>All</b>	<b>100%</b>

Chart 8.2, below, shows the age breakdown of homeless applicants presenting to the Council in 2019/20. It shows that there was a low proportion of homeless applications from people aged between 16 and 17 (20 applicants) and those over the age of 60 (29 applicants) whilst those aged between 26 and 59 formed the largest age group of applicants (316). A significant proportion of applicants (111) were younger people aged between 16 and 25. However, since 2014/15 the proportion of homeless applications from younger people has reduced from 38.6% in 2014/15 to 23.3% in 2019/20. Amongst younger people the most common reason for being homeless was being asked to leave the family home.

**Chart 8.2: Homeless applications by age**



In 2019/20, there were 476 homeless applications in Midlothian. As shown in chart 8.3 below, a higher number of females made homeless applications (245), than males (231).

**Chart 8.3: Homeless applications by gender**

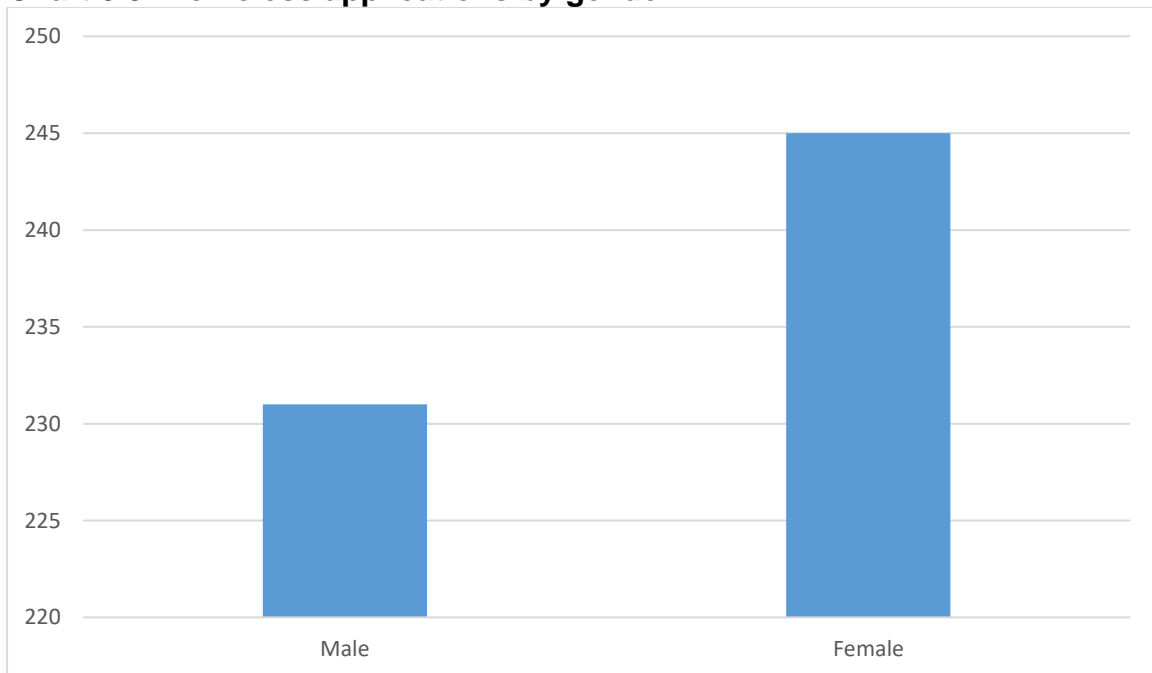
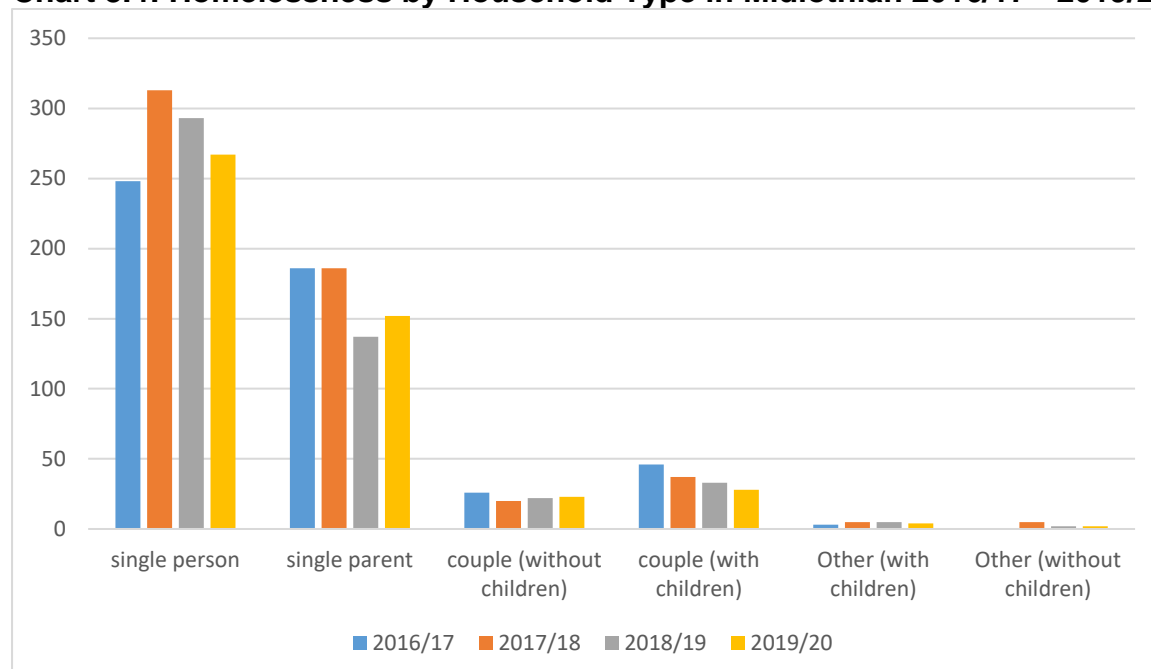


Chart 8.4 below shows the composition of households who presented as homeless in Midlothian between 2016/17 and 2019/20. As in the past, single person households continue to have the highest proportion of homeless households in Midlothian. In 2019/20, 56% of applications were from single person households followed by 32% from single parent households in Midlothian. In comparison, couples with children (8.8%), couples without children (4.8%), other with children

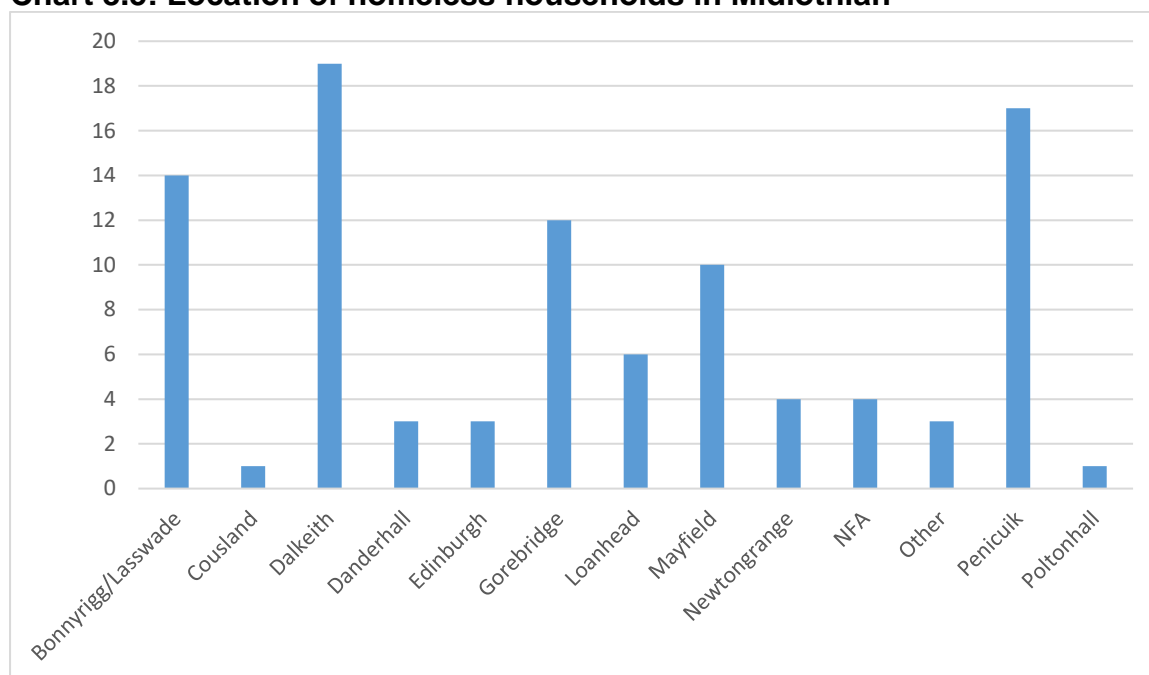
(0.8%) and other without children (0.4%) represented a small proportion of applicants.

**Chart 8.4: Homelessness by Household Type in Midlothian 2016/17 - 2019/20**



Analysis of data on homeless households' locations when their applications were made shows that Dalkeith has the highest percentage of homeless households (19%) followed by Penicuik (17%), Bonnyrigg (14%), Gorebridge (12%) and Mayfield (10%). It should be noted that there are temporary accommodation units in these areas which may affect the figures.

**Chart 8.5: Location of homeless households in Midlothian**



NFA means 'No Forwarding Address' and 'Other' refers to areas across the United Kingdom.

#### Temporary Accommodation

Chart 8.6 below shows the number of households living in temporary accommodation in Midlothian during the past 10 years. It shows that temporary accommodation use was at its highest in 2009/10 (793 households) and has varied up and down since. In 2019/20 temporary accommodation use was at its lowest (418 households). The reduction in 2016/17 was due to Midlothian Council no longer operating a Private Sector Leasing Scheme as this was no longer an affordable source of temporary accommodation for the Council. Further reductions since 2018/19 are a result of measures brought in by the Rapid Rehousing Transition Plan (RRTP). It should be noted that the figures for the increase in temporary accommodation use since 2016/17 are subject to changes within the operation of the HL3 monitoring system.

**Chart 8.6: Number of Households living in temporary accommodation in Midlothian, 2009/10 – 2019/20**

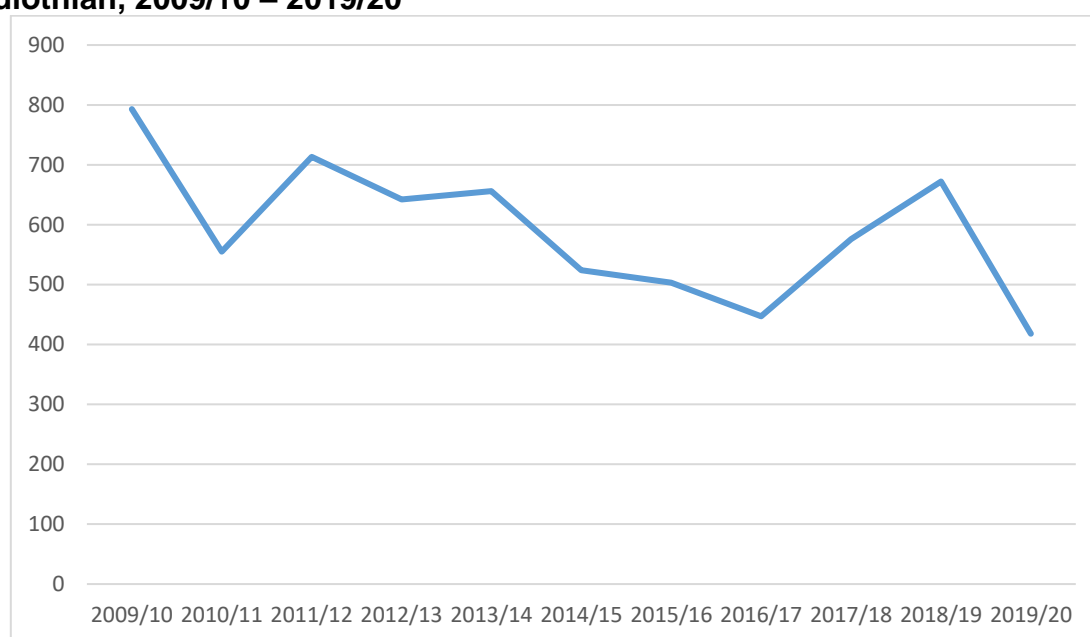


Chart 8.7 shows the average number of homeless households Midlothian Council had living in bed and breakfast accommodation from 2009 to 2020. It shows that there was a significant reduction from 109 households in 2011/12 to 43 households in 2019/20. This reduction was due to the Council increasing the use of Houses in Multiple Occupation. The Council has acquired three buildings (two of which were empty Council owned buildings) and renovated the building before letting the units out as temporary accommodation with on-site staff support. Midlothian Council is also introducing shared temporary accommodation. This will see two households sharing a property, each with their own lockable bedroom, and sharing other communal areas. In late 2020 Midlothian Council stopped using bed and breakfast accommodation entirely.

**Chart 8.7: Number of homeless households in bed and breakfast 2009/10-2019/20**

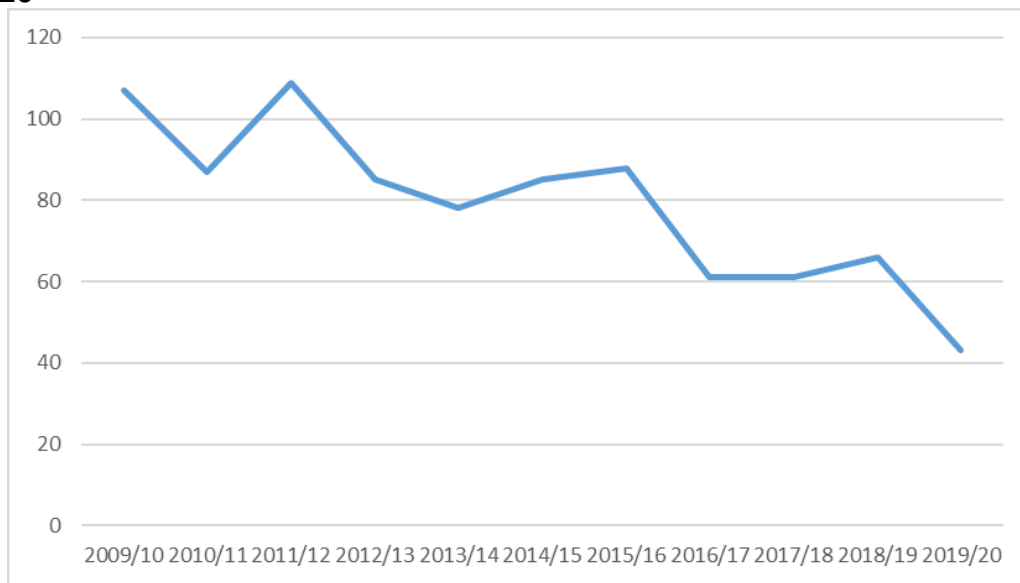
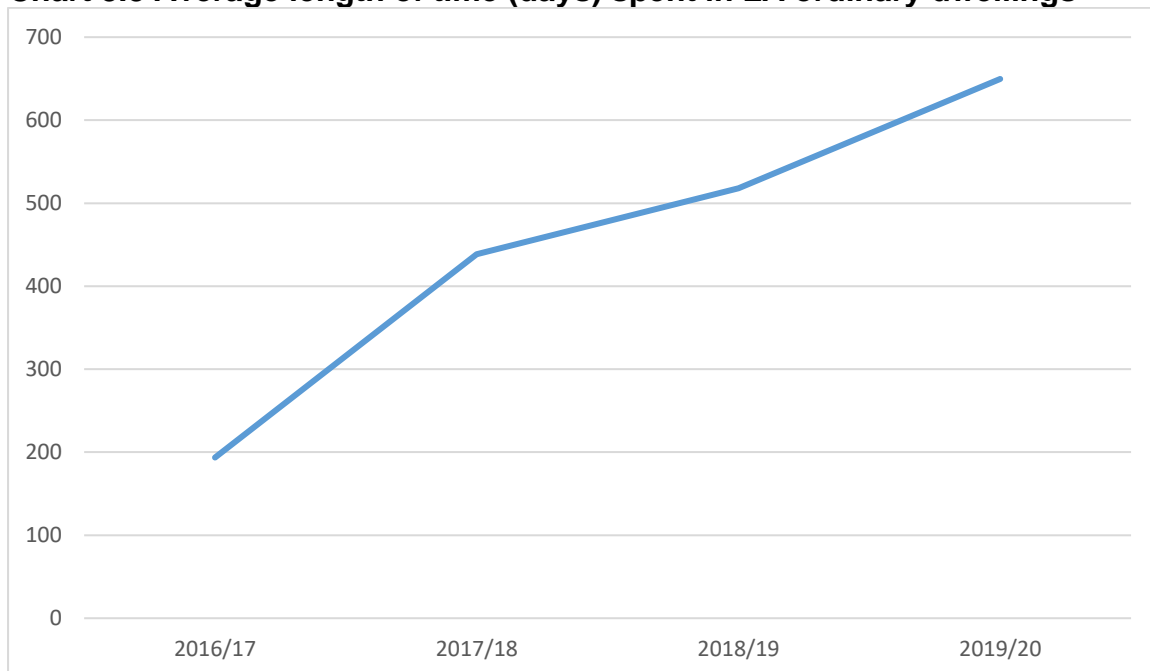


Chart 8.8 below, shows the average length of time (in days) that homeless households spend in Midlothian Council owned temporary accommodation. In 2016/17 on average households spent 193.6 days whereas by 2019/20 this number had risen to 649.7 days. It should be noted that these figures are subject to changes within the operation of the HL3 monitoring system.

**Chart 8.8 Average length of time (days) spent in LA ordinary dwellings**





Satisfaction with the quality of temporary accommodation provided by Midlothian Council is slightly lower than average. The satisfaction level for 2019/20 was 86.5%, which was lower than the Scottish average of 88%. Anecdotal information suggests that a significant proportion of dissatisfied service users stated dissatisfaction was not because the accommodation was of poor quality but because of the length of time spent in the temporary accommodation.

## Housing Support in Midlothian

As shown in table 8.3 below, there is a significant proportion of homeless households with support needs in Midlothian and it is important that they are provided with this support. In recognition of this, in Midlothian the Health and Homelessness Steering Group was developed in 2016. It has been responsible for:

- Undertaking a report in which homeless clients in Midlothian have shared their experiences of homelessness and access to health services
- Developing an action plan to improve health services to homeless people in Midlothian
- Maximising opportunities to prevent homelessness .e.g. the hospital discharge project - hospital staff at the Infirmary contact the housing services team to plan the departure of people from their services.
- Reviewing and improving service provision to ensure it meets the needs of homeless service users' .e.g. the CHIT nurse (Community Health Inequalities Team) visits supported temporary accommodation units to meet with clients.

In terms of supporting young people, Midlothian Council was the first Council in Scotland to implement the SQA accredited course "Tenancy and Citizenship Group Award". The course is run by support workers in Midlothian Council's supported accommodation units. The course consists of modules that aim to provide young people with the skills to manage their own tenancy and live independently. Modules include practical tasks like budgeting and cooking and accommodation units in order to facilitate rapid move on from shared accommodation. Information on supporting looked after young people is contained within the 'Corporate Parenting' section of this chapter. Housing support in Midlothian complements the legal requirements of the Housing Support Duty.

**Table 8.3: Support needs identified 2019/20<sup>26</sup>**

Support needs summary	No. of homeless applicants
No support needs	361
1 support need identified	88
2 support needs identified	24
3+ support needs identified	4
Total	477

Midlothian's Rapid Rehousing Transition Plan

<sup>26</sup> These figures include applicants with health support needs which do not necessarily affect the individual's ability to manage a tenancy independent of support

Midlothian Council published its first Rapid Rehousing Transition Plan (RRTP) in December 2018 and set out the following vision to address homelessness in Midlothian.

**Midlothian's vision for the Rapid Rehousing Transition Plan is that by 2024:**

**“An increased number of homeless households will obtain permanent accommodation, no homeless household will be accommodated in bed and breakfast accommodation, and the average time taken for the Council to complete its homeless duty will have halved from 105 weeks to 52 weeks.”**

A revised RRTP was submitted to the Scottish Government in June 2020. The following are outcomes from Midlothian Council's RRTP, and are closely aligned with the LHS Outcomes:

- Outcome 1: The supply of permanent accommodation for homeless households has increased
- Outcome 2: Bed and breakfast accommodation is no longer used as emergency accommodation for homeless households and the time households spend in temporary accommodation has reduced
- Outcome 3: Homeless households with support needs are supported to access and maintain permanent accommodation
- Outcome 4: Housing options and support is in place to prevent homelessness

In order for the LHS and the Rapid Rehousing Transition Plan to be a success there are key challenges to be addressed in Midlothian during the five year period of both documents:

- The turnover of in social rented housing is low in Midlothian compared to other areas. In order to meet the need for homeless accommodation a total of 446 lets would need to be available for homeless households. In 2019/20, 176 lets were made available for homeless households.
- The supply of new affordable housing in recent years has not been sufficient enough to meet the need.
- There were 935 open homeless cases as of 31 March 2020
- The availability of housing in the private rented sector may be declining and only supports a small proportion of households to alleviate homelessness.
- Despite an ongoing new build programme and an increase in the proportion of allocations to homeless households (60% of all lets), the length of time taken homeless households wait for permanent housing is the longest in Scotland. The length of time will not decrease for several years due to the backlog in homeless applications.
- There are over 3,500 households on the Council's Housing List who are not homeless but many of these households also have important housing needs which should also be addressed.
- Despite significant investment in new council-owned emergency accommodation Midlothian Council still use bed and breakfast

accommodation for homeless households which is not good practice and it is expensive to provide.

To achieve these outcomes the following activities have been identified within Midlothian Councils RRTP:

- Reduce the time taken for homeless households to secure a permanent housing outcome. Increasing the proportion of lets to homeless households through revisions to the Housing Allocations Policy. Offering those who have been in temporary accommodation the opportunity to have the property converted to a permanent tenancy.
- Improving the quality of temporary accommodation, particularly that which is provided to households without children. Ending the use of bed and breakfast accommodation.
- Implementing Housing First for those with long-term/repeated instances of homelessness.
- Improving outcomes for young people to prevent homelessness, or maximise tenancy sustainment where this cannot be avoided. Continuing housing education work in schools. Delivering the SQA Tenancy and Citizenship Award. Partnership working with Children's Services to develop a homeless prevention pathway for care experienced and looked after young people.
- Adopting an early intervention approach to prevent homelessness from occurring by supported households to remain in their current accommodation, or where this is not possible access alternative accommodation before homelessness occurs. Developing a prevention fund to help households remain in their accommodation. Improving access to a full range of housing options including the private rented sector through access to rent deposits at an earlier stage. Help those on low incomes to access this type of accommodation more easily. Working in partnership with internal departments and external Registered Social Landlords to prevent evictions from occurring by adopting the Section 11 good practice identified by the North and Islands Housing Hub.
- Ensure staff are able to effectively deliver a full range of Housing Options advice regardless of tenure. Provide access to training the Housing Options Training Toolkit. Providing access to a specialised Housing Support service whenever appropriate to maximise tenancy sustainment across all sectors.
- Continue to work with other members of the Edinburgh, Lothians and Borders Housing Hub. To develop and share information and best practice on the prevention of homelessness.

#### Housing First

One of the key HARSAG recommendations is the development of the Housing First model as a response to long-term homelessness. Evidence shows that Housing First is a more effective response to long-term homelessness in comparison to the traditional staircase model. Providing service users with should provide ordinary, settled accommodation as a first response to homelessness gives a base for recovery and addressing other life issues. Delivering better long-term solutions for people with multiple needs across all services. This approach is underpinned by the seven Housing First principles:

- People have the right to a home;
- Flexible support for as long as needed;
- Housing and support are separated;
- Individuals have choice and control;
- An active engagement approach is taken;
- The service is based on peoples strengths; goals and aspirations;
- A Harm Reduction approach is taken.

Midlothian Council has highlighted Housing First as a key action in its RRTP, and has committed to creating up to 20 Housing First tenancies a year. A partnership approach has been adopted to work alongside other agencies to provide settled accommodation to service users with long term/multiple instances of homelessness. Services users' experience of homeless will be compounded by other long term/multiple support needs such as mental health, substance misuse, and experience of the justice system. A specialist support provider has been procured to provide a dedicated support service to Housing First tenants. This support will compliment that which is provided by other agencies to achieve improved outcomes across all services.

#### Housing Options Hubs

Five regional Hubs have been established across Scotland to promote a housing options approach to homelessness prevention. Midlothian is a member of the Edinburgh, Lothians and Borders Hub, which contains six local authority areas, who experience similar challenges in providing settled accommodation and housing support for homeless households. Housing Options Hubs, funded by the Scottish Government, enable partnership working on projects which benefit all local authority areas in terms of providing greater housing options to homeless households.

Since the Hub was established in 2010 a range of activities have been undertaken including:

- Providing mediation training for staff
- A housing options advertising campaign across the region
- Development of an interactive web based housing options tool
- Develop use of flat sharing models in the private rented sector
- Development of a nationwide housing options training toolkit for housing practitioners and front line staff

More recently the Edinburgh, Lothians and Borders Hub has concentrated on sharing best knowledge and practice on areas including Allocation Policies and Rapid Rehousing Transition Plans and developing a new Housing Options Toolkit (a suite of training modules on various aspects of Housing Options). The Hub has also recently funded a Prison support worker to help prevent homelessness upon liberation.

### The Scottish Social Housing Charter on homelessness

The Scottish Social Housing Charter sets out the standards and outcomes that among others, homeless people can expect from social landlords in terms of access to help and advice, the quality of temporary accommodation, and continuing support to help homeless people access and keep a home. The Council and local Housing Associations are committed to delivering the best outcomes to persons who are homeless or threatened with homelessness through a number of ways including

1. Increasing housing stock to ensure persons who are homeless or threatened with homelessness are able to access stable and secure accommodation. This is currently being done through:
  - Council ongoing housing development with 1,134 new homes completed to date
  - RSLs have completed 678 new homes to date
  - Council buying back ex-Council houses from the open market
  - Increasing housing allocations to homeless applicants
2. Implementing the Housing Options Service to ensure those who are homeless or threatened with homelessness are offered robust advice and are able to make informed decisions regarding their accommodation needs (see section on housing options)
3. Improving the quality of temporary accommodation provided by ending the use of Bed and Breakfast style accommodation. This will be achieved through the introduction of Shared Tenancies, this accommodation will see two people sharing a property each with their own lockable bedroom. Additional good quality supported accommodation is provided through 17 bed spaces in Polton (The Polton Centre) and 43 bed spaces plus two self-contained units (flats) in Penicuik (Pentland House).
4. Monitoring temporary accommodation provision by partners through service reviews and service users' surveys to ensure services delivered continue to be fit for purpose.

### Corporate Parenting

The Children and Young People (Scotland) Act 2014 places corporate parenting as a statutory duty on local authorities and other key organisations; Midlothian Council developed and implemented their first Corporate Parenting Strategy in 2008.

Midlothian Council brings together a wide range of representatives from the Council and other key organisations across the Community Planning Partnership in order to take a proactive approach to better understand what it means to be care experienced and what responsibilities we have to these children and young people.

Alongside the most recent Strategy (Midlothian Corporate Parent Strategy 2020-2023) is a Corporate Parenting Plan complete with themes, actions and measures. The themes looked at Rights and Participation, Health and Wellbeing, Housing, Education and Training, and Youth and Criminal Justice. Within the Housing theme, an action was identified to develop a Leaving Care Housing Pathway, improve joint working arrangements and support services across Children's Services and

Housing, and to explore alternative housing approaches such as the National House Project which is currently being implemented. The indicators of these actions being progressed are:

- No young person becomes homeless when leaving care
- Appropriate housing and support is offered to care leavers, ensuring care leavers know and ask for ongoing advice and support as needed until their 26<sup>th</sup> birthday
- A reduction in tenancy breakdowns for care leavers.

[https://www.midlothian.gov.uk/info/1401/fostering\\_adoption\\_and\\_looked-after\\_children/192/corporate\\_parents](https://www.midlothian.gov.uk/info/1401/fostering_adoption_and_looked-after_children/192/corporate_parents)

[https://www.midlothian.gov.uk/downloads/download/301/corporate\\_parent\\_strategy](https://www.midlothian.gov.uk/downloads/download/301/corporate_parent_strategy)

The Children and Young People (Scotland) Act 2014 makes clear that any professional or organisation that has a role in the lives of care experienced children and young people, up to the age of 26, has a responsibility to fulfil and act upon in order to promote healthy development, safeguard wellbeing needs and uphold the rights of looked after children and care leavers

Under section 58 the corporate parenting responsibilities are set out as:

(1) It is the duty of every corporate parent, in so far as consistent with the proper exercise of its other functions -

- (a) to be alert to matters which, or which might, adversely affect the wellbeing of children and young people to whom this Part applies,
- (b) to assess the needs of those children and young people for services and support it provides,
- (c) to promote the interests of those children and young people,
- (d) to seek to provide those children and young people with opportunities to participate in activities designed to promote their wellbeing,
- (e) to take such action as it considers appropriate to help those children and young people-
  - (i) to access opportunities it provides in pursuance of paragraph (d),
  - (ii) to make use of services, and access support, which it provides, and
- (f) to take such other action as it considers appropriate for the purposes of improving the way in which it exercises its functions in relation to those children and young people.

<https://www.gov.scot/publications/statutory-guidance-part-9-corporate-parenting-children-young-people-scotland/pages/1/>

The Promise

In 2017, the Scottish Government commissioned the Independent Care Review to speak to infants, children and young people in care, and care experienced adults in



order to learn more about and review the law, the systems and rules of the care system in Scotland. On 5<sup>th</sup> February 2020, The Care Review published seven reports with 'The Promise' providing a narrative and vision for Scotland in order to make the necessary changes and improvements to best support anybody with care experience. The Promise sets out five foundations with 80 action points for Scotland's statutory agencies, local authorities and third sector agencies to implement and ensure that all of Scotland's children grow up "loved, safe and respected".

<https://www.carereview.scot/conclusions/>

The Care Review found that financial and housing support were some of the main concerns amongst children and families, and more should be done to provide support to vulnerable families affected by poverty. The Promise states that corporate parenting does not stop when a young person turns 18 and statutory agencies must continue to consider how to create greater equity and opportunities for care experienced young adults which should include accessing employment, training, stable housing and support. The Promise will be implemented by all local authorities over the next 10 years and will shape the journey for care experienced people.

Corporate Parenting and the Rapid Rehousing Transition Plan

The Rapid Rehousing Transition Plan highlights the need for Children's Services and Housing Services to develop homelessness prevention for care experienced young people. The National House Project (NHP) in Midlothian commenced in 2020 with a vision to ensure that young people who leave care, live independent and fulfilling lives by developing local social enterprises which provide sustainable homes and a community of support. The Project sits within Midlothian Council's Get It Right For Every Child (GIRFEC) Board, Corporate Parenting Board, Vulnerable Young Persons Subgroup and the Housing Strategy Board. Over a three year period, the NHP will work with 2/3 cohorts of young people, aged 16-18 years old, with care experience. The Outcomes for this service are:

- A reduction in tenancy breakdowns
- Improved education/training/employment opportunities
- Increased awareness of social responsibility
- Increased sense of community belonging
- Better health outcomes
- Financial savings to the Local Authority.

The Champions Board was established by Midlothian Council's Corporate Parenting Strategy. The group consists of young people and children who are currently or have had experience of being in foster care, kinship care, adoption, residential houses/schools, secure units or looked after at home on a Compulsory Supervision Order. Champions Board members use this platform to talk about and share their experiences and help to participate in Corporate Parenting Board Meetings. The platform allows Corporate Parents to learn from those with lived experience of care, so we can adapt practice, policy and procedure to improve the outcomes and wellbeing of all care experienced young people, now and in the future. The main themes and focus of the Champions Board are around Education, Employment, Health and Safety, Housing and Care, Communication & Relationships.

### **Children's Rights and Wellbeing Impact Assessment – Domestic Abuse (Protection) (Scotland) Bill**

The Domestic Abuse (Protection) (Scotland) Bill provides courts with a new power to make a Domestic Abuse Protection Order which can impose requirements and prohibitions on a suspected perpetrator of domestic abuse, including removing them from a home they share with a person at risk and prohibiting them from contacting or otherwise abusing the person at risk while the order is in effect. The Bill will also provide a power for the police, where necessary, to impose a very short-term Domestic Abuse Protection Notice ahead of applying to the court for a full Order. These are short-term measures which are intended to provide protection to a person at risk of abuse in the immediate term and give the person at risk space in which to consider appropriate steps to address their longer term safety and housing situation without being subject to abuse by their partner or ex-partner.

It is envisioned that this Bill will become an Act in 2021.



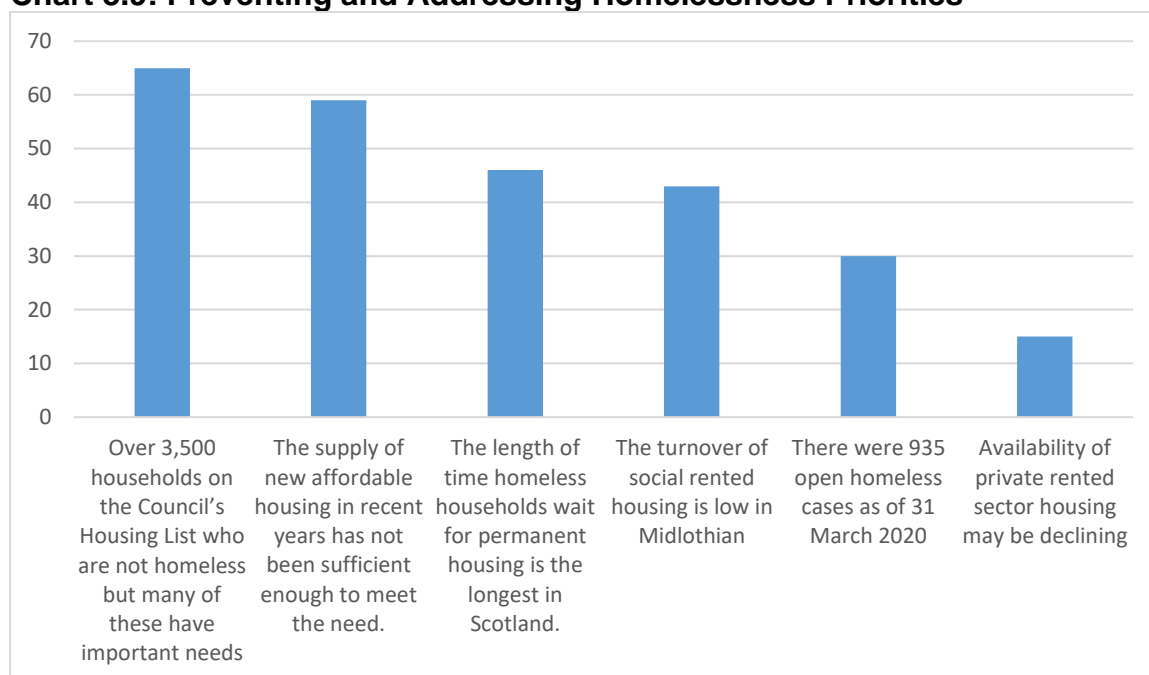
**Key Challenges:**

- The turnover of in social rented housing is low in Midlothian compared to other areas. In order to meet the need for homeless accommodation a total of 446 lets would need to be available for homeless households annually. In 2019/20, 176 lets were made available for homeless households.
- The supply of new affordable housing in recent years has not been sufficient enough to meet the need.
- There were 821 open homeless cases as of 1 March 2021.
- The availability of housing in the private rented sector may be declining and only supports a small proportion of households to alleviate homelessness.
- Despite an ongoing new build programme and an increase in the proportion of allocations to homeless households, the length of time taken homeless households wait for permanent housing, and stay in temporary accommodation, is the longest in Scotland. The length of time will not decrease for several years due to the backlog in homeless applications.
- There are 3,267 households on the Council's Housing List who are not homeless but many of these households also have important housing needs which should also be addressed.

**Consultation Responses**

As part of the final consultation sessions held in Winter 2020/21, Midlothian residents and stakeholders were asked to prioritise three of the key issues above when considering the Preventing and Addressing Homelessness Outcome: 'Homeless households and those threatened with homelessness are able to access support and advice services and all unintentionally homeless households will be able to access settled accommodation'. Chart 8.9 below, shows that 65% of respondents prioritised the key challenge which addresses the housing needs of those who are not homeless, 59% highlighted the challenge that supply of new affordable housing has not been enough to meet demand and 46% made reducing the length of time homeless households wait for permanent housing a priority as those in Midlothian currently have the lengthiest wait in Scotland.

**Chart 8.9: Preventing and Addressing Homelessness Priorities**



Question asked	Individual response	Council response/LHS Outcome
1. How can services and your local community work together to tackle homelessness?	1. It appears the problem for Midlothian is the number in temporary accommodation. More permanent housing would help the issue. There are a large number of houses already with planning permission but not built. It is not in the interests of the large building firms (currently favoured under present allocating of large sites). More small sites might achieve more housing faster as small firms do not land bank.	Noted
	2. Work to tackle the causes of homelessness and challenge the stigma and morality that surrounds homelessness. Make sure that supports work together with individuals and work with people as proactively as possible to prevent the things that cause homelessness. Ensure the workforce is compassionate and well supported and make sure people get a permanent home quickly and that the home decorated, comfortable and homely on the first day of moving in to help people establish a sense of home. Make sure support is proactive, there from the beginning, flexible and focused on the person and their health and wellbeing needs, their life context and their strength. Work to increase social housing. Home ownership is not achievable, affordable or desirable	Full details of Midlothian Council's plans to address homelessness are in the Rapid Rehousing Transition Plan: <a href="#">Rapid Rehousing Transition Plan 2019/20 - 2023/24  </a> <a href="#">Rapid Rehousing Transition Plan 2020/21-2023/24 (midlothian.gov.uk)</a>

	to all and the private rental sector provides expensive and often inferior quality housing with reduced tenure security. Ensure allocation of housing is proportionately fair, prioritising people who are homeless, homelessness is higher in areas where more houses were sold under RTB. Private lets are less secure, more costly and more likely to fail multiple standards of living conditions. Champion, celebrate and drive forward housing first to support our homeless population with the most complex needs	
	3. The Council should build more quality housing for rent	Noted
	4. Various services need to work better together to help address the issues which may lead to homelessness: e.g. education, working with families; debt management; health care etc. - so a more joined-up approach rather than being seen as just a housing issue.	Noted – see response to no.2
	5. More and better emergency accommodation. More support for people before they become homeless.	Noted – see response to no.2
	6. Greater provision of affordable housing. Midlothian like many places has fallen foul of private owners/ landlords pricing families out of the area. Breaking up the essence of a community by fragmenting families by displacing them to other areas. Help for those that need it, more help for working families that do their best but are struggling. Prohibit social housing from falling into the hands of private owners that only intend to buy to let. No one should be forced to pay twice the amount for the sake of staying in the area. Resist the need to evict struggling residents, explore options of financial services etc. A hand up is not a hand out.	The Right to Buy ended in Scotland in 2017.  Midlothian Council encourages those who are struggling financially to email: <a href="mailto:revenues.enquiries@midlothian.gov.uk">revenues.enquiries@midlothian.gov.uk</a>
	7. Force property developers to include greater than 20% affordable/council/housing association allotment	The Affordable Housing provision within private property developments is generally 25%.
	8. Joined up approach to housing assoc supported accom and other services e.g. financial, mental health, substance misuse, social services	Noted – see response to no.2
	9. I believe that social housing is key. Using intermediate housing such as halfway houses with shared accommodation could start to help the homeless with issues while giving them safe spaces to successfully re-integrate into social aspects of life. Social housing has been known to me as quite convoluted and not easy to move into smaller accommodation. If this can be revamped so that a large house could accommodate	Pentland House (Penicuik) and the Polton Centre (Bonnyrigg) offer supported temporary accommodation with shared kitchens and bathrooms for the residents.

	4/5 homeless people with access to community projects e.g. gardening programmes they could be given a purpose.	
	10. Can there be more social housing/ better use of existing vacant houses/ buildings	Midlothian Council encourages those with empty homes to put them back into use. Homeowners can contact the Scottish Empty Homes Partnership for advice and assistance.
	11. A clause in contract to stop elderly living in a huge house that a family needs	Legislation does not allow for this. Midlothian Council operates the Incentive to Move Scheme whereby those in homes with one or more unused bedrooms receive £1500 to downsize to a smaller property.
	12. Provide housing first without conditions. Work with local churches and voluntary organisations more.	The Rapid Rehousing Transition Plan contains details of the 'Housing First' work taking place in Midlothian.
	13. Unused building could be used for homeless rather than letting them fall into disrepair	Noted – see response to no.10
	14. Instead of giving houses to people housed accordingly help the homeless more.	60% of Midlothian Council lets are to the homeless and 40% are to those on the General Needs list.
	15. People need to start reporting council houses being illegally sublet while the entitled lives elsewhere. It's ridiculous how many people live in £300000+ houses and yet retain their council house.	Illegal sublets can be reported by phoning 0131 270 7500.
2. How should resources and services be directed to tackle homelessness ?	16. Prioritise social housing, champion and drive forward housing first and rapid rehousing, prioritise homeless people within allocations and work to remove the stigma and morality surrounding homelessness. Work hand in hand with partner agencies to make sure people get the support they need from people who are compassionate, informed and person-centred seeing the person not the condition. Links and close joint working is key. Invest also in programmes to help tackle the main causes of homelessness, be it financially or through joint working with the organisations who do have the levers	Noted – see response to no.2
	17. More permanent solutions need to be found as temporary arrangements such as B&Bs are unsatisfactory and expensive. Such temporary arrangements do not address the issue. Part of the solution is longer-term investment in suitable quality Council-owned accommodation on a longer-term	Midlothian Council stopped using Bed and Breakfast accommodation in late 2020.  Pentland House and The Polton Centre are council owned, supported temporary accommodation centres.

	temporary/permanent basis. Also, as already described, a multi-agency approach to tackling the issues which may lead to homelessness - so being more proactive.	
	18. Focus on the youth, 90% of people who are homeless probably had a troubled childhood which has led to this. Stop the cycle	Noted – see response to no.2.
	19. Any closed hotels should be renovated and made into appropriate accommodation	Noted.
	20. They need to build more houses, and letting agency need to work with the council as most of them don't want 3rd party's or they want a guarantor and that's not any good	Noted.
	21. Priority housing allocation. More information available. More options for families. Shorter periods of time in temporary accommodations. Priority over housing choices such as houses for families and smaller flats and 1 bed houses for single people.	60% of council lets are to homeless people. The size of property an applicant is offered depends on household size as well as a variety of other factors.
	22. There is a shortage of council housing, so build more, buy old council homes that are up for sale back, increasing the supply	Noted.
	23. Why do people become homeless support with managing money , behaviours , prep for young people who need to live alone	Noted – see response to no.2.

#### **Key Actions:**

- 1. Reduce the time taken for homeless households to secure a permanent housing outcome.**
  - 2. Increasing the proportion of lets to homeless households through revisions to the Housing Allocations Policy.**
  - 3. Offering those who have been in temporary accommodation the opportunity to have the property converted to a permanent tenancy.**
  - 4. Improving the quality of temporary accommodation, particularly that which is provided to households without children.**
  - 5. Implementing Housing First for those with long-term/repeated instances of homeless.**
  - 6. Improving outcomes for young people to prevent homelessness, or maximise tenancy sustainment where this cannot be avoided.**
- Continuing housing education work in schools. Delivering the SQA Tenancy and Citizenship Award.**

- 7. Partnership working with Children's Services to develop a homeless prevention pathway for care experienced and looked after young people.**
- 8. Adopting an early intervention approach to prevent homelessness from occurring by supported households to remain in their current accommodation, or where this is not possible, access alternative accommodation before homelessness occurs including developing a prevention fund, improving access to a full range of housing options including the private rented sector though access to rent deposits at an earlier stage and helping those on low incomes to access this type of accommodation more easily.**
- 9. Working in partnership with internal departments and external Registered Social Landlords to prevent evictions from occurring by adopting the Section 11 good practice identified by the North and Islands Housing Hub.**
- 10. Ensure staff are able to effectively deliver a full range of Housing Options advice regardless of tenure. Provided access to training the Housing Options Training Toolkit.**
- 11. Providing access to a specialised Housing Support service whenever appropriate to maximise tenancy sustainment across all sectors.**
- 12. Continue to work with other members of the Edinburgh, Lothians and Borders Housing Hub. To develop and share information and best practice on the prevention of homelessness**

**Outcome: Homeless households and those threatened with homelessness are able to access support and advice services and all unintentionally homeless households will be able to access settled accommodation.**

## 9 Specialist Provision, Independent Living, Armed Forces, Key Workers and Gypsy/Travellers

Outcome - The needs of households with particular needs will be addressed and all households will have equal access to housing and housing services.

### National Context

As part of the Scottish Government's Framework for improving the planning and delivery of integrated health and social care services, the National Health and Wellbeing Outcomes states that *"people, including those with disabilities or long term conditions, or who are frail, are able to live, as far as reasonably practicable, independently and at home or in a homely setting in their community"*. People should be enabled to live independently with freedom, choice, dignity and control through the availability of specialist provision across all tenures.

Specialist provision is accommodation and services that may be appropriate when mainstream housing does not meet an individual's needs.

This chapter of the LHS will demonstrate that consideration has been given to the specialist provision requirements for those of all ages, in all types of household, across all tenures, including:

- Disabled people
- People with learning disabilities
- People who are vulnerable, frail, living with dementia, needing support to remain at home/living in the community
- Gypsy/Travellers
- Travelling Showpeople
- People with autism
- People with mental health problems
- People with complex needs
- People leaving supported accommodation – persons with convictions, looked after children, people with high support needs currently either in long term care in hospital or out of area placement, those discharged from hospital or a similar institution
- People who require supported accommodation – e.g. at risk families, people who are homeless, those who cannot live independently
- Young people transitioning to independent living for the first time
- Ethnic minorities, including migrants, asylum seekers and refugees
- Lesbian, gay, bisexual and transgender people

### Local Context

The Midlothian Health and Social Care Partnership's Strategic Plan 2019-2022 contains the following outcome: 'People are able to live, as far as reasonably practicable, independently and at home or in a homely setting in their community'.

The Local Housing Strategy naturally coordinates with the Strategic Plan and as such, the annual Housing Contribution Statement sits within the plan and acts as a bridge between the two documents to explain how services align. This Local Housing Strategy has utilised a strong evidence base to assess the need for specialist provision including the EQIA process, Integration Authorities within the Health and Social Care Partnership and local intelligence.

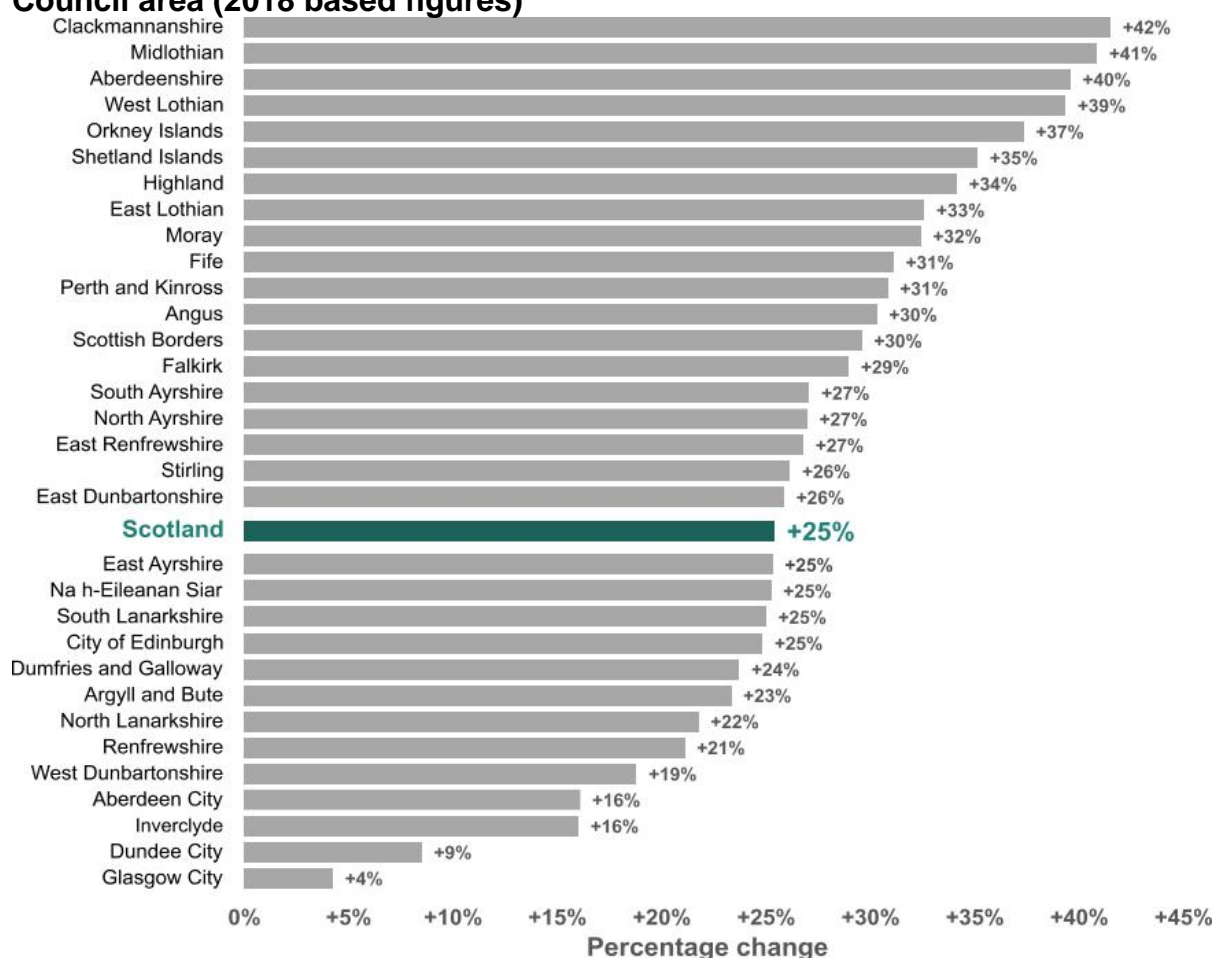
The Housing Need and Demand Assessment (HNDA2) provides a robust evidence base for housing and sets out the total additional future housing estimate over a 20 year period within the six South East of Scotland (SESplan) Local Authorities - City of Edinburgh, East Lothian, South Fife, Midlothian, the Scottish Borders and West Lothian. The HNDA2 informs the development of the Local Housing Strategy (LHS) and the SESplan Development Plans (DPs) by providing accurate and reliable data enabling local authorities to develop long term strategic and robust views of housing need and demand. This includes households requiring specialist housing provision. A shortage of housing and need for significant increases in the supply of housing is an issue for all local authority areas within the SESplan region. Specifically, section 7.1 of the HNDA2 assesses the need and demand for specialist housing provision across the SESplan area. It identifies three broad categories of housing need, covering six types of housing or housing related provision, to support independent living for as long as possible and enable people to live well and with dignity.

#### Older People

Demographic change will have implications on housing need in Midlothian. Chart 9.1, below, shows the projected percentage change in population aged 75 and over by council area between 2018 and 2028. It is clear that Midlothian's population of over 75 year olds is expected to increase by 41% during that time frame, the second highest population increase in Scotland.



**Chart 9.1: Projected percentage change in population aged 75 and over by Council area (2018 based figures)<sup>27</sup>**



It is anticipated that as people will live longer than in the past, their expectations of their future housing will be more aspirational than before. Care homes have been recognised as too expensive to meet the needs of a growing elderly population. However, it is also recognised that many older households want to live independently where possible.

One of the challenges of an increased proportion of older people is that of dementia. Midlothian's Health and Social Care Strategic Plan states that 'people over 85 are at a greater risk of living with dementia. There is likely to be 2,800 people with dementia in 20 years-which is double the number there are today<sup>28</sup>. The main social care supports for older people who have dementia and/or who are frail are day care, care at home and care homes. Older people are also more vulnerable to sensory impairment. Older people can become isolated and often have to cope with bereavement of a loved one. Supporting older people to live well involves the contribution of a wide range of agencies.'

<sup>27</sup> <https://www.nrscotland.gov.uk/statistics-and-data/statistics/statistics-by-theme/population/population-projections/sub-national-population-projections/2018-based>

<sup>28</sup> 2019 figures

## Specialist Provision of Housing for Older People

### Sheltered and Retirement Housing

There are various existing sheltered housing and retirement housing complexes in Midlothian. There is also some amenity and wheelchair housing and many homes have been adapted to meet the needs of older people – further information on adaptations in both the private sector and by the local authority has been provided in the House Condition chapter. Most specialist housing for older people is social rented housing and managed by Midlothian Council or other Registered Social Landlords. There are also private developments where elderly households are owner occupiers.

### Extra Care Housing

Extra care housing is also provided for older people. This is more suited for older people with higher care needs and developing accommodation of this type is an important housing option which will reduce the reliance on hospital and care home provision.

#### Key Features of Extra Care Housing

- Is also sometimes called assisted living or housing with care.
- Residents are restricted to only elderly households with some support needs.
- Accommodation consists of self-contained flats or bungalows which have their own kitchen, bathroom, bedroom and living room. Properties are either newly built as extra care housing or upgraded from sheltered housing to extra care housing.
- Care and support staff are available for residents and are often based on site.
- There are some communal facilities and shared services, such as a dining area and a garden.

There are currently two Extra Care complexes in Midlothian and another two under development, one in Dalkeith which will have 48 properties and the other in Bonnyrigg which will have 16 properties. Upgrades of some existing sheltered housing developments are also planned.

**Figure 9.1: Midlothian Council Extra Care Housing at Cowan Court, Penicuik**



#### Housing and Dementia Framework

In January 2021 Midlothian Council signed up to the Housing and Dementia Framework which has been developed by the Chartered Institute of Housing Scotland with support from Alzheimer Scotland and the Place Home and Healthcare Improvement Scotland. By signing up to this framework, the council is able to access a tool to assess the council's current practice in supporting tenants with dementia and to identify areas where practise can be improved. The framework focuses on providing the right advice, the right home and the right support. It sets out five person-centered outcomes that people living with dementia have advised are important to them:

- Receiving valuable housing advice when needed
- Homes has been adapted or designed to suit the person and support them to stay at home
- The person feels listened to and involved in decisions that matter to them
- The person knows about housing choices and feels able to plan for their future
- The person is supported to live safely and independently at home and to participate in the life of their community.

#### Households with a Physical or Learning Disability

In Midlothian, 4800 people aged between 16 and 64 have a physical impairment which affects their ability to undertake normal daily living tasks and 1772 people have a learning disability<sup>29</sup>.

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<sup>29</sup> Midlothian Health and Social Care Strategic Plan 2019

Clearly the housing needs of households with specific conditions will vary according to their specific requirements. For instance a family including a young person with autism may only need an extra bedroom specifically for the young person. People with impaired mobility might require level access accommodation whilst someone who requires a wheelchair may require a specially adapted wheelchair accessible house.

Table 9.1 below shows that the vast majority of adults with learning disabilities (89%) do not live with a family carer which is much higher than the Scottish average (43%). Furthermore table 9.2 illustrates that 80% of adults with learning disabilities are living in mainstream accommodation whilst only 20% live in supported accommodation, a registered adult care home or 'other'. These figures will have a corresponding effect on adaptation budgets, both in the private and social housing sectors.

**Table 9.1: Adults with a learning disability who live with a family carer<sup>30</sup>**

	Adults who live with a family carer	Adults who do not live with a family carer	Not known	All adults (total number in area)
Midlothian	49	417	0	466
Scotland	7393	10,175	6,016	23,584

**Table 9.2: Accommodation type for adults with learning disabilities<sup>31</sup>**

	Mainstream Accommodation			Supported Accommodation	Registered Adult Care Homes	Other	Not Known
	With support	With no support	Not recorded				
Midlothian	125	248	0	30	40	23	0
Scotland	6787	6159	1638	3466	1837	921	2776

Housing and Housing Adaptations for households with a Disability

Midlothian Council and partner RSLs provide and build new accommodation for households with particular needs. In addition, a significant proportion of existing housing stock in Midlothian features adaptations to assist with a households' independence. Table 9.3 shows the number of households with specific housing requirements due to their medical priority:

- Medical Category A is awarded where it is agreed that an applicant can no longer continue to live in their current accommodation due to health reasons.
- Medical Category B is awarded where it is agreed that rehousing would be of significant benefit to the applicant's health/level of independence.

It is evident that 698 applicants have medical needs for seeking housing from the Council, which is 17% of all housing applicants.

<sup>30</sup> <https://www.sclld.org.uk/2019-report/>

<sup>31</sup> <https://www.sclld.org.uk/2019-report/>

**Table 9.3: Midlothian Council Housing List Applicants, by Medical Priority**

Medical Category	No. of Households	% of all Housing Applications
A	278	7%
B	420	10%

#### Investment in Aids and Adaptations

If funding for such works were not made available, a significant number of households would be living in housing unsuitable for their needs. Table 9.4 below shows the amount of money the Council spends on helping private and council households to live independently in their own homes, with 72 households assisted during 2019/20. In addition 349 households (as of October 2020) use a telecare package to support their independence and ensure their safety and 1667 households use the alarms service.

**Table 9.4: Midlothian Council and Private Sector Adaptation and Funding 2019/20**

Works type	Spend	Number	%
Level access shower	117,891.70	18	25
Bathroom adaptation	11,102.95	2	3
Access ramp	30,286.50	11	15
Stairlift	26,978.95	9	12
Wet floor shower	175,587.82	25	35
Other	30,178.19	7	10
<b>Total</b>	<b>392,026.11</b>	<b>72</b>	<b>100</b>

#### What is Telecare?

Telecare or Midcare is a community alarm scheme which enables people to live independently in their own homes and allows a quick response if someone needs help. Telecare can be used in a variety of ways, such as: raising alarm in the event of deterioration in movement, health, flooding, fire etc. and preventing wandering. Research has shown that the effective use of Telecare and other ways of support, such as Telehealth, results in a reduction in mortality rates, emergency hospital admissions and length of stays in hospitals. Midcare currently costs £3.85 per week<sup>32</sup> and is available to anyone of any age who is disabled, has a medical condition that would benefit from the service or who is vulnerable or frail.

<sup>32</sup> October 2020 price

## Wheelchair Accessible Housing

A Fairer Scotland For Disabled People Delivery Plan contains an action “to work with local authorities, disabled people and other stakeholders to ensure that each local authority sets a realistic target within its LHS for the delivery of wheelchair accessible housing across all tenures and reports annually on progress”.

Midlothian Council will consult with disabled people and other stakeholders to set wheelchair accessible targets for the period 2021-26.

Midlothian Council and RSL partner organisations acknowledge the difficulty of enforcing this target beyond the social housing sector. Further consultation will take place with private developers and Midlothian Council will report annually on progress made.

## Housing for people with a mental health problem

In addressing the needs of those with a mental health problem, this LHS has made use of the Public Health Framework document **Good Mental Health for All**<sup>33</sup>, which gives advice on how effective multi-agency working can improve mental health and wellbeing. The document states that an environmental factor which can determine our mental health is ‘good-quality, affordable, safe housing’ and the physical housing quality can effect inequalities in:

- Wellbeing
- Healthy life expectancy
- Morbidity
- Mortality

This Local Housing Strategy acknowledges that local partnerships should share knowledge and understanding of how physical environment impacts on mental health and wellbeing across a range of partners. Midlothian Council Housing is a partner member of the Midlothian Mental Health Strategic Planning Group and uses this group to share knowledge and understanding with other partner agencies including the NHS, Penumbra, Social Work colleagues and Health in Mind.

## Ethnic Minorities

Due to the consultation and engagement process carried out for this Local Housing Strategy, Midlothian Council understands and will consider any additional needs of ethnic minorities, and will consider the needs of ethnic minority families for homes suitable for larger/extended family groups and will consider other specific cultural needs.

## Prison Leavers

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<sup>33</sup> [Good mental health for all \(healthscotland.scot\)](https://www.healthscotland.scot/)



Midlothian Council staff collaborate with the Community Justice Partnership to ensure that those who are leaving prison or a similar institution get the right housing support that they need. Further details can be found in Chapter 8: Preventing and Addressing Homelessness.

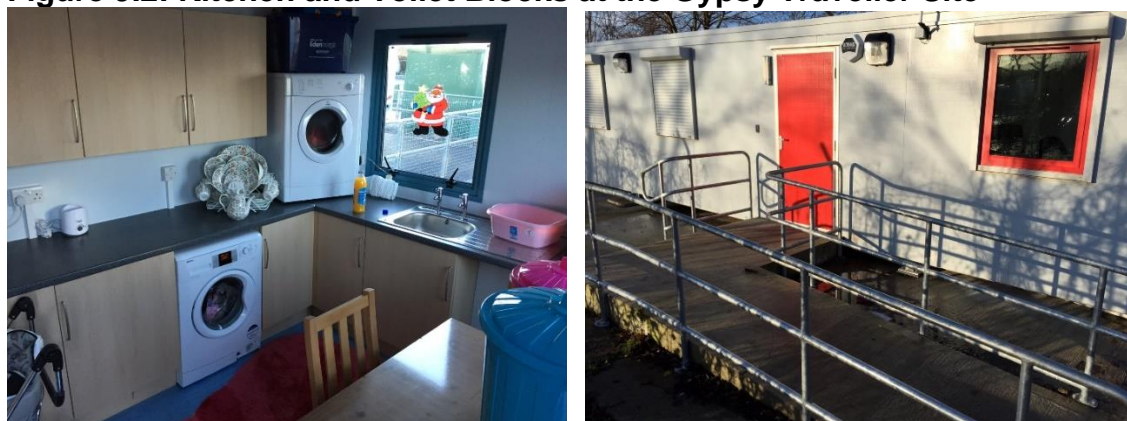
## Gypsy/Travellers

In the 2011 Census over 4,200 people identified their ethnicity as White: Gypsy/Traveller which was less than 0.1% of the Scottish population. There is limited published data on the Gypsy/Traveller population to support these policy processes. The 2011 Census is the most current source of data on the size and profile of the population of Scotland, although this is likely to underestimate the Gypsy/Traveller population due to a range of issues such as reluctance of individuals to identify as Gypsy/Traveller and challenges accessing the population living on sites and by the roadside. Moreover consistent national data has not been published since the last Twice-Yearly Count of Gypsy/Travellers undertaken in 2009.

There are no figures available for Gypsy/Travellers who are resident in Midlothian. There are 29 public Gypsy/Traveller sites in Scotland. In Midlothian, there is a Gypsy/Traveller site managed by East Lothian Council on behalf of East and Midlothian Councils which has a total of 16 pitches and is open all year round. The site was refurbished in 2014 and again in 2019, with new kitchen and toilet blocks built, a new community room with learning materials, new signage, road improvement works and new fencing installed. The site was assessed in 2019 and is compliant with the minimum site standards for Gypsy/Traveller sites. The site is seldom fully habited which allows the conclusion that the current provision is adequate. Should the site require further upgrades or enlargement to continue to meet the needs of the Gypsy/Traveller community, Midlothian and East Lothian Councils will act accordingly referencing both the minimum site standards and the Scottish Social Housing Charter.

Engagement with the residents of the Gypsy Traveller site is continuous but on a more formal level, annual tenant satisfaction surveys are undertaken by staff on site.

**Figure 9.2: Kitchen and Toilet Blocks at the Gypsy Traveller Site**



East Lothian Council officers currently provide onsite visiting support for Gypsy / Travellers living on the permanent site. Midlothian and East Lothian Council's joint fund Play Midlothian which provide weekly onsite visits to the site and play activities for the children who live there. MECOPP's (Minority Ethnic Carers of Older People Project) Gypsy Traveller Carer's Project work with carers within the Gypsy/Traveller community in Midlothian who live in housing, on sites and on roadside camps. This Service ensures that Gypsy / Traveller households can access mainstream services, provides access to direct support and advice and facilitates wider social inclusion of Gypsy/Travellers into the community where appropriate.

#### Roadside encampments

Midlothian Council operate a Roadside Encampment Response Group which includes stakeholders from Housing, Education, NHS, Police Scotland and Environmental Health. When a stakeholder is aware of a roadside encampment within the County, the remaining stakeholders are contacted to enable a linked approach which ensures the encampments are offered appropriate advice and support.

#### Travelling Showpeople

There is no evidence there are travelling show people households within Midlothian, and for this reason the Strategy has not provided information or actions in relation to these households. If more information on this community comes to light then this will be reported on in future Local Housing Strategy Updates.

#### Armed Forces

Research conducted into the housing needs of ex-personnel indicated armed forces, and their families, have specific housing needs that require support.<sup>34</sup> For example, ex-service personnel are more vulnerable to homelessness than the population at large, and professional pressures can present problems for finding stable housing for soldiers and their families as they may move frequently to new postings. Given that Glencorse Barracks, of the British Army, is located just outside of Penicuik, the housing needs of armed forces are addressed within the Local Housing Strategy. Members of the armed forces who have been discharged are given a high priority for

<sup>34</sup> <http://www.homeless.org.uk/veterans>



housing by the Council, but it is intended that the support for armed forces and their families is strengthened through the establishment of the Midlothian Armed Forces Covenant. The Lothian's Veterans Centre was included within the stakeholder consultation and engagement process of the LHS.

**What is the Midlothian Armed Forces Covenant?**

For Midlothian Council, NHS Lothian and partner organisations, the Community Covenant presents an opportunity to bring their knowledge, experience and expertise to bear on the provision of support services, help and advice to members of the Armed Forces Community. For the Armed Forces Community, the Covenant encourages the integration of service life into civilian life and encourages members of the Armed Forces to help their local community. The Midlothian Armed Forces Covenant Action Plan has been set out to work on key objectives for the Covenant, including outcomes in relation to housing and can be found here:

[https://www.midlothian.gov.uk/info/200284/your\\_community/545/midlothian\\_armed\\_forces\\_community](https://www.midlothian.gov.uk/info/200284/your_community/545/midlothian_armed_forces_community)

#### Key Workers

Midlothian Council acknowledges that if evidence suggests that there is requirement for action to provide suitable housing for key workers, the LHS should include a policy on this. The provision of housing for key workers can assist in the employment and retention of people vital to the delivery of and improving essential local services.

To help establish need and to understand the type/tenure and the most appropriate location for the housing Midlothian Council will work closely with local employers across the public sector and with local employability leads to discuss the level of current and future local employment opportunities.

Affordable homes policies for allocating homes to key workers will be transparent and sufficiently flexible to accommodate changing needs at different times as the nature of the essential service can cover which has been evident at the time of writing, during the Covid 19 pandemic.

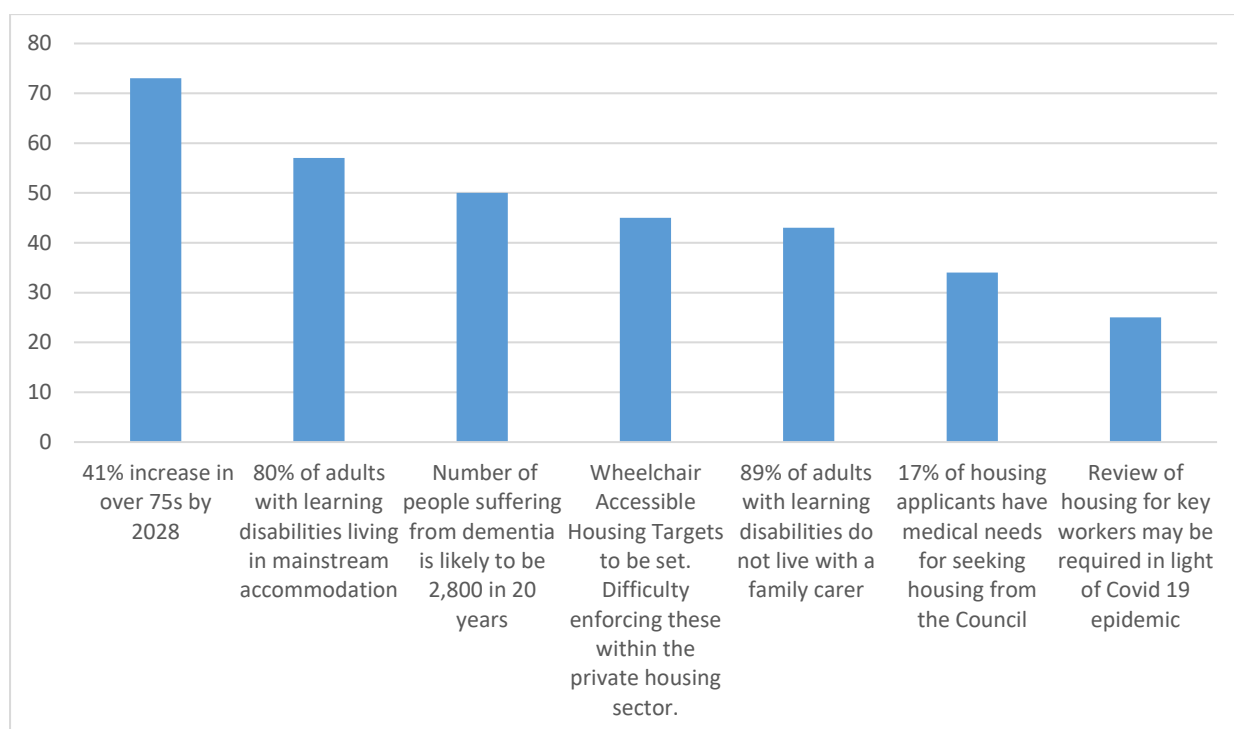
#### KEY CHALLENGES

- Midlothian's population of over 75 year olds is expected to increase by 41% between 2018 and 2028, the second highest population increase in Scotland.
- The number of people in Midlothian suffering from dementia is likely to be 2,800 in 20 years, double the current number of sufferers.
- In Midlothian 89% of adults with learning disabilities do not live with a family carer which is much higher than the Scottish average (43%).
- In Midlothian 80% of adults with learning disabilities are living in mainstream accommodation whilst only 20% live in supported accommodation, a registered adult care home or 'other'.
- 17% of housing applicants have medical needs for seeking housing from the Council
- Wheelchair Accessible Housing Targets to be set. Difficulty enforcing these within the private sector
- Review of housing for key workers may be required in light of Covid 19 epidemic.

#### Consultation Responses

As part of the final consultation sessions held in Winter 2020/21, Midlothian residents and stakeholders were asked to prioritise four of the key issues above when considering the Specialist Provision, Independent Living, Armed Forces, Key Workers and Gypsy/Travellers Outcome: 'The needs of households with particular needs will be addressed and all households will have equal access to housing and housing services'. Chart 9.2 below shows that 73% of respondents highlighted the predicted 41% increase in the number of over 75s in Midlothian by 2028 as a key housing issue, 57% believe the key issue which states that in Midlothian 80% of adults with learning disabilities are living in mainstream accommodation whilst only 20% live in supported accommodation, a registered adult care home or 'other' should be prioritised, 50% of respondents wished to highlight that the number of people in Midlothian suffering from dementia is likely to be 2,800 in 20 years, double the current number of sufferers whilst 45% wish to prioritise that Wheelchair Accessible Housing Targets should be set and acknowledge that there is difficulty enforcing these within the private housing sector.

**Chart 9.2: Specialist Provision Priorities**



Question asked	Individual response	Council response/LHS Outcome
1. How can services and your local community work together to help provide the specialist housing needed?	1. There appears to be an issue with the range of information being recorded in Midlothian, on what type of houses exist/are being built and where. There seems to be no overview across all sectors and if there was, where should this responsibility lie? A glance at the numerous new private housing estates recently built and currently being built, highlights a predominance of medium and large, 2 storey houses. This is no doubt meeting the housing needs of Edinburgh families who can't afford a larger family home in the city. Is it however meeting the needs of the existing Midlothian population? Are there adequate housing choices available to all groups? The demographics of our population are well known. The numbers of older and disabled people are growing. The demand being put on Health and Social Care services as a consequence, has the potential to be unsustainable. The consequential implications of inappropriate housing are evident for all to see, not just on formal service provision. Delayed discharges, premature admission to care homes, deterioration of both physical and mental health, added burden on informal carers, loss of independence and lack of choice. Midlothian has always had a very high percentage of volunteering and this has been even more evident during the pandemic. These people are central to any community and add so much. If a person is inappropriately housed however, no matter what support is provided, formal or voluntary, many issues are insurmountable. As well as residents, volunteers, community workers and professionals working in an	<p>Midlothian Council's Planning Department will have details of house type and location of new builds across the county.</p> <p>Noted.</p> <p>The LHS consultation sessions were open to all Midlothian residents and stakeholders including the NHS, Planning, the Health and Social Care</p>

	area, understand the needs and gaps. They should all be contributors to these discussions.	Partnership and private house builders.
	2. House builders should contribute a portion of their profits to building appropriate specialist housing	Noted – most Local Authorities acknowledge the difficulty of enforcing wheelchair accessible targets within the private housing sector.
	3. The infrastructure needs to be in place before any type of housing is provided, especially where the people housed have specific needs. Our GP and social care services can hardly cope as it is	Noted. See responses in 'Place Making' chapter.
	4. This really needs a broad multi-agency approach working closely with representatives of local communities so that, as far as possible, a proactive, planned approach is taken to providing specialist housing. Ideally this would be based on assessment of future need but would have to take account of the need for a reactive response for unforeseen circumstances.	The Extra Care Housing Planning Group is attended by service users and multiple agencies/departments.
	5. These should be part of new builds paid for by the builders	Noted – see response to no.2
	6. There appears to be no site for travellers in Midlothian. This is not acceptable. It leads to travellers stopping wherever they can and increases the chance of intolerant behaviour from local people.	There is a Gypsy Traveller site within the Midlothian boundary which is managed by East Lothian Council.
	7. Move people who don't require special housing to accommodate people who do. Discussions to be had with households	Legislation prevents this but Midlothian Council would encourage people in this circumstance to consider a mutual exchange.
	8. Bring unused housing back into the housing stock	Midlothian Council encourages owners of empty homes to bring them back into use. Help can be sought from the Scottish Empty Homes Partnership.
	9. Ask private housing companies to build a small number of specialised accommodation homes within each new estate that they wish to build. Stop them building 4&5 bedroom homes	See response to no.2
	10. I believe veteran housing is a must. We should be supporting our own local community first making sure disabled people and people who need support are getting this before we move in travellers. It's never good for community spirit when people outwith the local area are being housed before locals who have waited years	Details of the Midlothian Armed Forces Covenant can be found here: <a href="#">Help for veterans   Midlothian Armed Forces community   Midlothian Council</a> Midlothian residents receive additional points on their housing applications.
	11. There are some unused green space that traveller could use if set up correctly	See response to no.6
	12. You need more supported accommodation and wheelchair accessible housing is needed or help people adapt the house	Noted

	they are in or extend the house they are in so they don't have the distress of moving again.	
	13. Thinking about older people perhaps more single person housing would allow people to downsize and free up family homes.	Noted
	14. All new estates need to have specific number of homes to cover the above. There needs to be specific traveller sites however they do need to pay the same way everyone else does as residents cannot be expected to cover the costs.	See response to no.6
	15. Renovation of existing properties and older disused properties to suit the needs of vulnerable groups.	See response to no.8
2. How should resources and services be directed to provide the specialist housing required?	16. Planning, Building Standards, Council Housing Department, RSLs and private housing developers need to work together to help address some of the issues. Private developers should not dictate what gets built on the basis of optimal profit alone, and need to recognise the impact they potentially have on communities. This may not simply be about building a proportion of single storey homes in each development, but could perhaps be about partnership developments of more specialist housing. The location of Extra Care Housing as an integrated part of the community is particularly important. An appropriate location for mainstream housing however, may not be appropriate for Extra Care housing and so this should always be a consideration.	Noted
	17. Those groups who may occupy specialist housing should be consulted as closely as possible about what would meet their requirements. In general, as far as possible, specialist housing should be part of every housing development so that a good social mix is achieved.	See response to no.4.  Details of social housing (general and specialist) planned in Midlothian for the next five years can be found in the Strategic Housing Investment Plan: <a href="#">Strategic Housing Investment Plans (SHIP)   Strategic Housing Investment Plan 2021/22 to 2025/26 (midlothian.gov.uk)</a>
	18. What about grants for businesses who provide the services for adapting properties?	Noted
	19. More onus on builders to make this part of the deal	Noted
	20. They shouldn't. We need to concentrate on housing that benefits the whole of Bonnyrigg, not for a few.	Noted
	21. Consult waiting lists and see what needs/disabilities/support people require before building housing that's unsuitable	Noted
	22. Think at the time of building. Allow a good social mix of people to be housed people who will support others to be good neighbours .	Noted
	23. Midlothian council needs to build them	See response to no.17
	24. Efforts should be made to keep housing in Midlothian for the people of Midlothian – including market housing. This ties in with the lower wage levels in Midlothian – Edinburgh residents with higher wages see the attractiveness of living in Midlothian and they have higher wage levels.	Noted.
	25. Private contractors should have to build some wheelchair housing on each site, not accessible housing as a basic building standard as this is not accessible for a wheelchair. Also more one level properties	See response to no.2

	26. Single storey homes for older people needed – market and affordable.	Noted
	27. Adaptations – worried about the cost. Market housing providers should build with the later housing needs of residents in mind – homes which are easily adaptable.	Noted

#### **Key Actions:**

- 1. Develop 484 units of specialist housing over a five-year period to 2026 (97 units per annum).**
- 2. Investigate extra provision of specialist housing via remodelling existing provision which could be developed by the public or private sector.**
- 3. Open Market Purchase Scheme to purchase 10 ‘specialist homes’ per annum**
- 4. Complex Care facility to be built in Bonnyrigg**
- 5. Wheelchair Accessibility Targets to be set**
- 6. Carry out a comprehensive review of sheltered and retirement housing to ascertain effectiveness**
- 7. Investigate the implications of significant projected numbers of older couple households for specialist and general housing**
- 8. Ensure new build general needs accommodation is future proofed to accommodate wheelchair users & capable of being adapted to suit a range of needs including the elderly and those with dementia**

**Outcome: The needs of households with particular needs will be addressed and all households will have equal access to housing and housing services.**

## 10 Fuel Poverty, Energy Efficiency and Climate Change

Outcome - Housing in all tenures will be more energy efficient and fewer households will live in, or be at risk of, fuel poverty.

Climate change, fuel poverty and energy efficiency are intrinsically linked. Both climate change and fuel poverty can be tackled at the same time but whilst energy efficiency of property can effect both fuel poverty and climate change, fuel poverty is fundamentally a social issue which has more than one underlying cause. Tackling fuel poverty requires all of the underlying causes to be addressed.

The key link between climate change and fuel poverty is that fossil fuels are polluting the environment as well as increasing in cost, which subsequently increases energy bills. Fuel poverty and climate change are both exacerbated by housing that is not energy efficient and / or not well insulated. If we can make our homes more energy efficient and tackle fuel poverty, ensuring that people do not have to pay such large energy bills, this will help mitigate climate change and also promote health and wellbeing.

Local authorities have a significant part to play in ensuring that people are able to live in warm, dry, energy efficient, low carbon homes which they can afford to heat.

### National Context

The **Fuel Poverty (Targets, Definition, and Strategy) (Scotland) Act 2019**<sup>35</sup> introduced a new statutory target for reducing fuel poverty that by 2040 no household in Scotland is in fuel poverty and, in any event, no more than 5% of households, in any Local Authority areas, in Scotland are in fuel poverty; no more than 1% of households in Scotland are in extreme fuel poverty; and the median fuel poverty gap of households in fuel poverty in Scotland is no more than £250 in 2015 prices before adding inflation.

The Fuel Poverty (Targets, Definition and Strategy) (Scotland) Act 2019 established a new two-part definition whereby a household is considered fuel poor if:

- after housing costs have been deducted, more than 10% (20% for extreme fuel poverty) of their net income is required to pay for their reasonable fuel needs; and
- after further adjustments are made to deduct childcare costs and any benefits received for a disability or care need, their remaining income is insufficient to maintain an acceptable standard of living, defined as being at least 90% of the UK Minimum Income Standard (MIS).

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<sup>35</sup> [Fuel Poverty \(Targets, Definition and Strategy\) \(Scotland\) Act 2019](#)



Compared with the 'old definition' the current fuel poverty definition has impacted some of the statistics:

- More flat occupants than house occupants in fuel poverty;
- Relatively less owner occupants, more private and social tenants;
- A more even distribution between older households, families, and other households in fuel poverty (bias use to be older households);
- Fewer households in G-F-rated houses (60% in old definition, 40% in current), and more in ABC rated properties (20% vs 30% in current)
- Fewer households in remote rural areas (60% of HH in old definition vs 40% in current)

In 2018, 25.0% of households in Scotland (619,000) were estimated to be in fuel poverty and 11.3% (or 279,000 households) were living in extreme fuel poverty in 2018. The rate of extreme fuel poverty has been decreasing since 2013 (16.0%) and is the lowest rate recorded by the survey since 2012, the first year of data available under the new definition.

The Scottish Government's **Energy Efficient Scotland Route Map**<sup>36</sup> sets out the journey that homes, businesses and public buildings will take to become more energy efficient. It outlines the support available from the Scottish Government to help owners transform their properties and proposes minimum energy efficiency standards for the private and social rented sectors by 2030.

The **Climate Change (Scotland) Act 2009** created a statutory framework for reducing Scottish greenhouse gas emissions by at least 80% by 2050. A new Climate Change Bill is currently going through the Scottish Parliament and includes:

- Setting a net-zero greenhouse gas emissions target for 2045
- 90% reduction in greenhouse gas emissions by 2040
- 70% reduction in greenhouse gas emissions by 2030

#### Midlothian Context

Midlothian Council acknowledges that a household's greenhouse gas emissions are influenced by:

- Property Condition - houses in disrepair are harder to keep warm and therefore use more energy.
- Energy Efficiency - energy inefficient houses use more energy to heat than more efficient properties. Insulation of lofts/roofs, walls, floors, pipework, more efficient windows, draught proofing and better heating controls can all improve the efficiency of a property or the ability of a household to only use energy when it is needed. The age and maintenance of heating devices, such as gas boilers also affects their efficiency and emissions levels. The properties with the poorest energy efficiency ratings (EPC G & F) should be improved urgently.
- Fuel - the type of fuel used in a property can affect its greenhouse gas emissions. Oil fuelled heating has higher emissions than gas, whilst low

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<sup>36</sup> <https://www.gov.scot/publications/energy-efficient-scotland-route-map/>



carbon or renewable heat sources, e.g. heat pumps, biomass, solar thermal, have even lower carbon emissions. To achieve net zero greenhouse gas emissions it is likely that fossil fuels will have a severely reduced role in space and water heating in future.

- Individuals Behaviour - the way people use and run their homes affects carbon emissions, e.g. inefficient use of a heating thermostat/programmer, using unnecessary lighting.

## Midlothian's Climate Change Strategy 2020

Midlothian Council declared a climate change emergency in December 2019. The resulting strategy sets out a plan, including commitments and actions, to deliver the Council's aspiration of being carbon neutral by 2030. The strategy focuses on key themes including

- Energy Efficiency
- Recycling & Waste
- Sustainable Development
- Sustainable Travel
- Business Processes
- Carbon Management

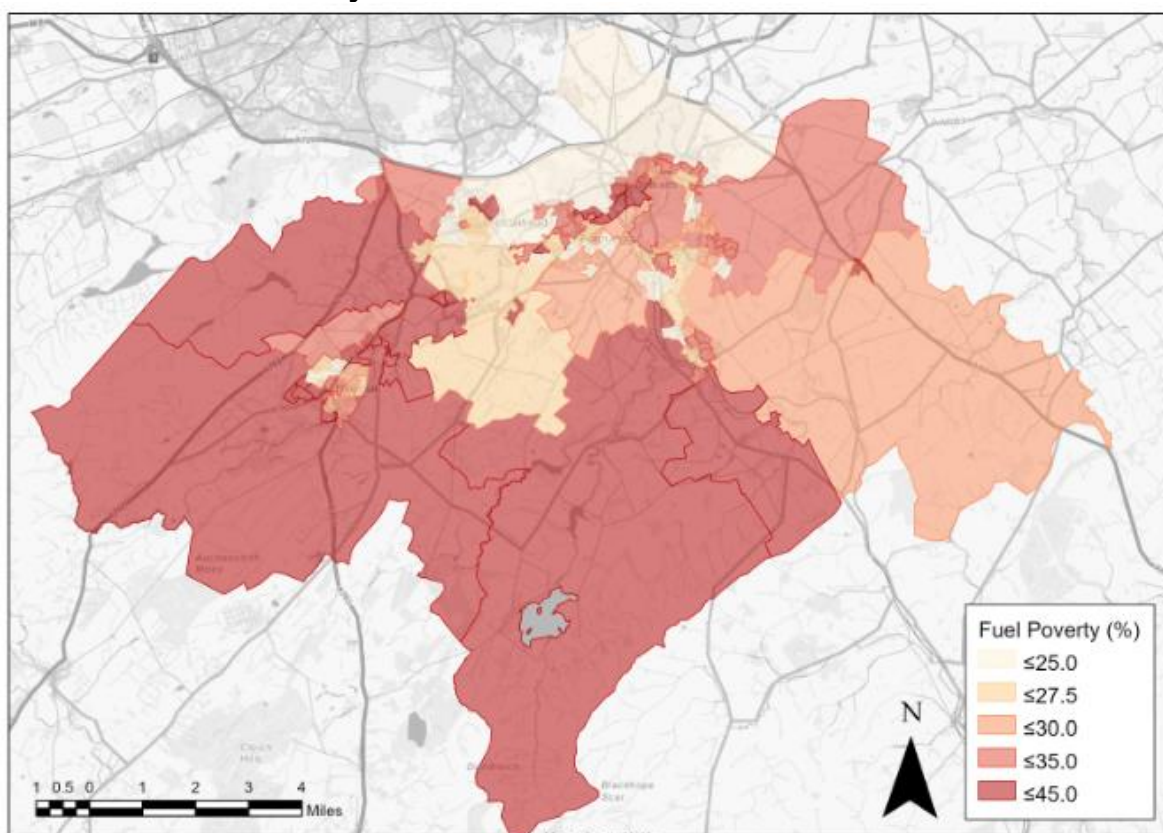
The themes provide a framework for action and contain a number of commitments - some reflecting existing strategies and plans and others promoting best practice. These include a commitment to:

- Establish a Climate Change Citizens' Assembly
- Raising awareness of climate change and promoting individual and collective action to combat it and make Midlothian "A Great, Green Place to Grow"
- Using green energy to heat and light our estate buildings, making them as energy efficient as possible
- Increasing our recycling rates and reduce waste
- Expanding our electric and ultra-low carbon vehicle fleet
- Adopting the Passivhaus building standard and incorporating "green" and "blue" infrastructure as standard design principles for new development
- Investigate the feasibility of Zero Carbon Development Zones
- Delivering the Shawfair low carbon community heating system and investigating options to develop heat networks across the county
- Accelerating development of the Midlothian Active Travel Network including cross-boundary connections for longer distance commuting and leisure routes
- Accelerating organisational change to extend home working and reduce the need to travel to work.

## Fuel Poverty Data – Midlothian

Although the data provided in the tables below follows the previous definition of fuel poverty which did not account for adjusted net income or the minimum income standard, it is still a helpful dataset to compare the Midlothian data zones relatively to each other. There are 115 data zones for the Midlothian area and analysis of these shows that on average, 29.57% of residents are in fuel poverty<sup>37</sup>. These levels range greatly from 13.08% to 45.04% across the 115 data zones. Chart 10.1 shows the different levels of fuel poverty broken into the individual data zones.

**Chart 10.1: Fuel Poverty in Midlothian Data zones**



© Changeworks 2020. Contains data from Home Analytics © Energy Saving Trust 2017. Contains OS data © Crown Copyright and database right 2020.

The following tables break down the data zone statistics into the main towns and areas within the County.

### Bonnyrigg

Table 10.1 below shows that on average, the probability of residents in Bonnyrigg living in fuel poverty is 29.45%.

<sup>37</sup> <https://simd.scot/#/simd2020/BTTTTFTT/10/-3.0283/55.9898/>

**Table 10.1: Average probability of fuel poverty in Bonnyrigg area**

<b>Data zone</b>	<b>Average probability of fuel poverty (fuel bill &gt;10% of income)</b>
Bonnyrigg North – 01	24.20%
Bonnyrigg North – 02	30.13%
Bonnyrigg North – 03	26.47%
Bonnyrigg North – 04	30.27%
Bonnyrigg North – 05	32.45%
Bonnyrigg North – 06	34.16%
Bonnyrigg North – 07	37.83%
Bonnyrigg South – 01	33.13%
Bonnyrigg South – 02	25.01%
Bonnyrigg South – 03	36.13%
Bonnyrigg South – 04	26.85%
Bonnyrigg South – 05	26.93%
Bonnyrigg South – 06	27.82%
Bonnyrigg South - 07	20.97%

Dalkeith

Table 10.2 below shows that on average, the probability of residents in Dalkeith living in fuel poverty is 29.67%.

**Table 10.2: Average probability of fuel poverty in Dalkeith area**

<b>Data zone</b>	<b>Average probability of fuel poverty (fuel bill &gt;10% of income)</b>
Dalkeith - 01	27.84%
Dalkeith - 02	31.69%
Dalkeith - 03	31.79%
Dalkeith - 04	27.35%

Easthouses

Table 10.3 below shows that on average, the probability of residents in Easthouses living in fuel poverty is 28.72%.

**Table 10.3: Average probability of fuel poverty in Easthouses area**

<b>Data zone</b>	<b>Average probability of fuel poverty (fuel bill &gt;10% of income)</b>
Easthouses - 01	24.77%
Easthouses - 02	30.01%
Easthouses - 03	28.47%
Easthouses - 04	31.63%

Eskbank

Table 10.4 below shows that on average, the probability of residents in Eskbank living in fuel poverty is 36.53%.

**Table 10.4: Average probability of fuel poverty in Eskbank area**

<b>Data zone</b>	<b>Average probability of fuel poverty (fuel bill &gt;10% of income)</b>
Eskbank - 01	30.40%
Eskbank - 02	39.05%
Eskbank - 03	37.11%
Eskbank - 04	35.60%
Eskbank - 05	45.04%
Eskbank - 06	31.96%

Gorebridge and Middleton

Table 10.5 below shows that on average, the probability of residents in the Gorebridge and Middleton area living in fuel poverty is 30.49%.

**Table 10.5: Average probability of fuel poverty in Gorebridge and Middleton area**

<b>Data zone</b>	<b>Average probability of fuel poverty (fuel bill &gt;10% of income)</b>
Gorebridge and Middleton - 01	31.44%
Gorebridge and Middleton - 02	32.07%
Gorebridge and Middleton - 03	27.43%
Gorebridge and Middleton - 04	30.75%
Gorebridge and Middleton - 05	30.76%

Loanhead

Table 10.6 below shows that on average, the probability of residents in the Loanhead area living in fuel poverty is 27.8%.

**Table 10.6: Average probability of fuel poverty in Loanhead area**

<b>Data zone</b>	<b>Average probability of fuel poverty (fuel bill &gt;10% of income)</b>
Loanhead - 01	25.75%
Loanhead - 02	26.38%
Loanhead - 03	25.88%
Loanhead - 04	36.37%
Loanhead - 05	24.61%

Mayfield

Table 10.7 below shows that on average, the probability of residents in the Mayfield area living in fuel poverty is 29.14%.

**Table 10.7: Average probability of fuel poverty in Mayfield area**

<b>Data zone</b>	<b>Average probability of fuel poverty (fuel bill &gt;10% of income)</b>
Mayfield - 01	31.91%
Mayfield - 02	32.44%
Mayfield - 03	30.39%
Mayfield - 04	28.09%
Mayfield - 05	29.28%
Mayfield - 06	22.73%

Newbattle and Dalhousie

Table 10.8 below shows that on average, the probability of residents in the Newbattle and Dalhousie area living in fuel poverty is 25.02%.

**Table 10.8: Average probability of fuel poverty in Newbattle and Dalhousie area**

<b>Data zone</b>	<b>Average probability of fuel poverty (fuel bill &gt;10% of income)</b>
Newbattle and Dalhousie - 01	25.29%
Newbattle and Dalhousie - 02	27.64%
Newbattle and Dalhousie - 03	22.81%
Newbattle and Dalhousie - 04	22.62%
Newbattle and Dalhousie - 05	22.73%
Newbattle and Dalhousie - 06	24.13%
Newbattle and Dalhousie - 07	29.58%
Newbattle and Dalhousie - 08	24.72%
Newbattle and Dalhousie - 09	25.69%

Newtongrange

Table 10.9 below shows that on average, the probability of residents in the Newtongrange area living in fuel poverty is 27.23%.

**Table 10.9: Average probability of fuel poverty in Newtongrange area**

<b>Data zone</b>	<b>Average probability of fuel poverty (fuel bill &gt;10% of income)</b>
Newtongrange - 01	26.97%
Newtongrange - 02	29.22%
Newtongrange - 03	25.41%
Newtongrange - 04	30.97%
Newtongrange - 05	31.90%
Newtongrange - 06	18.88%

North Gorebridge

Table 10.10 below shows that on average, the probability of residents in the North Gorebridge area living in fuel poverty is 25.54%.

**Table 10.10: Average probability of fuel poverty in North Gorebridge area**

<b>Data zone</b>	<b>Average probability of fuel poverty (fuel bill &gt;10% of income)</b>
North Gorebridge - 01	27.49%
North Gorebridge - 02	29.63%
North Gorebridge - 03	19.52%

Pathhead and rural East Midlothian

Table 10.11 below shows that on average, the probability of residents in the Pathhead and Rural East Midlothian area living in fuel poverty is 31.66%.

**Table 10.11: Average probability of fuel poverty in Pathhead and Rural East Midlothian area**

<b>Data zone</b>	<b>Average probability of fuel poverty (fuel bill &gt;10% of income)</b>
Pathhead and Rural East Midlothian - 01	26.06%
Pathhead and Rural East Midlothian - 02	33.83%
Pathhead and Rural East Midlothian - 03	17.99%
Pathhead and Rural East Midlothian - 04	33.93%
Pathhead and Rural East Midlothian - 05	42.42%
Pathhead and Rural East Midlothian - 06	27.91%
Pathhead and Rural East Midlothian - 07	39.51%

Penicuik

Table 10.12 below shows that on average, the probability of residents in the Penicuik area living in fuel poverty is 31.05%.

**Table 10.12: Average probability of fuel poverty in Penicuik area**

<b>Data zone</b>	<b>Average probability of fuel poverty (fuel bill &gt;10% of income)</b>
Penicuik East - 01	29.29%
Penicuik East - 02	27.79%
Penicuik East - 03	25.84%
Penicuik East - 04	27.81%
Penicuik North - 01	39.06%
Penicuik North - 02	25.23%
Penicuik North - 03	25.75%
Penicuik North - 04	25.40%
Penicuik North - 05	25.23%
Penicuik Southeast - 01	32.96%

Penicuik Southeast - 02	37.52%
Penicuik Southeast - 03	27.60%
Penicuik Southeast - 04	29.09%
Penicuik Southeast - 05	31.08%
Penicuik Southwest - 01	39.81%
Penicuik Southwest - 02	38.05%
Penicuik Southwest - 03	37.98%
Penicuik Southwest - 04	37.41%
Penicuik Southwest - 05	27.01%
Penicuik Southwest - 06	31.17%

#### Pentland

Table 10.13 below shows that on average, the probability of residents in the Pentland area living in fuel poverty is 36.12%.

**Table 10.13: Average probability of fuel poverty in Pentland area**

Data zone	Average probability of fuel poverty (fuel bill >10% of income)
Pentland - 01	39.15%
Pentland - 02	30.32%
Pentland - 03	38.90%

#### Roslin and Bilston

Table 10.14 below shows that on average, the probability of residents in the Roslin and Bilston area living in fuel poverty is 31.01%.

**Table 10.14: Average probability of fuel poverty in Roslin and Bilston area**

Data zone	Average probability of fuel poverty (fuel bill >10% of income)
Roslin and Bilston - 01	38.86%
Roslin and Bilston - 02	36.26%
Roslin and Bilston - 03	27.06%
Roslin and Bilston - 04	26.80%
Roslin and Bilston - 05	26.07%

#### Rural South Midlothian

Table 10.15 below shows that on average, the probability of residents in the Rural South Midlothian area living in fuel poverty is 37.76%.

**Table 10.15: Average probability of fuel poverty in Rural South Midlothian area**

Data zone	Average probability of fuel poverty (fuel bill >10% of income)
Rural South Midlothian - 01	41.44%
Rural South Midlothian - 02	43.19%
Rural South Midlothian - 03	38.97%
Rural South Midlothian - 04	27.47%



## Shawfair

Table 10.16 below shows that on average, the probability of residents in the Shawfair area living in fuel poverty is 21.08%.

**Table 10.16: Average probability of fuel poverty in Shawfair area**

<b>Data zone</b>	<b>Average probability of fuel poverty (fuel bill &gt;10% of income)</b>
Shawfair - 01	24.82%
Shawfair - 02	24.62%
Shawfair - 03	20.76%
Shawfair - 04	13.08%
Shawfair - 05	22.13%

## Straiton

Table 10.17 below shows that on average, the probability of residents in the Straiton area living in fuel poverty is 29.08%.

**Table 10.17: Average probability of fuel poverty in Straiton area**

<b>Data zone</b>	<b>Average probability of fuel poverty (fuel bill &gt;10% of income)</b>
Straiton - 01	34.72%
Straiton - 02	23.58%
Straiton - 03	26.25%
Straiton - 04	31.79%

## Thornycroft

Table 10.18 below shows that on average, the probability of residents in the Thornycroft area living in fuel poverty is 29.14%.

**Table 10.18: Average probability of fuel poverty in Thornycroft area**

<b>Data zone</b>	<b>Average probability of fuel poverty (fuel bill &gt;10% of income)</b>
Thornycroft - 01	30.43%
Thornycroft - 02	23.93%
Thornycroft - 03	30.74%
Thornycroft - 04	30.22%
Thornycroft - 05	30.35%

Table 10.19 below shows the 10 data zones with the highest average probability of fuel poverty – i.e. residents here are likely to pay more than 10% of their income on fuel bills. Analysis of the tables above reveals that areas with the highest density of new builds are less likely to have a high probability of fuel poverty.



**Table 10.19: Data zones with highest probability of fuel poverty**

<b>Data zone</b>	<b>Average probability of fuel poverty (fuel bill &gt;10% of income)</b>
Rural South Midlothian - 03	38.97%
Eskbank - 02	39.05%
Penicuik North - 01	39.06%
Pentland - 01	39.15%
Pathhead and Rural East Midlothian - 07	39.51%
Penicuik Southwest - 01	39.81%
Rural South Midlothian - 01	41.44%
Pathhead and Rural East Midlothian - 05	42.42%
Rural South Midlothian - 02	43.19%
Eskbank - 05	45.04%

## Passivhaus

Passivhaus is the leading international low energy design standard. It is a rigorous voluntary design standard for energy efficiency in buildings which reduces buildings whole life carbon footprint and therefore is in line with the Council's planning policies on carbon reduction as well as the recently adopted Climate Change Declaration. Midlothian Council is currently progressing 2 separate pilot projects adopting Passivhaus design Standards.

Passivhaus results in ultra-low energy buildings which require little energy for space heating or cooling. These requirements are achieved through the initial design which must achieve the rigorous standards set and critically the exact implementation of that approved design to top quality standards ensuring the performance in subsequent use matches that of design. This is achieved through close monitoring of construction and verification of the works by an independent Passivhaus qualified certifier. The key elements of Passivhaus are:

- High levels of insulation
- An air tight building envelope
- Thermal bridge free design and construction
- Whole house mechanical ventilation with highly efficient heat /energy recovery
- Well insulated, triple glazed, windows and door frames
- The use of independent verifier ensures that the design performance and as built are strictly correlated and quality assured.

Passivhaus therefore addresses issues of fuel poverty by reducing the level of heating required to achieve a comfortable living environment and therefore minimises household energy costs. In addition gas boilers are not required removing both the need for boiler maintenance and also substantially reducing Carbon Emissions.

Midlothian Council is currently seeking to achieve Passivhaus standard on all directly commissioned housing projects.

Current Passivhaus proposals being developed by Midlothian Council:

#### 34 -36 Buccleuch Street

The site currently comprises of 2 vacant shop units with upper floor accommodation and a central pend which provides access to a rear area including a derelict property. The properties are generally in a poor state of repair. It is proposed to develop 6 new build flats on the land to the rear of the properties fronting Buccleuch Street. These will be developed to full Passivhaus standard. The properties fronting Buccleuch street will be re-modelled and a further 4 - 6 flats developed to Enerphit Standard which is a Passivhaus standard for retrofit properties which takes into account the fact that due to inbuilt restrictions full passive house standards cannot be achieved. This standard still achieves carbon reduction and energy usage standards in excess of that achievable (i.e. better) than current building regulations.

#### Burnbrae, Hopefield

This formerly vacant site in the heart of the Hopefield housing development in Bonnyrigg has been subject to the requirement to provide a retail element facing onto Burnbrae Road. The Council acquired the site and has secured a national retailer to occupy the ground floor. Above this will be built 10 (6 x 2 bed and 4 x 1 bed) apartments. To the north of the site overlooking the open park land will be built 4 two bedroom terrace houses and 6 apartments (3 x 2bed and 3 x 3 bed houses) along with associated parking.

All the residential properties are being developed to Passivhaus standard. The retailer is being given the option to include Passivhaus and is considering this.

These two projects represent pilot projects for Midlothian and have been chosen as they offer the opportunity to develop both new build and retrofit opportunities.

#### Changeworks

Changeworks is a Scottish environmental charity which delivers solutions for low carbon living. Changeworks has been delivering fuel poverty advice services in Midlothian for over 15 years and currently delivers two affordable warmth projects:

#### Canny Tenants

The Canny Tenants Project is funded by the National Lottery and operates in partnership with Midlothian Council, Melville Housing Association and Eildon Housing Association. Canny Tenants supports tenants who have recently moved into a new property to prevent future fuel debt, reduce food & fuel costs and make household budgets more manageable.

The project objectives:

- Reduce tenants energy use and carbon emissions through improved understanding of:
  - Energy efficient behaviour e.g. how to use heating system more efficiently
  - Fuel bills
  - Switching suppliers to a more suitable provider
- Assist tenants to reduce food waste in the home through:
  - Understanding the main causes of food waste
  - Encouraging use of tools provided – e.g. shopping list, pasta measurer
- Support tenants to manage their household budget with confidence:
  - Providing a budget sheet
  - Tips on how to reduce bills

## Aim High

Aim High is funded by the NHS and is a partnership project between Changeworks, Sure Start and Midlothian CABs to improve health and wellbeing. Support is provided from the CABs Income Maximisation Officer and fuel poverty advice services from Changeworks. The service is integrated into Sure Start Midlothian and is delivered through the Sure Start centres in Midlothian. The project targets Parents-to-be, families with children under 18 and young people in transition.

## Home Energy Scotland

Home Energy Scotland helps people in Scotland create warmer homes, reduce their energy bills, and lower their carbon footprint. They work with people and organisations to help tackle fuel poverty and the climate emergency through a network of regional advice centres which offer local knowledge and expert advice on:

- saving energy and keeping warm at home
- funding options including Scottish Government grants and interest free loans
- installing renewable energy at home
- greener travel including electric vehicles and ebikes
- cutting water waste.

Home Energy Scotland is funded by the Scottish Government and managed by the Energy Saving Trust.

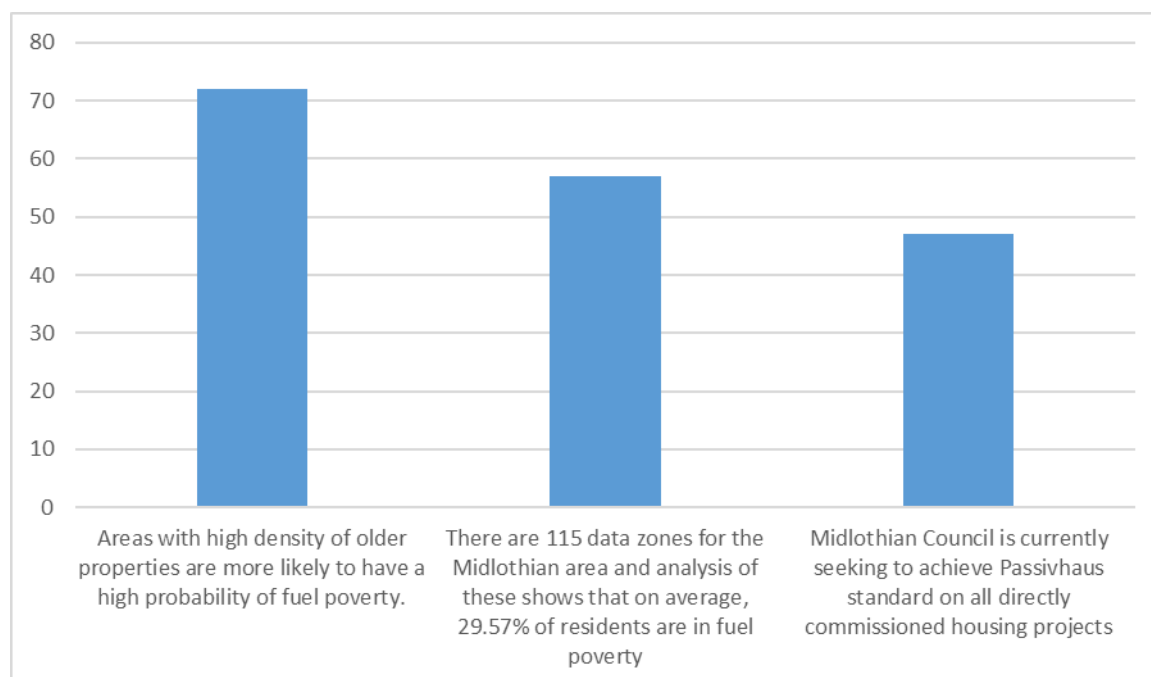
### **Key Challenges:**

- There are 115 data zones for the Midlothian area and analysis of these shows that on average, 29.57% of residents are in fuel poverty
- Areas with high density of older properties are more likely to have a high probability of fuel poverty.
- Midlothian Council is currently seeking to achieve Passivhaus standard on all directly commissioned housing projects
- Decarbonisation of energy systems. The Scottish Government's New Build Heat Standard is committed to ensuring that, from 2024, new buildings must use heating systems which produce zero direct emissions at the point of use.

### **Consultation Responses**

As part of the final consultation sessions held in Winter 2020/21, Midlothian residents and stakeholders were asked to prioritise two of the key issues above when considering the Fuel Poverty, Energy Efficiency and Climate Change Outcome: 'Housing in all tenures will be more energy efficient and fewer households will live in, or be at risk of, fuel poverty'. Chart 10.2 below highlights that the two key issues respondents chose to prioritise are 'Areas with high density of older properties are more likely to have a high probability of fuel poverty' (72%) and 'There are 115 data zones for the Midlothian area and analysis of these shows that on average, 29.57% of residents are in fuel poverty' (57%). It should be noted that the key challenge 'decarbonising energy systems' was not included in the final consultation sessions and was therefore not included in the prioritisation options. It has since been added as a key challenge following a recommendation from Changeworks.

**Chart 10.2: Fuel Poverty, Energy Efficiency and Climate Change Priorities**



Question asked	Individual response	Council response/LHS Outcome
1. How can services and your local community work together to improve fuel poverty, energy efficiency and climate change?	1. Promote active travel and vibrant green spaces which promote outdoor activities, invest in the material condition of the houses. People in Scotland spend most of their time in an indoor environment and even more now given coronavirus lockdown and the continuity of home working. Approximately £2.5 billion per annum is spent on health conditions associated with housing across the UK. We need to ensure the housing stock is in excellent material condition, dampness and condensation are linked to respiratory conditions and While it is not a cause of a single illness, fuel poverty, while not a cause of a single illness exacerbates the risk of conditions including respiratory conditions and arthritis and is linked to higher deaths in winter. Need to ensure a focus on older residents who are most at risk of fuel poverty and who spend most time at home. They are also the group despite coronavirus restrictions being lifted who in large numbers are reporting not feeling safe leaving their home. Material condition of our houses is key. Making sure people have all of the money they are entitled to in order that they feel more able to spend money on things like heating. For climate change let's make sure we keep all of our procurement as local and as environmentally friendly as possible. Can we use links built up during coronavirus through the red cross, through the resilience hubs and through the shielding lists to be proactive in our approach. People really valued the hot meal services across Midlothian, some of this was to do with	<p>Midlothian Council's Active Travel Policy can be found here: <a href="#">Active Travel Strategy   Midlothian Active Travel Strategy</a></p> <p>Noted.</p> <p>Noted</p> <p>Noted</p>

	human touch 'kindness on a plate' can we take that approach to other things and use the 'army' of volunteers at our disposal to support people over winter with things like fuel poverty. Joint working - joining the dots is again crucial Teach people about managing money and prioritising. Most of the major banks provide sessions on money management. Collaborate with other organisations. Think outside the box	
	2. With new housing developments, ensure that it is a planning condition that houses are as carbon-neutral as possible, with efficient, low-cost, renewable energy systems.	Noted – Midlothian Council is currently seeking to achieve Passivehaus standard on all directly commissioned projects.
	3. Establishing more public car electric charging points	Details of current charging points can be found here: <a href="#">Chargers hosted by Midlothian Council   Electric vehicle (EV) charging   Midlothian Council</a>
	4. Outdated utility services need updated. Council should actively pressure open reach to start full fibre roll out in the area which is greatly insufficient for the numbers of people working from home	Noted
	5. Build and renovate council stock to high level of energy efficiency. Provide grants and incentives for private households.	Noted – Midlothian Council is currently seeking to achieve Passivehaus standard on all directly commissioned projects. Changeworks and Home Energy Scotland can provide information on grants and incentives for private households.
	6. Local groups, perhaps set up with guidance from specialists but run by the local community	The Communities Team can provide help and guidance on this: <a href="#">Contact Communities and Lifelong Learning   Communities Team   Midlothian Council</a>
	7. Put in more roof panels to collect sun's rays to make energy and ground heating	Noted – see response to no.2
	8. Provide more recycling bins, more boxes to recycle. Dim the lights more at night such as street lights.	Households can request extra recycling bins by completing an online form: <a href="#">Bins or recycling boxes - missing, damaged, new bin request or returning - Midlothian Council</a>
	9. Midlothian council could look at setting up a company like Bristol energy ( it is owned by Bristol council )	Noted.
	10. Encourage solar power harnessing; make it compulsory to have solar panels on every new build (houses/shops/offices)	Noted
	11. There needs to be electric points put in around council house so people can move on to electric cars.	Details of current charging points can be found here: <a href="#">Chargers hosted by Midlothian Council   Electric vehicle (EV) charging   Midlothian Council</a>

	12. Ban Pre-payment meters for low income households, they place people in even more poverty, the prices are astronomical and people especially pensioners scared to put heating on	Changeworks/Home Energy Scotland can provide advice to those with storage heaters.
	13. Solar panels should be promoted, community vegetable growing patches should be everywhere. All council unkempt areas should be planted with wildflower	Noted. Your local Councillor should be able to provide details of local initiative and plans for your area.
	14. Midlothian Council was the first Local Authority to implement the 'Tenancy and Citizenship Group Award' run by support workers in the council supported accommodation units. The course consists of modules which aim to provide young people with the skills to maintain their own tenancies – does this include managing their own energy/heating?	
2. How should resources and services be directed to improve fuel poverty, energy efficiency and climate change in your local area?	15. Better and cheaper public transport	The Travel Team can be contacted to discuss future plans for public transport: <a href="mailto:travelteam@midlothian.gov.uk">travelteam@midlothian.gov.uk</a>
	16. Establishing more public car electric charging	Noted – see response no.11
	17. Focus on the most deprived areas first before updating services for the most recently built properties	Noted
	18. Offer loans to residents to put in better insulation, double glazing and solar panels	Changeworks and Home Energy Scotland can provide information on grants and incentives for private households.
	19. More car sharing schemes and park and rides. Help with getting better energy deals for those in difficulty.	Changeworks and Home Energy Scotland can provide details of energy efficient travel schemes.
	20. Cycling paths and secure bike lock up option facilities at train stations.	Noted.
	21. Workshops, tools and resources	Noted
	22. Encourage residents to take care of local landscape, maybe offer incentives that boosts the community?	Noted – see response no.6
	23. More community based services to encourage education and accountability. Less dependence on the council as a whole	Noted – see response no.6
	24. Access to bikes	Noted – see response to no.18.

### **Key Actions**

- 1. Target energy efficiency advice at households most at risk of fuel poverty**
- 2. Midlothian Council to achieve Passivhaus standard on all directly commissioned housing in order to meet the Scottish Government's New Build Heat Standard**
- 3. Improve knowledge of the levels, extent and nature of fuel poverty and energy efficiency of housing, with a focus on older properties**
- 4. Promote the support available from the Scottish Government to help owners transform their properties and meet the minimum energy efficiency standards for the private and social rented sectors by 2030.**
- 5. Continue to provide / facilitate services to maximise household income and reduce fuel poverty**
- 6. Promote the Midlothian Climate Change Citizens' Assembly amongst MC tenants**

**Outcome: Housing in all tenures will be more energy efficient and fewer households will live in, or be at risk of, fuel poverty.**



## 11 House Condition

### **Outcome - The condition of housing across all tenures is improved.**

This section will look at the current quality of housing in Midlothian – the quality of private rented housing, social housing and owner occupied housing. The Scottish Housing Quality Standard (SHQS) is the Scottish Government's principal measure of housing quality in Scotland and has been used in this chapter to assess the present situation in Midlothian.

The SHQS is a set of five housing criteria which must all be met if a property is to pass the required standard. It means social landlords must make sure their tenants' homes<sup>38</sup>:

- are energy efficient, safe and secure
- are not seriously damaged
- have kitchens and bathrooms that are in good condition

Midlothian Council's aim is to ensure that the housing quality in Midlothian is improved for social and private housing tenants and that Midlothian residents are able to live in warm, energy efficient and low carbon homes which they can afford to heat. It is important to note that the energy efficiency elements of the SHQS have been replaced by the Energy Efficiency Standard for Social Housing (ESSH) which landlords need to meet by 2020.

In Midlothian, the standard of housing quality is affected by a number of factors including the age of the property, tenure and the household type. According to the Scottish House Condition Survey 2015-2017<sup>39</sup>, 43% of the properties in Midlothian failed the SHQS. The highest failure rate was with respect to the Energy Efficient criterion (34%), followed by Healthy, Safe Secure (9%) and Lacking Modern Facilities (7%).

Of the dwellings that failed the SHQS:

- 52% were built pre-1945 compared to 40% which were built post 1945
- 45% were houses compared to 38% which were flats
- 52% were older person's households compared to 'other' households with 43% and families (36%)
- There were no properties which were 'Below Tolerable Standard'
- 75% of Midlothian dwellings are in some form of disrepair.

<sup>38</sup> <https://beta.gov.scot/policies/social-housing/improving-standards/>

<sup>39</sup> <https://www2.gov.scot/Topics/Statistics/SHCS>

- Around 3% of all dwellings in Midlothian have an Energy Efficiency Rating of F or G (i.e. the lowest 2 grades of energy efficiency).

## Social Housing Quality

As shown in table 11.1 below, the standard of social housing in Midlothian and Scotland is very similar:

- 43% of properties in Midlothian and Scotland failed the Scottish Housing Quality Standard. In Midlothian 37% were in social housing and in Scotland this rose slightly to 38%.
- The highest failure rate in social housing in Midlothian was with respect to Energy Efficiency (30%), followed by Health, Safe Secure (7%) and Modern Facilities (5%). This distribution is similar to the failure rate across Scotland.

**Table 11.1 : Social Housing Condition – Midlothian and Scotland**

	Midlothian		Scotland	
	Total %	Social Housing	Total %	Social Housing
Percentage total dwellings that fail SHQS	43%	37%	43%	38%
Below Tolerable Standard	*	-	1%	1%
In Extensive Disrepair	2%	-	6%	8%
Fail Energy Efficient criterion	34%	30%	32%	26%
Lacking Modern Facilities/Services	7%	5%	8%	8%
Not Healthy, Safe and Secure	9%	7%	12%	9%

(\*) indicates base sample too small to report      (-) indicates no SAMPLE cases in this category

Table 11.2 below shows the number of Registered Social Landlord (RSLs) properties which met the SHQS at the end of 2018/19<sup>40</sup>. Of the nine RSLs with properties in

<sup>40</sup> The [Scottish Social Housing Charter](#) is published annually by the Scottish Housing Regulator, an independent regulator of RSLs and local authority housing services in Scotland.

Midlothian, five of those reported 100% of their stock met the Scottish Housing Quality Standard whilst the remaining four reported 95%, 94%, 86% and 33% each.

**Table 11.2 : RSL SHQS Analysis**

<b>Registered Social Landlord</b>	<b>Total units</b>	<b>No. meeting SHQS 2018/19</b>	<b>% meeting SHQS 2018/19</b>
Melville Housing Association	2,022	<b>1913</b>	<b>95%</b>
Castle Rock Edinvar Housing Association	984	<b>843</b>	<b>86%</b>
Bield Housing Association	116	<b>116</b>	<b>100%</b>
Dunedin Canmore Housing Association	98	<b>98</b>	<b>100%</b>
Trust Housing Association	35	<b>35</b>	<b>100%</b>
Viewpoint Housing Association	34	<b>32</b>	<b>94%</b>
Blackwood Housing Association	23	<b>23</b>	<b>100%</b>
Link Housing Association	20	<b>20</b>	<b>100%</b>
Ark Housing Association	6	<b>2</b>	<b>33%</b>

Midlothian Council Stock Condition Survey 2019

In March 2019 Midlothian Council undertook a 100% Stock Condition Survey in order to assess the condition of all council properties. The results of this survey allowed the council to assess its progress towards achieving both the EESSH and SHQS and to plan future work and budget allowances.

Table 11.3 below shows both the results of the survey and the projected results for October 2019 and it highlights:

- 198 properties were exempt and 70 properties were temporarily exempt from the SHQS (4%)
- 6651 properties were viable and met the SHQS in March 2019 (100%)
- 789 properties were predicted to fail the SHQS by October 2019 (11%). This projected figure was created by an internal database which forecasts the properties coming to their notional lifecycle; the October 2019 stock survey results were likely to be lower.

**Table 11.3 : Results of Midlothian Council Stock Condition Survey 2019<sup>41</sup>**

	<b>March 2019</b>	<b>October 2019</b>
Total self-contained stock at the end of the reporting year	6919	6980

<sup>41</sup> <https://directory.scottishhousingregulator.gov.uk/pages/landlord.aspx?LAtozNameQS=FF6BA67C-CFA9-E311-93F1-005056B555E6>

Self-contained stock exempt from SHQS	198	198
Self-contained stock in abeyance from SHQS	70	70
Self-contained stock failing SHQS for one criterion	0	709
Self-contained stock failing SHQS for two or more criteria	0	80
Total self-contained stock failing SHQS	0	789
Stock meeting the SHQS	6651	5923

### **SHQS – bringing non-exempt stock to standard and tackling exempt stock**

In March 2019, 268 Midlothian Council properties were either exempt or in abeyance from meeting the Scottish Housing Quality Standard. These exemptions were due to council tenant upgrade refusals and owner occupier common stair repair objections.

In both cases the Council will continue to engage with the tenants and owner occupiers in the anticipation that the properties can be repaired to SHQS standard. Midlothian Council have also brought in a 3 year payment scheme for owners to help them to improve their properties.

### Energy Efficiency Standard for Social Housing (EESH)

The EESH sets out the minimum energy efficiency ratings that landlords are expected to meet across their housing stock. Midlothian Council's Annual Return on the Charter (ARC) for 2019/20 highlights 85.5% of the council's housing stock (5926 properties) meets the standard. 567 properties (8.2% of the housing stock) do not meet the standard with 434 properties (6.3% of the housing stock) either exempt or unknown.

### Private Sector Housing Quality in Midlothian

Private sector housing is classified into owner-occupied and Private Rented Sector (PRS) housing. The majority of dwellings in Midlothian (25,000) are owner-occupied while the PRS represents a very small proportion of housing tenure (3,000)<sup>42</sup>. Although data on PRS house condition in Midlothian is not available thereby making house condition analysis difficult, according to the Scottish Government the performance of the private rented sector in Scotland as a whole is relatively worse

<sup>42</sup> <https://www2.gov.scot/Topics/Statistics/SHCS/keyanalyses/LATables1517>

than the owner-occupied sector<sup>43</sup>. Notably, the Scottish House Condition Survey 2015-2017<sup>44</sup> shows that of the 43% properties which failed the SHQS in Midlothian:

- 43% were owner-occupied dwellings and whilst the failure rate for PRS in Midlothian was not readily available, 52% of PRS dwellings in Scotland failed to meet the standard.
- The highest failure rate in PRS housing in Scotland was with respect to the Energy Efficient criterion (36%), followed by Healthy, Safe Secure (19%) and Modern Facilities (13%).

Table 11.4 below highlights the lack of information which is available about the Private Rented Sector in Midlothian and illustrates the housing condition in the Private Sector Housing in both Midlothian and Scotland.

**Table 11.4 : Private Sector Housing Condition Analysis**

	Midlothian			Scotland		
	Total %	Owner-occupied	Private Rented	Total %	Owner-occupied	Private Rented
Percentage total dwellings that fail SHQS	43%	43%	*	43%	44%	52%
Below Tolerable Standard	*	*	-	1%	1%	3%
Urgent Disrepair	30%	23%	*	30%	27%	37%
Fail Energy Efficient Criterion	34%	33%	*	32%	34%	36%
Lacking Modern Facilities/Services	7%	5%	*	8%	7%	13%
Not Healthy, Safe and Secure	9%	10%	*	12%	12%	19%

(\*) indicates base sample too small to report

(-) indicates no SAMPLE cases in this category

**The Private Housing (Tenancies) (Scotland) Act 2016- The Act:**

- Overhauled existing tenancy law, by replacing the Short Assured Tenancies with the Private Residential Tenancy (PRT).
- Came into effect on 1 December 2017
- Gives security of tenure to the tenants through the abolition of the so-called “no-fault” ground for the termination of a tenancy – i.e. landlords are no longer able to recover possession of their properties just because the agreed lease term has come to an end

<sup>43</sup> <http://www.gov.scot/Resource/0051/00516474.pdf>

<sup>44</sup> <http://www.gov.scot/Topics/Statistics/SHCS/keyanalyses/LAtables2015>

- PRTs no longer have a specified duration and will continue until the tenant chooses to leave, which he or she can do by giving 28 days' notice.
- Landlords are only able to end tenancies on specific grounds, including:
  - the landlord intends to sell the property;
  - the landlord intends to use the property as a residence for self or family
  - the tenant breaching the conditions of the lease; and
  - rent being in arrears for three consecutive months.
- Imposes restrictions on rent increases and, in certain situation, permits transfer of tenancy to partners and other family members on the death of the tenant.

#### Addressing PRS Supply and Quality in Midlothian

The Private Rented Sector has an important role to play in providing housing for local people in Midlothian. The Council is keen to support the growth of the sector as a possible housing option for Midlothian residents who are able to afford it.

It is important to note the proximity of the City of Edinburgh to Midlothian and the effect on the affordability of the Private Rented Sector. Midlothian, East Lothian and West Lothian are in the same Broad Rental Market Area as Edinburgh and as such have the same Local Housing Allowance rates – this results in high rent levels for Midlothian Private Rented Sector tenancies.

#### **Broad Rental Market Areas (BRMA) and Local Housing Allowances (LHA)**

Broad Rental Market Area (or BRMA) boundaries are used to determine Local Housing Allowance (LHA) rates. A BRMA is legally defined as 'an area comprising two or more distinct areas of residential accommodation, each distinct area of residential accommodation adjoining at least one other in the area; within which a person could reasonably be expected to live having regard to facilities and services' – Scottish Government

Access to the PRS has also become more restricted to single person households under 35 years old as a result of Welfare Reform. Under the Welfare Reform Act 2012, a single person, under 35 years old, with no dependents, who is renting from a private landlord and is claiming housing benefit, will receive housing benefit at the same rate as for a single room in a shared house. This is also called the shared accommodation rate (SAR).

For the duration of the Local Housing Strategy the Council will continue to ensure:

- Improvement in the quality, condition and service in PRS housing through monitoring and the use of legislative powers
- Tenants in PRS and landlords have the best outcomes e.g. good quality housing for tenants and ongoing support for landlords to enable them commit to continuous improvements
- The growth of the PRS as a possible housing option by supporting developments that increase PRS supply e.g. Mid Market Rents (MMR) and encouraging more landlords into PRS

### **Help to Buy Schemes**

The Scottish Government has several schemes to enable people to buy their own homes and boost the growth of the Private Sector. These schemes are promoted by Midlothian Council as an alternative to Social Housing:

- Help to Buy (Scotland) Affordable New Build Scheme
- New Supply Shared Equity Scheme
- Open Market Shared Equity Scheme
- Shared Ownership Scheme

Information on these schemes, including eligibility, can be found on Midlothian Council's website.

### **Below Tolerable Standard Policy**

In Scotland, local authorities have a duty to make sure that all houses in their area that do not meet the Tolerable Standard are closed, demolished or brought up to an acceptable standard. The Tolerable Standard is the minimum level of repair that a house must meet to be acceptable as living accommodation. It focuses on the condition of the building itself, and does not include decoration or appliances.

### **Housing Renewal Areas**

A Housing Renewal Area (HRA) is an area of the Local Authority that has been identified as needing improvement due to the condition and quality of housing in the area. Local Authorities have the power to enforce housing standards when a significant number of houses in the locality are sub-standard or when their appearance is adversely affecting the appeal of that area. Midlothian Council has a HRA policy, which sets out how areas will be identified and what action will be considered, however this policy is out of date and will be updated as a key priority for the LHS.

### **Midlothian Scheme of Assistance**

Midlothian Council's Scheme of Assistance for private households sets out:

- the circumstances in which the Council will provide assistance to address problems in the private sector
- the assistance it will provide to disabled people to enable them to live independently in their own homes.

Midlothian's Scheme of Assistance Strategy is currently being updated. The updated strategy will be available from Midlothian Council's Environmental Health Department.



## Private Sector Adaptations and Funding

Table 11.5 below shows the reduction in the level of investment made in Midlothian to help people maintain their private properties. Between 2017/18 and 2019/20, overall grant funding reduced by 28% and the number of adaptations carried out reduced by 23%. In 2019/20, 'Level access shower' adaptations required 56% of the grant funding, 'other' adaptations (which include sanitary and hoist installations) accounted for 14%, 'stairlift' installations 13%, with 'access ramps' and 'bathroom installations' requiring 12% and 5% of the funding respectively. It is interesting to note that between 2017/18 and 2019/20 the financial aid granted to install stairlifts has reduced by 57% whilst the financial aid approved to install access ramps has increased by 26% during the same period.

It should be noted that in 2019/20 an additional £46,192.19 was given grant approval but due to Covid 19 restrictions, these adaptations were not been completed within the financial year and therefore not included in the total spend for that period.

**Table 11.5: Private Sector Adaptation and Funding in Midlothian- 2017/18- 2019/20<sup>45</sup>**

Private Works Type	Total - 2017/18			Total - 2018/19			Total - 2019/20		
	Spend	No	%	Spend	No	%	Spend	No	%
Level access shower	£149,046.08	23	50%	£144,782.78	25	65%	£117,891.70	18	56%
Bathroom adaptation	£8,046.30	1	3%	£0	0	0%	£11,102.95	2	5%
Access ramp	£20,632.96	3	7%	£17,888.87	5	8%	£26,000.50	8	12%
Stairlift	£62,521.08	22	21%	£29,902.32	15	13%	£26,978.95	9	13%
Other	£54,478.58	8	18%	£31,393.88	8	14%	£30,178.19	7	14%
<b>Total</b>	<b>£294,725</b>	<b>57</b>	<b>100%</b>	<b>£223,967.85</b>	<b>53</b>	<b>100%</b>	<b>£212,152.29</b>	<b>44</b>	<b>100%</b>
	<b>Total Spend £730,845.14</b>					<b>Total Adaptations 154</b>			

Table 11.6 shows the same information, albeit for Midlothian Council properties during the same time frame. Of the 202 adaptations that were completed during this period, the majority were 'wet floor shower' installations (81%), followed by 'access ramp' installations (15%) and 'other' (4%). The level of financial investment decreased by 21% and the total number of adaptations reduced by 32%. It is interesting to note that whilst the total spend to adapt Midlothian Council properties is 19% lower than that granted to privately owned properties, the total number of adaptations carried out was 31% higher.

<sup>45</sup> Spend indicates the grant provided by Midlothian Council, not the full cost of the adaptation



**Table 11.6: Council Adaptation and Funding in Midlothian- 2017/18-2019/20**

	2017/18		2018/19		2019/20		Total
	Spend	No	Spend	No	Spend	No	
Wet floor shower	£181,270.85	29	£192,494.80	28	£175,587.82	25	82
Level access shower	0	0	0	0	0	0	0
Access ramp	£20,313.00	5	£18,282.12	7	£4,286.00	3	15
Bathroom adaptation	0	0	0	0	0	0	0
Other	£15,471.70	3	£5,410.00	1	0	0	4
<b>Total</b>	<b>£217,055.55</b>	<b>37</b>	<b>£216,186.92</b>	<b>36</b>	<b>£179,873.82</b>	<b>28</b>	<b>101</b>
	<b>Total Spend £613,116.29</b>				<b>Total Adaptations 202</b>		

The Council is committed to investing in specialists housing provisions and future investments in this housing type will be influenced by a number of factors including:

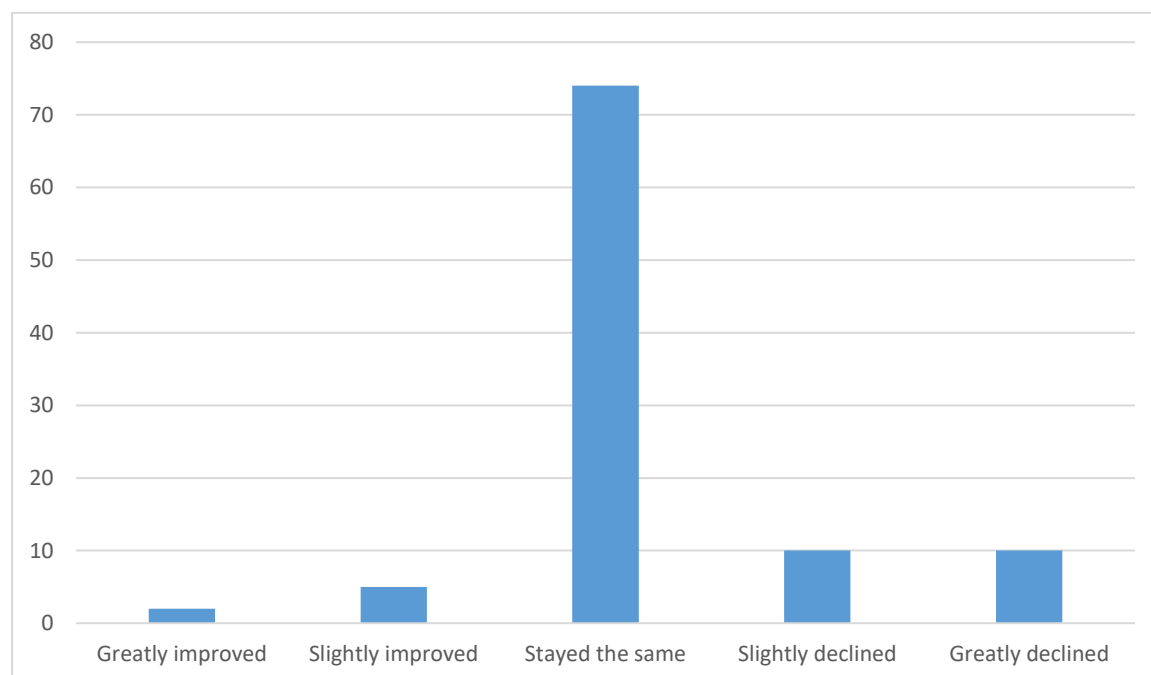
- The level of demand for specialist accommodation
- Availability of grant funding and Council's own investment funding.
- The implementation of the Health and Social Care Integration Scheme to allow people to live at home for as long as practicable.

#### Neighbourhood satisfaction

Aside from the quality of housing itself, the quality of neighbourhoods can have a large impact on the quality of life for communities. Chart 11.1 shows findings from Midlothian Council's Tenant Satisfaction Survey 2019. Tenants were asked if they felt their neighbourhood had improved, stayed the same or declined in the past three years. A total of 20% of respondents felt it had slightly declined or greatly declined. When asked what the contributing factors were for neighbourhood decline, the following issues were most commonly reported:

- Dog Fouling (21%)
- Other (18%) – tenants gave examples and the issues varied greatly
- Youth disorder (14%)
- Litter (9%)
- Drug dealing (9%)

**Chart 11.1: Has the neighbourhood improved, stayed the same or declined in the last three years?**



Dog fouling and youth disorder were two commonly reported problems. Findings from the 2018 Scottish Household Survey for Midlothian<sup>46</sup> (see table 11.7 below) suggest a very similar range of problems are also a concern for those living in other tenures. This implies quite strongly that dog fouling, youth disorder, littering and drug misuse affect the quality of neighbourhoods in Midlothian, regardless of tenure.

**Table 11.7: Percentage of people saying a problem is very/fairly common in their neighbourhood**

Type of antisocial behaviour	% of Midlothian people reporting activity as very/fairly common
Animal nuisance e.g. dog fouling	35%
Rubbish/litter	32%
Drug misuse/dealing	14%
Vandalism/graffiti	13%
Rowdy behaviour	12%
Harassment	6%
Noisy neighbours	6%
Neighbour disputes	4%
Abandoned vehicles	3%

<sup>46</sup> <https://www2.gov.scot/Resource/0054/00548552.pdf>

## Empty Homes

According to Scottish Government data there are 40,963 long term empty properties in Scotland of which, 306<sup>47</sup> are in Midlothian. 'Long term empty properties' are properties which have been empty for more than six months and are liable for council tax. Under the Local Government Finance (Unoccupied Properties etc.) (Scotland) Act 2012, Midlothian Council reduced the amount of discount for long term empty dwellings and second homes from 50% to 10%, with the extra revenue used to support affordable housing. A total of £165,000 was raised between 2016/17 and 2018/19 which is being used to support Midlothian's New Build Council Housing Programme. Properties which have been unoccupied for a continuous period of more than twelve months are liable for a 100% council tax levy.

Furthermore, to ensure that vacant and long term empty properties are brought back into use, the Council will continue to provide opportunities to home owners by providing a number of intervening actions including:

1. Support and advice including access to Shelter's Scottish Empty Partnership to access VAT reductions on long term empty properties,
2. Council Tax normalisation: once landlords are able to bring back their properties into use, they will no longer be liable for the 100% council tax increase thereby bringing down their council tax.

## Benefits of Bringing Empty Properties Back into Use

Once brought back into use, empty properties can achieve positive outcomes in the area and surrounding communities including:

- Providing additional housing for those in housing need
- Helping to regenerate the community or the town centre
- Discouraging anti-social behaviour as empty properties can attract fire/vandalism/fly tipping
- Restoring confidence in local community and the property market – buyers can be discouraged by empty properties

### **Key Issues in relation to Improving Housing Quality**

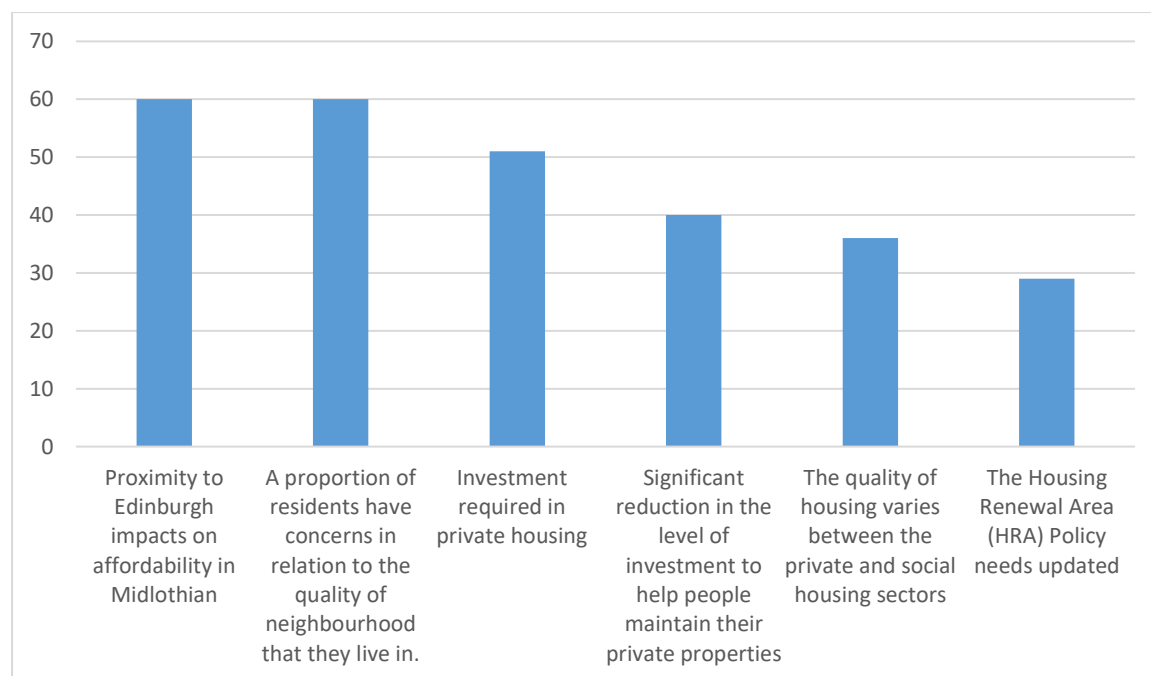
- The proximity to Edinburgh impacts on affordability in Midlothian and has made the private rented sector a less affordable option for many renters in Midlothian
- The quality of housing varies between the private and social housing sectors in Midlothian, with a higher proportion of private housing requiring upgrade works
- Investment is required in housing in order that private housing is maintained to adequate standards or adapted to meet particular household requirements.
- A proportion of residents have concerns in relation to the quality of neighbourhood that they live in.
- There has been a significant reduction in the level of investment made in Midlothian to help people maintain their private properties
- The Housing Renewal Area (HRA) Policy to be updated

<sup>47</sup> <https://www2.gov.scot/Topics/Statistics/Browse/Housing-Regeneration/HSfS/LTEmpysecondhomes/EmptySecondhometables>

## Consultation Responses

As part of the final consultation sessions held in Winter 2020/21, Midlothian residents and stakeholders were asked to prioritise three of the key issues above when considering the House Condition Outcome: 'The condition of housing across all tenures is improved'. Chart 11.2 illustrates that 60% of respondents chose to prioritise both 'the proximity to Edinburgh impacts on affordability in Midlothian and has made the private rented sector a less affordable option for many renters in Midlothian' and 'a proportion of residents have concerns in relation to the quality of neighbourhood that they live in' and 51% wish to prioritise that 'investment is required in housing in order that private housing is maintained to adequate standards or adapted to meet particular household requirements'.

**Chart 11.2: House Condition Priorities**



Question asked	Individual response	Council response/LHS Outcome
25. How can services and your local community work together to improve the condition of housing?	1. Is there more that can be done locally to better regulate private landlords on material condition standards and better inform/empower residents to know about them, hold their landlords to account?	Private landlords in Scotland must register with their Council to ensure that they are a "fit and proper person" to let property. Further information on the Private Landlord Registration Scheme in Midlothian can be found here: <a href="#">Landlord registration   Midlothian Council</a>
	2. Initiatives for elderly residents to have support and incentives for people to look after their rented properties.	Noted – information on housing support for older people can be found here: <a href="#">Housing options for older people   Midlothian Council</a>
	3. Builders having to pay the cost of more resources instead of building, making plenty of money then leaving a bigger problem of demand on already over stretched resources.	Planning guidance, including information on private developer contributions can be found here: <a href="#">Approved Supplementary Guidance   Development plans and policies   Midlothian Council</a>
	4. Empty properties should be taken by the council who will use them to help people	Noted. Midlothian Council advises home owners with empty homes to seek guidance from the Scottish Empty Homes Partnership.
	5. Offer incentives for renovations (external and internal) to encourage a sense of civic pride	Home owners can find out more about Midlothian Council's Scheme of Assistance by emailing <a href="mailto:environmentalhealth@midlothian.gov.uk">environmentalhealth@midlothian.gov.uk</a>
	6. People don't work for free - so work would either need to be carried out through the goodness of their heart or community/council could pay for supplies and labour would be done for free	Noted
	7. Having lived in a flat before our new home we struggled to get things done because some of the homes were privately owned which wasn't at all helpful.	Noted
	8. Encourage/ incentives to improve. A task force to apply to for help	Noted – see response to no.5
	9. Organise awareness/training groups for the benefits of improvements.	Noted – see response to no.5
	10. Buy back more council houses	Midlothian Council has an Open Market Purchase Scheme.
	11. Offer home checks and run campaigns about improving house state, garden competition, DIY courses	Noted. Midlothian Council tenants can enter the annual garden competition.
	12. Create local resident groups, for example when using community gardens. Local charities and community services are often happy to offer help as way of educating individuals whilst they receive peer support and a sense of wellbeing.	Midlothian Council's Tenant Participation Officer can help assist tenants to set up tenant/resident groups.
	13. The council should be able to do more when properties are empty and derelict or in private lets / owner occupied properties. In my street we have a few houses who have gardens in a	Noted – see response to no.4

	terrible state and they are just left like that. It then breeds as other think it is an acceptable way to live so more end up in a mess.	
26. How should resources and services be directed to improve the condition of housing in your local area?	14. Collaborate with different council departments , work with private landlords, engage with community groups and encourage volunteering to give a sense of purpose	Noted
	15. Deprived areas must be a priority	Noted
	16. Tenants made to keep their houses/gardens in a reasonable order	Noted – Housing Officers should be made aware of houses/gardens in disrepair. Email: <a href="mailto:housing.enquiries@midlothian.gov.uk">housing.enquiries@midlothian.gov.uk</a>
	17. Roof space and cavity wall insulation should be installed on all properties which will reduce heating demand on the system in summer and make heating homes in winter cheaper	Tenants and home owners can seek advice from Home Energy Scotland and Changeworks.
	18. Place much more stringent requirements on new build developers to build better quality housing and contribute to the local area	Noted – see response to no.3
	19. Organise awareness/training groups for the benefits of improvement	Noted – Home Energy Scotland hold frequent free awareness/training sessions. Further information can be found here: <a href="#">Events and webinars - Home Energy Scotland</a>
	20. Set up housing improvements scheme where people donate old/not required improvement equipment to stobhill or the like and distribute amounts. Communities to encourage improvements	Noted
	21. community focused support - e.g. local groups helping with painting and gardening etc.	Midlothian Council's Communities Team can help to set up local community groups: <a href="#">Contact Communities and Lifelong Learning   Communities Team   Midlothian Council</a>

### Key Actions:

1. Update Housing Renewal Area Policy
2. Apply to Scottish Ministers to have Midlothian designated a Rent Pressure Zone
3. Midlothian Council should continue to formally invite community groups to prepare Local Place Plans focused on improving their local areas
4. Carry out Midlothian Council Neighbourhood Satisfaction Survey in 2022
5. Promote Midlothian Council's Scheme of Assistance so private households are aware of the circumstances in which the Council will provide assistance.
6. Promote Shelter's Empty Homes Partnership to encourage empty home owners to seek assistance

**Outcome: The condition of housing across all tenures is improved**

## 12 Housing, Health and Social Care Integration

**Outcome: Integration of Housing, Health and Social Care in Midlothian is improved**

### National Context

Housing has an important influence on health inequalities in Scotland and can contribute to the achievement of many of the National Health and Wellbeing Outcomes. Health and social care integration, community planning, and community empowerment provide an opportunity for stronger connection between public health and housing. The homes people live in are an important aspect of how they experience place and community, and everyone should have access to an affordable, safe and warm home. In this LHS, Midlothian Council recognises the contribution that good quality housing, place-making and effective housing related services has on health improvement, wellbeing and the reduction of health inequalities.

The Scottish Government has worked with partners to agree a set of jointly agreed and owned Public Health Priorities for Scotland to focus the whole system on the things which will have the greatest potential to improve healthy life expectancy, reduce inequalities and support sustainable economic growth over the next 10 years. Priority 1 is a Scotland where we live in vibrant, healthy and safe places and communities. This Priority recognises that the places we live, work and play, the connections we have with others and the extent to which we feel able to influence the decisions that affect us – all have a significant impact on our health and wellbeing. The immediate physical environment, the social networks we belong to, the local economy, our workplace and the accessibility of services are all important, Midlothian Council has considered the Public Health Priorities in the development of this LHS; housing colleagues engage with the Integration Authorities and will continue to work to strengthen contact with the local Public Health Teams.

### Midlothian Context

Housing is a central determinant of health. Having affordable and suitable housing which is in good material condition and in safe and connected neighbourhoods is cornerstone to creating opportunities for good health and wellbeing. There is a commitment between the Integration Joint Board and Housing to strengthen collaborative working to achieve this.

### Midlothian Health and Social Care Partnership

The Midlothian Health and Social Care Partnership is responsible for services that help Midlothian residents live well and get support when needed. This includes all community health and social care services for adults in Midlothian and some acute hospital based services.

While Housing and Homelessness is not a delegated function to the Integration Joint Board many people experiencing homelessness may also experience health and wellbeing challenges such as mental health, substance misuse or involvement in

offending. Closer collaboration between Housing and Health and Care Services will enable a stronger approach to addressing homelessness and the health inequalities which arise.

The Health and Social Care Strategic Plan 2019-2022<sup>48</sup> has a section specifically on housing and property and contains a Housing Contribution Statement which highlights a number of key challenges with the Health and Social Care Partnership. These are:

- More people who are frail or have dementia are living for longer at home
- People are living longer with multiple long-term conditions
- There has been little progress in reducing health inequalities
- Our services are under pressure

The Housing related actions which contribute to Health and Social Care Outcomes in Midlothian include:

#### New Housing Development

Midlothian's Local Plan provides a sufficient land supply to meet local needs, and all new housing being developed will meet modern building regulations which are designed to better meet particular needs. For example new build housing will have level access to ground floor accommodation and improved circulation spaces within homes. Midlothian's Strategic Housing Investment Plan 2019/20 – 2023/24 has identified sites for the development of up to 2,202 new affordable homes during this period. These are being developed by the Council and other local Registered Social Landlords. A total of 239 specialist provision homes have been identified which is 11% of the total. However, a much higher number of homes than this is likely to be suitable for those with impaired mobility but not requiring specific adaptations.

- 81 homes are being planned as extra care housing
- 104 homes are being planned as amenity housing
- 12 homes are being planned for complex care needs
- 5 wheelchair houses are being planned
- 4 homes are being planned for bariatric accommodation
- 34 homes with level access shower rooms are being planned

#### Current Extra Care Housing Projects in Midlothian

##### Gore Avenue, Gorebridge (Midlothian Council)

- 12 fully wheelchair accessible bungalow units (10 x 1 bed and 2 x 2 bed) to be built.
- 2 x 2 bed units will be suitable for individuals with bariatric needs (weighing more than 25 stone).
- Care provision and housing support will be provided by a dedicated on site team of staff.
- Estimated completion summer 2021.

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<sup>48</sup> [https://www.midlothian.gov.uk/info/1347/health\\_and\\_social\\_care/200/health\\_and\\_social\\_care\\_integration](https://www.midlothian.gov.uk/info/1347/health_and_social_care/200/health_and_social_care_integration)



#### Newmills Road, Dalkeith (Midlothian Council)

- 40 flats and 8 bungalows to be built.
- Will include 2 bariatric bungalows.
- All care and housing support will be provided by a dedicated on site team of staff.
- Estimated completion 2021.

#### Glenesk House, Eskbank (Viewpoint Housing Association)

- 30 extra care flats are proposed for development within the grounds of Glenesk House, Eskbank.
- Estimated completion autumn 2020.

#### Existing Midlothian Council Housing Stock

- Housing are currently working in partnership with Health & Social Care to identify properties potentially suitable for remodelling to core and cluster extra care housing.

#### Other Sites

- Health & Social Care are working with Housing to identify further areas for developing extra care housing.

#### Homelessness and Rapid Rehousing Transition Plan

Midlothian Council's 5 year Rapid Rehousing Transition Plan (RRTP) details the authority's plans to provide short and long term solutions to end homelessness and rough sleeping. It notes that there are over 1,000 homeless households in Midlothian and it can take many years for these households to access permanent housing. The Plan was renewed in 2020 and takes a housing led approach towards rehousing people who have experienced homelessness; making sure they reach a settled housing option as quickly as possible. The Plan will details the approach intended to rapidly rehouse those with multiple and complex needs. Housing first is one model which will provide intensive support to individuals with the most complex needs by providing the individual with a tenancy and intensive support at the outset of their homeless application.

It is likely that existing strategic planning groups and structures will develop and review the Rapid Rehousing Transition Plan to ensure the correct resources collaborate towards early intervention and preventing negative outcomes and the demand for costly crisis services. In particular, housing staff will work in partnership with health and social care teams to implement the Health and Homelessness Action plan which is focused on ensuring that the health and wellbeing needs of this vulnerable group are being addressed. It will also support ways of working which can help prevent homelessness and ensure those with the most complex needs are able to access appropriate support for their needs.

The Health and Homelessness Steering Group was developed in 2016. It has been responsible for:

- Undertaking a Report in which homeless clients in Midlothian have shared their experiences of homelessness and access to health services.
- Developing an action plan to improve health services to homeless people in Midlothian
- Maximising opportunities to prevent homelessness – such as developing the hospital discharge project to get hospital staff at the Infirmary to contact the housing services team to plan the departure of people from their services.
- Reviewing and improving service provision to ensure meets the needs of homeless clients – for example the CHIT nurse (Community Health Inequalities Team) visits supported temporary accommodation units to meet with clients.

#### Housing / Occupational Therapist Partnership

Health and Social Care staff meet with housing representatives on a quarterly basis to review the need for specialist provision and consider further provision where required in order to address emerging needs.

#### Current Areas of Work:

- New adaptation policy drafted by Health and social care occupational therapists in partnership with Housing Services.
- Improved partnership working and regular communication between Housing and Health & Social Care to identify suitable clients with priority for previously adapted properties.
- Regular communication between Housing and Health & Social Care to identify possible housing solutions for specific identified cases with complex needs.
- Ongoing input to the Housing New Build Plan – next phases of New Build sites will include an increased proportion of wheelchair accessible accommodation, ground floor accommodation with facilities such as level access showers, bariatric accommodation.
- Four staff from Health and Social Care and Housing are now qualified as trainers to run Housing Solutions training which is supported by iHub. The training is aimed at supporting all staff across health, housing and social care to have earlier conversations about housing and trying to prevent these discussions occurring too late.

#### Intermediate Care Housing

Housing now work with Health and Social Care to provide intermediate care/ temporary accommodation for individuals who require:

- To await permanent offer of suitable housing from Midlothian Council;
- To await completion of adaptations / repairs / provision of specialist equipment in their existing property;
- To await provision of appropriate care package / support services at home;
- To provide a period of ongoing intermediate care and rehabilitation where other intermediate care facilities are assessed as inappropriate for the needs of the individual;
- To enable a period of assessment re an individual's level of care and support needs, and suitability for Extra Care Housing or other types of accommodation.

Further intermediate care flat provision has been will be included on future extra care housing sites, however work continues between Housing and H&SC to identify other potential properties throughout Midlothian which could be used for this same purpose. The aim is to ultimately have 4-5 in the area located in Dalkeith, Bonnyrigg, Penicuik, Gorebridge and Newtongrange, however other areas will also be considered depending upon the suitability of any identified property.

#### Support To Move

- 'Support To Move – A guide for people in Midlothian' has now been published in conjunction between Health & Social Care and Housing and offers a series of hints and tips for both professionals and their clients and families at each stage of moving house, from deciding whether or not they want to move or stay, choosing the house that's right for them, right through to planning and making the move. The guide is available on the Midlothian Council website and in all Midlothian Libraries.
- Support to Move Service – initial discussion has taken place around the viability of a Support to Move Service in Midlothian. One of the biggest challenges when encouraging people to consider a move to more suitable accommodation is simply the prospect of the planning, organising and actually moving itself.
- Work ongoing to develop a separate Housing Options brochure providing details of Amenity, Retirement, Wheelchair, Sheltered, Very Sheltered and Extra Care facilities in Midlothian.

#### Care & Repair Services

The principal objective of Care & Repair services operating in Scotland is to offer independent advice and assistance on adaptations, repairs and improvements to owners and private tenants who are over the age of 60 and provide the following core services.

- Information and advice on property related issues
- Major adaptations and repairs – assistance with identifying repairs and improvements, preparing specifications, obtaining quotes, and monitoring works
- Handyperson services – assisting with straightforward small repairs
- Small repairs service – assistance with small repairs that require more specialist skills and knowledge.

Midlothian currently has no Handyman or Care & Repair service and indeed is the only Local Authority in Scotland not to have any such service.

#### Funding for fuel poverty and energy efficiency

There are various funding streams which support improved energy of housing stock, and which contribute to the reduction in fuel poverty. Whilst landlords and owners can be proactive in improving the energy efficiency of housing, the Scottish Government also funds several programmes which help improve energy efficiency or support households at risk of fuel poverty.

### Home Energy Scotland

Home Energy Scotland is funded by the Scottish Government and managed by Energy Saving Trust to provide access to a range of grants and funding schemes. Their advisors also provide energy efficiency advice, information on low-cost energy tariffs, and advice on income maximisation as well as a wide range of energy efficiency measures.

### Warmer Homes Scotland

Warmer Homes Scotland is designed to help people make their homes warmer and more comfortable by installing a range of energy saving measures. The Scottish Government provides assistance to homeowners and private sector tenants struggling to heat their home, who have lived in their property for at least twelve months, and who meet the qualifying criteria.

### Energy Efficient Scotland: Area Based Schemes

The Energy Efficient Scotland: Area Based Schemes are designed and delivered by local authorities, utilising a range of data including indices of multiple deprivation, child poverty, the Scottish House Condition Survey and heat mapping, to provide energy efficiency measures such as internal and external insulation while delivering emission savings and helping to reduce costs for households.

### Home Energy Scotland Loan

The Home Energy Scotland loan is an interest-free loan funded by the Scottish Government, intended to help make energy and money saving improvements to homes. The amount of funding a person can claim depends on what improvements (energy saving, renewables systems or secondary improvements) they want to make.

### Private Rented Sector Landlord Loan

The Private Rented Sector Landlord (PRSL) loan aims to support private landlords to improve the energy efficiency of rental properties. The loan offers funding to landlords for improvements to domestic dwellings in Scotland, which are listed on the Scottish Landlord Register and not used as a holiday or second home. Funding is available for installation of energy efficiency improvements, renewable technologies and energy storage systems.

### Canny Tenants

Midlothian residents also currently benefit from a funding grant from the Big Lottery Fund. The environmental charity Changeworks will deliver the 'Canny Tenants' project until March 2021 in Midlothian and the Scottish Borders in partnership with Eildon Housing Association, Melville Housing Association and Midlothian Council. The project aims to bring about positive change for local people in the greatest need. This includes people who are in debt as well as older people and those who have been homeless or in the care system. A wide range of support is available ranging from home visits and budget management training, to help with using heating more efficiently and advice on cutting down on food waste.

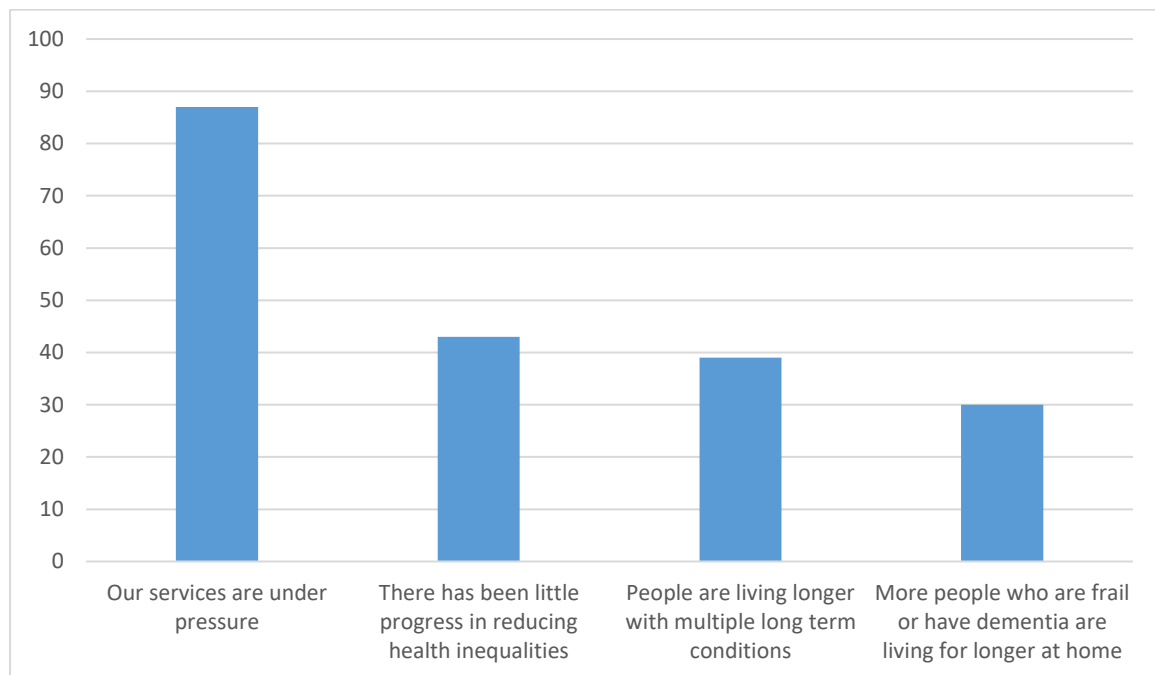
### Key Challenges:

- More people who are frail or have dementia are living for longer at home
- People are living longer with multiple long term conditions
- There has been little progress in reducing health inequalities
- Our services are under pressure

### Consultation Responses

As part of the final consultation sessions held in Winter 2020/21, Midlothian residents and stakeholders were asked to prioritise two of the key issues above when considering improving Housing, Health and Social Care Integration. Chart 12.1 below shows that 87% of respondents prioritised that services are under pressure and 43% have prioritised addressing the key challenge that there has been little progress in reducing health inequalities.

**Chart 12.1: Housing, Health and Social Care Integration Priorities**



**Key Actions:**

- 1. Develop at least 81 extra-care homes in Midlothian by 2022**
- 2. Develop at least 101 new amenity houses in Midlothian by 2022**
- 3. Develop 4 bariatric properties in Midlothian by 2022.**
- 4. Develop 12 units for households with learning disability and or complex care needs by 2022.**
- 5. Develop an increased number of new homes with adaptations for specialist provision by 2022.**
- 6. Undertake feasibility study of delivering Care and Repair Services in Midlothian**
- 7. Deliver further Housing Solutions training sessions to Health and Social Care staff and other partner organisations.**
- 8. Increase the number of intermediate care properties by using 6 Midlothian Council properties for intermediate care.**

**Outcome: Integration of Housing, Health and Social Care in Midlothian is improved**

## LOCAL AUTHORITY OUTCOMES ACTION PLAN

**LHS Outcome: Access to housing and the supply of new housing has increased across all tenures in Midlothian.**

**Where the LHS Outcome supports National Priorities, Plans & Targets & links to Local Outcome Improvement Plan/Locality Plans and Local Authority Plan Outcome, please list these here:** HNDA2, Planning Advice Note (PAN) 2/2010: Affordable Housing and Land Audits, Midlothian Local Development Plan, Scottish Planning Policy (SPP), 'A Place to stay, A Place to Call Home: a Strategy for the Private Rented Sector in Scotland.

Action(s) and Commitments for Delivery of Outcome	Baseline	Indicator or Measure	Milestone	Target/End Point	Who/Co-ordinator	Progress
The construction of 1000 new council homes as per Midlothian Council's Affordable Housing Programme	Ongoing	Number of MC homes completed	-Annual SHIP approved -Regular More Homes Division liaison meetings -New builds completed	May 2022	-Housing Strategy and Performance Team -Property and Facilities Management -More Homes Division, Scottish Government	Quarterly More Homes Division liaison meetings to monitor
Deliver a minimum of 165 affordable housing units per annum as per Housing Supply Target	Ongoing	Number of affordable units completed	-Annual SHIPs approved -Regular More Homes Division liaison meetings -New builds completed	March 2026	-Housing Strategy and Performance Team -RSLs -Property and Facilities Management -More Homes Division, Scottish Government	Quarterly More Homes Division liaison meetings to monitor
Deliver 369 private housing units per annum as per Housing Supply Target	Annual target from zero	Number of private housing units completed		March 2026	-Private Housing Developers -Midlothian Council Planning Department	
Support the development of Mid Market Rent units and undertake further polling measuring attitudes to MMR and demand in Midlothian	Ongoing		-Annual SHIP approved with increased number of MMRs planned -MMR units completed -Independent research commissioned April 2021 funded by	March 2026	-Housing Strategy and Performance Team -RSLs -Property and Facilities Management -More Homes Division, Scottish Government	Quarterly More Homes Division liaison meetings to monitor

			Scottish Futures Trust		-Scottish Futures Trust	
Prepare a revised Housing Need & Demand Assessment (SESplan HNDA3) for the South East Scotland (SESplan) area	Ongoing	Robust and Credible Assessment / publication of SESplan HNDA3		December 2021	-HNDA Project Team -HNDA Housing Market Partnership	Bi-monthly Project Team progress meetings
Investigate improved incentives to move (via the Incentive to Move Scheme) to improve MC turnover	Ongoing	-Annual number of successful Incentive to Move applications -Reduction in no. of families on waiting lists		Ongoing	-Housing Team	Quarterly Incentive to Move statistics
Create media campaign to improve knowledge of Incentive to Move Scheme and housing transfers (including between MC and RSL tenants)	No campaign in place	Media campaign launched		June 2021	-Housing Team Communications and Marketing -RSLs	Quarterly Incentive to Move statistics Quarterly housing transfer statistics
Agree specialist Housing Supply Targets including wheelchair supply targets	No specialist/wheelchair supply targets in place	Agreed number/% of properties to be built -Agreed % included within annual SHIPs -Agreed % of units completed		March 2026	-Housing Strategy and Performance -Property and Facilities -Midlothian Council Planning Department	Quarterly More Homes Division liaison meetings to monitor
Create media campaign to increase applications to LIFT Scheme (Low Cost Initiative for First Time Buyers), OMSE (Open Market Shared Equity) and NSSE (New Supply Shared Equity)	No campaign in place, basic information on MC website and SG website	-Campaign released -Increased number of applications to widen housing options for those on low incomes		March 2026	-Housing Strategy and Performance Communications and Marketing -Link HA Group	Annual LIFT statistics
Apply to Scottish Ministers to have Midlothian designated a Rent Pressure Zone	No Rent Pressure Zones currently in Scotland	Midlothian declared Rent Pressure Zone and maximum limit set on annual rent increases (private sector)		September 2021	-Housing Strategy and Performance -Revenues Services	

#### **LHS Outcome: Improve Place Making in Midlothian**

**Where the LHS Outcome supports National Priorities, Plans & Targets & links to Local Outcome Improvement Plan/Locality Plans and Local Authority Plan Outcome, please list these here:** Scottish Planning Policy (SPP), Public Health Priority, Scotland's National Performance Network, Creating Places – A Policy Statement on Architecture and Place for Scotland, Designing Streets, Green Infrastructure: Design and Placemaking, Planning Advice Note 77: Designing Safer Places, Community Empowerment Act 2015, Place Standard, Town Centre First Principle, Midlothian Council Local Development Plan 2017, Single Midlothian Plan 2020/21



Action(s) and Commitments for Delivery of Outcome	Baseline	Indicator or Measure	Milestone	Target/End Point	Who/Co-ordinator	Progress
Midlothian Council to seek to extend the policy controls that channel retail/commercial leisure development to town centres to other activities such as education and healthcare facilities.	Town Centre First Principle supported via Local Development Plan 2017	Education and healthcare facilities developed in town centre centres via the TCR1 Town Centres Policy	-Supported via LDP -Reflected in key Strategy / Policy documents	March 2026	-Midlothian Council Planning Department -Local Community groups -Midlothian Communities Team	
Midlothian Council should continue to formally invite community groups to prepare Local Place Plans focused on the development and change of use of land in their local area.	Ongoing	Community groups have prepared Local Place Plans	-Supported via LDP -Reflected in key Strategy / Policy documents	Ongoing	-Midlothian Council Planning Department -Local Community groups -Midlothian Communities Team	

**LHS Outcome: Homeless households and those threatened with homelessness are able to access support and advice services and all unintentionally homeless households will be able to access settled accommodation.**

**Where the LHS Outcome supports National Priorities, Plans & Targets & links to Local Outcome Improvement Plan/Locality Plans and Local Authority Plan Outcome, please list these here:** Ending Homelessness Together Action Plan, Equally Safe - Scotland's Strategy for Preventing and Eradicating Violence Against Women and Girls & the Equally Safe Delivery Plan, Midlothian Council Rapid Rehousing Transition Plan 2020/21, Scottish Social Housing Charter.

Action(s) and Commitments for Delivery of Outcome	Baseline	Indicator or Measure	Milestone	Target/End Point	Who/Co-ordinator	Progress
Reduce the time taken for homeless households to secure a permanent Housing outcome.	2019/20 114.2 weeks	Scottish Government annual report for Midlothian (HL1)	Overall reduction in Average time taken to discharge homeless duties	Reduce overall trend	Housing Services Manager	Due to targeted measures to reduce legacy cases it is anticipated that this may increase in 2020/21
Increasing the proportion of lets to Homeless households through Revisions to the Housing Allocations Policy.	60% of all lets to Homeless List applicants.	Internal Key Performance Indicators	Revised allocations policy approved by Elected Members. Operational since April 2020	60% allocations to Homeless Households	Housing services	Revised Housing Allocations Policy in place since May 2020
Offering those who have been in temporary accommodation the opportunity to have the property converted to a permanent tenancy.	Ongoing	Reduction in number of households in temporary accommodation Increase in number of permanent tenancies			Housing services	32 'flipped' conversions October 2020 – January 2021

Improving the quality of temporary accommodation, particularly that which is provided to households without children	Typically, 36 households were provided with B&B type accommodation at any time during 2020.	End use of B&B accommodation.	Implement shared temporary accommodation and undertake review of shared supported accommodation services 2020.		-Homeless Service	B&B accommodation use ended November 2020.
Implementing Housing First for those with long-term/repeated instances of homeless.	Create up to 20 Housing First properties in the first year.	Internal monitoring of number of households in receipt of Housing First support and hours provided to existing service users within the project	10 Households in receipt of support through the project at week 26	Up to 20 Housing First tenancies at the end of June 2021	-Housing Options Development Officer -Housing Services -Homeless Service -Health and Social Care partners	Multi-agency processes agreed. Specialist Housing First support service in place. At the end of December 2020 on target to achieve 20 HF tenancies.
Improving outcomes for young people to prevent homelessness, or maximise tenancy sustainment when this cannot be avoided. Continuing housing education work in schools. Delivering the SQA Tenancy and Citizenship Award.	Ongoing	Deliver Housing Education in all High Schools.  Deliver SQA as requested.		Ongoing	-Homelessness Service	Embedded within work practice.
Partnership working with Children's Services to develop a homeless prevention pathway for care experienced and looked after young people.						-Housing services -SW Children's services
Adopting an early intervention approach to prevent homelessness from occurring by supported households to remain in their current accommodation, or where this is not possible, access alternative accommodation before homelessness occurs inc. developing a prevention fund, improving access to a full range of housing options including the private rented sector though access to rent deposits at an earlier stage and helping those on low incomes to access this type of accommodation more easily	Reduction in number of homeless presentations because of a Registered Social Landlord taking action to end the tenancy. Local Registered	Scottish Government Annual report for Midlothian Table 1:1 (applications) Table 10.2 (outcomes)	Implementation of various initiatives including; Personal Housing Plans, improving access to the private rented sector, development of an emergency prevention fund	Ongoing monitoring as initiatives are put in place	-Housing Options Development Officer	Active participation in the development of guidance on the use of personal housing plans.

Working in partnership with internal departments and Registered Social Landlords to prevent evictions from occurring by adopting the Section 11 good practice identified by the North and Islands Housing Hub.	Number of court actions resulting in an eviction from Local Registered Social Landlords	Reduction in number of households who become homeless as a result of action taken by Registered Social Landlords to end the tenancy	Implementation of revised response to Section 11 notices.	Reduction in number of homeless presentations because of action taken to end the tenancy by Registered Social Landlords.	-Housing Options Development Officer	Revised working practices are being under development. Joint working processes are being created in partnership with the largest RSL in the area.
Ensure staff are able to effectively deliver a full range of Housing Options advice regardless of tenure. Provided access to training the Housing Options Training Toolkit.	Training programme to be established when first Housing Options Toolkit are made available	Number of front line officer who have completed relevant training. Including; Level 1 Trauma Informed Training, Good Conversations Training; Housing Options Training Toolkit	Full training plan to be established at launch when full details of the modules are released.	All staff effective trained	-Housing Options Development Officer.	Frontline Officers are currently being provided with Trauma Informed Training.
Providing access to a specialised Housing Support service whenever appropriate to maximise tenancy sustainment across all sectors.	Ongoing				Housing and Homelessness Services.	
Continue to work with other members of the Edinburgh, Lothians and Borders Housing Hub to develop and share information and best practice on the prevention of homelessness.	Ongoing				Housing Options Development Officer	Hub Meetings continue to operate on a fortnightly basis at present to ensure effective sharing of practice and information during the COVID pandemic

**LHS Outcome: The needs of households with particular needs will be addressed and all households will have equal access to housing and housing services.**

**Where the LHS Outcome supports National Priorities, Plans & Targets & links to Local Outcome Improvement Plan/Locality Plans and Local Authority Plan Outcome, please list these here:** National Health and Wellbeing Outcomes, HNSA2, Good Mental Health for All, Keys to Life, Age, Home and Community – The Next Phase, Scottish Strategy for Autism, Midlothian Armed Forces Covenant, Race Equality Action Plan, Site Standards - Scottish Government guidance on minimum sites standards and site tenants' core rights and responsibilities, Scottish Social Housing Charter.

Action(s) and Commitments for Delivery of Outcome	Baseline	Indicator or Measure	Milestone	Target/End Point	Who/Co-ordinator	Progress
Develop 484 units of specialist housing over a five-year period to 2026 (97 units per annum).	SHIP 2021/22-2025/26 approved	484 specialist housing units built		March 2026	-Housing Strategy and Performance -Property and Facilities	-Quarterly MHD liaison meetings -Current building
Investigate extra provision of specialist housing via remodelling existing provision which could be developed by the public or private sector.	No current work ongoing			Annual progress to be reported	-Housing Strategy and Performance -RSLs	
Open Market Purchase Scheme to purchase 10 'specialist homes' per annum	No current baseline for the purchase of 'specialist housing' via the Open Market Scheme	-10 'specialist homes' purchased per annum -Internal OMP performance Indicators		March 2026	-Housing Strategy and Performance	
Complex Care facility to be built in Bonnyrigg	Within SHIP 2021/22-25/26	Completion of complex care facility		March 2023	-Housing Strategy and Performance -Property and Facilities	-Quarterly MHD liaison meetings
Wheelchair Accessibility Targets to be set	Required for SHIP 2022/23-2026/27	Targets set		August 2021	-Housing Strategy and Performance -Property and Facilities -Planning Department	
Carry out a comprehensive review of sheltered and retirement housing to ascertain effectiveness	Care Service Inspection Reports	-Prepare PID -Undertake review -Prepare report of findings		March 2022	-Midlothian Health and Social Care Partnership -Housing Strategy and Performance	
Investigate the implications of significant projected numbers of older households for specialist and general housing	-Midlothian Health and Social Care Partnership's Strategic Plan 2019-2022 -Housing Need and Demand Assessment 3 (currently being drafted)	-Undertake review -Prepare report of findings		March 2022	-Midlothian Health and Social Care Partnership -Housing Strategy and Performance	
Ensure new build general needs accommodation is future proofed to accommodate wheelchair users & capable of being adapted to suit a range of needs including the elderly and those with dementia	Ongoing			Ongoing	-Housing Strategy and Performance -Property and Facilities -Planning Department	-Regular meetings between Housing services and Property and Facilities
<b>LHS Outcome: Housing in all tenures will be more energy efficient and fewer households will live in, or be at risk of, fuel poverty.</b>						

**Where the LHS Outcome supports National Priorities, Plans & Targets & links to Local Outcome Improvement Plan/Locality Plans and Local Authority Plan Outcome, please list these here: Local Heat and Energy Efficiency Strategies (LHEES), Sustainable Housing: Fuel Poverty and Climate Change Advice Note, Scottish Government's Energy Efficient Scotland Route Map, Fuel Poverty (Targets, Definition, and Strategy) (Scotland) Act 2019, Midlothian's Climate Change Strategy 2020**

Action(s) and Commitments for Delivery of Outcome	Baseline	Indicator or Measure	Milestone	Target/End Point	Who/Co-ordinator	Progress
Target energy efficiency advice at households most at risk of fuel poverty	Ongoing support in place from HES and Changeworks	The Fuel Poverty (Targets, Definition and Strategy) (Scotland) Act 2019		March 2022	-Housing Strategy and Performance -Home Energy Scotland -Changeworks -Community Councils and local groups	
Midlothian Council to achieve Passivhaus standard on all directly commissioned housing in order to meet the Scottish Government's New Build Heat Standard	Passivhaus Standard	The Scottish Government's New Build Heat Standard -new buildings must use heating systems which produce zero direct emissions at the point of use		December 2023	-Midlothian Council Property and Facilities	Two pilot Passivhaus projects currently underway – March 2021.  Green standards incorporate into revised design specification June 2021.
Improve knowledge of the levels, extent and nature of fuel poverty and energy efficiency of housing, with a focus on older properties	Ongoing support in place from HES and Changeworks	The Fuel Poverty (Targets, Definition and Strategy) (Scotland) Act 2019		March 2022	-Housing Strategy and Performance -Home Energy Scotland -Changeworks -Community Councils and local groups	
Promote the support available from the Scottish Government to help owners transform their properties and meet the minimum energy efficiency standards for the private and social rented sectors by 2030.	Ongoing support in place from HES and Changeworks	The Scottish Government's Energy Efficient Scotland Route Map		March 2022	-Housing Strategy and Performance -Home Energy Scotland -Changeworks -Community Councils and local groups -Communication and Marketing	
Continue to provide / facilitate services to maximise household income and reduce fuel poverty	Ongoing support in place from HES /Changeworks/CAB/Welfare Rights Team	The Fuel Poverty (Targets, Definition and Strategy) (Scotland) Act 2019		March 2022	-HES -Changeworks -CAB -Welfare Rights Team	
Promote the Midlothian Climate Change Citizens'	Midlothian Climate Change Citizens	Midlothian Climate Change Strategy 2020		March 2022	-Community Planning Partnership	

Assembly amongst MC tenants	Assembly due to be launched				-Tenant Participation Officer -Tenant and resident groups -Midlothian Tenant Panel	
<b>LHS Outcome: The condition of housing across all tenures is improved.</b>						
<b>Where the LHS Outcome supports National Priorities, Plans &amp; Targets &amp; links to Local Outcome Improvement Plan/Locality Plans and Local Authority Plan Outcome, please list these here: Scottish Housing Quality Standard, Energy Efficiency Standard for Social Housing, Scottish Social Housing Charter</b>						
<b>Action(s) and Commitments for Delivery of Outcome</b>	<b>Baseline</b>	<b>Indicator or Measure</b>	<b>Milestone</b>	<b>Target/End Point</b>	<b>Who/Co-ordinator</b>	<b>Progress</b>
Update Housing Renewal Area Policy	Housing Renewal Area Policy is out of date				-Housing Strategy and Performance -Planning Team -Environmental Health	
Apply to Scottish Ministers to have Midlothian designated a Rent Pressure Zone	No Rent Pressure Zones currently in Scotland	Midlothian declared Rent Pressure Zone and maximum limit set on annual rent increases (private sector)		September 2021	-Housing Strategy and Performance -Revenues Services	
Midlothian Council should continue to formally invite community groups to prepare Local Place Plans focused on improving their local areas	Ongoing		-Supported via LDP -Reflected in key Strategy / Policy documents	Ongoing	-Midlothian Council Planning Department -Local Community groups -Midlothian Communities Team	
Carry out Midlothian Council Neighbourhood Satisfaction Survey in 2022	MC Neighbourhood Satisfaction Survey 2019	MC Neighbourhood Satisfaction Survey 2019		September 2022	-Housing Strategy and Performance -Housing Service	
Promote Midlothian Council's Scheme of Assistance so private households are aware of the circumstances in which the Council will provide assistance.	Scheme of Assistance currently being updated				-Environmental Health	
Promote Shelter's Empty Homes Partnership to encourage empty home owners to seek assistance	Basic Empty Homes Partnership information on MC website	-Increase in number of Midlothian based enquiries to Shelter Empty Homes Partnership -Stats not currently provided. Enquire whether quarterly stats can be provided		September 2021	-Housing Strategy and Performance  Communications and Marketing -Shelter's Empty Homes Partnership	

**LHS Outcome: Integration of Housing, Health and Social Care in Midlothian is improved**

**Where the LHS Outcome supports National Priorities, Plans & Targets & links to Local Outcome Improvement Plan/Locality Plans and Local Authority Plan Outcome, please list these here: National Health and Wellbeing Outcomes, Public Health Priorities for Scotland, Foundations for well-being: Reconnecting Public Health and Housing, Midlothian Council Housing Contribution Statement, Midlothian Health and Social Care Partnership Strategic Plan 2019-2022.**

<b>Action(s) and Commitments for Delivery of Outcome</b>	<b>Baseline</b>	<b>Indicator or Measure</b>	<b>Milestone</b>	<b>Target/End Point</b>	<b>Who/Co-ordinator</b>	<b>Progress</b>
Develop at least 81 extra-care homes in Midlothian by 2022	SHIP 2021/22-25/26  Health and Social Care Strategy 2019-22	81 extra care homes developed	SHIP 2021/22-25/26 agreed  Health and Social Care Strategy agreed by Council	March 2022	-Housing Strategy and Performance Team -RSLs -Property and Facilities Management -More Homes Division, Scottish Government	Quarterly More Homes Division liaison meetings
Develop at least 101 new amenity houses in Midlothian by 2022	SHIP 2021/22-25/26  Health and Social Care Strategy 2019-22	101 amenity homes developed	SHIP 2021/22-25/26 agreed  Health and Social Care Strategy agreed by Council	March 2022	-Housing Strategy and Performance Team -RSLs -Property and Facilities Management -More Homes Division, Scottish Government	Quarterly More Homes Division liaison meetings
Develop 4 bariatric properties in Midlothian by 2022.	SHIP 2021/22-25/26  Health and Social Care Strategy 2019-22		SHIP 2021/22-25/26 agreed  Health and Social Care Strategy agreed by Council	March 2022	-Housing Strategy and Performance Team -RSLs -Property and Facilities Management -More Homes Division, Scottish Government	Quarterly More Homes Division liaison meetings
Develop 12 units for households with learning disability and or complex care needs by 2022.	Health and Social Care Strategy 2019-22		SHIP 2021/22-25/26 agreed  Health and Social Care Strategy agreed by Council	March 2022	-Housing Strategy and Performance Team -RSLs -Property and Facilities Management -More Homes Division,	Quarterly More Homes Division liaison meetings

					Scottish Government	
Develop an increased number of new homes with adaptations for specialist provision by 2022.	SHIP 2021/22-25/26 Health and Social Care Strategy 2019-22		SHIP 2021/22-25/26 agreed  Health and Social Care Strategy agreed by Council	March 2022	-Housing Strategy and Performance Team -RSLs -Property and Facilities Management -More Homes Division, Scottish Government	Quarterly More Homes Division liaison meetings
Undertake feasibility study of delivering Care and Repair Services in Midlothian	Health and Social Care Strategy 2019-22		Health and Social Care Strategy agreed by Council	March 2022	-tbc	
Deliver further Housing Solutions training sessions to Health and Social Care staff and other partner organisations.	Health and Social Care Strategy 2019-22		Health and Social Care Strategy agreed by Council	March 2022	-Health and Social Care OT Service	
Increase the number of intermediate care properties by using 6 Midlothian Council properties for intermediate care.	Health and Social Care Strategy 2019-22		Health and Social Care Strategy agreed by Council	March 2022	-Housing Services Manager	





**Edinburgh and South East Scotland City Region (ESESCR)  
Deal Transport Appraisal Board bid into the Bus Partnership Fund****Report by; Kevin Anderson Executive Director - Place****Report for Decision****1 Recommendations**

It is recommended that Council agrees to authorise the Transport Appraisal Board (TAB) to prepare a collective South East of Scotland regional bid for submission to Transport Scotland for funding from the Bus Partnership Fund.

**2 Purpose of Report**

The purpose of this report is to inform Elected Members of the ESESCR Deal's Transport Appraisal Board bid into the Bus Partnership Fund and to agree to authorise the Board to prepare a collective South East of Scotland regional bid for funding from Transport Scotland's Bus Partnership Fund.

**Date:** 9 March 2021**Report Contact:** Lindsay Haddow, Policy and Road Safety Manager**Email:** [Lindsay.haddow@midlothian.gov.uk](mailto:Lindsay.haddow@midlothian.gov.uk)

### 3 Background

The recommendations of the report was approved by the Edinburgh and South East Scotland City Region Deal Joint Committee on Friday 5<sup>th</sup> March.

[ESESCR Deal Transport Appraisal Board bid into the Bus Partnership Fund](#)  PDF 241 KB

One of the report's recommendations was:

- To authorise the Transport Appraisal Board to prepare a collective South East of Scotland regional bid for submission to Transport Scotland for funding from its Bus Partnership Fund, subject to agreement by the six individual Councils

Midlothian Council's officers are currently drafting and collating projects and initiatives to be considered for inclusion in a collective bid.

## 4 Report Implications

### 4.1 Resource

There is no additional requirement as existing resources are being used at present.

### 4.2 Revenue

There are no revenue implications at this stage

### 4.3 Benefits

The bid submission aims in improving the bus network and services across Midlothian, linking to and beyond neighbouring local authority areas boundaries.

### 4.4 Risks

A risk of not responding is that Midlothian Council will not benefit from the government funding available to improving its bus network.

### 4.5 Digital Services Issues

Not applicable.

## **APPENDIX A – Report Implications**

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

The submission will contribute to the Midlothian 2020 vision of improving the quality of life for Midlothian's citizens.

### **A.2 Key Drivers for Change**

Key drivers addressed in this report:

- ☐ Holistic Working
- ☐ Modern
- ☒ Sustainable
- ☐ Transformational
- ☐ Preventative
- ☐ Asset-based
- ☐ Continuous Improvement

### **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

### **A.4 Delivering Best Value**

There are no direct implications related to this report.

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

Not applicable

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

Not applicable

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

The Scottish Government expects the preventative approach is embedded in the bid.

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

The Scottish Government expects sustainable development aspects are contained throughout the bid.

## **Midlothian Library Service – The Removal of Library Fines and Hire Charges**

**Report by Gary Fairley Chief Officer Corporate Solutions**

### **Report for Decision**

#### **1 Recommendations**

Council is recommended to approve the removal of library fines and the hire charge for CDs and DVDs as they are a barrier to access.

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

The purpose of this report is to request Council to agree to remove library fines and hire charges for CDs and DVDs.

**Date: 4<sup>th</sup> March 2021**

**Report Contact:**

**Annabel Cavaroli, Customer Services Manager (Acting)**

[annabel.cavaroli@midlothian.gov.uk](mailto:annabel.cavaroli@midlothian.gov.uk)

0131 271 3982

### **3 Background**

- 3.1** During the COVID-19 pandemic, fines and charges have been abated as libraries have been closed and communities have been unable to access physical services. As we move through Midlothian's recovery route-map and as library services resume, a permanent removal of these charges along with a fines amnesty would help to welcome communities back. When the new facility at Danderhall opens, a service without barriers to access would be easy to promote and would encourage new members and existing users to return.
- 3.2** Fines are an outdated and old fashioned concept which do not fit with the modern library service that Midlothian Council provides and are at odds with the Council three priorities. They can be a deterrent to library use and are a form of social inequality which negatively impact on those in our communities who are in the greatest need of our support. Charges are currently levied for the hire of CDs and adult DVDs and again act as a barrier for those who cannot afford them. The role of libraries is to provide access to information, resources and learning not prevent it.
- 3.3** Although there is an income target for fines and hire charges of approximately £7,000, it is never met and the gap between the target and monies taken is growing year on year with more methods for users to renew items and an increase in borrowing of eBooks. Removing these charges will have a high beneficial impact for our communities for an extremely low financial benefit to the Council. Even when fines are minimal, they prevent people from using the library over fear or shame of accruing fines or being unable to afford to pay them. They are counterproductive as people may not return stock that they know is late in order to prevent paying fines. There are no hire charges or fines for our eBooks or eAudiobooks so having them for physical items causes further inequalities.
- 3.4** Benchmarking carried out across Scotland revealed that 12 authorities from the 20 who responded still charge fines and all of those wish to remove them especially as they've been ceased during the pandemic. Anecdotal evidence has shown that the removal of fines has had no detrimental effect in terms of items not being returned and has led to an increase in borrowing, membership and footfall. Many authorities no longer lend CDs or DVDs and while there is no budget allocated to buying new CDs, it is still a service we provide and want people to use. DVD issues have remained relatively steady over the past number of years although are reducing due to the impact of streaming services. Removing hire charges will also lead to an increase in the issues of both of these.

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

#### **4.1 Resource**

There will be no resource implications

**4.2 Digital**

None

**4.3 Risk**

None

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

This report does not recommend any change to policy or practice and therefore does not require an Equalities Impact Assessment.

**4.4 Additional Report Implications**

See Appendix A

**Appendices**

**Appendix A – Additional Report Implications**

**Appendix B – Background Papers/Resource Links (if applicable)**

## **APPENDIX A – Report Implications**

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

Not applicable

### **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**

The report does not directly relate to involving communities but should benefit all.

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

The report does not directly impact on Midlothian Council's performance and outcomes

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

Not applicable

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

Not applicable



**East Lothian and Midlothian Public Protection Committee (EMPCC)  
Annual Report 2019-2020****Report by Alison White, Chief Social Work Officer****Report for Decision****1 Recommendations**

Council is asked to:

Note the report and the work that has been undertaken by the committee.

**2 Purpose of Report/Executive Summary**

The East Lothian and Midlothian Public Protection Committee (EMPCC) Annual Report highlights the key achievements and areas for improvement within 2019/2020.

The committee addresses key cross cutting issues across all areas of Public Protection including Adult Support and Protection, Child Protection, Violence against Women and Girls and MAPPA (Multi Agency Public Protection Arrangements for Offenders).

**Date 05 March 2021****Report Contact:**

Name Alison White Tel No 0131 2713283

[alison.white@midlothian.gov.uk](mailto:alison.white@midlothian.gov.uk)

### **3 Background**

- 1 The East Lothian and Midlothian Public Protection Committee (EMPCC) Annual Report highlights the key achievements and areas for improvement within 2019/2020.

The committee addresses key cross cutting issues across all areas of Public Protection including Adult Support and Protection, Child Protection, Violence against Women and Girls and MAPPA (Multi Agency Public Protection Arrangements for Offenders).

One of the key strengths is partnership working at a strategic and senior level in the partner organisations. There is a strong commitment from EMPCC to support and protect all people who may be at risk in our communities.

This report is coming for oversight slightly later than usual due to the impact of covid-19, the next report covering 2020-2021 is due to be reviewed at EMPCC in June 2021 and will be forthcoming to council shortly thereafter. This report will cover the response to protection during the pandemic period.

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

#### **4.1 Resource**

This report does not make recommendations which entail the allocation of resources.

#### **4.2 Digital**

None

#### **4.3 Risk**

There are no explicit risks as a result of this report however it is worth noting that the work of the committee is to ensure best practice in managing significant risks for individuals and the wider community.

#### **4.4 Ensuring Equalities**

The Committee takes its responsibilities to equalities issues seriously. There are no specific equalities issues as a result of this report

### **Appendices**

Appendix 1 Annual Report 2019/2020



# **East Lothian and Midlothian Public Protection Committee Annual Report**

**1<sup>st</sup> April 2019 to 31<sup>st</sup> March 2020**

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## Foreword

I am pleased to present the East Lothian and Midlothian Public Protection Committee's (EMPPC) sixth annual report which outlines key achievements and areas for improvement for the year ahead. The EMPPC has been well established since 2014 and operates within the context of national guidance and legislation.

The EMPPC continues to address the cross cutting issues incorporating all aspects of Public Protection including Adult Support and Protection, Child Protection, Violence against Women and Girls and the Multiagency Public Protection Arrangements (MAPPA) for service users in East Lothian and Midlothian with one of its key strengths being the wide range of multiagency senior representatives across services and key agencies.

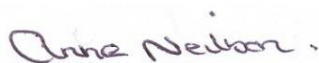
The EMPPC is committed to working in partnership to improve services to support and protect all people who may be at risk of harm within our communities. Over the past year we have implemented improvements identified through inspections, self-evaluation, learning from Initial and Significant Case Reviews and service user feedback.

I would like to thank colleagues across agencies who have responded to the challenges presented in the early part of the year as a result of the Covid 19 pandemic and who are continuing to rise to the challenges currently. This annual report covers the year 1<sup>st</sup> April 2019 to 31 March 2020 therefore the impact and the excellent work undertaken as a result of the pandemic will not be addressed this reporting period.

I am confident that over the next year partner agencies will continue to work together to strengthen our Public Protection arrangements and address the new challenges and opportunities presenting as a result of the pandemic to support those individuals who are most at risk within our communities and continue to improve services across East Lothian and Midlothian.

Anne Neilson

Chair EMPPC



Anne Neilson

Director of Public Protection, NHS Lothian

Chair, East Lothian and Midlothian Public Protection Committee

## East Lothian and Midlothian Public Protection Committee - Structure

East Lothian and Midlothian Public Protection Committee (EMPPC/the Committee) has now been in existence for seven years. We are a well-established strategic partnership, bringing together responsibility for our inter-agency approach to Adult Support and Protection, Child Protection, Violence Against Women and Girls and Offender Management. These are the most high profile critical services for which the key agencies of East Lothian and Midlothian Councils, NHS Lothian and Police Scotland have statutory responsibilities. Our Committee includes key senior officers from the statutory and third sectors. We work in partnership across East Lothian and Midlothian to deliver leadership, expertise and support that will improve the safety of people at risk of harm in East Lothian and Midlothian. We promote a lifespan approach to public protection, recognising the inter-connected elements of our work.

“It’s everyone’s responsibility to support and protect people at risk of harm”

EMPPC Vision for Public Protection

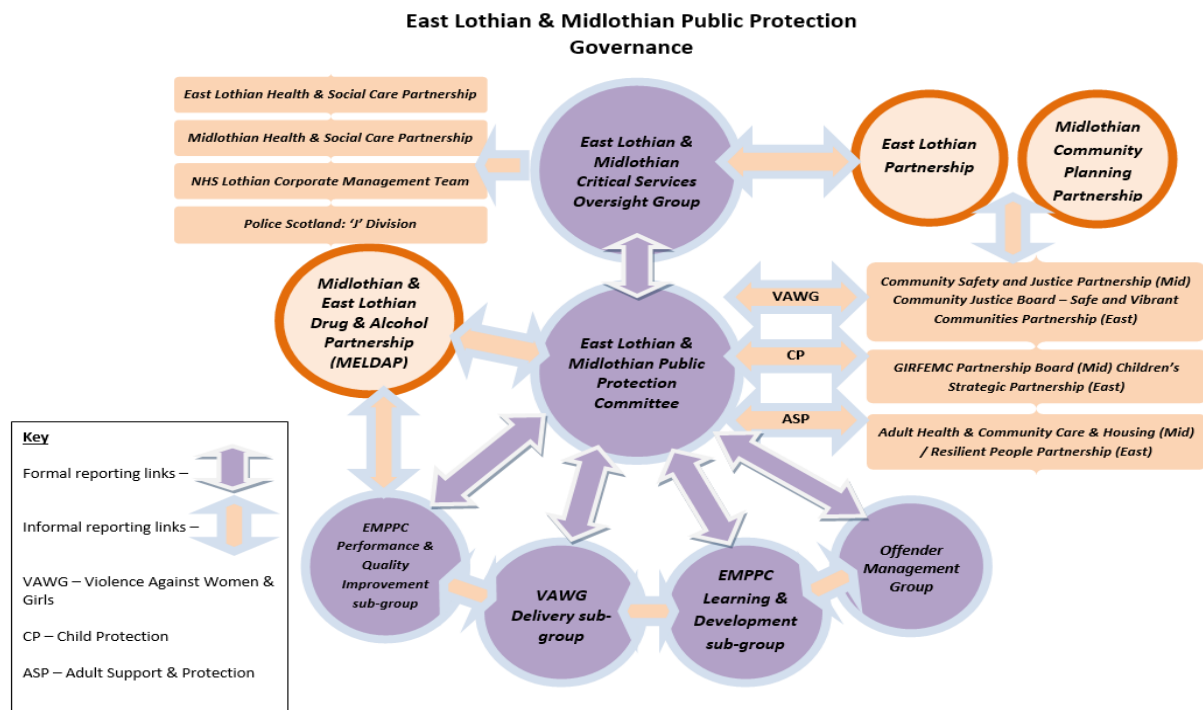
The core functions of EMPPC are supported by the following sub-groups:

- **Performance and Quality Improvement** sub-group, which is responsible for the oversight and governance of the performance framework and improvement plan;
- **Learning and Practice Development** sub-group, which oversees the development and delivery of the Learning and Development strategy;
- **Violence Against Women** Delivery sub-group, which supports the delivery of services and preventative activities to address Violence Against Women and Girls;
- **Offender Management** Group, which ensures that the statutory responsibilities placed on local partner agencies for the assessment and management of risk posed by dangerous offenders are discharged effectively.
- We also have a responsibility to work with our partners to deliver communications from the Public Protection Committee.

The Committee and its sub-groups are supported by the East Lothian and Midlothian Public Protection Office (EMPPO). The office is situated in the Brunton Hall, Musselburgh, with a Public Protection Team comprising of a Team Manager, Business Support Staff, Lead Officer for Child Protection, Lead Officer for Adult Support and Protection, Violence Against Women Co-ordinator, MARAC Co-ordinator and Domestic Abuse Support Workers. The Domestic Abuse Service is the operational component of the team, providing support and guidance to high-risk victims of gender-based violence.

## Our Governance Arrangements

The governance arrangements for EMPPC, its associated sub-groups and reporting links are depicted in the diagram below.



## Adult Support and Protection

### Introduction

Building on last year's successful events to raise awareness of Financial Harm, EMPPC delivered a number of smaller events in collaboration with Police Scotland, Trading Standards, and Scottish Fire and Rescue Service, targeted specifically at more vulnerable individuals within local communities. These events involved raising awareness of scams, cold callers, rogue traders and home fire safety as well as providing information on how and where to report concerns about someone who may be at risk of harm.

In recognition of the National Adult Support and Protection Day on 20<sup>th</sup> February 2020, EMPPC hosted an event on self-neglect and hoarding. This event was jointly funded by East Lothian and Midlothian Councils and the Scottish Fire and Rescue Service. We welcomed the expertise of Professor Michael Preston-Shoot, a Professor (Emeritus) Social Work at the University of Bedfordshire, England. His key message was that self-neglect and hoarding are not a "lifestyle choice", and require a multi-agency response". Self-neglect and hoarding are complex areas of practice for staff as they have the challenges of balancing the adult's right to self-determine and make choices with the responsibility to support and protect. 100 staff attended from a wide range of services across East Lothian and Midlothian and the event was evaluated highly.



Anne Neilson (Chair of East Lothian and Midlothian Public Protection Committee) and Denice Lilley (Lead Office for Adult Support and Protection) with Professor Michael Preston-Shoot at our Self-Neglect and Hoarding Learning Event on 04/02/20



EMPPC also launched their [EMPPC Self-neglect and Hoarding Protocol](#), which is publicly available on our website.

## Adult Support and Protection Data

### East Lothian:

Measure	2015/16	2016/17	2017/18	2018/19	2019/20
Referrals	493	530	791	778	562
Investigations	69	148	112	86	57
Initial ASP Case Conference	15	21	12	28	18
Protection orders	<10	<10	<10	<10	<10
Number of Large Scale Investigations	<10	<10	<10	<10	<10
Principal Type of Harm Investigated	-	-	-	Physical Harm 32/86 (37%)	Financial Harm 17/57 (30%)

The number of Adult Support and Protection referrals submitted to East Lothian has reduced by 28% in comparison to the previous year. This reduction is linked to an inaccuracy in the recording of Adult Support and Protection referrals in 2017/18 and 2018/19, resulting in what we consider to be an over-inflation of referrals data in those two years. We are satisfied that these anomalies have been rectified and the data reported at fiscal year-end is an accurate reflection of the number of Adult Support and Protection referrals received in the year.

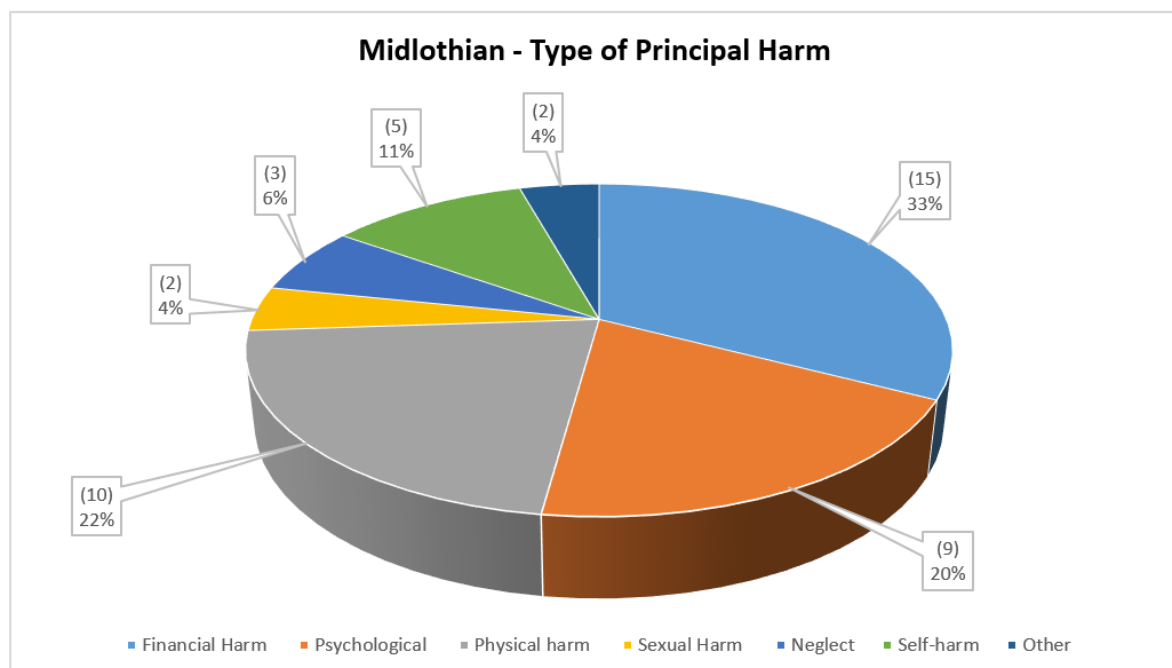
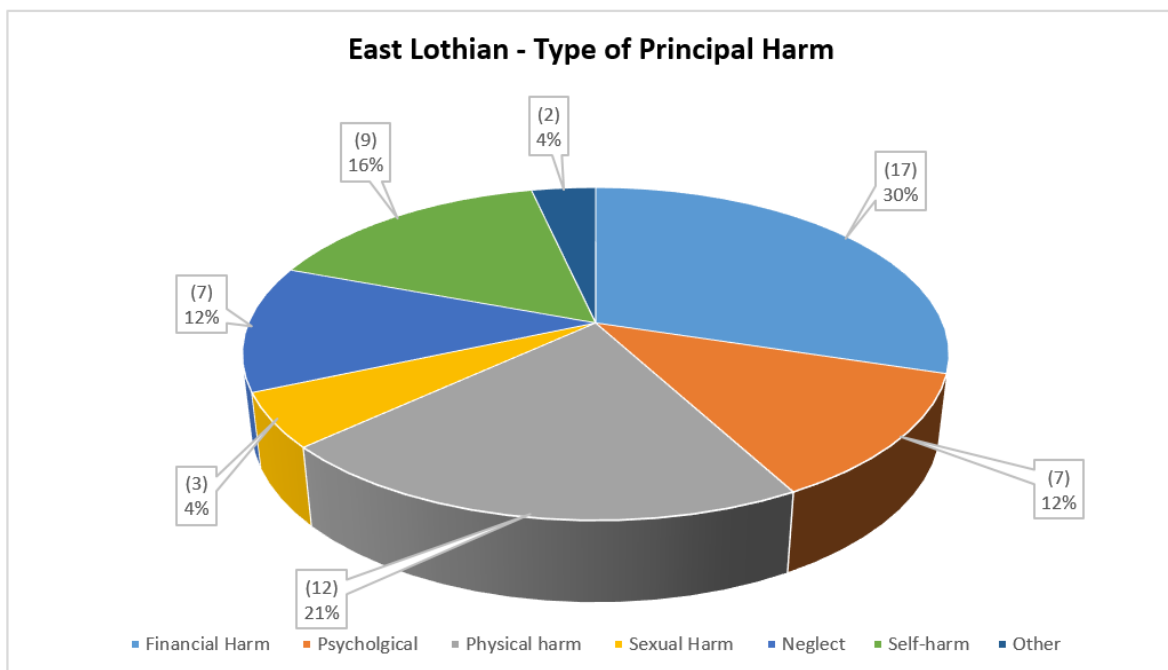
### Midlothian:

Measure	2015/16	2016/17	2017/18	2018/19	2019/20
Referrals	501	681	690	536	468
Investigations	129	82	87	55	46
Initial ASP Case Conference	24	36	35	27	12
Protection orders	<10	<10	<10	<10	<10
Number of Large Scale Investigations	<10	<10	<10	<10	<10
Principal Type of Harm Investigated	-	-	-	Financial Harm <20/55	Financial Harm 15/46 (33%)

The data for 2019/20 report that the number of Adult Support and Protection referrals to Midlothian appears to have decreased by 9%, however this appears to be an under-reporting due to a technical glitch that omitted to count some Adult Support and Protection referrals. This issue has since been resolved.

Midlothian Council implemented an Adult Support and Protection Team from 1<sup>st</sup> April 2019. The team consists of a Team Leader and three Council Officers and a Community Care Worker. The majority of Adult Support and Protection work is progressed by this team.

### Type of Principal Harm Investigated



## Financial Harm

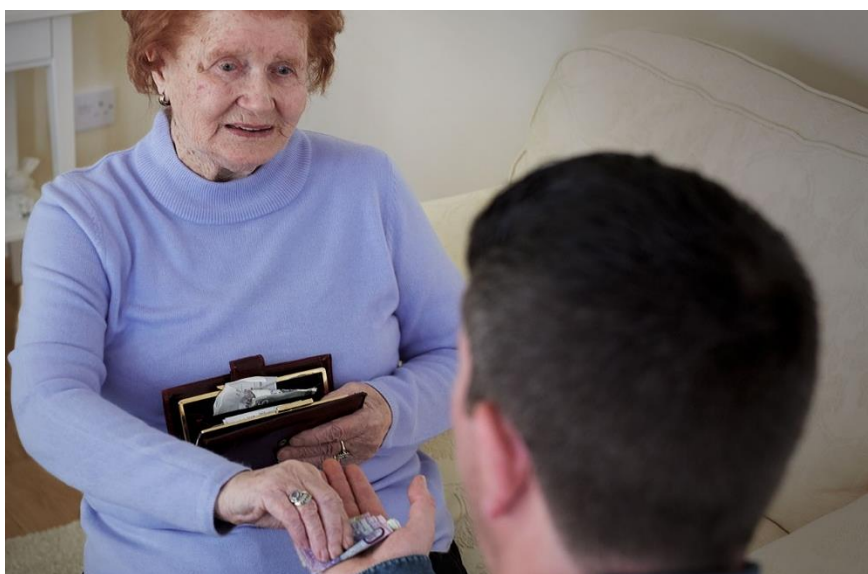
The main type of harm investigated by both East Lothian and Midlothian Councils is financial harm; this is reflective of National Data reporting.

Financial harm is defined as *“The risk of experiencing or the actual experiencing of financial or material abuse, including theft, fraud, exploitation, pressure in connection with wills, property or inheritance or financial transactions, or the misuse or misappropriation of property possessions or benefits”* (National Harm Prevention Group – Scotland 2015)

The majority of the investigations into financial harm was in relation to theft of money within the family.

Section 10 of The Adult Support and Protection (Scotland) Act 2007 makes provision for a Council Officer (specially trained Social Worker in Adult Support and Protection) to examine records; this includes financial records. If it is suspected that an adult may be at risk of harm a Council Officer can request the adult’s financial records from the relevant financial institution. Where there is evidence of criminality the Council Officer is duty bound to share this information with Police Scotland for further inquiry. A Council Officer can take a number of actions to secure the adult’s funds and reduce further risk of financial harm. Any person failing to comply with such a request without reasonable excuse may be considered to be causing an obstruction and can be liable to a summary conviction.

East Lothian and Midlothian Public Protection Committee endeavour to reduce the risk of financial harm by supporting national campaigns to raise awareness of these risks through the use of social media and council websites and working closely across the Partnerships with Trading Standards colleagues, Police Scotland, Citizens Advice Bureau and the local branches of the financial sector.



The image above is from The Scottish Government National Campaign #seensomething #saysomething with the caption Borrowing? or Stealing? If you would like more information

about an Adult at Risk of Harm or wish to report a concern, you can click on this link:

<http://www.actagainstharm.org/>

### **Learning from Initial Case Reviews/Significant Case Reviews**

The purpose of an Initial Case Review is to develop and improve practice as well as service delivery through the learning and review processes when a critical incident has occurred. Where improvements and learning outcomes are identified these are shared with multi-agency staff across the Partnerships. EMPPC are committed to the learning and development of all staff across the Partnerships working with adults at risk of harm. EMPPC continue to work with the Scottish Fire and Rescue Service to raise awareness of Fire risk indicators associated with self-neglect and hoarding amongst inter and intra-agency staff, as well as the necessity of referring for a Fire Home Safety Visit to reduce the risk of fire fatalities.

EMPPC take learning from published reviews in other areas. In the year, South Ayrshire Adult Protection Committee published the [Independent Significant Case Review Report on Sharon Greenop](#). Miss Greenop was a 46-year old woman with a physical disability arising from a spinal injury, who was in receipt of a care at home service for a period of 7 years. Her sister was found guilty of her murder. The SCR review identified that the closure of the care package and the response by the Duty Team to reports of concern were critical and contributory factors that lead to her death.

EMPPC have shared the findings and recommendations of the report with relevant staff, specifically those responsible for the management and oversight of care packages. This led to a comprehensive review of systems and process when responding to requests for closure of care packages. Additionally, all social work staff responding to “duty” calls, and in particular where there is an Adult Support and Protection concern have all undertaken essential training in Adult Support and Protection. This training covers the legislative functions, roles and responsibilities of the local authority, the identification of harm and the roles and responsibilities of the agencies charged with discharging its functions.

In addition to the above, the recommendations and learning from this SCR were disseminated to multi-agency staff through a 7-Minute Briefing. A 7-Minute Briefing provides a framework to deliver succinct key information, facilitate reflective practice and team discussion on the key issues identified. This model is an evidence-based technique borrowed from the FBI as research shows that learning for 7 minutes is manageable in most services and learning is more memorable as it is simple and not clouded by other issues and pressures.

### **Performance Framework and Improvement Plan**

EMPPC are committed to the improvement of service delivery and outcomes for adults at risk of harm. The service delivery and the quality of the multi-agency response to adults at risk of harm are reviewed and evaluated each quarter through a set of Performance indicators that evaluate agency responses to: Multi-agency communication, assessment

and management of risk, support and protection planning, service user participation and timely responses for adults at risk of harm.

### **Self-evaluation**

Following on from the Adult Support and Protection Thematic Inspection 2017-18, EMPPC have worked in partnership with the strategic link inspector for Midlothian to review and amend the Care Inspectorate's evaluation template for our own use. We undertook a self-evaluation exercise by reading 15 cases from across social work in East Lothian and Police Scotland. This represented 20% of the overall number of ASP cases that had progressed to Initial/Review Case Conference between 2017 and 2019.

The self-evaluation activity revealed a mixed picture of strengths and areas of improvement with evaluations ranging from Very Good to Adequate. Auditors noted that there is an improving picture evolving across all Adult Support and Protection activity within East Lothian. We found clear evidence of the improvement of the safety and wellbeing of most of the adults at risk of harm. However, this appeared to be most challenging where there are complex issues such as problematic alcohol and substance misuse.

"Vulnerability or a lack of ability to safeguard, which is due to temporary problematic alcohol or drug use, would not by itself result in an individual being considered an "adult at risk". Adults have the right to make choices and decisions about their lives, including the use of alcohol and drugs".<sup>1</sup>

East Lothian Health and Social Care Partnership are in the process of developing a multi-agency Risk Management Protocol in response to the management of escalating concerns where the adult is presenting with significant risk but does not meet the criteria of an adult at risk of harm.

### **Challenges and Priorities**

EMPPC reported last year that seeking feedback from service users and carers about their experience of the quality of the services provided through the adult support and protection process has proved challenging and considered this to be an area of priority. EMPPC are pleased to report their progress in this area and are now actively engaging adults and their carers in this process via the completion of a questionnaire on their experiences of the service delivery and adult support and protection processes via phone.

*"I found that everybody was very pleasant and polite and it was like they sat in my shoes and it did feel that they were looking at it from my point of view. They dealt with a very delicate situation very well"*

Feedback from adult

---

<sup>1</sup> Adult Support and Protection (Scotland) Act 2007 Code of Practice 2014

Although we have made progress in this area, EMPPC acknowledge that we are in the very early stages, therefore service user and carer self-evaluation remains a priority for us.

Prior to COVID19 EMPPC delivered two development sessions for all staff across the Partnership, including third sector staff, to address the crossovers between Adult Support and Protection and Violence Against Woman and Girls, with a total of 56 staff attending. These sessions focused on:

- Domestic abuse and inter-familial harm in older people aged 60+. This development session was delivered by the Dewis Project (a Big Lottery funded community led project based within the centre of Age, Gender and Social Justice at Aberystwyth University).

This session challenged perceptions of how we see and respond to older people's experience of domestic abuse. Aberystwyth University revealed that often older people are diverted from receiving a domestic abuse response and therefore reducing their access to justice. Older people tend to experience a "Welfarisation" approach, by being linked into care and offered an increase in their support as this can often be considered as carers stress. Domestic abuse policies and service responses/provisions are generally aimed at white heterosexual female victim survivors with young children. Learning Disability and Gender Based Violence. This session was supported by the NHS Scotland Gender-based Violence Team.

This session was informed by new Practitioner Guidance on Learning Disability and Gender Based Violence and to raise awareness of the intersections between Gender Based Violence and adults' aged 16+.

In response to these sessions, our MARAC processes have been reviewed to capture the diversity of the victims referred as High Risk cases of domestic abuse. In addition, domestic abuse has been added as a type of Principal Harm within the Adult Support and Protection referral, Duty to inquire, Investigation and Case Conference processes to enable a more holistic response to Adults at risk of Harm of domestic abuse and inform EMPPC strategic response going forward. This remains a priority area.

### **Adult Support and Protection Learning**

277 people attended ASP training in the year. Broken down to subject matter, this included:

<b>Date</b>	<b>Title</b>	<b>No of Attendees</b>
25/04/2019	Care Home Managers Training	11
01/05/2019	Care at Home Managers Training	26
26/06/2019	Level2 (Multi-agency) Adult Support and Protection Training	30

27/06/2019	Level 3 Council officer Refresher Training	8
08/10/2019	Level2 (Multi- agency) Adult Support and Protection training	24
09/10/2020	Level 3 Council Officer training	7
10/12/2019	Level 3 Council Officer/Refresher training/	10
15/01/2020	Dewis Choice - Domestic Abuse and Inter familial abuse of older people	20
22 & 23/ 01/2020	Investigative Interviewing – Skills based training	6
04/02/2020	Self-Neglect and Hoarding- Learning Event	100
20/02/2020	Gender Based Violence and Learning Disability	35

EMPPC have reviewed the Level 3 Council Officer training, following which we condensed the Level 3 Council Officer training into a one day session which also serves as Council Officer Refresher training (which is required to be completed every two years). Combining these two training events enables a shared learning experience to newly qualified Council Officers. All Adult Support and Protection training sessions have evaluated highly and have received positive feedback:

*“The detailed breakdown of the definitions used in the description of the three point test were really useful and informative. I now feel more confident in making this decision and I feel my written rationale will be clearer and concise”.*

### Looking Forward

Following the success of the self-evaluation activity in East Lothian a further review of the Care Inspectorate’s self–evaluation template was undertaken to incorporate the evaluation of health records in partnership with health colleagues when responding to adults at risk of harm.

EMPPC are committed to developing a continuous framework for multi-agency self–evaluation and hoped to extend this activity to Midlothian this year. The impact of COVID19 has meant that this area of work is temporarily suspended and careful consideration is required as to how to progress this work.

All Adult Support and Protection training planned for the year 2020 -21 has been postponed for the time being due to the current climate. EMPPC are working towards transferring critical training for staff onto an online platform to ensure continued learning and development in the practice of Adult Support and Protection.



## Child Protection

### Introduction

This section sets out the context in which Child Protection work is carried out in East Lothian and Midlothian, outlining the EMPPC priorities for improvement, how we assess our continuous improvement journey and the activities and processes we have in place to ensure progress is made.

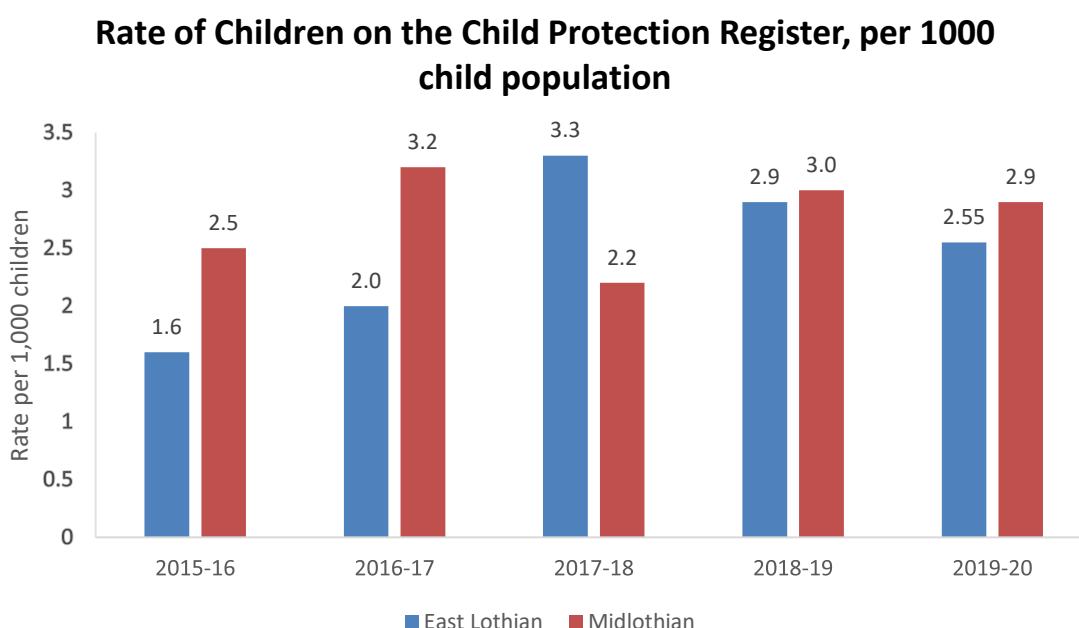
Crucial to success is the collaborative approach to protect children and young people and keep them safe from harm. We recognise that Child Protection is part of a wider continuum of support and protection to children, young people and families and used only when other supports cannot ensure safety.

### Child Protection Data

This year EMPPC agreed we would move to monitoring and reviewing our Child Protection data using the National Minimum Dataset for Child Protection Committees for Scotland. We have re-engaged well with CELCIS and have undertaken the foundation work to review and refine our local indicators to add to the national data set package. This will come on stream in August 2020.

### Child Protection Registrations

During the 12-month period to 31st March 2020 the number of children on the CPR increased in East Lothian from 42 to 49, an increase of 17%. In the same period, in Midlothian the number increased from 51 to 53 showing an increase of 3%.



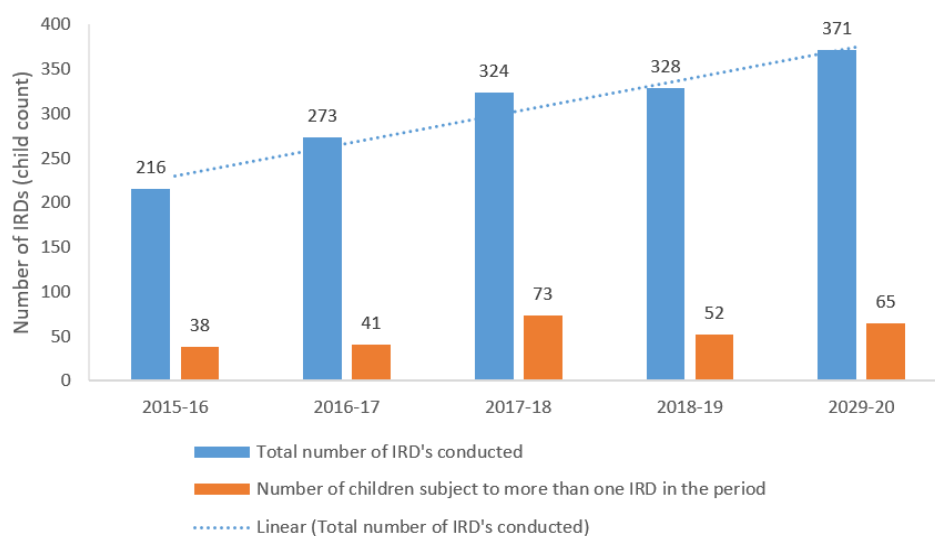
Although numbers have fluctuated slightly over the years, as a percentage of the child population the data remains fairly static. This evidences consistency across the partnership in intervention and consistent use of the tools to support assessment and improve outcomes for children.

## Interagency Referral Discussions

### East Lothian

During the 12-month period to 31<sup>st</sup> March 2020 in East Lothian 371 children were subject to Interagency Referral Discussions (IRDs), an increase of 13.1% over the previous year. 17.5% were for children who already been subject to an IRD within a 12 month period.

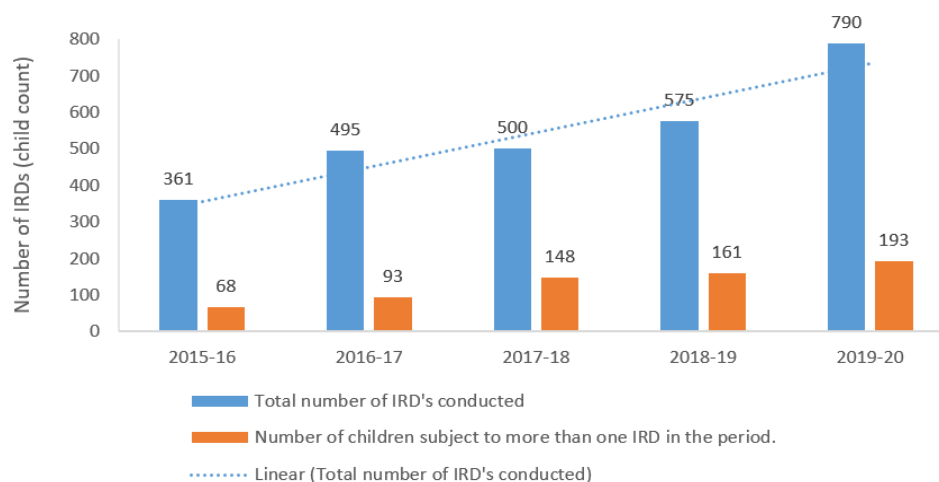
**Number of Initial Referral Discussions - East Lothian**



### Midlothian

There were 790 Inter Agency Referral Discussions in Midlothian during the reporting period. This represents an increase of 37.4% from the previous year. 24.4% were undertaken for children who already been subject to an IRD within a 12 month period.

**Number of Initial Referral Discussions - Midlothian**



In order to look in more detail at the increase in Midlothian, an audit of repeat IRD's was undertaken in February 2020. The audit sought to explore whether there were any common factors that would allow us to identify the factors that may be driving this increase.

The audit determined that all the referrals were appropriate and that staff across all agencies were clearly identifying risk. The referral to IRD was of sufficient concern that it met threshold. In the vast majority of cases, the investigation and planning were assessed to be appropriate.

### **Key Areas for Improvement Overall**

In the majority of IRD's we identified that there had been repeat interventions by many agencies over a period of time. Despite resources having been deployed to assess concern and risk, these had not resulted in sustained future proof improvement. The subsequent referral for these children was an escalation of previously known and recognised risks that occurred before and subsequent to the index IRD. An overall theme emerged around the need to strengthen work in the identification of neglect and delivery of services to children who are being neglected.

The Performance and Quality Improvement sub-group has considered this report and areas for improvement are being addressed either through the Child Protection Improvement Plan or by single agencies. Our Performance and Quality Improvement sub-group monitors the progress of these improvement activities.

A short-life working group has been set up to strengthen our response to child neglect. This will support an understanding of the scale and impact of neglect of children in East Lothian and Midlothian, to formulate a clear and consistent approach to the identification and assessment of neglect, and reducing the associated impact.

### **Developments this year**

This year the EMPPC committed to using the National Minimum Dataset for Child Protection Committees in Scotland to monitor our work. We undertook work to agree which local indicators we will retain to complement the National Minimum Dataset. We have established the mechanisms to facilitate data capture and have developed the workbooks for presentation of our local indicators in preparation for our first return later this year. This will allow for robust monitoring of datasets to support Child Protection improvement locally and expand our local and national analytical capacity.

The East Lothian and Midlothian Public Protection Office led on an exercise to improve our multi-agency response to Looked After and Accommodated Children who go, or are at risk of going missing. EMPPC agreed a local inter-agency partnership protocol in March 2019 which followed on from the national pilot. This has involved developing a senior oversight and an operational implementation group. As part of this, Police Scotland's 'J' Division

Missing Persons' Co-ordinator has prepared weekly intelligence reports which are shared with Social Work and partners to allow for early identification and intervention in relation to the children and young people who most frequently go missing. This was supported by a series of training and local briefings on both the Missing Person Local Partnership Protocol and the Return Discussions. These sessions were well attended by staff from both Local Authorities, Education and Third Sector providers.

This year there has been a refocus on the impact of poverty and its significance in Child Protection in response to the publication of 'Child Welfare Inequalities: A Four Nations Study' (Bywater et al 2018). It found that there is an inverse correlation between poverty and child abuse and neglect; that is to say as socioeconomic status decreases, the risk of Child Abuse and Neglect increases. They found a strong association between a family's socio-economic circumstances and the likelihood that their children will experience Child Abuse and Neglect. With each 10% increase in neighbourhood deprivation there was a noted 30% increase in Looked After and Child Protection status.

In response to these findings the Child Protection Lead Officer worked with our local authority partners to consider the above. In East Lothian, a process was developed to ensure that all families with a child on the Child Protection Register were supported to attend Income Maximisation appointments with Welfare Rights. This was subsequently extended to children looked after at home. In Midlothian funding has now been agreed for the appointment of a Welfare Rights worker to take this approach forward over the coming year.

We have continued our commitment to support the training and development of staff in Signs of Safety in East Lothian, and in Midlothian we continue to invest in the Outcomes Focussed Approach. Both of these approaches are interwoven with the Safe and Together suite of tools and interventions, which are designed to support professionals to be domestic violence informed. All of this work is underpinned by EMPPC's commitment to relationship-based and systemic practices.

### **Learning from Initial and Significant Reviews**

Initial and Significant Case Reviews are a critical part of continuous improvement, and the EMPPC is responsible for the undertaking of reviews, the development of action plans based on the findings of reviews, and overseeing implementation of the action plans.

During 2019/20 we completed less than five ICR's and commissioned an independent Chair for an SCR. We use the learning from ICRs/SCRs to improve and promote good practice and contribute to improved outcomes for children and young people across Scotland.

During 2019/20 we issued two 7 minute briefings and supported multi-disciplinary teams within the Partnership to use them as a tool to learning and practice improvement and development. The dissemination of learning was overseen by the Learning and

Development sub-group and the improvements in practice were overseen by the Practice and Quality Improvement sub-group.

### **Multi-agency Self-evaluation**

Whilst individual agencies have responsibility for the quality assurance of their own service, EMPPC has responsibility for the development and implementation of inter-agency quality assurance mechanisms.

An audit was commissioned to consider whether learning from an ICR and SCR had embedded in practice following their inclusion in the previous years' improvement plan. This was initiated in September 2019 across both authorities and looked at actions after children's names were removed from the Child Protection Register. The audit examined chronology, record keeping and evidence of continued multi-agency meetings post registration. Evidence was triangulated and findings presented to the Committee.

Several areas of positive practice were evidenced; for example, most cases demonstrated the use of multi-agency chronology although further development on ensuring they are maintained and up to date was required. This was taken forward within the business year with additional scrutiny tools added to Mosaic<sup>2</sup>.

In many cases there was evidence that core group meetings were working well, enabling information to be shared on a regular basis to support the protection of children. There was evidence that this needed to be recorded in a standardised mechanism on Mosaic and further work was completed in this area to ensure this process is consistently adhered to.

This year a scrutiny tool was developed to support the IRD overview group in its' quality assurance function. The IRD overview group continue to meet fortnightly. It is attended by a service manager from Children's Services, a Consultant Paediatrician from NHS Lothian and a senior officer from Police Scotland. The Lead Officer for Child Protection chairs the group.

The purpose of the overview group is to provide quality assurance and data collection in relation to decisions made as part of an IRD. A clear agenda is followed at each overview group and data collection is summarised and reported on each quarter to the EMPPC via the Quarterly Report.

The quality assurance aspect looks at:

- The relevance of the IRD (in line with **EMPPC Child Protection IRD Threshold and Outcomes Guidance**);
- If the interim safety plan meets the standards required in the **EMPPC Child Protection Interim Safety Plan Guidance**;

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<sup>2</sup> The social work recording systems used in East Lothian and Midlothian

- If additional actions are required to further reduce existing risk; and
- Barriers to completion for IRDs that have been open for over 14 days

The purpose of this tool is to identify, quantify and summarise exception reporting, identifying and highlighting IRD's that showed exceptional and or innovative practice as well as identifying IRD's that did not meet these standards. Reporting will be on a biannual basis to the Practice and Quality Improvement sub-group and then to the Public Protection Committee.

### **Child Protection Learning and Development**

The EMPPO co-ordinates the delivery of training on behalf of East Lothian and Midlothian Public Protection Committee via the Learning and Practice Development Sub-Group, the Learning and Development Strategy and Training Pathway.

We continue to develop links across the public protection landscape to jointly plan and commission training on an interagency basis.

In Child Protection we offered a range of training opportunities and 334 delegates attended. We continue to improve our processes for systematically monitoring, reviewing and evaluating the quality of and impact of our training programme. Exit evaluations questionnaires are completed on the day of training and these are reviewed to ensure that training continues to meet need.

### **Practice Themes and Emerging Trends**

Covid19 has had a significant influence on Scotland's Public Services and it will be sometime before we fully understand the direct and indirect impact on these services and the people and communities we serve. A key focus of the work in the Public Protection Office has been to respond quickly to provide guidance to the partnership to enable them to continue to provide key processes in a time of unprecedented challenge.

The EMPPO co-ordinates the delivery of training on behalf of EMPPC via the Learning and Practice Development Sub-Group, the Learning and Development Strategy and Training Pathway. As a consequence of the pandemic face to face training was suspended. Our training requires re-design to enable it to be delivered by virtual means.

We will continue to work with our partners to strengthen our response to neglect and accumulative concerns and ensure that a focus is maintained on income maximisation as part of this overall work. The impact of COVID on our families and communities may result in an increase in referrals for Child Protection services and we will continue to monitor trends and patterns.

Strong partnership working, shared policy, procedures and practice are essential elements of keeping our children and young people safe. We need to strengthen our approach to

seeking feedback from children and young people about their experience of the child protection systems and use this to inform our improvement journey.

## Violence Against Women and Girls

EMPPC's Violence Against Women Delivery sub-group, with more than twenty committed members from public and third sector services, meets quarterly and is responsible for action to deliver Scotland's Equally Safe Strategy at a local level.

### 16 Days of Activism to end Violence Against Women and Girls 25 November – 10

**December** has been a key feature of our approach to fostering culture change and prevention in recent years. Our 2019 calendar was full of interesting initiatives from across our services. Our flagship Partnership *'Coming Together - Building Well-thy Communities'*



event brought together around 70 participants including eight service users. The event featured contributions from survivors such as a testimony from one service user of the barriers she experienced her suggestions for improvement and another group presenting African drumming. A suite of presentations from service leads led to a lively and challenging discussion with women survivors on their experience of using services. As a direct result of this input a joint meeting with health and police partners took place to consider local service improvements;

one service user shared her experience and the importance of accessing specialist domestic abuse; three other service users shared poetry pieces developed at the creative writing sessions; and one other sang some popular songs and shared one of her own songs about her experience.



The international White Ribbon Campaign aims to bring men on board as allies. Midlothian Council held a White Ribbon training day with ten employees (within the 16 Days

*"Every man needs to change their attitude (... to violence against women), and if they can do something about it then they should"*

Midlothian Council male participant



We had many partnership Roadshows in public spaces and White Ribbon Pledge sign-ups particularly with businesses with male workforces such as Torness and the Musselburgh Blue Watch team (below).



In January 2018, we started work on adopting [The Safe & Together™ Model](#), which is “*an internationally recognised suite of tools and interventions designed to help child welfare professionals become domestic-violence informed*”. We are part of the network of 16 Scottish local authorities working to embed this approach into our delivery of children’s wellbeing and protection. In our second year, EMPPC has continued to provide Core Practice training prioritising social work and relevant third sector staff, funded through the Communities Fund, which 83 completed. Our two Domestic Abuse and Safe & Together briefings to 55 participants sought also to raise awareness of the new Domestic Abuse (Scotland) Act. Subsequently the programme of briefings was transferred to each local area to deliver. The Children’s Social Work Service Manager leads have formed a local delivery group to embed the approach in their systems and practice. Midlothian developed a domestic abuse case file audit tool and the first audit advised that they are beginning to see evidence of the positive impact of the Safe & Together approach being embedded into practice. There was overwhelming evidence that workers are good at identifying domestic abuse concerns and that these are considered within assessments. There was also evidence that we are beginning to see impact of Safe & Together language and practice. It is important to be able to provide support to perpetrators of domestic abuse if they are open to change as part of the Safe & Together approach. This year Midlothian piloted a

Families First voluntary programme for fathers who wish to change their behaviour, based on the principles of the Caledonian System. Whilst uptake was low in the first year, which reflects national attempts to engage with perpetrators of domestic abuse on a voluntary basis, the service has plans to enhance referral routes through a range of other services and to provide an early intervention Developing Dads parenting group which will include domestic abuse.

### Violence Against Women and Girls data

Public Protection's VAWG Measures		16/ 17	17/ 18	18/ 19	19/20
VAW01 – Number of incidents of Domestic Abuse recorded by the Police	East	938	938	1,153	1,264
	Mid	1,040	987	1,179	1,194
VAW02 – Number of victims referred to the Domestic Abuse Referral Pathway following a Police incident	East	106	190	302	302
	Mid	113	237	282	244
VAW03 – Number of victims referred to MARAC	East	85	78	103	105
	Mid	111	75	105	82
VAW04 – Number of children involved in cases referred to MARAC	East	120	110	137	150
	Mid	153	124	169	151
VAW05 - % of repeat MARAC cases (within one year)	East	35% (30/85)	27% (21/78)	48% (49/ 103)	32% (34/105)
	Mid	41% (46/ 111)	33% (25/75)	33% (35/103)	17% (14/82)
VAW06 – Number of sexual crimes recorded by the Police	East	160	134	203	196
	Mid	157	179	202	205
VAW07 – Number of survivors of rape and sexual abuse referred to specialist support services provided in East Lothian and Midlothian by Edinburgh Rape Crisis Centre	East	25 (52 women supported)	31 (51 women supported)	35 (54 women supported)	37 (63 women supported)
	Mid	31 (37 women supported)	26 (43 women supported)	47 (63 women supported)	46 (71 women supported)
VAW08 – Average length of time survivors of sexual violence need to wait from the point of initial assessment to the first long-term support session, provided by Edinburgh Rape Crisis Centre	East	New Indicator		19 ½ weeks	21.75 weeks
	Mid			14 ½ weeks	14.75 weeks
VAW09 – Number of referrals to specialist perpetrator interventions (men only)	East	New Indicator			80
	Mid				51
VAW10 – Number of perpetrators of domestic abuse engaged in specialist perpetrator interventions	East	New Indicator		20	117
	Mid			24	107

The national Equally Safe Quality Standards and Performance Framework, now in its 3rd year, aims to be a resource to support VAW partnerships to measure and demonstrate the progress being made to implement Equally Safe, Scotland's strategy to prevent and eradicate violence against women and girls, at local level and identify areas for improvement.

Due to pressures arising from the context of the pandemic, this year we completed only the performance framework. The framework's four sections include: funding; referrals to specialist violence against women and girls services; referrals to services for perpetrators and outcome in safety and wellbeing.

We reported 1,369 referrals to existing specialist VAWG support services for women and girls as shown in the table below.

<b>Number of referrals (women and girls) to specialist VAWG support services</b>		
<b>Referrals by age range</b>	<b>Number</b>	<b>%</b>
Girls aged 0-15	250	18%
Women aged 16-25	94	7%
Women aged 26+	918	67%
Women age not identified	107	8%
<b>Total referrals</b>	<b>1,369</b>	<b>100%</b>

In terms of outcomes for women and girls, at point of exit from service:

- 49% reported or were identified as being at less risk of harm; and
- 65% reported or were identified as having an improved level of wellbeing

Our outcomes data is work in progress as not all of our services are able to collect this data and it is not always possible to complete an objective assessment or exit interview.

### **Domestic abuse**

Women's Aid East and Midlothian received referrals for 236 children and young people and 718 women of all ages; many of them either self-refer or come from a range of services and do not relate to a police incident, which gives a fuller picture of the extent of known domestic abuse. There were 116 women referred to the Domestic Abuse Service, which is explicitly for the highest risk survivors of domestic abuse.

Men are not included in these figures, however, SACRO's FearFree Lothian wide service supports men and LGBT survivors of domestic abuse: in 2019/20 they received less than ten referrals for men from East Lothian and Midlothian.

### **Commercial Sexual Exploitation**

Taking forward our partnership's Position Statement on Commercial Sexual Exploitation we have sought to strengthen partnership working with support services; this year SACRO's Lothian wide services reported four referrals for women in our two areas and through the new CliCK service they are working to increase outreach and reporting.

### **So-called 'Honour-based' violence**

Our social work services did not receive referrals for FGM and Forced Marriage; Shakti Women's Aid received less than ten referrals from our areas forced marriage and 'honour-based' abuse).

## Sexual abuse

Whilst the previously rising number of sexual crimes reported to the police appear to have levelled off in 2019/20, the number of women aged 16+ seeking support from our East Lothian and Midlothian Sexual Abuse Services continues to rise. These services, which are part-time, supported 134 women during 2019/20 compared to 116 in 2018/19.

Consistently, a minimum of 80% of survivors supported report that they:

- Feel safer and more in control of their options and choices;
- Feel more able to cope with the impacts of sexual violation and trauma;
- Develop improved well-being and resilience;
- Are empowered and supported to engage with the criminal justice system, when they elect to do so.

*'I was finally able to confront and deal with the abuse I suffered and my feelings towards my abuser and my relationship with intimacy. The support worked for me, as it was after work, and in a relaxed and safe place. My worker was so helpful. She helped me face my negativity and deal with this. I felt very comfortable talking to her. She helped me get my life and marriage back. I'm eternally grateful.'*

Sexual Abuse Services - survivor

As more women speak out publicly about their experiences of different forms of gender based violence and with the improving national information and response we anticipate that demand for specialist services for all types of abuse will continue to increase.

## Performance Framework and Improvement Plan

EMPPC are committed to the improvement of service delivery and outcomes for people experiencing gender based violence, the majority of whom are women and girls. The ten indicator set of key performance indicators focuses attention on the two main areas of multi-agency working: domestic abuse and rape and sexual assault. The improvement plan actions are designed to strengthen our work in relation to the indicators and the four priorities of the Equally Safe strategy. The indicators and improvement actions are monitored quarterly through the VAWG Delivery subgroup, the Performance and Quality Improvement subgroup and EMPPC.

## Key developments

In 2018 East Lothian Council signed the 'Make A Stand' Campaign Pledge which asked housing providers to make a commitment to support people experiencing domestic abuse. Following this the Council's Community Housing service set up a project group to develop a new Equally Safe Housing Policy, which will consider all aspects of housing and related

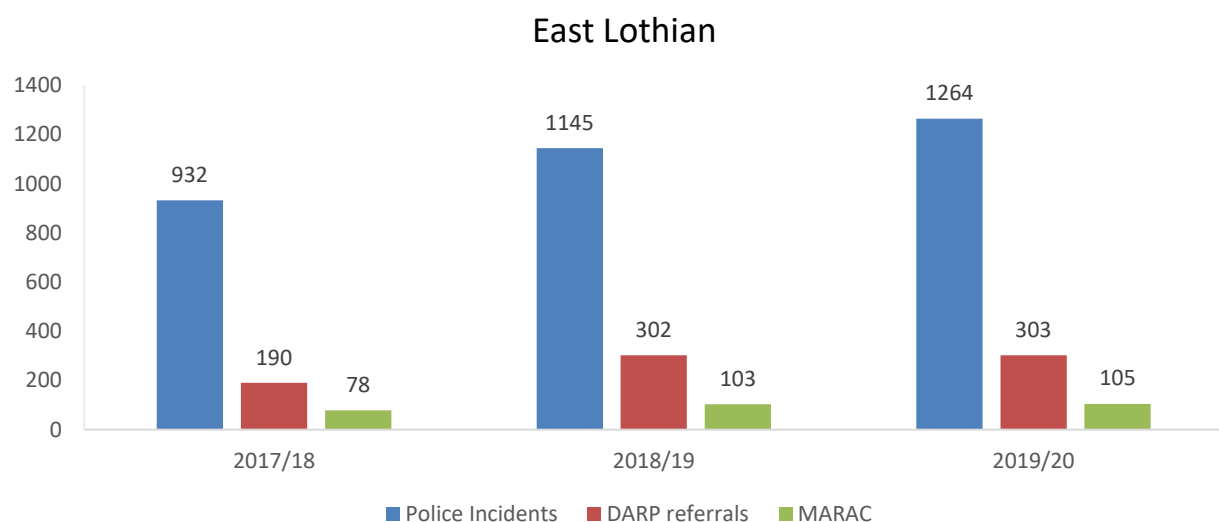
services required to deliver a fit for purpose system which sets out a unified respond to violence against women and girls across all tenures in East Lothian.

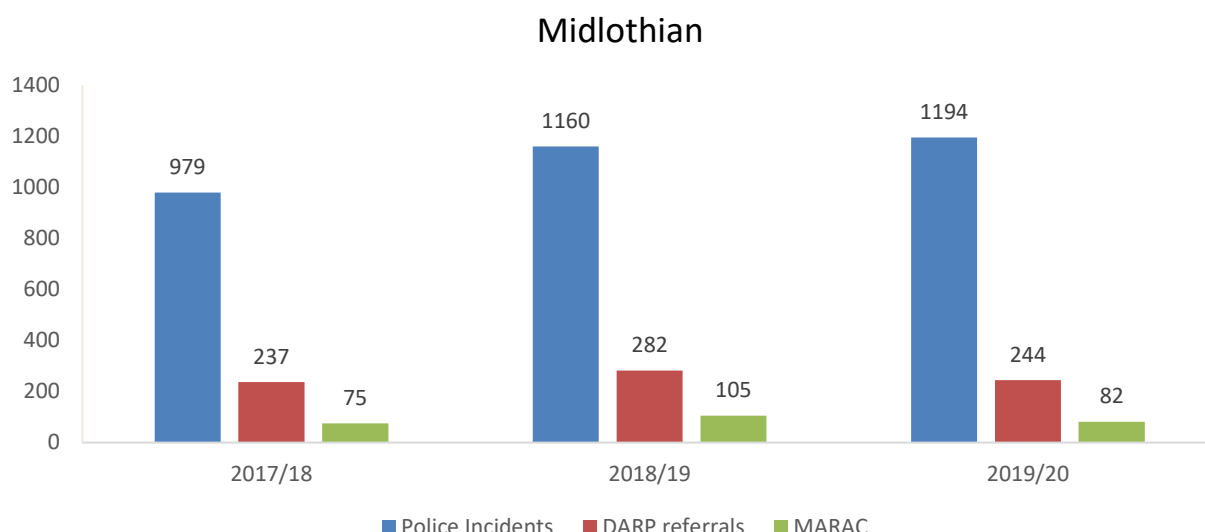
### Domestic Abuse Pathway and MARAC

We consolidated our partnership's Domestic Abuse Referral Pathway Following a Police Incident (DARP), by reviewing our operating protocol as well as establishing a service agreement with Women's Aid East and Midlothian to provide specialist workers for the Domestic Abuse Service team from July 2019. In August we welcomed a new Marac Coordinator to the team.

We also consolidated our approach to MARAC (Multi-Agency Risk Assessment Conferencing) for cases of domestic abuse where there is risk of serious harm or murder. We reviewed the Operating Protocol and enhanced quarterly monitoring reports to the VAWG Delivery sub-group, which is also the MARAC steering group. We also delivered a programme of briefings and training for local organisations to upskill staff to understand, assess risk and refer to MARAC.

The tables below summarise the last three years' data for the key Police, Pathway and MARAC indicators in East Lothian and Midlothian.





In East Lothian, the number of Domestic Abuse Incidents recorded by the Police has been steadily rising and referrals through DARP and to MARAC have remained stable in 2019/20 in comparison with 2018/19. In Midlothian, whilst the number of Domestic Abuse Incidents Recorded by the Police increased from 2018/19 to 2019/20, referrals through DARP and to MARAC have decreased.

Over 2019/20, 547 survivors of domestic abuse consented to specialist support through our Pathway services; 98% of them were female and 2% were male.

The majority of referrals to DARP scored 9 or less on the Domestic Abuse Questionnaire (DAQ) risk assessment, carried out by Police Scotland; this is consistent with anecdotal evidence that there has been an increase in incidents involving people with no previous known history of domestic abuse (first time offending). Rather than an increase in levels of domestic abuse this may reflect changing attitudes to domestic abuse so that survivors may be more likely to call the Police. The lower level of risk may be a contributing factor to the slower increase of MARAC referrals in East Lothian and the decrease in Midlothian.

Quality assurance for MARAC is provided by SafeLives through two yearly observations based on the ten principles of an effective MARAC and analysis of our quarterly MARAC data reports. Their Scottish Development Officer carried out a second observation of East Lothian and a Midlothian MARAC meetings; Safe Lives acknowledge that the observation only offers a snapshot of the operation of each MARAC and that practice may differ at other times.

The Observation Reports highlighted areas of good practice, including strong, well established and effective working relationships, strong operation of the SafeLives model, the level and detail of risk assessment, proactive information sharing, good follow through on actions and good governance structure. The Reports also highlighted the following areas

for improvement: diversification of referrals from wider services, including those supporting people with disabilities and from the LGBT communities and men; attendance of core agencies; greater focus on current risk and time-limited actions; diversity monitoring and addressing capacity.

*"Your support. You checked in on me, you understood, down to earth and you didn't judge. You were a massive help. I didn't shut myself down."*

*(Domestic Abuse Survivor)*

### **Challenges and Priorities**

The Covid-19 pandemic has made visible the particular vulnerability of women, children and young people to gender based violence as a result of public health measures to contain the virus. This has not only increased the demand on universal and specialist services but has also highlighted the need for truly trauma-informed, person-centred services, which need to be gender competent if they are to cope with the compounded trauma from restrictions and the range of abuse with violence against women as well as other forms of abuse and neglect.

### **Specialist Services**

Our Equally Safe Performance Framework report and early work on the Public Protection Strategic Needs Assessment have highlighted the need to extend the capacity and sustainability of our services and to address gaps in specialist services:

- No referrals for girls and boys aged 12-18 to sexual abuse services as these are not yet provided locally.
- No referrals for adult male survivors of sexual abuse as no local services are provided.
- Due to capacity limitations East Lothian has not been able to provide a voluntary programme of support for men who abuse their partner or ex-partner, which is key to support embedding Safe and Together into children's wellbeing and protection.

### **Prevention, gender equality and human rights**

We need a coordinated approach to prevent gender based violence and intervene very early when harmful behaviours are just beginning. Prevention means primarily having an education based approach aimed at increasing gender equality and respect for everyone's human rights, whilst bringing men and boys on board as allies to challenge sexist attitudes and behaviours among peers and model respectful non-abusive behaviour.

In addition we need to provide local support in both local authority areas to help those who are concerned about their own behaviour and wish to make changes. This will build on



international good practice through the White Ribbon and Safe & Together Institute approaches as well as work underway through the National Violence Against Women Network and the Scottish Government.

### **Adapting our training offer**

Adapting to the conditions of Covid-19 will mean providing an array of awareness raising and training across the spectrum of violence against women, including working with men as outlined above. We have identified that this should include developing a module to raise awareness with men and boys as allies in changing culture and behaviour,

*“I spoke to (project worker) constantly and she helped me leave. She was able to help me with everything – even if she identified I needed help from other services she supported me to access them, she didn’t just send me off, she was there every step”... “if I hadn’t escaped when I did... the support of this [project] ... I’d have ended up dead”.*

Women’s Aid East and Midlothian’s Substance Misuse Service - Survivor



## Offender Management

### East Lothian

#### Key Data

The key data has shown no significant change throughout the reporting year of 2019-20, with Q2 seeing 57 RSOs subject to MAPPA oversight and Q3 identifying 55 individuals, so the overall numbers remained relatively static. Of greater note was the reduction from 20 RSOs in Q1 to only 14 by Q4 subject to Justice Social Work statutory supervision. The majority of RSOs were subject to Level 1 oversight and managed by way of the Police Scotland and Justice Social Work Level 1 Review process. 2018/19 saw one individual managed at Level 3 over two separate quarters (Q3 and Q4) and two Category 3 cases (more details below). It would seem that year on year, the East Lothian data for MAPPA cases has been stable for RSOs with the numbers ranging from 50 to 58 over the last three years.

#### Current Themes

##### Environmental Risk Assessments (ERAs)

The Scottish Government published updated National Accommodation Strategy for Sex Offenders in Scotland (NASSO) guidance in September 2019. In this reporting year, East Lothian have managed to fully address the backlog of ERAs across the County with all appropriate sexual offenders now having a current risk assessment. These are now subject to review, in line with guidance, and this process is supported by partners in Police Scotland and across the Council and Health & Social Care Partnership.

##### Offence-focused Interventions

Focused work continues to be completed by way of inclusion in Moving Forward: Making Changes - the group work programme facilitated by partners in the Community Intervention Service for Sexual Offenders (CISSO), based in Edinburgh. Individual work is completed by social workers in East Lothian and, where appropriate, individuals may be required to attend the group programme or undertake further 1:1 work with a member of the CISSO service. It is noted that CISSO provide a service for those who have cognitive impairments, for individuals whose offending is solely related to the internet, as well as the full programme for more seriously harmful sexual offending.

##### Multi-Agency Public Protection Arrangements (MAPPA)

East Lothian has continued to hold regular Risk Management Case Conferences for individuals convicted of both sexual and violent offences. These meetings have representation from all the relevant agencies and develop robust Risk Management Plans for ratification by the MAPPA Level 2 Board – this mechanism of oversight has worked well throughout the reporting year. It is noted that there is a new Justice Social Work Sexual and Violent Offender Liaison Officer (SAVOLO) and he has improved the RMCC process to provide more detailed plans that include scenario planning and appropriate formulation.

### **Serious Incident Reviews**

In 2019/20 there were FOUR Serious Incident Reviews completed within East Lothian – this was a significant increase on previous years. None of the assessments progressed to a Comprehensive Review with the Initial Analyses being considered as appropriate and signed off by the Care Inspectorate. The SIRs were completed due to further offending behaviour relating to both violent and sexual offences within the domestic and non-domestic contexts.

### **Working with Women**

CONNECT, which is a multi-agency group for woman at risk of, or involved in offending continued to run on a weekly basis. CONNECT offers women a psychosocial groupwork programme to educate them around increasing confidence and self-esteem, healthy decision making, communication skills etc. A new relationship was forged this year with a local community café to allow the women to enjoy a hot lunch. Some of the afternoon activities that encourage women to engage in local activities and expand their social capital include, yoga classes, visits to the Scottish Parliament and guided walks with the East Lothian ranger service.

### **Workforce**

In May 2019, 18 staff attended 'Trauma Enhanced' Level 3 training. All Social Workers and Social Work Assistants work intensively with service users who have involvement in the Justice System and have experience of trauma. The Unpaid Work staff take out groups of individuals who have been convicted of crimes for six hours at a time in work parties. Many of these people have both caused, and experienced some level of trauma, so it is essential that all staff benefit from Trauma training. Seven Social Workers and Social Work Assistants have now completed Safe & Together training. All Social Workers staff have completed the Risk Practice Training run by the RMA and, as appropriate, undertaken refresher training for Stable & Acute and RM2000S/V Risk Assessment Tools for working with sexual offenders.

### **Category 3**

We have continued to fulfil our responsibilities in relation to the supervision of any Category 3 service users released from custody, and have robust multi-agency pre-release plans in place, including the wide ranging use of electronic monitoring.

### **Voluntary Throughcare**

Voluntary Throughcare by Social Workers rather than Social Work Assistants has been offered for those being released from prison who present a high or very high risk of harm. This has promoted continuity of service during the resettlement period to support partner agencies who have taken over the lead. We have also chaired pre-release RMCC's for a couple of high risk individuals being released at sentence end date, without formal supervision, to support the detailed handover process from Justice Social Work to Police Scotland.

### **Learning from Case Reviews**

The MAPPA Operational Group (MOG), which meets quarterly, considers all Initial and Significant Case Reviews across the Lothian and Borders area. The Lothian and Borders Strategic Oversight Group (SOG) has final sign off for these recommendations. Lothian and Borders made a decision that when a sexual offence has been committed an Initial Case Review (ICR) notification report is triggered; this is reviewed by the SOG chair who states if this should progress to a full ICR or not; and this is then sent out to all SOG members to ratify or challenge that decision.

### **Improvement Plan**

The Offender Management Group reviewed the Improvement Plan in February 2020 with the proposed updates passed to the Public Protection Committee for ratification

Agreement was reached that the Police Scotland OMU DS and Justice Social Work SAVOLO would attend all RMCCs, regardless of Responsible Authority allocation – this will promote consistency and improve the robustness of Risk Management Plans

There were two MAPPA L1 Audits in the Reporting Year (June and December) and relevant learning was noted with a plan for a learning event having to be cancelled due to the impact of the Covid-19 pandemic

MAPPA Exit Questionnaires were scheduled for Review but this was delayed until June 2020 due to the small numbers of Order and Licence completions in the first six months of their use.

### **Challenges & Priorities (2020/21)**

In the final weeks of the reporting year, Scotland entered a National lockdown – all multi-agency meetings and case conferences were moved onto a digital platform and there was no face-to-face service user contact in East Lothian until June 2020

ViSOR – this issue is yet to be resolved and the East Lothian terminal was disconnected in October 2019, following the departure of the identified Local Point of Contact. Partnership working with Police Scotland colleagues is the primary route for information sharing and a decision will be made by the Chief Social Work Officer/Chief Executive in due course

The impact of lockdown on Court closures and the expected rise in domestic abuse and internet-related sexual offending will likely have far-reaching implications for Justice Social Work service delivery and offence-focused work interventions

Development of risk-based interventions which will support desistance and improve equal access to vital services – this will be a key priority for Justice Social Work in East Lothian in relation to all those with convictions, not just those considered to present the highest risk of causing harm

Continued development of relationships and collaborative projects with partners across Community Justice and Public Protection

Further workshop and annual events to improve practitioner understanding of risk and need for sexual and violent offenders – awareness of the growing number of Category 3 individuals, including those convicted of terrorist offences

Development and use of IT (e-Safe) to support desistance and monitor the ‘critical few’ who present the greatest risk

## **Offender Management - Midlothian**

### **Key Data**

Quarterly data, accompanied by an analytical narrative is used to monitor performance and provide a level of scrutiny and assurance. At the end of quarter 4 (2019/20), the total number of sexual offenders subject to MAPPA at the period end date was 43; the lowest in the reporting year. The number of sex offender cases managed at MAPPA Level 1 at the period end stood at 40; again the lowest in the reporting year. There were no sex offender cases managed at MAPPA Level 3 during the reporting year.

### **Current Themes**

#### **Environmental Risk Assessments (ERAs)**

The Scottish Government published updated National Accommodation Strategy for Sex Offenders in Scotland (NASSO) guidance in September 2019. Midlothian continues to assess and review all sexual offenders in line with this guidance. These are now subject to review, in line with guidance, and this process is supported by partners in Police Scotland and across the Council and Health & Social Care Partnership.

#### **Women’s Group Work Service – Midlothian Spring Service**

The Spring service is relevant to Public Protection due to the number of women attending the service who have experiences of childhood abuse and domestic violence. All women on a Community Payback Order are considered for the Spring service. The service offers one to one support and programmed group work. Through support offered, opportunities are created to cope with difficult and stressful situations, manage complex emotions, build self-esteem and reduce isolation, improve health, wellbeing and safety and access a range of supports. In 19/20 there were 20 women referred to spring with 18 active users. Women made progress in all ten areas of the Outcome Star assessment tool (e.g. managing mental health, progress made was 64%). 25 women started phase 2 (group work), up from 12 the previous year.

#### **Women’s Supper**

A complementary women’s service is the ‘Women’s supper’; an example of a true community partnership project. The service was introduced following identification of a gap in service for a women only space to feel safe and feel less isolated and access services

should they so desire. The Women's Social Supper was created in October 2019. Staff from Justice Social Work including Spring, Substance Misuse staff, Change Grow Live, Children's First, Horizon's Cafe and Mid and East Lothian Drugs provide support, encouragement and signposting to the women and children as well as the various activities each week. Access to Industry, Midlothian Housing, Health in Mind, Peer Support, With You Support Service, Citizens Advice Bureau as well as NHS Sexual Health staff have provided various services including dishwashing and food service and support to the women that attend. From October 2019 to March 2020, over 300 women and 100 children have attended.

### **Serious Incident Reviews**

In 2019/20 there were less than five Serious Incident Reviews completed within Midlothian. Of the four cases, three were progressed as Initial Analyses, whilst one was considered using the Comprehensive Review framework. All were considered as appropriate and signed off by the Care Inspectorate. An internal SIR review was undertaken by the previous Service Manager for Justice in order to identify learning opportunities for the Justice team. Data analysis showed that each of the individuals involved in an SIR were 18-26 year old men who had complex tri-needs (Justice involvement, substance misuse and poor mental health). From this review, the team developed a referral system into the established No 11 Allocation Meeting (see below). This allowed for the identification of bespoke support packages for this group of men involved in the Justice system. Further, Midlothian Justice created a new Desistance Team Leader post to look at supporting future service design and delivery for men on Community Payback Orders.

### **Category 3**

Midlothian has supervised less than five Category 3 service users over this reporting period. Each of the individuals were discussed at extensive multi-agency pre-release planning meetings with a range of agencies feeding into the process. Comprehensive risk management plans were then devised to assist in the management, supervision, monitoring and scenario planning for each person.

### **Improvement Plan**

The Offender Management Group reviewed the Improvement Plan in February 2020 with the proposed updates passed to the Public Protection Committee for ratification

Agreement was reached that the Police Scotland OMU DS and Justice Social Work SAVOLO would attend all RMCCs, regardless of Responsible Authority allocation – this will promote consistency and improve the robustness of Risk Management Plans

There were two MAPPA L1 Audits in the Reporting Year (June and December) and relevant learning was noted with a plan for a learning event having to be cancelled due to the impact of the Covid-19 pandemic

MAPPA Exit Questionnaires were scheduled for review but this was delayed until June 2020 due to the small numbers of Order and Licence completions in the first six months of their use.

### **Learning from Case Reviews**

The MAPPA Operational Group (MOG), which meets quarterly, considers all Initial and Significant Case Reviews across the Lothian and Borders area. The Lothian and Borders Strategic Oversight Group (SOG) has final sign off for these recommendations. Lothian and Borders made a decision that when a sexual offence has been committed an Initial Case Review (ICR) notification report is triggered; this is reviewed by the SOG chair who states if this should progress to a full ICR or not; and this is then sent out to all SOG members to ratify or challenge that decision.

### **Midlothian Sexual Abuse Services**

Midlothian continued to provide extra funding to Edinburgh Rape Crisis to keep waiting times at a minimum. This funding is continuing in 2020/21.

### **Challenges and Priorities**

It is worthy to note that in the March 2020, Scotland entered a national lockdown in the context of a global pandemic. Consequently, Justice's core business has been impacted on significantly. The Justice team were working from home initially before moving to an A/B work pattern within the office. Midlothian's default positions for staff continues to be working from home wherever possible. The Scottish Courts ceased full operational business and as such work generated from the Courts reduced significantly. Midlothian Justice has developed a route map in line with local and National guidance alongside risk assessment covering all aspects of daily business. Justice clients have been RAG rated (Red, Amber, Green) based on risk and need and have been managed in accordance with their 'rating'. Contact has been primarily by phone although other forms of contact including face-to-face, where proportionate, has been maintained. The framework will continue to be used moving forward over the course of 2020-2021.

The Number 11 Recovery Hub co-locates all mental health, substance misuse and Criminal Justice staff. A key priority for 2019/20 was to ensure that these agencies, as well as the voluntary organisations who are located in the hub, can work together in a more co-ordinated way to create healthier and safer communities. The No 11 Allocation Meeting is a positive example of collaborative working. This visionary forum brings together Health, Substance Misuse Services, Social Work, Housing, and third sector agencies and gives consideration to bespoke packages of care/support/treatment to individuals who use No 11. With a signed Information Sharing Protocol with Scottish Prison Service, Midlothian is now aware of individuals returning to our communities. The forum has seen excellent examples of holistic support being offered to services users. In-reach work in the prisons and then transitioning support to the community is now coordinated, person-centred and solution focused; involving Midlothian specific services, resources and agencies. The effective

working partnerships within Number 11 enabled services to continue to work effectively with clients and patients during the start of 'lockdown'.

To support the implementation of the Safe and Together Model in 2019, the Justice Team continues to work closely with Children and Families Social Work by offering Midlothian Families First, a structured intervention working with un-convicted male perpetrators of domestic abuse. MFF follows the same principles as the Caledonian programme, inclusive of women and children's workers offering support, safety planning and advocacy services for partners, ex-partners and children. MFF are now open to referrals following contact with police. Work is ongoing with colleagues in communication to open this up to self-referral and wider H&SC agencies.

To further aid our supervision and monitoring, Midlothian Justice has a licence with 'ESafe'. This agency facilitates the monitoring of home computer devices to assess an individual's internet use, thus providing a further level of unique risk assessment/management. Midlothian Justice will continue to develop links with this agency to determine if further licenses can be purchased when necessary.

## Learning and Development

During the year, a review of the staffing arrangements in the Public Protection Office saw a reduction in the staffing arrangements for learning and development, with a subsequent

departure of the Learning and Development Co-ordinator, and reduction in support staff arrangements.

EMPPC reviewed all Public Protection training across the lifespan and have combined the Level 1 Adult Support and Protection, Child Protection, Violence Against Women and Girls, Offender Management into one training package of Public Protection is Everyone's Responsibility. This also includes a section on Fire Risks and how to refer to SFRS.

During the year we delivered 45 face to face Public Protection training courses, 17 fewer than the previous year. 960 staff from across the partner agencies in East Lothian and Midlothian attended our events, with just over 50% of attendees coming from social work services, and 20% coming from the third sector.

In addition, almost 3000 staff across the two Council areas completed on-line Public Protection training modules (via the 'Learn Pro' training platform).

Our Learning and Development sub-group and Performance and Quality Improvement sub-group regularly review our performance indicators in relation to training. In the year we had two indicators to measure effectiveness:

The percentage of attendees to report an increase in their knowledge from attending face to face training by thematic area: for the year, this was 73% of those who responded (across all themes);

The percentage of attendees who reported that they had enough information to put their learning into practice after attending face to face training: for the year, this was 93% (across all themes).

The benefits of attending training has come through in some of the feedback from attendees:

*"I am currently working with women who have been victims of domestic abuse and the training has helped me to feel more confident in my approach to these cases. I am joint-working a couple of cases and have felt like I can ask questions and challenge decisions and approaches. I have also used activities and resources from this training in one to one sessions with a woman as part of a parenting capacity assessment"*

*"(What I have learned) Adapting policies/practices. Starting new conversations"*

*"More vigilant about behaviours displayed by young people, verbal and non-verbal communication"*

## Next steps



We have previously measured the impact of training on practice after a three-month period, but were not able to undertake the work to report on this following the departure and loss of our training co-ordinator post during the year. This is an area for development going forward.

Coming into the COVID 19 pandemic at the end of this reporting period we put a hold on face to face training. Developing a sustainable model for future training in Public Protection, developing and delivering training by virtual platforms and alternative methods to attendance in person are key priorities for the coming year.

## Communications

### What we have done

During the period of this annual report, a number of awareness raising initiatives in relation to core aspects of Public Protection across the East Lothian and Midlothian geographical areas. These are detailed elsewhere in this report. Our communications sub-group met once in the year, in May 2019.

### What we will do next

In the course of 2020-21 we will:

- revise our Communications Strategy for the Public Protection Committee and our approach to how we plan and co-ordinate our communications.
- review the membership and terms of reference of our communications sub-group; and
- progress plans to refresh and update our website.

**Covert Surveillance  
Report by Executive Director, Place**

**Report for Noting**

**1 Recommendations**

Council is invited to note the terms of this report.

**2 Purpose of Report/Executive Summary**

The purpose of this report is to advise the Council of covert surveillance actions in terms of the Regulation of Investigatory Powers (Scotland) Act 2000 ("RIPSA") by the Council from 2018//19 to date.

**Date: 1 March 2021**

**Report Contact:**

**Alan Turpie, Legal Services Manager**

[alan.turpie@midlothian.gov.uk](mailto:alan.turpie@midlothian.gov.uk)

0131 271 3667

### 3 Background

- 3.1** In some circumstances, it is necessary for Midlothian Council employees, in the course of their duties, to make observations of a person or persons in a covert manner, i.e. without that person's knowledge, or to instruct third parties to do so on the Council's behalf. By their nature, actions of this sort are potentially intrusive (in the ordinary sense of the word) and may give rise to legal challenge as a potential breach of Article 8 of the European Convention on Human Rights and the Human Rights Act 1998 ("the right to respect for private and family life").

The Regulation of Investigatory Powers (Scotland) Act 2000 ("RIPSA") provides a legal framework for covert surveillance by public authorities such as Midlothian Council. Any covert surveillance by officers must be carried out in terms of the Council's Covert Surveillance Policy. The objective of this policy is to ensure that all covert surveillance by Midlothian Council employees is carried out effectively, while remaining in accordance with the law.

- 3.2** It must be stressed that Midlothian Council does not engage in surveillance activities which are legally classed as "intrusive" eg phone tapping or mail interception. The Council's covert surveillance has simply involved test purchasing, noise monitoring or CCTV of anti-social behaviour.
- 3.3** The Council's covert surveillance policy requires that, if an investigating officer considers it necessary, any surveillance must be approved by one of the five Authorised Officers within the Council (the Chief Executive, Executive Director, Place, Executive Director, Children, Young People and Partnerships, Head of Customer and Housing Services and the Legal Services Manager). These authorisations and consequent reviews and cancellations are then stored within legal services in line with the Council's data retention policies.
- 3.4** In the last three years, the Council has carried out very few surveillance activities. There were no such activities during 2020/21 (to date) due to the COVID Pandemic but in any event there has been a general downwards trend in recent years. The number of surveillance activities are as follows:

2018/19 – 8  
2019/20 – 5  
2020/21 – 0

It must be noted that none of these activities disclosed sensitive or personal data.

The Council has not authorised any Covert Human Intelligence Sources within the last three years.

- 3.5** The Council not only has the Covert Surveillance Policy referred to above but also has Covert Human Intelligence Sources and Social Media policies which are all reviewed on a three yearly basis. The current versions of these policies are appended to this Report and members are requested to note the terms of the Policies.

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

##### **4.1 Resource**

None

##### **4.2 Digital**

None

##### **4.3 Risk**

There are no risks inherent in this Report, however, if the procedures outlined in the Covert Surveillance Policy are not followed, any evidence acquired may have been acquired unlawfully. It may therefore not be admissible in court, and the Procurator Fiscal is unlikely to take proceedings on the basis of such evidence. Midlothian Council may also be exposed to legal action.

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

This report does not recommend any change to policy or practice and therefore does not require an Equalities Impact Assessment.

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

See Appendix A

#### **Appendices**

**Appendix A – Additional Report Implications**

**Appendix B – Covert Surveillance Policies**

## APPENDIX A – Report Implications

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

Not applicable

### 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

The report does not directly relate to involving communities

### A.6 Impact on Performance and Outcomes

The report does not directly impact on Midlothian Council's performance and outcomes

### A.7 Adopting a Preventative Approach

Not applicable

### A.8 Supporting Sustainable Development

Not applicable

## APPENDIX B

### Background Papers/Resource Links (if applicable)

[Covert Surveillance Policy and Guidance.doc](#)

[Covert Human Intelligence Sources Policy and Guidance.doc](#)

[Social Media Policy.doc](#)

## **Glyphosate Weed Killer**

### **Report by Kevin Anderson, Executive Director – Place**

#### **1 Recommendation**

Council is recommended to:

- i. approve the use of glyphosate on a restricted spot application basis, as on Midlothian's streets and pavements; and
- ii. agree the continued reduction in usage in Midlothian's parks and open spaces; with the exception of invasive species, e.g. Giant Hogweed and Japanese Knotweed.

#### **2 Purpose of Report**

Following cross party agreement by Group Leaders on 5<sup>th</sup> May 2020 to permit the use of glyphosate on an emergency basis during the Covid pandemic; this report is to recommend approval of its continued, but limited, use.

Revert to use of glyphosate with a commitment to continue reducing average annual usage of glyphosate and a commitment to increasing pollinator habitats.

- Reducing usage annually in line with the Council Bio Diversity Action plan
- Reducing usage annually by adhering to Scottish Government guidance to avoid blanket treatment with Glyphosate e.g. move to spot treatments
- Reducing usage annually by reducing the amount of grass edges treated e.g. spray edges where required at walls and fence lines but cease treating grass edges at kerb lines (some additional strimming will be undertaken)
- Introduce a system to allow community groups to adopt areas that will not be weed killed.
- Create pollinator habitats annually in our larger open spaces and encourage community groups to adopt these.
- Avoid undertaking first spray of grass edges until late May to allow Bees and other pollinators to feed on Dandelions etc.
- Continuing to trial alternative weed control methods and products.

**Date:** 5 March 2021

**Report Contact:** Justin Venton, Land and Countryside Manager

**Email:** Justin.venton@midlothian.gov.uk

## 2 Background

- 2.1 On 25<sup>th</sup> June 2019, Midlothian Council determined that glyphosate would be prohibited from use on Council owned land, with the exception of invasive species. This followed an initial moratorium on glyphosate use agreed by Council in May 2019 due to concerns for the environmental impact on bees.

On 5<sup>th</sup> May 2020, there was cross party agreement to permit the use of glyphosate on an emergency basis during the pandemic.

On 18<sup>th</sup> February 2021, a cross party meeting was held to discuss the use of glyphosate and the practical alternatives as due to the restrictions on workforce and working practices during the pandemic, significantly less quantities of glyphosate were used in 2020 compared to previous years.

The Scottish Government arranged a seminar on the use of glyphosate and other herbicides for Amenity managers on the 4<sup>th</sup> of February 2020, at which Midlothian was represented. The main message from this meeting was to avoid the blanket application of glyphosate.

Legally enforceable conditions of use are imposed on the way products can be applied to ensure the public are not exposed to levels of pesticides that would harm health or have unacceptable effects on the environment. It is important that users (or those who cause or permit others to use pesticides) not only comply with the authorised conditions of use but also use products in a responsible and sustainable fashion. The responsible use of pesticides in amenity areas as part of an integrated programme of control can help deliver substantial benefits for society. These include: management of conservation areas, invasive species and flood risks; access to high quality sporting facilities; and safe public spaces (for example, by preventing weed growth on hard surfaces creating trip hazards), industrial sites and transport infrastructure.

The risks associated with the use of pesticides in amenity areas such as parks are specifically considered as part of the authorisation process.

The weed killer products that the Council previously used may have varied however the main chemical used was glyphosate. This is not a poison but a trans-locative herbicide, which is a hormone weed killer. Glyphosate kills the roots as well as the foliage of the plant by translocation. (The movement of materials from leaves to other tissues throughout the plant)

The Council utilised products with a low hazard rating. The contractor we employed for streets and pavements also used a glyphosate with a low hazard rating.

The Scottish Government arranged a seminar on the use of glyphosate and other herbicides for Amenity managers on the 4<sup>th</sup> of February



2020, at which Midlothian was represented. The main message from this meeting was to avoid the blanket application of glyphosate.

Highland Council prohibited the use of weed killing products containing glyphosate in June 2019.

Edinburgh Council have restricted the use of glyphosate however they still use it to treat streets and pavement.

West Lothian continue to utilise glyphosate and trial alternatives.

East Lothian continue to utilise glyphosate.

Midlothian's Land and Countryside service has been trialling non-herbicide alternatives to the use of glyphosate on Midlothian's streets and pavements.

This has predominantly involved using brushes that can be fitted to existing grass cutting equipment and standalone brushing units.

### **3 Concerns Raised over bees**

A study in 2019 published in a reputable journal finds that Monsanto's global weed killer harms honey bees. The paper 'Glyphosate perturbs the gut microbiota of honey bees' reports that bees fed glyphosate at concentrations chosen to mimic environmental levels lose beneficial gut bacteria, which then leaves them vulnerable to deadly infections. Glyphosate is now facing fresh demands for a ban based on this new research.

This is 1 study out of 800 studies that have been undertaken, and the suggestion is that this new study is flawed and fails to address whether changes observed in the bees gut microbiome play any part in its health or that glyphosate is responsible for anything at all.

<https://www.pnas.org/content/115/41/10305>

The conclusion reached from the science and evidence by regulatory bodies around the world, including the EU's two leading regulatory bodies – the European Food Safety Authority (EFSA) and the European Chemicals Agency (ECHA), is that glyphosate is safe when used correctly.

## **4 Report Implications**

### **4.1 Resource**

Spend on weed control based on two glyphosate applications is approximately £113,000 per annum (£38k streets and pavements, £75k Landscape Areas).

A considerable price increase was realised in 2020 when this contract was retendered. Land and Countryside determined accurately that 513 km of road and 187 km of paths and pavements were to be treated.

The rate charged reduced from £32.00 a km to £27.00 a km. However, the km of roads to be treated extended by more than 80% from the previous tender and the paths were defined for the first time. The price for a treatment was £18,900, where previously it was approx. £11,000.

## 4.2 Risk

A ban on the use of glyphosate will risk current grounds maintenance contracts income for our Landscaping Services, amounting to £240K and a further potential income of approximately 300k of landscape project work that could be put at risk from developers contracting Midlothian's Landscaping Services.

There is a risk that banning the use of glyphosate when the weight of scientific evidence and the guidance from National and International bodies suggest the product is safe to use may bring the Council into disrepute.

Many residents are concerned over the use of herbicides and wish to see use restricted and for Council policy to reflect this.

With current resources, the standards of maintenance of shrub beds, grass edges and streets and pavements across Midlothian will deteriorate without the use of glyphosate. The new maintenance regime suggested will generally result in more weed growth being evident than in previous years.

### Key Issues:

- Following the publication of a report from the International Agency for Research on Cancer (IARC) in 2015 which found that glyphosate was "a probable human carcinogen", there has been a great deal of debate across the world as to whether the herbicides which include glyphosate are safe to use.
- This debate has been heightened by recent court rulings in the United States which have awarded multi-million dollar damages to citizens who have claimed continued use of glyphosate has caused them to develop cancer.
- National agencies across the world have declared glyphosate to be safe to use, suggesting it poses no threat. However some countries have now decided to ban glyphosate or severely curtail its use.
- Regarding the UK, it continues to say glyphosate based products are safe to use, but local authorities now find themselves caught between legal advice and the moral question of knowing there have been successful claims that glyphosate has caused cancers.

Issues arising from weed killer application in 2020 were as follows;

- Concerns raised by residents over control of weeds/wild flowers on the streets and pavements

- Poor control of weeds in some streets and pavements i.e. established weeds
- Concern for pets when grass edges were treated in housing areas. (Residents expressed the view that they wanted us to strim and trim instead)

### **4.3 Single Midlothian Plan and Business Transformation**

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

### **4.4 Key Priorities within the Single Midlothian Plan**

This report does not impact on the key priorities within the Single Midlothian Plan.

### **4.5 Impact on Performance and Outcomes**

The report directly impacts on Midlothian Council's performance and outcomes. Failure to re-instate Glyphosate usage or fund alternative methods of maintenance will result in the aesthetics of Midlothian looking very poor and effect community safety and wellbeing.

### **4.6 Adopting a Preventative Approach**

The report highlights the need for a preventative approach to stop the degradation of infrastructure and the removal of slip and trip hazards resulting in claims costs for the Council in the long term.

### **4.7 Involving Communities and Other Stakeholders**

The lack of maintenance in 2019 resulted in volunteer gardening groups taking on some maintenance tasks and some cemetery visitors hand weeding around their family headstones. In 2020, there have been activities carried out by local groups in Dalkeith (Guerrilla Gardeners) Bonnyrigg, Woodburn and Penicuik.

Issues arising from the lack of weed control due to the prohibition of glyphosate use in 2019 were as follows:

- Increase in complaints and enquiries received particularly in relation to streets and pavements
- Accidents (slips and trips) caused by weed growth
- Damage to infrastructure
- Major deterioration of the visual aesthetics of Midlothian amenity space

- Relatives concerns expressed over the weed growth in cemeteries, which has been regarded as a lack of respect.

In 2018, between 16/7/2018 and the 16/8/2018, the Land and Countryside service registered 31 enquiries/complaints related to weeds. (Two herbicide treatments of all areas were undertaken in 2018)

In 2019, between 19/7/2019 and 19/8/2019, the Land and Countryside service registered 75 enquiries/complaints related to weeds. (No weed kill of streets and pavements was undertaken in 2019 and shrub and grass areas were only treated once)

In 2020, between 19/7/2020 and 19/8/2020, the Land and Countryside service registered 48 enquiries/complaints related to weeds. (One treatment of most areas undertaken)

Generally, in 2019, most of the complaints were concerning weed growth. In 2020, there were complaints over weed growth and also complaints when weed killing was carried out. Residents from several areas have highlighted that they would prefer grass edges trimmed rather than weed killed. Residents often raising concerns for children, pets and wildlife when grass edges are treated with weed killer adjacent to their properties or near schools.

## **5.8 Ensuring Equalities**

The frail, the very young, elderly and those with a disability can be impacted by a lack of weed maintenance of our streets and pavements as there have been associated reports of slips and trips becoming more common place.

## **5.9 Supporting Sustainable Development**

Weeds need to be removed to stop damage to infrastructure, to avoid trip hazards for residents and maintain the aesthetics of Midlothian. Failure to ensure this maintenance is carried out is not sustainable in the long term.

## **5.10 IT Issues**


There are no IT issues arising from this report.

## Appendix 1.

### The Glyphosate product

Information sourced from the Health & Safety Executive details that Glyphosate is the active substance in many herbicides (weed killers) and is widely used around the world. It is a non-selective, systemic herbicide/weed killer and was first used in the UK in 1976.

Since it is approved for use in many countries, it has been subject to extensive testing and regulatory assessment in the EU, USA and elsewhere and by the World Health Organisation

Glyphosate is currently approved for use as a herbicide (weed killer) in the EU. Approval was granted in 2002, based on a review of mammalian toxicology, ecotoxicology and other data. Further detailed information about the EU regulatory process with respect to Glyphosate can be found on the Official Journal of the European Union 

The UK Government considers that the regulatory process for authorising plant protection products is a robust system. The authorisation process takes into account all scientific knowledge available.

All products which contain glyphosate must be individually authorised in Member States. Applicants for authorisation must show that their products are effective, humane and pose no unacceptable risks to people or the environment. If their products were to pose such risks, they would not be authorised; or if such effects were discovered later, they would be withdrawn.

Neither the EU's assessment of glyphosate as an active substance nor the UK's assessments of applications for authorisation of products which contain it have found the substance unacceptable for use.

### Glyphosate applications

Reverting to the previous working practices, with planned limited use. Alternatives to the use of glyphosate herbicide are limited and there is no suitable alternative. Most other weed killers have been withdrawn from the market as they are less environmentally friendly.

Alternatives to glyphosate, which we are aware of, are more likely to be hazardous to wildlife and particularly bees foraging on weeds. They are also far less effective and more expensive. Hot water, Foam, steam procedures are all lethal to bees and the chemical alternatives to glyphosate all also have a bee warning on the labelling.

The Land and Countryside service has halved the usage of Herbicides over the past 5 years (mainly glyphosate). The advice is to keep pets and children off treated areas during the drying time (e.g. about ten

minutes after it has been sprayed). In fact the adjuvant (chemical carrier) in the weed killer is the most likely to affect dogs and this would only be in the period when it is still wet.

In 2020, applications to grass edges were reduced in frequency and many edges were left untreated, reducing herbicide usage further.

The Land and Countryside service has been trialling non-herbicide alternatives to the use of glyphosate on Midlothian's streets and pavements. This has predominantly involved using brushes that can be fitted to existing grass cutting equipment and standalone brushing units.

### **Usage by other organisations**

Highland Council prohibited the use of weed killing products containing glyphosate in June 2019.

Edinburgh Council have restricted the use of glyphosate however they still use it to treat streets and pavement.

West Lothian continue to utilise glyphosate and trial alternatives.

East Lothian continue to utilise glyphosate.

**Annual iESE Public Sector Transformation Awards 2021****Report by Dr Grace Vickers, Chief Executive****Report for Information****1 Recommendations**

Council is recommended to note the achievement by Midlothian Council of two iESE Certificate of Excellence awarded for the following:

- #KindnessMidlothian Campaign
- Net Zero Carbon Project

**2 Purpose of Report/Executive Summary**

The purpose of this report is to recognise and celebrate our achievement in receiving two iESE Certificates of Excellence awards for our work relating to the #kindnessmidlothian campaign during the pandemic and also for activities supporting our goal of being carbon neutral by 2030.

**Date 01 March 2021****Report Contacts:****Annette Lang**[Annette.lang@midlothian.gov.uk](mailto:Annette.lang@midlothian.gov.uk)[Myra Forsyth](#)[Myra.forsyth@midlothian.gov.uk](mailto:Myra.forsyth@midlothian.gov.uk)

### 3 Background

- 3.1** The annual iESE Public Sector Transformation Awards are an opportunity to celebrate and share the most innovative practice in transforming local public services. Further information regarding the work of iESE can be found using the link: <https://iese.org.uk/>
- 3.2** For the iESE Public Sector Transformation Awards 2021, the Council submitted applications for the following two categories:
1. **Green Council** - This category recognises, rewards and promotes environmental best practice across the public sector in the UK. The organisation making a submission has shown how they have helped the environment and improved sustainability not only in their organisation, but their surrounding community.
  2. **Working Together** - This category is for simplifying the way that residents and local businesses deal with public services, bringing together multiple contact points, removing the barriers between organisations and moving resources closer to the customer.
- 3.2** Due to the standard of the work demonstrated by our submissions in the difficult climate of the past year, we were recognised with an iESE Certificate of Excellence for both submissions. This report is to recognise and celebrate our achievement in receiving two iESE Certificates of Excellence awards for our work relating to the #kindnessmidlothian campaign during the pandemic and activities supporting our goal of being carbon neutral by 2030 as noted below.
- a) We were awarded the iESE Certificate of Excellence Award to mark significant innovations in improving local public services for our #kindnessmidlothian campaign which we launched at the beginning of the Covid pandemic in March 2020. This was a shared effort across the Community Planning Partnership and our collective endeavour continues to support our communities through this difficult time.
  - b) We were also awarded the IESE Certificate of Excellence Award to mark significant innovations in improving local public services for our Climate Change approaches which include all of the work we are doing towards our goal of being carbon neutral by 2030.

The key projects included in the submissions under the theme #Kindness Midlothian were:

- Midlothian Food Fund, MTRAP (Midlothian Transport, Road and Paths Group), Community Resilience, Midlothian ART Resilience Exhibition, Locate in Midlothian, Reach 'Oot', Co-designing Neighbourhood Services, Midlothian Route Map through and out of the pandemic, Recovery Plans, Midlothian Compact and the TRACK values of togetherness, respect, accountability, creativity and kindness.



Within the Climate Change submission we demonstrated our commitment and work in the following areas:

- energy efficiency, recycling and waste, sustainable development, sustainable travel, businesses processes, carbon management, Passivhaus, solar energy, electric vehicles and innovations such as the energy waste plant and creation of an energy services company.

The full submissions can be accessed via the report contacts if required. Both provide more detailed information regarding these areas of work.

- 3.3** The annual iESE Public Sector Transformation Awards are an opportunity to celebrate and share the most innovative practice in transforming local public services. To celebrate our achievement staff are being encouraged to use the iESE logo as part of their email signature and/or footers in letter templates as shown below.



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

### **4.1 Resource**

There are no direct resource implications arising from this report.

### **4.2 Digital**

There are no direct digital implications arising from this report.

### **4.3 Risk**

N/A

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

There are no direct equalities implications arising from this report.

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

See Appendix A

## **Appendices**

### **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 treat the following areas as key priorities under the Single Midlothian Plan:-

- Reducing the gap in economic circumstances
- Reducing the gap in learning outcomes
- Reducing the gap in health outcomes
- Reducing the impact of climate change

Achieving a range of awards and accreditations supports effective delivery of the key priorities.

## **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**

Whilst this report does not directly relate to the delivery of best value, achieving external recognition via awards demonstrates good practice and therefore supports delivery of Best Value.

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

The report does not directly relate to the need to involve communities and other stakeholders though it is useful to recognise that both awards received covered areas of work that were only delivered successfully due to strength of our partnership working.

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

The areas covered by the awards have direct link to our key priorities and therefore support delivery of key outcomes identified by the Council and its partners.

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

The areas covered by the awards have direct link to a preventative agenda in both supporting our communities during the pandemic and working on activities to meet our target to be Carbon Neutral by 2030.

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

The award for our Zero Carbon project supports sustainable development and supports our target to be Carbon Neutral by 2030.

**Equally Safe at Work – Achievement of Bronze Accreditation****Report by Gary Fairley, Chief Officer Corporate Solutions****Report for Decision****1 Recommendations**

Council is recommended to:-

- (a) Note the recent achievement of the Bronze Accreditation for Equally Safe at Work;
- (b) Confirm its commitment to continuing with the progressive work in this area with a view to advancing to Silver Accreditation within the next two years, recognising the Council's ambition and aspiration to address women's inequality at work and prevent violence against women in the workplace and in wider society; and
- (c) Record its thanks to all those involved in the cross-Council working group, including partner agencies, involved in securing the Bronze Accreditation.

**2 Purpose of Report**

The purpose of this report is to celebrate the Council's recent achievement of Bronze Accreditation for Equally Safe at Work.

**Date** 25 February 2021

**Report Contact:**

Dawn Farquhar, HR Manager

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### **3 Background**

- 3.1** 'Close the Gap' works in Scotland on women's labour market participation. In 2019, Close the Gap developed an Employer Accreditation Programme to support the implementation of the Equally Safe Strategy. Equally Safe critically recognises that gender inequality is a root cause of violence against women and addressing labour market inequality is a necessary step in ending violence against women.

The purpose of the Accreditation Programme is to enable local authorities to demonstrate good practice and show leadership in addressing violence against women, as well as providing the opportunity for employers to make the connection that preventing violence against women starts with advancing gender equality.

Currently, this is the only Employer Accreditation Programme of its kind in the UK focusing on gender equality at work and violence against women at work.

Following an application process, Midlothian Council was successful in becoming one of nine Scottish Local Authorities to participate in the pilot accreditation programme.

### **4 Bronze Accreditation**

- 4.1** A cross-Council working group was established in early 2019 to develop and drive forward an action plan to meet the Bronze Accreditation Standards.

Amongst the many achievements and advancements made as a result of participating in the programme, are the introduction of a zero tolerance Gender Based Violence Policy, a zero tolerance Sexual Harassment Policy and a Safe Leave provision of ten days paid leave for those who are experiencing gender based violence and who need additional time off work to deal with resulting matters. Work is also ongoing to address areas of identified vertical and horizontal occupational segregation. Positive relationships also continue to be strengthened with partners such as Women's Aid and Engender.

- 4.2** On 9 March 2021 Midlothian Council was one of only four Scottish Councils awarded Bronze Accreditation for Equally Safe at Work.

Despite being one of the smaller Councils in Scotland, this accreditation highlights the level of ambition and aspiration within the Council to address women's inequality at work and prevent violence against women in the workplace and in wider society.

- 4.2** The Council's Bronze Accreditation is in place until March 2023. Equally Safe at Work is designed to create sustainable change in workplace practice and Council is asked to commit to continuing with the progressive work in this area with a view to advancing to Silver Accreditation within the next two years.

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

### **5.1 Resource**

There are no direct resource implications arising from this report.

### **5.2 Digital**

There are no direct digital implications arising from this report.

### **5.3 Risk**

The Council's successful bronze accreditation sends a strong message to both our staff and our communities regarding the Council's determination to address women's inequality in the labour market.

### **5.4 Ensuring Equalities**

Women still do not enjoy equality with men in Scotland, or in the wider UK. Gender equality shapes women's lives, resulting in their different experiences of employment, their greater propensity to have caring roles, and their greater likelihood of being a survivor of sexual violence. The Equally Safe at Work Accreditation will ensure a continued focus on positive work is undertaken within the Council to address women's inequality in the labour market, prevent violence against women in the workplace and support survivors at work.

### **5.5 Additional Report Implications (See Appendix A)**

## **Appendices**

### **Appendix A – Additional Report Implications**

### **Appendix B - Background Papers/Resource Links (if applicable)**

## 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 treat the following areas as key priorities under the Single Midlothian Plan:-

- Reducing the gap in economic circumstances
- Reducing the gap in learning outcomes
- Reducing the gap in health outcomes
- Reducing the impact of climate change

Achieving the Equally Safe at Work Bronze Accreditation will contribute to reducing the gap in health outcomes, learning outcomes and economic circumstances and represents a further welcomed development in addressing women's inequality at work and preventing violence against women in the workplace and in wider society.

### 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

### A.4 Delivering Best Value

The report does not directly relate to the delivery of best value.

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

A cross-Council working group was established to develop and drive forward the action plan to achieve the Bronze Accreditation standards. The Working Group included trade union colleagues.

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

Attaining the Bronze Accreditation will positively impact on the working lives of our workforce.

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

Attaining the Bronze Accreditation and striving for Silver Accreditation will ensure the Council can continue to work to address women's inequality at work and prevent violence against women in the workplace and wider society.

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

Attaining the Bronze Accreditation and striving for Silver Accreditation will contribute to addressing inequality at work, positively impacting on our employee's wellbeing and in turn lead to our workforce being able to better support sustainable development.

## **APPENDIX B**

### **Background Papers/Resource Links (if applicable)**

None



**Local Code of Corporate Governance****Report by Chief Executive****Report for Decision****1 Recommendations**

The Council is invited to:

- a) Note the changes outlined in this report;
- b) Approve the updated Local Code of Corporate Governance (Appendix 1); and
- c) Note that the updated Local Code will be used for the 2020/21 annual assurance process.

**2 Purpose of Report/Executive Summary**

This report presents the updated Local Code of Corporate Governance for Midlothian Council for approval by the Council, to assist with the 2020/21 annual assurance process, following its scrutiny and endorsement by the Audit Committee.

Midlothian Council is responsible for ensuring that its business is conducted in accordance with the law and proper standards, and that public money is safeguarded and properly accounted for, and used economically, efficiently and effectively.

The Council's Local Code of Corporate Governance, which is consistent with the principles and recommendations of the CIPFA/SOLACE Framework 'Delivering Good Governance in Local Government' and the supporting guidance notes for Scottish authorities (2016), was approved by Council in December 2017.

The Local Code has been updated as part of Internal Audit's assessment of internal control and governance and through engagement with the Corporate Management Team.

The updated Local Code of Corporate Governance (Appendix 1) has been recommended by the Audit Committee for approval to ensure this key document continues to be relevant and complete to reflect the appropriate framework for effective governance of the Council's affairs and facilitate the exercise of its functions to deliver best value.

**Date 09 March 2021**

**Report Contact:**

Jill Stacey                      Tel No  
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### **3 Background**

- 3.1** Midlothian Council is responsible for ensuring that its business is conducted in accordance with the law and proper standards, and that public money is safeguarded and properly accounted for, and used economically, efficiently and effectively.
- 3.2** The Council's Local Code of Corporate Governance, which is consistent with the principles and recommendations of the CIPFA/SOLACE Framework 'Delivering Good Governance in Local Government' and the supporting guidance notes for Scottish authorities (2016), was approved by Council in December 2017.
- 3.3** Fundamentally Corporate Governance is about openness, integrity and accountability. It comprises the systems and processes, and cultures and values by which the authority is directed and controlled and through which it accounts to, engages with and, where appropriate, leads its communities.
- 3.4** The CIPFA/SOLACE Framework urges local authorities to review the effectiveness of their existing governance arrangements against their Local Code, and prepare a governance statement and report compliance on an annual basis.
- 3.5** The Audit Committee is integral to overseeing independent and objective assurance and monitoring improvements in internal control and governance.<sup>1</sup>

### **4 Local Code of Corporate Governance**

- 4.1** The Midlothian Council Internal Audit Annual Assurance Report 2019/20, which was presented to the Audit Committee on 22 June 2020, stated within the audit opinion section:

“The Council's Local Code of Corporate Governance (approved December 2017) complies with the CIPFA/SOLACE Framework 'Delivering Good Governance in Local Government' (2016). The Local Code has been updated as part of Internal Audit's assessment of internal control and governance to include comprehensive evidence against each of the seven principles of good governance and sub-principles. The updated Local Code will require approval by Council to ensure this key document continues to be relevant and complete to reflect the appropriate framework for effective governance of the Council's affairs and facilitate the exercise of its functions to deliver best value.”
- 4.2** It was agreed that a report would be presented to a future meeting of the Audit Committee on the updated Local Code of Corporate Governance for Midlothian Council prior to being presented to Council for approval. Updates on progress were provided at subsequent meetings of the Audit Committee as part of the Actions Log.

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<sup>1</sup> CIPFA guidance note for local authorities' Audit Committees (2018)

- 4.3** The 7 core principles of good governance set out in the CIPFA/SOLACE Framework 'Delivering Good Governance in Local Government' (2016) are:
- A. Behaving with integrity, demonstrating strong commitment to ethical values, and respecting the rule of law
  - B. Ensuring openness and comprehensive stakeholder engagement
  - C. Defining outcomes in terms of sustainable economic, social, and environmental benefits
  - D. Determining the interventions necessary to optimise the achievement of the intended outcomes
  - E. Developing the entity's capacity, including the capability of its leadership and the individuals within it
  - F. Managing risks and performance through robust internal control and strong public financial management
  - G. Implementing good practices in transparency, reporting, and audit to deliver effective accountability
- 4.4** The Council's Corporate Management Team (CMT) were provided the opportunity to engage in the review and finalisation of the updated Local Code of Corporate Governance, and considered one Local Code principle at a time as follows:
- CMT 5 August 2020 – Principle G
  - CMT 19 August 2020 – Principle F
  - CMT 9 September 2020 – Principle E
  - CMT 23 September 2020 – Principle D
  - CMT 14 October 2020 – Principle C
  - CMT 4 November 2020 – Principle B
  - CMT 18 November 2020 – Principle A
- 4.5** Discussions were held thereafter with relevant members of CMT to update the evidence to demonstrate good governance which reflects the current operating environment, thus revising one Local Code principle at a time.
- 4.6** The CMT considered the collated revised Local Code of Corporate Governance at its meeting on 16 December 2020 and again on 24 February 2021 for sign-off in order to finalise the updated Local Code.
- 4.7** The main changes to the Local Code cover:
- Comprehensive evidence against each of the seven principles of good governance and sub-principles;
  - Updates to strategies, plans and processes which reflect the current operating environment;
  - Further developments in community and citizen consultation and engagement activities; and
  - Enhancements arising from audit and inspection findings, and other planned changes.
- 4.8** The updated Local Code of Corporate Governance for Midlothian Council (Appendix 1) is presented for approval by Council following its scrutiny and endorsement by the Audit Committee on 9 March 2021. The updated Local Code will be used for the 2020/21 annual assurance process.

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

### **5.1 Resource**

The overall aim of the CIPFA/SOLACE Framework 'Delivering Good Governance in Local Government' (2016), on which Midlothian Council's Local Code of Corporate Governance is framed, is to ensure that:

- resources are directed in accordance with agreed policy and according to priorities;
- there is sound and inclusive decision making; and
- there is clear accountability for the use of those resources in order to achieve desired outcomes for service users and communities.

Core principle of good governance "E. Developing the entity's capacity, including the capability of its leadership and the individuals within it" is included within the CIPFA/SOLACE Framework. Workforce and elected member development are a key part of the good governance framework within the Council's Local Code of Corporate Governance.

### **5.2 Digital**

There are no digital implications arising from this report.

### **5.3 Risk**

The review and update of the Local Code of Corporate Governance will ensure that internal controls, risk management and other governance arrangements reflect the arrangements in place on an evidence-basis.

Core principle of good governance "F. Managing risks and performance through robust internal control and strong public financial management" is included within the CIPFA/SOLACE Framework. Midlothian Council's evidence of systems, processes and documentation to demonstrate local compliance with this core principle of good governance is set out in its updated Local Code of Corporate Governance.

### **5.4 Ensuring Equalities**

This report does not relate to a new or revised policy, service or budget change, which affects people (the public or staff), so an Integrated Impact Assessment (IIA) is not an applicable consideration.

The application of equalities legislation within practices is set out in Midlothian Council's Local Code of Corporate Governance to demonstrate compliance of core principle of good governance "A. Behaving with integrity, demonstrating strong commitment to ethical values, and respecting the rule of law" which is included within the CIPFA/SOLACE Framework.

### **5.5 Additional Report Implications (See Appendix A)**

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

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

Good governance is important to enable Midlothian Council to deliver its key priorities in support of achieving the Council's objectives as set out in 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

Midlothian Council is committed to creating a great place to grow supported by the 9 drivers for change. Implementing the 9 drivers for change in practice is embedded in the Council's Local Code of Corporate Governance to assist the Council in achieving its objectives.

### **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

### **A.4 Delivering Best Value**

The overall aim of the CIPFA/SOLACE Framework 'Delivering Good Governance in Local Government' (2016), on which Midlothian Council's Local Code of Corporate Governance is framed, is to ensure that: resources are directed in accordance with agreed policy and according to priorities; there is sound and inclusive decision making; and there is clear accountability for the use of those resources in order to achieve desired outcomes for service users and communities.

This will enable the Council to fulfil its obligations to provide best value service delivery to its citizens.

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

Core principle of good governance “B. Ensuring openness and comprehensive stakeholder engagement” is included within the CIPFA/SOLACE Framework. Midlothian Council’s evidence of systems, processes and documentation to demonstrate local compliance with this core principle of good governance is set out in its Local Code of Corporate Governance.

The Council’s Corporate Management Team has been engaged in the review and finalisation of the updated Local Code of Corporate Governance, and the update of the evidence to demonstrate good governance which reflects the current operating environment.

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

The updated Local Code will be used for the 2020/21 annual assurance process. This process includes the annual self-assessment, the identification of improvement actions that are designed to enhance the internal control environment, and risk management and corporate governance arrangements, and the preparation and publication of an Annual Governance Statement reporting on the review and outcomes. This process not only creates an opportunity for the Council to set out its standards for good governance but also to ensure that its governance arrangements are seen to be sound. This is important as the governance arrangements in public services are closely scrutinised.

This demonstrates the core principle of good governance “G. Implementing good practices in transparency, reporting, and audit to deliver effective accountability” included within the CIPFA/SOLACE Framework.

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

Core principle of good governance “D. Determining the interventions necessary to optimise the achievement of the intended outcomes” is included within the CIPFA/SOLACE Framework. Prevention governance arrangements are a key part of the good governance framework within the Council’s Local Code of Corporate Governance.

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

Core principle of good governance “C. Defining outcomes in terms of sustainable economic, social, and environmental benefits” is included within the CIPFA/SOLACE Framework. Midlothian Council’s evidence of systems, processes and documentation to demonstrate local compliance with this core principle of good governance is set out in its Local Code of Corporate Governance.



### **Midlothian Council Local Code of Corporate Governance (Revised February 2021)**

Midlothian Council is responsible for ensuring that its business is conducted in accordance with the law and proper standards, and that public money is safeguarded and properly accounted for, and used economically, efficiently and effectively.

The Council operates through a governance framework for the conduct of its affairs which brings together an underlying set of legislative requirements, governance principles and management processes. The Council's revised Local Code of Corporate Governance, which is consistent with the principles and requirements of the CIPFA/SOLACE Framework 2016 "Delivering Good Governance in Local Government", will help to ensure proper arrangements continue to be in place to meet the Council's responsibilities.

The concept underpinning the Framework is that it assists local government in taking responsibility for developing and shaping an informed approach to governance, aimed at achieving the highest standards in a measured and proportionate way. The Framework helps authorities individually in reviewing and accounting for their own unique approach. The overall aim is to ensure that:

- resources are directed in accordance with agreed policy and according to priorities
- there is sound and inclusive decision making
- there is clear accountability for the use of those resources in order to achieve desired outcomes for service users and communities.

The environment in which it works local government is increasing in complexity. The Public Bodies (Joint Working) (Scotland) Act 2014 and other legislation have brought about new roles, opportunities and greater flexibility, as well as challenges for authorities.

The development of new structures, such as health and social care partnerships, necessitates the design of governance structures from the bottom up, ensuring that the core principles of good governance covering openness and stakeholder engagement, defining outcomes, monitoring performance and demonstrating effective accountability are integrated and embedded within the new structures and that mechanisms for effective scrutiny are established.

Whether working with other authorities, public sector bodies, the third sector or private sector providers, local authorities must ensure that robust governance arrangements are established at the outset. The 'Framework' defines the seven core principles of good governance, which the Council fully supports, namely:

- (i) Behaving with integrity, demonstrating strong commitment to ethical values, and respecting the rule of law
- (ii) Ensuring openness and comprehensive stakeholder engagement
- (iii) Defining outcomes in terms of sustainable economic, social, and environmental benefits
- (iv) Determining the interventions necessary to optimise the achievement of the intended outcomes
- (v) Developing the entity's capacity, including the capability of its leadership and the individuals within it
- (vi) Managing risks and performance through robust internal control and strong public financial management
- (vii) Implementing good practices in transparency, reporting, and audit to deliver effective accountability

Midlothian Council aims to meet the highest standards of corporate governance to help ensure that it meets its objectives. It will test its structure against these principles by:

- Reviewing its existing governance arrangements against the 'Framework'
- Developing and maintaining an up-to-date Local Code of Governance including arrangements for ensuring its ongoing application and effectiveness
- Preparing a governance statement (Annual Governance Statement) in order to report publicly on the extent to which it complies with its own code on an annual basis, including how it has monitored the effectiveness of its governance arrangements in the year, and on any planned changes for the coming period.

The preparation and publication of an Annual Governance Statement in accordance with the Framework fulfils the statutory requirement for a local authority to conduct a review at least once in each financial year of the effectiveness of its system of internal control and to include a statement reporting on the review with its Statement of Accounts. This process not only creates an opportunity for the Council to set out its standards for good governance but also to ensure that its governance arrangements are seen to be sound. This is important as the governance arrangements in public services are closely scrutinised.



**A. Behaving with integrity, demonstrating strong commitment to ethical values, and respecting the rule of law**

Local government organisations are accountable not only for how much they spend, but also for how they use the resources under their stewardship. This includes accountability for outputs, both positive and negative, and for the outcomes they have achieved. In addition, they have an overarching responsibility to serve the public interest in adhering to the requirements of legislation and government policies. It is essential that, as a whole, they can demonstrate the appropriateness of all their actions and have mechanisms in place to encourage and enforce adherence to ethical values and to respect the rule of law.

**A1 Behaving with integrity**

	Behaviours and actions that demonstrate good governance	Demonstration of good governance in practice
1	Ensuring members and officers behave with integrity and lead a culture where acting in the public interest is visibly and consistently demonstrated thereby protecting the reputation of the organisation	Standards are set out in the Councillors Code of Conduct.  Employees Code of Conduct reflects the values of the Council, “The Seven Principles of Public Life” identified by the Nolan Committee on Standards in Public Life, and signposts to the Council’s Whistleblowing – Public Interest Disclosure Policy.  The Performance Appraisal scheme in place for officers (MPM) is based upon the Council’s values and standards.
2	Ensuring members take the lead in establishing specific standard operating principles or values for the organisation and its staff and that they are communicated and understood. These should build on the Seven Principles of Public Life (the Nolan Principles)	The Single Midlothian Plan (endorsed by Council and published on website) sets out the vision, values and standards to guide the way it works and to inform strategies and policies based on priorities.
3	Leading by example and using these standard operating principles or values as a framework for decision making and other actions	Declarations of interest are set out in the Council's Standing Orders which govern the conduct of each Committee meeting.
4	Demonstrating, communicating and embedding the standard operating principles or values through appropriate policies and processes which are reviewed on a regular basis to ensure that they are operating effectively	Councillors and Employees Codes of Conduct outline the minimum standards of conduct and behaviours that are expected and reflect the values of the Council to make sure that public business is conducted with fairness and integrity.  Declarations of Interest are set out in the Council's Standing Orders which govern the conduct of each Committee meeting.  Employees Code of Conduct signposts to Council’s Whistleblowing – Public Interest Disclosure Policy.  The standalone Outside Employment and Other Interests Policy and Gifts and Hospitality Policy aim to provide clear instruction to employees for identifying, mitigating and recording potential conflicts of interest, hospitality and gifts.



## A2 Demonstrating strong commitment to ethical values

	Behaviours and actions that demonstrate good governance	Demonstration of good governance in practice
1	Seeking to establish, monitor and maintain the organisation's ethical standards and performance	Annual Governance Statement is the outcome of self-evaluation of compliance. The Audit Committee have oversight to ensure that the highest standards of probity and public accountability are demonstrated.
2	Underpinning personal behaviour with ethical values and ensuring they permeate all aspects of the organisation's culture and operation	Standards of conduct and behaviour are set out in the Councillors and Employees Codes of Conduct (reflects Nolan principles). Induction programmes include the above to ensure competency.
3	Developing and maintaining robust policies and procedures	Employees Code of Conduct reflects the values of the Council, and "The Seven Principles of Public Life".
4	Ensuring that external providers of services on behalf of the organisation are required to act with integrity and in compliance with high ethical standards expected by the organisation	Procurement Strategy states the five strategic themes as a procuring / contracting authority: Economic Benefits, Social Benefits, Environmental Benefits, Commercial Efficiency, and Contract and Supplier Management.

## A3 Respecting the rule of law

	Behaviours and actions that demonstrate good governance ccc	Demonstration of good governance in practice
1	Ensuring members and staff demonstrate a strong commitment to the rule of the law as well as adhering to relevant laws and regulations	Advice and overseeing compliance on legal matters is provided by the Legal Services Manager (Monitoring Officer).
2	Creating the conditions to ensure that the statutory officers, other key post holders and members are able to fulfil their responsibilities in accordance with legislative and regulatory requirements	The Scheme of Delegation sets out the particular delegations to Senior Management. Membership of Professional Bodies is required. Professional advice on the discharge of statutory social work duties is provided to the Council by the Head of Adult Health and Social Care (Chief Social Work Officer).
3	Striving to optimise the use of the full powers available for the benefit of citizens, communities and other stakeholders	Local Code of Corporate Governance, Standing Orders, Scheme of Administration, Scheme of Delegation, and Financial Regulations reflect legal requirements placed upon the Council.
4	Dealing with breaches of legal and regulatory provisions effectively.	The Monitoring Officer (statutory role) is responsible for ensuring that agreed procedures are followed and that all applicable statutes and regulations are complied with. The Standards Committee is responsible for dealing with matters relating to conduct and ethical standards.
5	Ensuring corruption and misuse of power are dealt with effectively	Counter Fraud Policy and Strategy approved by Council. Integrity Group established to improve the Council's resilience to fraud, corruption, theft and crime (including cybercrime and money laundering). Counter Fraud Annual Report presented to Audit Committee.

**B. Ensuring openness and comprehensive stakeholder engagement**

Local government is run for the public good; organisations therefore should ensure openness in their activities. Clear, trusted channels of communication and consultation should be used to engage effectively with all groups of stakeholders, such as individual citizens and service users, as well as institutional stakeholders

**B1 Openness**

	Behaviours and actions that demonstrate good governance	Demonstration of good governance in practice
1	Ensuring an open culture through demonstrating, documenting and communicating the organisation's commitment to openness	Behaviours demonstrated in B1.2. B1.3 and B1.4. Compliance with Data Protection and Freedom of Information legislation.
2	Making decisions that are open about actions, plans, resource use, forecasts, outputs and outcomes. The presumption is for openness. If that is not the case, a justification for the reasoning for keeping a decision confidential should be provided	Calendar of main Council and Committee meetings. Minutes and committee reports are published on the Council's website. Council meetings are held in public unless there are good reasons for not doing so on the grounds of confidentiality.
3	Providing clear reasoning and evidence for decisions in both public records and explanations to stakeholders and being explicit about the criteria, rationale and considerations used. In due course, ensuring that the impact and consequences of those decisions are clear	The standard report template for decision-making reports to Committees, include Resources, Risk, Single Midlothian Plan and Key Priorities, Key Drivers for Change, Key Delivery Streams, Delivering Best Value, Impact on Performance and Outcomes, Adopting a Preventative Approach, Involving Communities and Other Stakeholders, Ensuring Equalities, Supporting Sustainable Development, and Digital. Calendar of main Council and Committee meetings. Committee reports are published on Council's website in advance of meeting dates.
4	Using formal and informal consultation and engagement to determine the most appropriate and effective interventions/ courses of action	The Community Planning Partnership (CPP) actively pursues formal and informal consultation. Service specific consultation is also undertaken.

**B2 Engaging comprehensively with institutional stakeholders**

	Behaviours and actions that demonstrate good governance	Demonstration of good governance in practice
1	Effectively engaging with institutional stakeholders to ensure that the purpose, objectives and intended outcomes for each stakeholder relationship are clear so that outcomes are achieved successfully and sustainably	The Community Planning Partnership (of which the Council is a partner) has a Community Plan - The Single Midlothian Plan, as the Local Outcomes Improvement Plan (LOIP). The Council's vision, strategic objectives and priorities underpinned by a strategic assessment are reflected in the Single Midlothian Plan.
2	Developing formal and informal partnerships to allow for resources to be used more efficiently and outcomes achieved more effectively	As B2.1
3	Ensuring that partnerships are based on: <ul style="list-style-type: none"><li>• trust;</li><li>• a shared commitment to change;</li><li>• a culture that promotes and accepts challenge among partners; and</li><li>• that the added value of partnership working is explicit</li></ul>	As B2.1

**B3 Engaging stakeholders effectively, including individual citizens and service users**

	<b>Behaviours and actions that demonstrate good governance</b>	<b>Demonstration of good governance in practice</b>
1	Establishing a clear policy on the type of issues that the organisation will meaningfully consult with or involve individual citizens, service users and other stakeholders to ensure that service (or other) provision is contributing towards the achievement of intended outcomes	<p>The CPP's Governance Framework sets out principles for Community Engagement for the CPP which includes the Council as one of the partners.</p> <p>The Strategic Plan (The Single Midlothian Plan) was developed following consultations with interested parties including members of the public, therefore highly co-produced.</p>
2	Ensuring that communication methods are effective and that members and officers are clear about their roles with regard to community engagement	As B3.1
3	Encouraging, collecting and evaluating the views and experiences of communities, citizens, service users and organisations of different backgrounds including reference to future needs	<p>As B3.1</p> <p>Citizen's panel.</p> <p>The Council has put robust arrangements in place to comply with key elements of the Community Empowerment Act. The Council fully supports community empowerment and recognises the importance of building community capacity and volunteering as a key factor in building stronger, safer, and supportive communities. The success of the CPP #kindnessmidlothian campaign in harnessing a community planning partnership response to Covid-19 resulted in a significant increase in volunteering during the emergency phase of the pandemic; plans to build on this further through the next phases.</p>
4	Balancing feedback from more active stakeholder groups with other stakeholder groups to ensure inclusivity.	<p>As B3.1</p> <p>The Council seeks feedback from the public through its complaints and comments procedures for Corporate and Social Work (statutory) service areas, responds to the outcomes, as appropriate, and reports the results annually.</p>
5	Taking account of the interests of future generations of tax payers and service users	<p>As B3.1</p> <p>Elected Members are appointed to the Midlothian Integration Joint Board.</p>

## C. Defining outcomes in terms of sustainable economic, social, and environmental benefits

The long-term nature and impact of many of local government's responsibilities mean that it should define and plan outcomes and that these should be sustainable. Decisions should further the authority's purpose, contribute to intended benefits and outcomes, and remain within the limits of authority and resources. Input from all groups of stakeholders, including citizens, service users, and institutional stakeholders, is vital to the success of this process and in balancing competing demands when determining priorities for the finite resources available

### C1 Defining outcomes

	Behaviours and actions that demonstrate good governance	Demonstration of good governance in practice
1	Having a clear vision which is an agreed formal statement of the organisation's purpose and intended outcomes containing appropriate performance indicators, which provides the basis for the organisation's overall strategy, planning and other decisions	<p>The Community Planning Partnership (of which the Council is a partner) has a Community Plan - The Single Midlothian Plan, as the Local Outcomes Improvement Plan (LOIP).</p> <p>The Council's vision, strategic objectives and priorities underpinned by the Strategic Assessment are reflected in the Single Midlothian Plan.</p> <p>In response to the Covid-19 Pandemic, Council approved the Midlothian Route Map through and out of the Crisis in June 2020. This presents an ambitious programme of recovery in line with the 9 Drivers for change. In addition, Council also approved the Climate Change Strategy in August 2020 which is a significant in its overarching aim to be Carbon Neutral by 2030. An updated Economic Renewal strategy was approved by Council in August 2020 in response to the recovery actions required as a result of the pandemic. The Council is also committed to accelerating the Capital Programme and a number of reports were approved by Council in June and August 2020 which Officers are now progressing.</p>
2	Specifying the intended impact on, or changes for, stakeholders including citizens and service users. It could be immediately or over the course of a year or longer	<p>The standard report template for decision-making reports to Committees, outlining any proposals to change policies, strategies and plans, was reviewed in response to the shift to virtual meetings and new ways of working as a result of the pandemic and to ensure that key elements identified in the Midlothian Route Map through and out of the Crisis are reflected. Considerations include Resources, Risk, Single Midlothian Plan and Key Priorities, Key Drivers for Change, Key Delivery Streams, Delivering Best Value, Impact on Performance and Outcomes, Adopting a Preventative Approach, Involving Communities and Other Stakeholders, Ensuring Equalities, Supporting Sustainable Development, and Digital.</p>
3	Delivering defined outcomes on a sustainable basis within the resources that will be available	<p>Monitoring the delivery of service plans and performance indicators is conducted quarterly by the Cabinet (the principal decision-making committee of the Council) and by the Performance, Review and Scrutiny Committee (responsible for reviewing performance against policy objectives and commenting on decisions and policies and their impact).</p> <p>The Council carries out monitoring of the revenue and capital financial plans on a quarterly basis. Financial planning arrangements continue to be implemented to address budget gaps, underpinned by financial budgeting and monitoring arrangements with a quarterly financial monitoring board of officers now meeting to scrutinise in year and future year savings.</p>
4	Identifying and managing risks to the achievement of outcomes	<p>Risk management policy and guidance in place.</p> <p>Risk Register review and update is embedded in quarterly reporting processes.</p>
5	Managing service users' expectations effectively with regard to determining priorities and making the best use of the resources available	<p>The Council's performance management framework establishes the mechanism to ensure the Council meets its legal duty to provide best value to its citizens. There is annual development and monitoring of Service Plans and PIs which are aligned to Priorities in the Single Midlothian Plan. This includes a self-assessment process to evaluate actual versus standard service quality (for those Services that do not routinely self-evaluate for inspection purposes, the Customer Service Excellence model has been adopted).</p>

## C2 Sustainable economic, social and environmental benefits

	Behaviours and actions that demonstrate good governance	Demonstration of good governance in practice
1	Considering and balancing the combined economic, social and environmental impact of policies, plans and decisions when taking decisions about service provision	<p>Asset management planning and capital investment is structured to consider and balance the combined economic, social and environmental impact of policies and plans when taking decisions about service provision.</p> <p>Planning processes are in place for revenue and capital expenditure. Social and environmental impact is implicitly considered.</p> <p>The capital programme is being reviewed in light of the Midlothian Route Map Through and Out of the Crisis which was approved by Council in June 2020 as an “accelerate Capital Programme” is a key pillar of the recovery work. Supporting Capital projects were also approved by Council in June and August 2020.</p>
2	Taking a longer-term view with regard to decision making, taking account of risk and acting transparently where there are potential conflicts between the organisation’s intended outcomes and short-term factors such as the political cycle or financial constraints	<p>Various strategies and transformative programmes are in place to respond to the social, economic and demographic challenges facing the Council and still deliver high quality and improved services.</p> <p>Business Transformation Steering Group and Business Transformation Board refocus on the scale and pace of delivery of change and transformation resulting from significant changes to the financial landscape.</p>
3	Determining the wider public interest associated with balancing conflicting interests between achieving the various economic, social and environmental benefits, through consultation where possible, in order to ensure appropriate trade-offs	Decision-making reports to Committees outlining any proposals to change policies, strategies and plans include sections on implications covering Resources, Risk, Single Midlothian Plan and Key Priorities, Key Drivers for Change, Key Delivery Streams, Delivering Best Value, Impact on Performance and Outcomes, Adopting a Preventative Approach, Involving Communities and Other Stakeholders, Ensuring Equalities, Supporting Sustainable Development, and Digital.
4	Ensuring fair access to services	<p>Conducting an Integrated Impact Assessment is a requirement relating to any new or revised proposals such as policy, service or budget change which affects people (the public or staff).</p> <p>Service-specific governance arrangements include Fair access to social care policy and resource panels for children and adults services to ensure consistency.</p>

**D. Determining the interventions necessary to optimise the achievement of the intended outcomes**

Local government achieves its intended outcomes by providing a mixture of legal, regulatory, and practical interventions. Determining the right mix of these courses of action is a critically important strategic choice that local government has to make to ensure intended outcomes are achieved. They need robust decision-making mechanisms to ensure that their defined outcomes can be achieved in a way that provides the best trade-off between the various types of resource inputs while still enabling effective and efficient operations. Decisions made need to be reviewed continually to ensure that achievement of outcomes is optimised.

**D1 Determining interventions**

	Behaviours and actions that demonstrate good governance	Demonstration of good governance in practice
1	Ensuring decision makers receive objective and rigorous analysis of a variety of options indicating how intended outcomes would be achieved and including the risks associated with those options. Therefore ensuring best value is achieved however services are provided.	Decision makers receive detailed information indicating how intended outcomes would be achieved together with the risks, financial and other implications associated with the proposals, by way of the compulsory sections of the Committee report template.  Guidance on preparing reports for Committees.  Committee reports are published on Council's website in advance of meeting dates.  Officers attend Committee meetings to advise as appropriate.
2	Considering feedback from citizens and service users when making decisions about service improvements or where services are no longer required in order to prioritise competing demands within limited resources available including people, skills, land and assets and bearing in mind future impacts	In determining how services and other courses of action should be planned and delivered the Council is increasingly engaging with internal and external stakeholders.  The Council fosters effective relationships, collaborative working and contractual arrangements with other public, private, and voluntary organisations in delivering services that meet the needs of the local community.

**D2 Planning interventions**

	Behaviours and actions that demonstrate good governance	Demonstration of good governance in practice
1	Establishing and implementing robust planning and control cycles that cover strategic and operational plans, priorities and targets	Calendar of main Council and Committee meetings.  Regular refreshes of key strategic and operational plans, priorities and targets.
2	Engaging with internal and external stakeholders in determining how services and other courses of action should be planned and delivered	As D1.2
3	Considering and monitoring risks facing each partner when working collaboratively including shared risks	Risk management policy and guidance in place.
4	Ensuring arrangements are flexible and agile so that the mechanisms for delivering outputs can be adapted to changing circumstances	Medium Term Financial Strategy to enable the Council to respond to unprecedented social, demographic and economic challenges.

	Behaviours and actions that demonstrate good governance	Demonstration of good governance in practice
5	Establishing appropriate key performance indicators (KPIs) as part of the planning process in order to identify how the performance of services and projects is to be measured	Performance Management Framework approved by Council. KPIs set out in Single Midlothian Plan Council performance is monitored quarterly. A performance report is produced for the council, and each of the Council Services is scrutinised by committees on a quarterly basis These reports show the progress the services have made towards the outcomes in the Single Midlothian Plan and their individual services priorities.
6	Ensuring capacity exists to generate the information required to review service quality regularly	Independent external inspections are scrutinised by committees. Corporate approach to self-evaluation; programme of review for Services.
7	Preparing budgets in accordance with organisational objectives, strategies and the medium-term financial plan	Prepared from arrangements in D2 .8
8	Informing medium and long term resource planning by drawing up realistic estimates of revenue and capital expenditure aimed at developing a sustainable funding strategy	Medium Term Financial Strategy and plans for revenue (5-year) and capital (10-year) based on identified priorities.

### D3 Optimising achievement of intended outcomes

	Behaviours and actions that demonstrate good governance	Demonstration of good governance in practice
1	Ensuring the medium term financial strategy integrates and balances service priorities, affordability and other resource constraints	Medium-Term Financial Strategy approved alongside Resources and Financial Plans.
2	Ensuring the budgeting process is all-inclusive, taking into account the full cost of operations over the medium and longer term	As D3.1
3	Ensuring the medium-term financial strategy sets the context for ongoing decisions on significant delivery issues or responses to changes in the external environment that may arise during the budgetary period in order for outcomes to be achieved while optimising resource usage	Medium-Term Financial Strategy is in place.
4	Ensuring the achievement of 'social value' through service planning and commissioning <i>(Social Value is technically referred to as Community Benefit in Scotland)</i>	Procurement Strategy states Social Benefits as one of the strategic themes. Plans are in place to implement a mechanism for tracking Community Benefits to determine whether the Council is actually receiving the earmarked community benefits from the procurements undertaken.



**E. Developing the entity's capacity, including the capability of its leadership and the individuals within it**

Local government needs appropriate structures and leadership, as well as people with the right skills, appropriate qualifications and mind-set, to operate efficiently and effectively and achieve their intended outcomes within the specified periods. A local government organisation must ensure that it has both the capacity to fulfil its own mandate and to make certain that there are policies in place to guarantee that its management has the operational capacity for the organisation as a whole. Because both individuals and the environment in which an authority operates will change over time, there will be a continuous need to develop its capacity as well as the skills and experience of the leadership of individual staff members. Leadership in local government entities is strengthened by the participation of people with many different types of backgrounds, reflecting the structure and diversity of communities.

**E1 Developing the entity's capacity**

	Behaviours and actions that demonstrate good governance	Demonstration of good governance in practice
1	Reviewing operations, performance and use of assets on a regular basis to ensure their continuing effectiveness	Performance Management Framework approved by Council. Corporate approach to self-evaluation; programme of review for Services.
2	Improving resource use through appropriate application of techniques such as benchmarking and other options in order to determine how the authority's resources are allocated so that outcomes are achieved effectively and efficiently	Performance Management Framework approved by Council Participation in the Local Government Benchmarking Framework.
3	Recognising the benefits of partnerships and collaborative working where added value can be achieved	Options are always considered where relevant in any decision making or service review. Shared service agreements are in place in some areas and are being considered in others. Strong ties between the Council and the Community Planning Partnership. Effective partnership and collaborative working as a legacy of emergency response.
4	Developing and maintaining an effective workforce plan to enhance the strategic allocation of resources	Workforce strategy and framework in place for the development of workforce plans.

**E2 Developing the capability of the entity's leadership and other individuals**

	Behaviours and actions that demonstrate good governance	Demonstration of good governance in practice
1	Developing protocols to ensure that elected and appointed leaders negotiate with each other regarding their respective roles early on in the relationship and that a shared understanding of roles and objectives is maintained	Induction Programme for elected members to understand roles, protocols and standards. Regular meetings are held between Chief Executive and Leader.
2	Publishing a statement that specifies the types of decisions that are delegated and those reserved for the collective decision making of the governing body	The key governance documents, below the Local Code of Corporate Governance, include the Scheme of Administration, Standing Orders, Scheme of Delegation and Financial Regulations which reflect the powers delegated to specific committees and officers to enable effective and efficient fulfilment of their roles within the Council.
3	Ensuring the leader and the chief executive have clearly defined and distinctive leadership roles within a structure, whereby the chief executive leads the authority in implementing strategy and managing the delivery of services and other outputs set by members and each provides a check and a balance for each other's authority	Regular meetings are held between Chief Executive and Leader. The Chief Executive is a Statutory post with job description. Particular delegations to Chief Executive are detailed within the Scheme of Delegation.



	Behaviours and actions that demonstrate good governance	Demonstration of good governance in practice
4	Developing the capabilities of members and senior management to achieve effective shared leadership and to enable the organisation to respond successfully to changing legal and policy demands as well as economic, political and environmental changes and risks by:-	
-	- ensuring members and staff have access to appropriate induction tailored to their role and that ongoing training and development matching individual and organisational requirements is available and encouraged	Induction Programme and access to comprehensive list of Courses, Seminars and e-learning. Members and Staff Briefings. Leadership and supervisory management development programmes.
-	- ensuring members and officers have the appropriate skills, knowledge, resources and support to fulfil their roles and responsibilities and ensuring that they are able to update their knowledge on a continuing basis	Identification of training needs for elected members as part of a development programme. Performance review process in place for all employees (MPM).
-	- ensuring personal, organisational and system wide development through shared learning, including lessons learnt from both internal and external governance weaknesses	Leadership Forum brings together senior and operational leaders to share and learn. Reports by external scrutiny and inspection bodies outlining findings and recommendations are presented to the relevant committee including associated Action Plans for improvement.
5	Ensuring that there are structures in place to encourage public participation	Single Midlothian Plan is highly co-produced and based on extensive public participation. Application of requirements of the Community Empowerment Act.
6	Taking steps to consider the leadership's own effectiveness and ensuring leaders are open to constructive feedback from peer review and inspections	Self-evaluation of new Senior Leadership Team. Strategic leaders' development experience 'SOLACE Springboard'.
7	Holding staff to account through regular performance reviews which take account of training or development needs	Development and performance review process in place for all employees (MPM).
8	Ensuring arrangements are in place to maintain the health and wellbeing of the workforce and support individuals in maintaining their own physical and mental wellbeing	Provision of a mix of formal and informal offerings to support the wellness of its employees ranging from occupational health, people policies, themed events, training, helplines and other support.

## F. Managing risks and performance through robust internal control and strong public financial management

Local government needs to ensure that the organisations and governance structures that it oversees have implemented, and can sustain, an effective performance management system that facilitates effective and efficient delivery of planned services. Risk management and internal control are important and integral parts of a performance management system and crucial to the achievement of outcomes. Risk should be considered and addressed as part of all decision making activities.

A strong system of financial management is essential for the implementation of policies and the achievement of intended outcomes, as it will enforce financial discipline, strategic allocation of resources, efficient service delivery, and accountability.

It is also essential that a culture and structure for scrutiny is in place as a key part of accountable decision making, policy making and review. A positive working culture that accepts, promotes and encourages constructive challenge is critical to successful scrutiny and successful delivery. Importantly, this culture does not happen automatically, it requires repeated public commitment from those in authority.

### F1 Managing risk

	Behaviours and actions that demonstrate good governance	Demonstration of good governance in practice
1	Recognising that risk management is an integral part of all activities and must be considered in all aspects of decision making	Risk management policy and guidance in place. Strategic and operational risk registers in place. Committee Reports for decision making include a section on implications covering risks and mitigations.
2	Implementing robust and integrated risk management arrangements and ensuring that they are working effectively	As F1.1 Risk Management Group as forum for sharing and learning from across Council operational services. Quarterly Risk Management updates on strategic risk reviews presented to Audit Committee.
3	Ensuring that responsibilities for managing individual risks are clearly allocated	Risk Management Policy sets out roles and responsibilities to manage risks of individuals and groups.

### F2 Managing performance

	Behaviours and actions that demonstrate good governance	Demonstration of good governance in practice
1	Monitoring service delivery effectively including planning, specification, execution and independent post-implementation review	Quarterly monitoring and progress reports on corporate performance. Performance reporting published on Council's website.
2	Making decisions based on relevant, clear objective analysis and advice pointing out the implications and risks inherent in the organisation's financial, social and environmental position and outlook	Reports to Committees for decisions include a section on implications covering resources, risks and mitigations. Committee reports are published on CMIS one week in advance of meeting dates. Guidance on preparing Committee reports.

	Behaviours and actions that demonstrate good governance	Demonstration of good governance in practice
3	<p>Ensuring an effective scrutiny or oversight function is in place which encourages constructive challenge and debate on policies and objectives before, during and after decisions are made thereby enhancing the organisation's performance and that of any organisation for which it is responsible (OR, for a committee system)</p> <p>Encouraging effective and constructive challenge and debate on policies and objectives to support balanced and effective decision making</p> <p>Providing members and senior management with regular reports on service delivery plans and on progress towards outcome achievement</p>	<p>Competent Audit Committee with constructive links to senior officers including Chief Internal Auditor.</p> <p>The Audit Committee agenda and minutes are published on CMIS</p>
4	<p>Providing members and senior management with regular reports on service delivery plans and on progress towards outcome achievement</p>	<p>As F2.1</p> <p>Calendar of meetings approved by Council in advance. Timetables for preparation of and consultation on reports to meet publication dates.</p>
5	<p>Ensuring there is consistency between specification stages (such as budgets) and post-implementation reporting (e.g. financial statements )</p>	<p>Governance arrangements in place including Standing Orders and Financial Regulations.</p>

### F3 Robust internal control

	Behaviours and actions that demonstrate good governance	Demonstration of good governance in practice
1	<p>Aligning the risk management strategy and policies on internal control with achieving objectives</p>	<p>Risk Management Policy</p> <p>Internal Audit strategy and plans approved by Audit Committee.</p>
2	<p>Evaluating and monitoring risk management and internal control on a regular basis</p>	<p>Risk-based Internal Audit plans and reports approved by Audit Committee.</p>
3	<p>Ensuring effective counter fraud and anti-corruption arrangements are in place</p>	<p>Counter Fraud Policy and Strategy approved by the Council, including an officer steering group (Integrity Group) to focus on fraud prevention and detection.</p> <p>Annual report on counter fraud activity and outcomes considered by Audit Committee.</p>
4	<p>Ensuring additional assurance on the overall adequacy and effectiveness of the framework of governance, risk management and control is provided by the internal auditor</p>	<p>Internal Audit annual assurance report as part of process for preparation of the Council's Annual Governance Statement.</p> <p>Reports to Audit Committee on provision of Internal Audit statutory service and conformance with Public Sector Internal Audit Standards (PSIAS).</p>
5	<p>Ensuring an Audit Committee or equivalent group or function which is independent of the executive and accountable to the governing body:</p> <ul style="list-style-type: none"> <li>- provides a further source of effective assurance regarding arrangements for managing risk and maintaining an effective control environment</li> <li>- that its recommendations are listened to and acted upon</li> </ul>	<p>The role of the Audit Committee is to have high-level oversight of internal control, governance and risk management.</p> <p>Independence is maintained through membership composition i.e. external members.</p> <p>Audit Committee Action Tracker to monitor recommendations. Annual self-evaluation of effectiveness of Audit Committee and Annual Report to Council (best practice).</p>

#### F4 Managing data

	Behaviours and actions that demonstrate good governance	Demonstration of good governance in practice
1	Ensuring effective arrangements are in place for the safe collection, storage, use and sharing of data, including processes to safeguard personal data	Privacy Policy is in place to set out data protection compliance requirements across the Council.  Information Asset Register overseen by the Information Management Group.  The Records Management Policy has been agreed by Keeper of Records Scotland.  Independent assurance from PSN and Cyber Essentials Plus certifications.
2	Ensuring effective arrangements are in place and operating effectively when sharing data with other bodies	As F4.1  Periodic Internal Audit reviews covering Information Governance and GDPR  Information Asset Register states Data Sharing agreements in place.
3	Reviewing and auditing regularly the quality and accuracy of data used in decision making and performance monitoring	Quality and Validation of data used in decision making and performance reporting is typically the responsibility of the service area.  Internal Audit annual reviews on Performance Management cover validation of the KPI data submitted for Local Government Benchmarking Framework.

#### F5 Strong public financial management

	Behaviours and actions that demonstrate good governance	Demonstration of good governance in practice
1	Ensuring financial management supports both long-term achievement of outcomes and short-term financial and operational performance	As D2.8 Medium Term Financial Strategy and plans for revenue (5-year) and capital (10-year) based on identified priorities.  As D3.1 Medium-Term Financial Strategy approved alongside Resources and Financial Plans.  As D3.3. Medium-Term Financial Strategy is in place.
2	Ensuring well-developed financial management is integrated at all levels of planning and control, including management of financial risks and controls	As D2.8 Medium Term Financial Strategy and plans for revenue (5-year) and capital (10-year) based on identified priorities.

G. Implementing good practices in transparency, reporting, and audit to deliver effective accountability	
Accountability is about ensuring that those making decisions and delivering services are answerable for them. Effective accountability is concerned not only with reporting on actions completed, but also ensuring that stakeholders are able to understand and respond as the organisation plans and carries out its activities in a transparent manner. Both external and internal audit contribute to effective accountability.	

<b>G1 Implementing good practice in transparency</b>
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	Behaviours and actions that demonstrate good governance	Demonstration of good governance in practice
1	Writing and communicating reports for the public and other stakeholders in an understandable style appropriate to the intended audience and ensuring that they are easy to access and interrogate	Public Performance Reporting is published on Council's website.  Committee reports are published on the CMIS site for transparency which reflect the decision-making structure within the Council's Scheme of Administration.
2	Striking a balance between providing the right amount of information to satisfy <b>transparency</b> demands and enhance public scrutiny while not being too onerous to provide and for users to <b>understand</b>	A Committee report template is used to ensure published information is written clearly and concisely, having regard to the complexity of the subject matter, with information on the implications of the proposals contained therein.

<b>G2 Implementing good practices in reporting</b>
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	Behaviours and actions that demonstrate good governance	Demonstration of good governance in practice
1	Reporting at least annually on performance, value for money and the stewardship of its resources	The Statement of Accounts, incorporating a Management Commentary, provides financial and other performance information regarding the operation of the Council, its wider achievements and areas for development. The Statement of Accounts is produced in accordance with statutory guidance and deadlines.  External Audit Annual Report provides assurance and key recommended improvements.
2	Ensuring members and senior management own the results	Meeting dates of CMT and other senior management and elected member forums have been aligned to enable appropriate engagement and consultation prior to formal Committees. The Committee report template includes section "Involving Communities and Other Stakeholders".
3	Ensuring robust arrangements for assessing the extent to which the principles contained in the Framework have been applied and publishing the results on this assessment including an action plan for improvement and evidence to demonstrate good governance (annual governance statement)	A self-evaluation of compliance with the Governance Framework is undertaken annually. The Annual Governance Statement is the outcome of that process which includes the Governance Framework, the Review of Framework, and Improvement Areas of Governance.
4	Ensuring that the Framework is applied to jointly managed or shared service organisations as appropriate	The annual assurance process and the Annual Governance Statement reflect the assurances received from Directors and other senior management which covers the Council's service delivery arrangements which are reflected in the Group Accounts.
5	Ensuring the performance information that accompanies the financial statements is prepared on a consistent and timely basis and the statements allow for comparison with other similar organisations	The Management Commentary in the Statement of Accounts provides financial and other performance information regarding the operation of the Council, its wider achievements and areas for development. The Statement of Accounts is produced in accordance with statutory guidance and deadlines.

### G3 Assurance and effective accountability

	Behaviours and actions that demonstrate good governance	Demonstration of good governance in practice
1	Ensuring that recommendations for corrective action made by external audit are acted upon	External Audit reports outlining findings and recommendations (including follow-up progress) are presented to the Audit Committee.
2	Ensuring an effective internal audit service with direct access to members is in place which provides assurance with regard to governance arrangements and recommendations are acted upon	Regular reports on Internal Audit activity, performance and compliance are presented to the Audit Committee. The Chief Internal Auditor meets regularly with the Chair of the Audit Committee. Compliance with CIPFA's Statement on the Role of the Head of Internal Audit (2019). Compliance with Public Sector Internal Audit Standards. Regular reports are presented to the Audit Committee on Management's progress with implementation of recommendations made by Internal Audit to ensure these are acted upon.
3	Welcoming peer challenge, reviews and inspections from regulatory bodies and implementing recommendations	Reports by external scrutiny and inspection bodies outlining findings and recommendations are presented to the relevant committee including associated Action Plans for improvement.
4	Gaining assurance on risks associated with delivering services through third parties and that this is evidenced in the annual governance statement	The existing governance framework including alternative service delivery arrangements and assurances on risks are reflected in the annual assurance process and the Annual Governance Statement.
5	Ensuring that when working in partnership, arrangements for accountability are clear and that the need for wider public accountability has been recognised and met	The Community Planning Partnership and Midlothian Integration Joint Board, which are the most significant, have their own Governance Frameworks in place to align with the Council's Governance Framework on public accountability.

**Intake Figures and Limits for Primary and Secondary Schools Session 2021/22**  
**Report by Executive Director Children, Young People and Partnerships****Report for Noting****1 Recommendations**

Council is requested to note:

- the estimated intake figures for primary and secondary schools in Section 3 tables 1 - 3;
- the requirement to apply intake limits at a number of schools in order to safeguard places for pupils to be able to attend their catchment school.

**2 Purpose of Report/Executive Summary**

This report provides Council with an update on the enrolment of pupils and intake for the school session 2021/22. The report identifies a number of schools where there is pressure on school capacity and the need to apply intake limits to safeguard places for catchment children and to manage placing requests.

### 3 Intake August 2021

- 3.1 The Education (Scotland) Act 1996 Placing Requests Part IV: Section 33 allows education authorities to reserve places for incoming pupils into catchment areas of schools. This helps education authorities to manage their schools and prevent them being at capacity at commencement of an academic year, and further more enabling them to accommodate incoming catchment pupils at their catchment schools when they move into the area during the academic year.
- 3.2 Section 28A (3A) of the Education (Scotland) Act 1980 (as amended) provides a general principle that, so far as is compatible with the provision of suitable instruction and training and the avoidance of unreasonable public expenditure, pupils are to be educated in accordance with the wishes of their parents. Acceptance of a placing request for a child who is resident outwith the catchment area of a specified school could prevent the education authority from retaining reserved places at a specified school or in relation to any particular stage of education at the school. It is for this reason that the education authority may refuse to grant a placing request that would impact on the ability to reserve places in schools.
- 3.3 The progress of house building in parts of Midlothian is continuing to generate significant growth in pupil numbers. This combined with parental placing requests for certain schools with limited capacity means that pupil intake limits are required in order to safeguard places for pupils to be able to attend their catchment school.
- 3.4 The Council's approach to pupil placement is to provide a place for every pupil at one of their catchment schools and to grant placing requests for siblings whenever this is possible. Where catchment schools are over-subscribed the pupil placement process reserves places at neighbouring schools to ensure every pupil is afforded the opportunity to attend a local school. Maintaining this commitment is becoming increasingly challenging with the growth in pupil numbers we are experiencing and the consequent pressure on school capacities.
- 3.5 The following factors are considered for both primary and secondary schools when determining the appropriate number of reserved places that are likely to be required for pupils moving into the catchment area of the school during 2021/22:
  - The proposed level of capping at the school and number of expected pupils
  - Current and planned housing developments
  - Projected school rolls
  - Projected migration into the catchment area
  - Information about reserved places from previous years
  - School capacities
  - Information known to us, for example, families indicating a move into the area before/after commencement of the academic year.
- 3.6 Pupil enrolment for the 2021/22 school session is well underway. 1,328 primary pupils and 1,113 secondary pupils have been registered to date for the August 2021 intake. 159 requests to defer entry to primary school have been received. The national deadline for the submission of placing requests is 15 March 2021, and decisions on those requests will be made and communicated by letter to parents/carers during April. The placing request appeal panel will meet in May to consider appeals in respect of placing requests which have been refused.



## Primary Schools

- 3.7 For August 2021, the primary schools where the number of P1 pupils residing in their catchment exceeds P1 intake capacity and the schools which are oversubscribed are King's Park, St David's, Newtongrange, Moorfoot, and Roslin Primary Schools. The tables below show the estimated primary intake based on current registrations assuming all current placement requests and deferrals are granted.

**Table 1: Primary non-denominational schools' catchment numbers, estimated P1 numbers and intake limits.**

<b>Non Denominational Primary Schools</b>	<b>Catchment P1s</b>	<b>P1s registered net of Deferrals</b>	<b>Estimated P1 Intake August 2021</b>	<b>P1 Intake Limit August 2021</b>
Danderhall Primary School	62	53	59	90
King's Park Primary School	89	75	89	80
Woodburn Primary School	149	96	95	110
Tynewater Primary School	17	16	22	33
Lawfield Primary School	88	59	43	60
Mayfield Primary School	60	34	39	50
Newtongrange Primary School	75	61	61	58
Gore Glen Primary School	81	60	58	60
Gorebridge Primary School	55	42	39	60
Stobhill Primary School	32	28	24	33
Moorfoot Primary School	15	13	25	14
Bonnyrigg Primary School	47	36	50	60
Burnbrae Primary School	98	70	59	72
Hawthornden Primary School	66	40	36	54
Lasswade Primary School	50	38	46	60
Rosewell Primary School	39	30	27	33
Loanhead Primary School	23	20	21	25
Paradykes Primary School	57	46	49	60
Bilston Primary School	34	30	22	33
Roslin Primary School	34	30	46	42
Glencorse Primary School	8	2	0	14
Mauricewood Primary School	52	42	44	54
Cornbank St James Primary School	47	38	42	47
Cuiken Primary School	48	41	41	60
Strathesk Primary School	57	43	36	54
	<b>1,383</b>	<b>1,043</b>	<b>1,073</b>	<b>1,316</b>

**Table 2: Primary denominational schools' catchment numbers, estimated P1 numbers & intake limits**

<b>Denominational Primary Schools</b>	<b>Catchment P1s</b>	<b>P1s registered net of Deferrals</b>	<b>Estimated P1 Intake August 2021</b>	<b>P1 Intake Limit August 2021</b>
St David's RC Primary School	317	46	37	30
St Luke's RC Primary School	148	34	29	33
St Andrew's RC Primary School	258	18	15	25
St Mary's RC Primary School	261	30	33	33
St Matthew's RC Primary School	39	4	5	10
St Margaret's RC Primary School	148	4	1	14
Sacred Heart RC Primary School	212	14	9	25
	<b>1,383</b>	<b>150</b>	<b>129</b>	<b>170</b>

- 3.8 Due to the impact of housing development across Dalkeith, the estimated P1 intake exceeds the available capacity of the three Dalkeith primary schools, King's Park, Woodburn and St David's. The intake at St David's Primary School will be managed with the application of the pupil intake limit and by giving first priority to those children who are baptised Roman Catholic. Pupils not granted a place at St David's will increase the estimated intake at the other schools, primarily Woodburn.
- 3.9 We will maximise the P1 intake numbers that King's Park and Woodburn can manage for 2021 and 2022, after which additional primary capacity for Dalkeith will come on stream.
- 3.10 Newtongrange Primary School has fifteen class spaces with the P1 intake capacity normally limited to 56 places due to the small size of many of the school's classrooms. The Cockpen development of 131 houses, which is in the school's catchment area, has completed 80 houses to date and the remaining 51 are scheduled to complete by the end of next year. This has already given rise to some increase in the number of Newtongrange catchment pupils and we expect this will continue to grow for some years before it levels out. The new primary school in Easthouses, planned for completion by August 2023, will provide some additional capacity for the area and ease the pressure on Newtongrange Primary School.
- 3.11 The estimated August 2021 P1 intake of Newtongrange is 61. We will work with the school to maximise the intake capacity for 2021 however it is likely that alternative placements will have to be found for a small number of catchment children. We will work with parents to identify the most acceptable solution and where possible grant placing requests to other schools.
- 3.12 Moorfoot is a 4-class primary school with capacity for a normal annual intake of 14 P1 pupils. Moorfoot's school accommodation is generous for four classes and we will explore with the school's management how it can accommodate five classes, should this be needed. If this can be done it will provide greater flexibility to accommodate placing requests while maintaining capacity at all stages for families moving into the catchment.
- 3.13 The estimated P1 intake of 25 at Moorfoot includes 13 catchment children. The intake will be managed with the application of the pupil intake limit and by giving first priority for placing requests to those who will have a sibling attending next year.

- 3.14 Roslin Primary School has nine classes available for August 2021 with plans to add two classrooms by August 2023. The normal P1 intake for a nine class school is 34 pupils. Given the planned addition of two classrooms and the projected number of pupils in P2 to P7, the intake for August 2021 will be increased and capped at 40, with a number of places reserved for children moving into the catchment area. The estimated August 2021 P1 intake of 46 at Roslin includes 29 catchment children. The intake will be managed with the application of the pupil intake limit and by giving first priority for placing requests to those who will have a sibling attending next year.
- 3.15 The intake at denominational schools will be managed with the application of pupil intake limits and by giving first priority to those who are baptised Roman Catholic. Intake limits will be set in the context of the number of applications from pupils who are baptised Roman Catholic, the availability of suitably qualified teachers and the capacity of all schools serving each catchment area. We do not anticipate that the number of qualifying pupils wishing to attend the denominational schools will exceed their intake capacities.

### **Secondary Schools**

- 3.16 The secondary schools where the number of S1 pupils residing in their catchment exceeds S1 intake capacity are Dalkeith, Lasswade and Newbattle High Schools. This is reduced by the numbers who choose to attend St David's.
- 3.17 Since August 2017 the Council has provided home to school transport for pupils residing in the Loanhead area who choose to attend Beeslack High School rather than Lasswade, which is their catchment secondary school. This has had some success in easing the pressure of pupil numbers at Lasswade with approximately 40% of pupils resident in Loanhead opting to attend Beeslack next year.
- 3.18 The table below shows the estimated S1 intake for August 2021, assuming all placing requests are granted. This shows that only Newbattle High School has an estimated S1 which is above the intake limit, although Lasswade High School is only just below its intake limit.

**Table 3: Secondary schools catchment numbers, estimated S1 intake & intake limits August 2021**

<b>School Name</b>	<b>Catchment S1</b>	<b>Estimated S1</b>	<b>S1 Intake Limit</b>
Beeslack High School	84	139	160
Dalkeith High School	237	193	200
Lasswade High School	330	298	300
Newbattle High School	315	248	240
Penicuik High School	131	101	180
St David's RC High School		140	160
	<b>1,097</b>	<b>1,119</b>	<b>1,240</b>

- 3.19 Newbattle High School has capacity for 1,200 pupils with a school roll this year of 1,004 pupils. An S1 intake of 248 pupils is likely to result in Newbattle exceeding its capacity by 2023.

<b>Newbattle High</b>	<b>S1</b>	<b>S2</b>	<b>S3</b>	<b>S4</b>	<b>S5</b>	<b>S6</b>	<b>Total</b>
2020/21 Census	197	223	186	169	158	71	1,004
2021/22 Projection	247	197	223	186	152	118	1,123
2022/23	256	247	197	223	167	101	1,191
2023/24	244	256	247	197	201	112	1,257
2024/25	249	244	256	247	177	134	1,307
2025/26	266	249	244	256	222	118	1,355

- 3.20 A new high school is planned to be provided in Gorebridge by summer 2025 which will relieve the pressure on capacity at Newbattle. In the meantime we will work with the school's management to maximise the number of pupils the school can accommodate at Newbattle and set pupil intake limits accordingly.
- 3.21 Pupil enrolment for the six high schools will be managed by use of intake limits, proactive management of placing requests and early engagement with parents and schools on the optimal placement of S1 pupils for August 2021.

### **Pupil Placement Guidelines**

- 3.22 The policy guidelines on Admission to Primary and Secondary Schools have been updated to take effect for the process of admitting pupils for the forthcoming school session – Appendix 3.

### **Summary**

- 3.23 The full extent of the pressure on each school's capacity will not be known until mid-March, which is the national closing date for receipt of placing requests, by which time decisions will have been taken about deferred entry.
- 3.24 As in previous years pupil intake for August 2021 will be assessed regularly, ensuring effective management of the pupil placement process by taking account of placing requests and reserving places in neighbouring schools to provide places for pupils whose catchment school is over-subscribed. Intake limits based on schools' capacity will be applied as necessary in order to prevent schools from becoming overcrowded.

## **4 Report Implications**

### **4.1 Resource**

There are no direct resource implications arising as a result of this report.

### **4.2 Risk**

There is a risk that the council will not have a place for every pupil at their catchment school which is mitigated by the application of limits on pupil intake, reviews of deferral and placing requests, and, in the case of denominational schools, by giving first priority to those who have a declared affinity with the Roman Catholic faith.

#### 4.3 **Single Midlothian Plan and Business Transformation**

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

#### 4.4 **Key Priorities within the Single Midlothian Plan**

Key priority: Reducing the gap in learning outcomes.

GIRFEC outcomes: Children and young people are supported to be healthy, happy and reach their potential; Inequalities in learning outcomes are reduced.

#### 4.5 **Impact on Performance and Outcomes**

The aim of this paper supports the priority to reduce the inequalities in learning outcomes by improving the quality of learning and teaching, leading to raised levels of achievement and attainment, by providing every child with the opportunity to attend school in their local community.

#### 4.6 **Adopting a Preventative Approach**

The Council's approach to pupil placement adopts a preventative approach by maximising the opportunities for pupils to attend school in their local community.

#### 4.7 **Involving Communities and Other Stakeholders**

This report informs Council of the potential impact on communities arising from pressure on school places.

#### 4.8 **Ensuring Equalities**

This paper informs Council of the impact of managing pupil admissions in line with national and local policy and procedure.

#### 4.9 **Supporting Sustainable Development**

The sustainability issues relating to this report relate to the sufficiency of schools places particularly in areas of housing development, the provision of additional capacity is being taken forward via the Delivery Plan for the Learning Estate coupled with the School Catchment Review Programme.

#### 4.10 **IT Issues**

There are no IT issues arising directly as a result of this report. The IT requirements arising in order to put in place the additional capacity for each school will be identified as part of the development of the project specifications. The budget required to fully equip additional classes for August 2021 will be developed in liaison with Digital Services.

**11 March 2021**

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**Appendices**

- Appendix 1 Primary School Pupil Census 2020
- Appendix 2 Secondary School Pupil Census 2020
- Appendix 3 Policy Guidelines - Admission to Primary and Secondary Schools

**Background Papers:**

Learning Estate Strategy 2017-2047, Midlothian Council 26 September 2017

## Primary Schools Pupil Census 2020

School	P1	P2	P3	P4	P5	P6	P7	Total	Capacity
Bilston Primary School	18	18	13	19	14	15	7	104	242
Bonnyrigg Primary School	58	60	55	60	58	62	62	415	459
Burnbrae Primary School	77	77	80	75	65	59	62	495	509
Cornbank St James Primary School	45	47	35	45	37	35	29	273	342
Cuiken Primary School	24	45	35	33	36	34	25	232	459
Danderhall Primary School	48	41	46	52	42	41	40	310	317
Glencorse Primary School									100
Gore Glen Primary School	48	49	42	37	25	13	22	236	434
Gorebridge Primary School	35	56	40	36	45	55	58	325	459
Hawthornden Primary School	32	32	41	57	39	52	38	291	434
King's Park Primary School	75	67	70	64	66	69	61	472	505
Lasswade Primary School	39	52	51	58	49	62	51	362	459
Lawfield Primary School	50	29	45	57	51	55	47	334	367
Loanhead Primary School	26	26	27	25	29	25	31	189	217
Mauricewood Primary School	50	54	39	47	58	43	54	345	459
Mayfield Primary School	39	33	42	35	43	38	36	266	342
Moorfoot Primary School	12	13	9	10	10	17	8	79	100
Newtongrange Primary School	55	52	59	44	42	50	56	358	414
Paradykes Primary School	55	44	39	43	39	42	32	294	459
Rosewell Primary School	31	14	17	12	19	24	25	142	203
Roslin Primary School	38	24	43	26	29	28	27	215	317
Sacred Heart Primary School	18	17	17	22	22	16	20	132	125
St Andrew's Primary School	23	22	19	25	24	21	22	156	199
St David's Primary School	28	26	25	27	30	30	31	197	217
St Luke's Primary School	32	31	25	30	33	25	26	202	242
St Margaret's Primary School								18	100
St Mary's Primary School	19	16	25	19	15	32	26	152	263
St Matthew's Primary School	5	7	6	13	9	8	12	60	75
Stobhill Primary School	30	33	29	30	28	28	20	198	242
Strathesk Primary School	28	34	37	45	48	50	39	281	434
Tynewater Primary School	28	46	27	29	30	30	20	210	242
Woodburn Primary School	102	96	89	82	84	74	69	596	676
<b>Total</b>	<b>1,169</b>	<b>1,167</b>	<b>1,130</b>	<b>1,159</b>	<b>1,124</b>	<b>1,138</b>	<b>1,059</b>	<b>7,946</b>	<b>10,412</b>

**Note:** Year group numbers not given for Glencorse and St Margaret's as the numbers are low and could lead to the identification of individual pupils.

## Secondary Schools Pupil Census 2020

	S1	S2	S3	S4	S5	S6	Total	Capacity
Beeslack High School	132	136	147	115	110	78	718	860
Dalkeith High School	170	158	161	187	133	45	854	1,050
Lasswade High School	284	285	287	282	233	169	1,540	1,480
Newbattle High School	197	223	186	169	158	71	1,004	1,200
Penicuik High School	128	123	109	103	90	71	624	945
St David's RC High School	135	141	141	109	104	59	689	890
<b>Total</b>	<b>1,046</b>	<b>1,066</b>	<b>1,031</b>	<b>965</b>	<b>828</b>	<b>493</b>	<b>5,429</b>	<b>6,425</b>



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**POLICY GUIDELINES**  
**Pupil Administration: 1.2**  
**(12th Revision)**

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**Admission to Primary and Secondary Schools**

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**PLACING IN SCHOOLS**

**LEGAL BACKGROUND**

The admission of pupils to both primary and secondary schools is defined in terms of the Education (Scotland) Act 1980. Key points to note are:

- Parents/carers have the right to request admission to the school of their choice;
- Such a request must be in writing and is known as a placing request;
- The Council has a duty to accede to this request, except in certain circumstances specified in the Act;
- The Council has a duty to inform parents/carers of their right to make a placing request and to provide certain prescribed information in order to assist parents/carers in making their choice of school.

Catchment areas have been designated for all Midlothian primary and secondary schools. Every residential address has a catchment denominational school and a catchment non-denominational school for both primary and secondary education. The parents/carers of all children known to the Council to be due to enrol for the first time in a primary school or transfer from a primary to a secondary school shall be given information about their catchment school options and notified of their right to request an alternative school.

For all other stages, the onus is on the parent to make enquiries regarding alternative school placement for their child(ren). A parent may submit a placing request for her/his child in a school at any stage.

**Denominational Education**

In Midlothian all denominational schools are Roman Catholic.

A child does not need to be Catholic to enrol in one of our Roman Catholic primary schools or secondary school. Where a Roman Catholic school is oversubscribed priority is given to catchment Roman Catholic children who are baptised, and where parents have provided the baptismal certificate.

**Parents wishing a Gaelic Medium Education**

Gaelic medium education for Midlothian resident pupils is currently provided by the City of Edinburgh Council. Midlothian Council will provide home to school transport for pupils enrolled in Gaelic medium education.

Currently parents wishing to have their child/ren educated in the Gaelic medium should make a placing request for the Gaelic medium primary school, Bun-sgoil Taobh na Pàirce or the Gaelic Medium Unit at James Gillespie High School in Edinburgh. To apply for a place in either school parents should complete a placing request form available on the City of Edinburgh Council website. Further information can be found at:

<https://www.edinburgh.gov.uk/school-places/gaelic-schools-1/1>

Parents can request that the Council carries out an assessment for the need for Gaelic medium primary education to be provided within the Council area. Further information and

an assessment request form are available from the following website:  
[www.gov.scot/Publications/2017/02/1442/downloads](http://www.gov.scot/Publications/2017/02/1442/downloads)

### **Children with Additional Support Needs**

In line with legislation we have a policy of including children with additional support needs in mainstream schools where possible. Some children may be educated in specialist schools/classes.

Further information about additional support needs is available from the Additional Support for Learning Officer, whose contact details are given at the end of this document.

### **Home to School Transport**

A pupil may receive free transport if they attend their catchment school and their home address is more than two miles from the school based on the shortest safe walking distance. A pupil may also receive free transport if the Council has placed them in a non-catchment school due to a catchment school being full. From August 2017 pupils resident in Loanhead who make a successful placing request for S1 at Beeslack High School will also be eligible for free transport.

A pupil will not receive free transport if they attend a non-catchment school as a result of a placing request being granted.

### **Composite Classes**

Composite classes are part of the normal organisation in many primary schools and can have a maximum of 25 pupils. Age is the main criterion for selecting pupils for composite classes. Normally composite classes will have a minimum of four pupils from each year stage.

Please refer to Professional Practice Paper 7 for further guidance.

### **Team Teaching**

Team teaching is where two teachers teach a class that has more than the maximum number of pupils per teacher for that particular stage.

The maximum size of a P1 class is 25, a P2 or P3 class is 30 and a P4, P5, P6 and P7 class is 33 pupils.

### **Children living under shared care**

Where parents are separated the address of the parent with whom the child resides for the majority of their time per week and is in receipt of child benefit for the child, is used to determine the catchment area. If the shared care arrangement is a 50/50 split between the parents, the parents will be asked to provide proof such as a legal agreement. If the Council is satisfied that the care is equally shared, the parents will be given the opportunity to choose which of the catchment schools at which to register.

## **ARRANGEMENTS FOR PRIMARY SCHOOLS**

### **Registration procedures for entry to primary school**

Registration procedures commence at the beginning of November each year.

If an applicant's catchment primary school is subject to a consultation review they should continue to register their child at that catchment school. As part of the consultation process Pupil Placement will keep applicants informed of the implications for their child and the options available. Further information on school consultations can be found at [midlothian.gov.uk/consultations](http://midlothian.gov.uk/consultations).

**Press advertisements**

In October each year Pupil Placement will place an advertisement in the local press, advising parents/carers of any child eligible to begin primary education that they should, by a specified date, register their child at their catchment school. Registering a child does not automatically ensure that a place will be made available; this will be determined when all information is collated and examined.

Parents/carers will be advised that, even if they wish to make a placing request for a non-catchment school, they must first register their child at the catchment school.

**Contact with parents/carers**

At the same time, Pupil Placement will contact by letter the parents/carers of all children eligible to begin primary education and who receive funded early learning and childcare in Midlothian. Head Teachers should ensure that copies of the school handbook are available for any parent requesting one.

**Eligibility**

Any child whose fifth birthday falls between 1 March in any year and the last day of the following February can start primary school on the first day of the autumn term, (known as the commencement date).

An exception to these procedures may be where children who have been admitted to primary education by another authority subsequently become resident in Midlothian. In such cases, the Head Teacher should consult her/his appropriate Schools Group Manager before deciding whether to admit the child.

**Choosing a school**

Pupil Placement will issue information informing parents/carers of their rights to choose a school when they write to the parents/carers of eligible children. Any parent/carer wishing to make a placing request should obtain a Placing Request application form. It is not essential that parents/carers use the form but they must make the request in writing to the Pupil Placement Section within Children, Young People and Partnership. It is essential, however, that parents/carers initially register their child at their catchment school.

See section 4 for information on placing requests.

**Access to information**

Parents/carers should have access to information about the schools in which they are interested. This will generally be contained in the school prospectus or handbook, copies of which should be available from the school and on the school website. In addition, the Council produces guidelines on admission to Midlothian schools called Placing in Schools, which is available on our website at [midlothian.gov.uk/placingbooklet](http://midlothian.gov.uk/placingbooklet).

**Registration of catchment children**

Primary Head Teachers may wish to publicise registration arrangements through their own local channels if they feel this is appropriate so that as many parents/carers as possible are encouraged to register their children at this time. During the registration period Head Teachers should only register those children who are normally resident in the catchment area.

Head Teachers should ensure that catchment children are correctly identified; a Council Tax bill, Child Benefit letter or recent utility bill is normally adequate proof. If the pupil does not attend a Midlothian Council early learning and childcare setting or receive funded ELC from a partnership provider, their birth certificate or passport should be seen as well. It is

the address of the parent or carer which is relevant; the address of other family members or a child minder with whom the child may occasionally reside is not relevant.

Due to COVID19 and the restrictions on visits to schools a new online registration process has been introduced. This includes registration and placing request forms and the facility to upload evidence: [midlothian.gov.uk/schoolplace](https://midlothian.gov.uk/schoolplace).

Please note that registration does not guarantee a place at a catchment school. See section 1.9 for children living under shared care.

### **Enrolment of catchment children**

The Pupil Placement Section will collate the registration information obtained from each school and use this to determine whether there is sufficient capacity to accommodate all catchment children. Where there is insufficient capacity, priority will be given in the following order:

- children who have been prioritised based on individual circumstances;
- children who are baptised Roman Catholic (Roman Catholic schools);
- children who will have siblings attending the school at the same time;
- then all remaining catchment children.

If there are more children than places available in any category, proximity of home to school and/or ease of travel will normally be used. A sibling attending the nursery class at the same time will not be taken into account.

Parents/carers will be advised by letter, sent by the Pupil Placement Section by 30 April, whether they have been granted a place at their catchment school. Those children who have been granted a place will be automatically enrolled at the school.

Once the place is offered it will not be withdrawn unless the place was obtained using false information or the family change address before the start of the school year.

Those who have not been granted a place at their catchment school will have a place allocated at the Midlothian school nearest to their home with places available. They will be given the option to make a placing request to another school, if they so wish. The pupil will be placed on a waiting list for the catchment school in order of priority and, should a place become available, parents/carers will be contacted by Pupil Placement.

### **Change of address**

Children who move, or are moving before the start of the school year, will have a place reserved in their non-denominational or denominational catchment school based on their address at the start of the school year. This is subject to places being available and where proof of change of address has been received by the end of February. Acceptable proof of change of address is a signed tenancy agreement. A letter from a solicitor confirming missives have been concluded can be used but is not sufficient to enrol a child, discretion can be used if the parent/carers is due to move a week prior to the new term commencing. The Council will ask for further proof by way of a council tax statement, utility bill e.g. gas, electric, landline telephone bill or HMRC child benefit letter to accompany the concluded missives letter following the move.

### **Phased entry arrangements**

Head Teachers may wish to phase the primary 1 intake over a period. If this is done, all children eligible for admission should be admitted by the second week of the new school session. However, a parent may require the authority to accept a child from the commencement date.

Head Teachers may also choose to limit primary 1 pupils to part day attendance in the early stages but such arrangements should not extend beyond the second week of the new school session. Any request from a parent for a child to be in full time attendance should normally be granted. Certain children may require special consideration to be in full time attendance, for example due to medical or family circumstances. In such cases, Head Teachers should consult their appropriate Schools Group Manager regarding arrangements for these children.

### **Deferred entry to primary school**

In Scotland, children usually start primary school in the year during which they have their 5th birthday. This means that in P1 classes, children are usually aged between 4½ and 5½ years. Where a child does not start school at the expected August start date for their year group, it is called deferred entry to primary school.

If a child's 5th birthday falls between mid-August (the day after the school commencement date) and December 31, the parent/carer has a legal right to defer their entry into P1 until the following August when they are nearer 6 years old. However, this does not mean that the child is automatically entitled to a funded early learning and childcare place. If Midlothian Council agrees that deferring entry into P1 is in the child's best interests, it can choose to provide a funded early learning and childcare place. Alternatively, the additional year of early learning and childcare can be funded by the parent where the Council does not agree that there will be significant educational benefit to the child from an additional year of early learning and childcare.

If a child has their 5<sup>th</sup> birthday between 1 January and 28/29 February they are also entitled to defer entry to school, should their parents wish it. These children are guaranteed to receive a funded early learning and childcare place. This is guaranteed because councils receive funding from the Scottish Government for places for these children.

The parent/carer should contact the early learning and childcare setting their child attends for information and advice about deferring their child. The child should register at one of their catchment area schools even if a deferral is going to be requested. The early learning and childcare setting will, in discussion with parents/carers, provide advice on the best starting date for the child.

### **Early admission**

The Council does not have a duty to educate a child who is not of school age. Parents/carers of these children may make a request for early admission. The professional view of the authority is that early learning and childcare is the most appropriate form of education for children who have not reached school age.

The Council has delegated the responsibility of granting early admission to the Executive Director, Children, Young People and Partnerships, but this will only be considered if it can be established that refusal would harm a child's education in the long term.

When applying for early admission, parents/carers should provide evidence to support their case, including written evidence wherever possible. Members of staff should not provide letters of support to parents/carers.

There is no right of appeal once a decision has been reached on requests for early admission as the child is not of school age.

- **ARRANGEMENTS FOR SECONDARY SCHOOLS**

**Eligibility**

Pupils will normally transfer to secondary school at the end of a seven year course of primary education. If, in the opinion of the Head Teacher or other professional advice, there are exceptional circumstances which would make it inadvisable to transfer a child, the appropriate Schools Group Manager should be consulted before a final decision is made.

Pupils attending a non-denominational primary school will be allocated a place at their catchment non-denominational secondary school, if they attend a denominational primary school they will be allocated a place at St David's RC High School. If the parents wish to request their other catchment secondary school they should complete a placing request form and return it to the Pupil Placement section.

**Transfer between primary and secondary schools**

Pupil Placement will provide Head Teachers with details of which school each child will be transferring from/to.

Head Teachers of primary schools should ensure that detailed information on each pupil is forwarded to the appropriate secondary school. This information will normally include:

- an assessment of the pupil's attainment in mathematics and language;
- comments on ability and attainment in other curricular areas, e.g. science, art, music;
- comments on special interests and aptitudes;
- an indication of the pupil's personal attributes and information about their background which may influence their attitude and performance in school work;
- the Pupil Progress Records (PPR), updated to the end of the last session of primary education;
- the Pupil Profile, which is completed by the pupil.

**Primary-secondary liaison**

Secondary schools will normally have an established liaison programme with their associated primary schools which will include other initiatives to ease the transition between primary and secondary stages.

**Induction programmes**

Secondary Head Teachers should also arrange for parents/carers and incoming pupils to visit their school at an appropriate time, prior to transfer. Full information on the school should be sent at the start of the summer term to all parents/carers of pupils transferring to the school.

Primary schools and their associated and neighbouring secondary schools have established procedures to ensure a smooth transition for all children. This includes transfer of information about each child's progress and visits by P7 children to the secondary school in June, subject to COVID19 restrictions.

**Registration procedures**

All parents/carers of P7 pupils resident in Midlothian, who attend a primary school in Midlothian, will receive written confirmation from Pupil Placement in November that their child has been registered for a place at their catchment secondary school, based on their home address. Places at secondary schools may be limited, so registration does not



guarantee a place. Parents/carers will also be advised of their right to make a placing request.

See section 4 for information on placing requests.

Midlothian pupils are enrolled in their catchment secondary schools through the transfer of their details from their associated primary schools. Secondary schools need to enrol those pupils whose placing requests have been granted or who did not attend a Midlothian primary school.

### **Allocation of Catchment Secondary School Places**

The Council will normally give the highest priority to children living in the catchment area of a school. In the event of a school having more catchment children than places available, priority will be given in the following order:

- children who have been prioritised based on individual circumstances;
- children who are baptised Roman Catholic (Roman Catholic schools);
- children who will have siblings attending the school at the same time;
- children who attend an associated primary school;
- all remaining catchment children.

If there are more children than places available in any category, proximity of home to school and/or ease of travel will normally be used.

If a place at a catchment school is not available, parents/carers will be offered a place at the nearest Midlothian secondary school to their home address with places available. They will be given the option to make a placing request to another school, if they so wish. The pupil will be placed on a waiting list for the catchment school in order of priority and, should a place become available, parents/carers will be contacted by Pupil Placement.

Once the place is offered it will not be withdrawn unless the place was obtained using false information or the family change address before the start of the school year. Children who are offered a place at their preferred catchment school will be enrolled automatically.

### **Intake numbers**

Pupil Placement will inform secondary school Head Teachers of the number of catchment pupils that will be transferred from primary schools and any intake limits that may apply. They will also be informed on a regular basis of numbers of any non-catchment requests which have been received and catchment requests out to other schools.

Throughout this period, secondary school Head Teachers should discuss with the Pupil Placement Section any factors that may affect the school's ability to accommodate the projected S1 intake.

### **Issue of school handbooks**

Head Teachers must ensure school handbooks are updated by November. Delays in updating the handbook should be avoided as parents/carers are legally entitled to this information. The handbook should be made available on the school website.

### **Press advertisement**

In October each year Pupil Placement will place an advertisement in the local press, advising parents/carers of any Midlothian child eligible to begin secondary education that their child will be automatically enrolled in their catchment secondary school, unless a placing request is made for another school.

### **Making a Placing Request for a Non-Catchment Primary or Secondary School**

All parents/carers have the right to request a place for their child in a non-catchment school; this is called a placing request. It is the Council's statutory duty to grant placing requests where there are places available, except in certain circumstances which are set out in The Education (Scotland) Act 1980.

If the child is starting primary or secondary school in August and the parent/carer wants them to attend a non-catchment school, they may make a request by completing a Placing Request. The placing request form is available online at [midlothian.gov.uk/placing](http://midlothian.gov.uk/placing), alternatively a paper version of the form is available on Midlothian Council's website or can be obtained from Pupil Placement at [pupil.placement@midlothian.gov.uk](mailto:pupil.placement@midlothian.gov.uk).

If the child is at any other stage of their education parents/carers should contact the Head Teacher of the school of their choice.

If the child has additional support needs the right to make a non-catchment placing request includes the right to request a special school or special class. Parents/carers who wish to make this kind of placing request should discuss their choice of school with the child's lead professional before making their request.

### **What will happen when a placing request is made to Midlothian Council?**

The following information applies if a placing request is made for a child to a Midlothian Council school.

The Midlothian closing date for placing requests to start P1 or S1 in August is the preceding December. The Council will still consider a request if it arrives after this date but before 15 March, the national cut-off date.

The parent/carer should receive acknowledgement of their application within fourteen days of receipt by Pupil Placement. The Council will consider all placing request received before 15 March and decisions will be communicated to parents/carers by the end of April.

Placing requests received after 15 March will be considered but there may be no places left at the school of choice. These requests will be decided within two months of receipt and parents/carers notified.

Placing Requests for P2 to 7 and S2 to 6 are available on Midlothian Council's website or from the schools. The placing request will be acknowledged within fourteen days of receipt and a decision made within two months.

Members of staff should not provide letters of support to parents/carers.

### **Restriction or limitation of places**

The Council will give the highest priority to children living in the catchment area of a school. Places remaining after catchment children are enrolled will be available for non-catchment children.

### **Placing Requests**

When there are more placing requests than places available the Pupil Placement Panel will consider all requests along with supporting information and documentation. The Pupil Placement Panel have the authority to prioritise individual applications, therefore it is important that parents/carers provide all relevant information in support of their request. This may include, in no particular order, medical evidence and reports from other services or agencies involved with the child, additional support needs, bullying, racial harassment, child or parental medical conditions.



Priority will be given to applicants in the following order:

- children who have been prioritised based on individual circumstances;
- children who are resident in Midlothian and are baptised Roman Catholic (Roman Catholic schools);
- children who are resident in the school's catchment area who will have siblings attending the school at the same time. A sibling attending the nursery class will not be taken into account;
- children who are resident in the school's catchment area;
- children who are resident in Midlothian who will have siblings attending the school at the same time. A sibling attending the nursery class will not be taken into account;
- children who are resident in Midlothian;
- children who are resident outside Midlothian and are baptised Roman Catholic (Roman Catholic schools);
- children who are resident outside Midlothian who will have siblings attending the school at the same time. A sibling attending the nursery class will not be taken into account;
- all other applicants.

### **Other relevant factors that may be taken into account**

The following relevant factors may be taken into account however they do not guarantee that a request will receive priority or agreement.

- attendance at an associated primary school (for requests in S1);
- attendance at the primary school nursery class (for requests in P1);
- proximity of home to school and/or ease of travel.

If there is more than one placing request in any of the above groups then the shortest, safe walking distance from home to school is normally used to decide priority within each group.

Once a pupil has completed a proper admission to the school they will not be asked to transfer to another school against the wishes of their parents/carers in order to admit a pupil who has moved into the catchment area.

A proper admission is one made under the policy of the Council based on correct information from the parents/carers.

Please note that, if a placing request is granted, the child's place at their catchment school may be allocated to another child. If, after a placing request has been granted, a parent/carer changes their mind and wishes their child to attend their preferred catchment school, a place may not be available.

### **Refusing a placing request**

If the Council refuses a placing request a letter will be sent to the parent/carer which gives the reasons for the decision. The Education (Scotland) Act 1980 sets out the reasons why a placing request may be refused.

The main reasons are:

- an extra teacher would have to be employed;
- the Council would have to spend a significant amount to extend or alter the accommodation at, or facilities provided in connection with, the school;
- an extra teacher would have to be employed, or additional class formed, at a future stage of the child's education;
- the number of children at the school would exceed the school's capacity.
- to reserve places at the school for children moving into the catchment area;

- the order and discipline in the school would be seriously affected i.e. through overcrowding;
- the educational wellbeing of pupils at the school would be seriously affected i.e. through overcrowding or exceeding the relevant maximum class size;
- the child's education would be affected because the education at the school requested is unsuitable.

### **What happens if the Council refuses a request?**

If a placing request is refused, the parent/carer has the right of appeal. Appeals must be lodged, in writing, no later than 28 days after the refusal letter being sent. Details of how to make an appeal will be in the refusal letter sent to the parent/carer.

In Midlothian appeals are heard by the Education Appeals Committee. The Education Appeals Committee is independent of the Children, Young People and Partnerships Directorate. This is a formal legal process and further information will be sent on receipt of the appeal.

### **Primary school placing request**

If a place at the requested primary school is not available, a place will be reserved at the preferred catchment primary school that the child has been registered at. However if no place is available at the preferred catchment school, then a place will be allocated at the nearest school with places available (if the preferred school was a denominational school then a place will be allocated at the denominational catchment school if possible). A waiting list will be formed for the requested school and/or catchment school and, should a place become available, the parent/carer be contacted. The waiting list will operate until the end of the summer term.

### **Secondary school placing request**

If a place at the requested secondary school is not available, a place will be reserved at the catchment secondary school. However if no place is available at the catchment secondary school, then a place will be allocated at the nearest school with places available. A waiting list will be formed for the requested school and/or catchment school and, should a place become available, the parent/carer will be contacted. The waiting list will operate until the end of the summer term.

### **Placing Requests for Children with Additional Support Needs**

The parents/carers of children recorded as having additional support needs also have the right to make a placing request. If the Council refuses the request, parents/carers are given a statement of the reasons for the decision and have the same rights of appeal as those previously mentioned.

Under the terms of the Education (Additional Support for Learning) (Scotland) Act 2009, if parents/carers have been refused a placing request for a child with a coordinated support plan (CSP) or to a special school, a mediation service is available to families of children with additional support needs and they have the right to appeal the decision. Appeals are dealt with by the Additional Support Needs Tribunal for Scotland. Details of who to send your appeal to will be in the refusal letter we send you.

**Contact Details**

Pupil Placement  
Midlothian Council  
Education, Communities and Economy  
Fairfield House  
8 Lothian Road  
Dalkeith  
EH22 3ZG

Email: [pupil.placement@midlothian.gov.uk](mailto:pupil.placement@midlothian.gov.uk)

Additional Support for Learning Officer  
Midlothian Council  
Education, Communities and Economy  
Fairfield House  
8 Lothian Road  
Dalkeith  
EH22 3ZG

Telephone: (0131) 271 3689

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

**Useful Websites**

Midlothian Council Website: [www.midlothian.gov.uk](http://www.midlothian.gov.uk)  
Parent Zone Scotland: [education.gov.scot/parentzone/](http://education.gov.scot/parentzone/)  
Education Scotland: [www.education.gov.scot](http://www.education.gov.scot)