

Notice of meeting and agenda



Midlothian Council

Venue: Council Chambers, Midlothian House, Dalkeith, EH22 1DN

Date: Tuesday, 29 August 2017

Time: 11:00 - 14:00

John Blair
Director of Resources

Contact:

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Further Information:

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

Recording Notice: Please note that this meeting will be recorded. The recording will be publicly available following the meeting, including publication via the internet. The Council will comply with its statutory obligations under the Data Protection Act 1998 and the Freedom of Information (Scotland) Act 2002.

1 Welcome, Introductions and Apologies

Including apologies from Members who are unable to attend.

2 Order of Business

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

3 Declarations of Interest

Members should declare any financial and non-financial interests they have in the items of business for consideration, identifying the relevant agenda item and the nature of their interest.

4 Deputations

No deputations from been received for consideration.

5 Minutes of Previous Meeting

Submitted for approval as a correct record:

Note of Meeting of Midlothian Council of 27 June 2017 **5 - 30**

Appendix 1 - Leader's response **31 - 31**

Addendum to Minute of Meeting of Midlothian Council held on 27 June 2017

Minute of Special Meeting of Midlothian Council 19 July 2017 Private

6 Questions to the Council Leader

The following questions have been received for consideration and response by the Council Leader:

6.1 Written Questions To Leader - no1 - report by Director, Resources

7 Motions

The following motions have been received for consideration by the Council:

7.1 Notice of motion - moved by Councillor Cassidy and seconded by Councillor Baird

- 7.2** Notice of motion - moved by Councillor Johnstone and seconded by Councillor McCall

8 Public Reports

- | | | |
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| 8.1 | Representation on Outside Bodies - report by Director, Resources | 36 - 37 |
| 8.2 | Seminar Requests - report by Director, Education, Communities and Economy | 38 - 40 |
| 8.3 | New Governance - Midlothian Community Planning Partnership Board - report by Chief Executive | 41 - 45 |
| 8.4 | Midlothian Council Local Scrutiny Plan 2017-18 - report by the Chief Executive | 46 - 55 |
| 8.5 | Impact of Exiting the European Union - Update - report by Chief Executive | 56 - 75 |
| 8.6 | Midlothian Equality Plan 2017-2021 and Midlothian Equality Progress Reports 2015-2017 - report by Chief Executive | 76 - 182 |
| 8.7 | Election of Elected Member Equality Champion - report by Chief Executive | 183 - 186 |
| 8.8 | Financial Monitoring 2017-18 - General Fund Revenue - report by Head of Finance and Integrated Service Support | 187 - 202 |
| 8.9 | Housing Revenue Account - Revenue Budget and Capital Plan 2017-18 - report by Head of Finance and Integrated Service Support | 203 - 207 |
| 8.10 | General Services Capital Plan 2017-18 - report by Head of Finance and Integrated Service Support | 208 - 217 |
| 8.11 | Community Policing Teams - report by Joint Director, Health and Social Care | 218 - 239 |
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| 8.13 | Day Services Policy - report by Joint Director, Health and Social Care | 271 - 284 |
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|-------------|--|------------------|
| 8.16 | General Services Capital Plan - A701 Relief Road and A702 Spur Road - report by Head of Communities and Economy | 352 - 354 |
| 8.17 | Proposed Restricted Roads (20mph Limit) (Scotland) Bill - report by Head of Commercial Operations | 355 - 362 |
| 8.18 | Consultation on the Relocation of St Mary's Roman Catholic Primary School - report by Director, Education, Communities and Economy | 363 - 379 |
| 8.19 | Consultation on the relocation of Nursery and Primary 1 of Burnbrae Primary School to a new school campus - report by Director, Education, Communities and Economy | 380 - 400 |

9 Private Reports

THE COUNCIL IS INVITED (A) TO CONSIDER RESOLVING TO DEAL WITH THE UNDERNOTED BUSINESS IN PRIVATE IN TERMS OF PART 1 OF SCHEDULE 7A TO THE LOCAL GOVERNMENT (SCOTLAND) ACT 1973 – THE RELEVANT REPORTS AND THEREFORE NOT FOR PUBLICATION; AND (B) TO NOTE THAT NOTWITHSTANDING ANY SUCH RESOLUTION, INFORMATION MAY STILL REQUIRE TO BE RELEASED UNDER THE FREEDOM OF INFORMATION (SCOTLAND) ACT 2002 OR THE ENVIRONMENTAL INFORMATION REGULATIONS 2004

| | |
|------------|--|
| 9.1 | TO FOLLOW - Independent Appointments to Audit and Standards Committees - report by Chief Executive |
| 9.2 | Appointment of Joint Director Health and Social Care - report by Chief Executive |
| 9.3 | TO FOLLOW - Supported Bus Service 39 - report by Head of Commercial Operations |
| 9.4 | TO FOLLOW - The Future of the Kabin in Loanhead - report by Director, Education, Communities and Economy |

Minute of Meeting



Midlothian Council

| Date | Time | Venue |
|--------------|------|--|
| 27 June 2017 | 11am | Council Chambers, Midlothian House, Buccleuch Street, Dalkeith |

Present:

| | |
|--------------------------------------|---|
| Provost Montgomery | Depute Provost Russell |
| Councillor Milligan – Council Leader | Councillor Muirhead – Depute Council Leader |
| Councillor Alexander | Councillor Baird |
| Councillor Cassidy | Councillor Curran |
| Councillor Hackett | Councillor Hardie |
| Councillor Imrie | |
| Councillor Lay-Douglas | Councillor McCall |
| Councillor Munro | Councillor Parry |
| Councillor Small | Councillor Winchester |

Religious Representatives (Non-voting observers for Education Business):

| | |
|--------------|--|
| Mr V. Bourne | |
| | |

In attendance:

| | |
|--|--|
| | |
| | |

Note – Prior to the meeting considering the business contained within the agenda, the Provost invited the meeting to stand in a minute's silence in respect of the recent Finsbury Mosque attack and also to remember the victims of the Grenfell Tower fire.

1. Apologies

- 1.1 The Clerk confirmed that apologies had been received from Councillor Johnstone and Rev. Ruth Halley.

2. Order of Business

- 2.1 The order of business was confirmed by the Clerk as that which was outlined in the agenda that had been circulated with the following amendments:

- The Provost agreed that items 8.5 and 9.1 would be heard as urgent business due to the publication times of the reports in respect of these items;
- Council were also asked to note that a corrected appendix to item 8.1 had been circulated which was reflective of the report considered on 23 May by the Council; and
- The Clerk further confirmed that the Provost had agreed to show a Midlothian Council promotional video entitled 'Teaching in Midlothian' prior to formal business being considered.

Following the video the Provost asked the Head of Education to pass on congratulations to all involved in the video which the Chamber agreed was excellent and would encourage teachers to come to Midlothian.

3. Declarations of interest

- 3.1 The Provost requested that any Elected Member who had to declare an interest in a particular item to do so as the item arose.
- 3.2 In addition Councillor Muirhead was heard declaring an interest in relation to item 7.3 and 8.16 due to his involvement with community groups.
- 3.3 In addition Councillor Milligan declared an interest in items 7.3 and 8.16 due to his involvement with community groups.
- 3.4 In addition Councillor Russell declared an interest in item 8.16 due to her work with community groups.
- 3.5 In addition Councillor Hackett declared an interest in item 8.16 due to his work with community groups.
- 3.6 In addition Councillor Montgomery declared an interest in item 8.16 due to his work with community groups.

4. Deputations

- 4.1 It was noted that no deputations had been received for consideration at this meeting.

5. Minutes of Previous Meetings

- 5.1 The minutes of the meeting of Midlothian Council which took place on 23 May 2017 were submitted for approval. The Council approved the minute as a correct record.

Councillor Parry requested an update in relation to the motion that was raised on 23 May 2017 in relation to the Community Action Teams which Councillor Muirhead confirmed that a report would be submitted as soon as negotiations were completed as per the terms of the motion on 23 May 2017. The Joint Director, Health and Social Care further confirmed that the aim of the Service was to bring a report to the next meeting of the Council.

6. Questions to the Leader of the Council

- 6.1 The following questions were submitted for consideration by the Council Leader.

| Question No. | Question Title | Question raised by: |
|--------------|------------------------|--------------------------|
| 6.1 | Building Safety | Councillor McCall |

Question

What steps has the Leader taken to assess whether any buildings in Midlothian are clad in the type of cladding used in the Grenfell Tower tragedy, or similarly dangerous coatings, and what steps is the leader taking to address the findings?

Leader Response

The Leader provided a written response which was circulated to Members and is attached as Appendix 1 to this minute.

| Question No. | Question Title | Question raised by: |
|--------------|-----------------------|-------------------------|
| 6.2 | Gender Balance | Councillor Parry |

Question

- (1) To acknowledge the fact that Midlothian Council achieved the highest percentage of equal representation of any local authority in Scotland at the May 2017 local elections, with 39% of women elected, rising from 24% in 2012.*
- (2) Whether he thinks it is appropriate that he has chosen to appoint only male elected members to Cabinet positions of the Council and to all appointments at COSLA, ignoring the request from COSLA for a gender balance of elected members to represent local authorities at their*

meetings, thus ironically making Midlothian Council the most male run of local authorities in Scotland?

- (3)** *This being a missed opportunity to encourage and promote equal representation in Scottish politics to reconsider these decisions as a matter of urgency.*

Leader Response

The Leader provided a response as follows:

- (1) Acknowledges the gender balance with Midlothian Council;
- (2) Confirmed that the Council elect Members of the Cabinet not the Council Leader and further confirmed that there had been discussions between all Groups in relation to Cabinet positions in preparing the proposals for the Cabinet. The Leader further confirmed that the SNP Group had rejected the proposals for political reasons; and
- (3) In rejecting the proposals, the Leader felt the SNP Group had missed the opportunity to create a gender balance within the Cabinet. The Leader re-iterated the Labour Group's position in respect of working together with all political groups.

| Question No. | Question Title | Question raised by: |
|--------------|-------------------------------|-------------------------|
| 6.3 | Council Administration | Councillor Parry |

Question

What is the full nature of the agreement between Midlothian Labour and the Conservatives to allow it to maintain an administration, and which Conservative Councillors will receive additional allowances as a result of appointments to Committees, external bodies or changes to Councillors rates of pay as a result of decisions taken by the Administration or the Council.

Leader Response

The Leader provided a response as follows:

There is no formal or informal agreement between the Labour Group and the Conservative Group. The Leader confirmed that following the Local Government Elections negotiations were had with both the SNP Group and the Conservative Group and as a result no formal or informal arrangements were agreed.

The Leader further confirmed that following this there had been discussion between the all Groups in relation to workstreams and the Conservative Group had agreed to take forward some of this work.

The Leader also re-iterated that the enhanced salary for the Conservative

Group Leader had been a decision of the Council and was a reflection of the workload. The Leader also re-iterated that as a result of the workload of the Group Leaders, a senior Councillor role was allocated to the Group Leaders of the Conservative and SNP Groups as a reflection of this work which was proposed at the last Council meeting and agreed by the Council.

7. Notices of Motions

| Motion No. | Motion Title | Proposed by: | Seconded by: |
|------------|-------------------------|---------------------------|---------------------------|
| 7.1 | General Election | Councillor Hackett | Councillor Russell |

Motion:

Midlothian Council wishes to congratulate Danielle Rowley on her election as the first female Member of Parliament for the Westminster Constituency of Midlothian. We look forward to working with her on behalf of the people of Midlothian.

Furthermore, Midlothian Council offers our appreciation to all the candidates that contested the election for their positive and respectful campaigns.

Summary of discussion

Councillor Hackett presented the motion. In congratulating Danielle Rowley, Councillor Hackett also expressed thanks to Owen Thompson for his work as the former Member of Parliament for the Midlothian Constituency. Councillor Hackett also confirmed that he felt that Danielle Rowley would be an excellent job representing the interests of the people of Midlothian paying particular reference to Danielle Rowley's experience and support within the community.

Councillor Russell seconded the motion echoing Councillor Hackett's comments in relation to Danielle Rowley's caring approach to her community and also to wish Owen Thompson well in the future. Further Councillor Russell echoed the wording of the motion in respect of the fact the Danielle Rowley was Midlothian's first female Member of Parliament.

Councillor Parry was then heard in support of the motion expressing that she wished Danielle Rowley well in her new role paying particular reference to the fact that she is Midlothian's first female Member of Parliament.

Councillor Winchester was then heard extending her congratulations to Danielle Rowley. Councillor Winchester also stated that she disagreed that the election had been run in a respectful manner and cited examples of the Conservatives' experiences during the election campaign in support of her statement.

Decision

The Council agreed the motion.

| Motion No. | Motion Title | Proposed by: | Seconded by: |
|------------|--------------------|--------------------------|-------------------------|
| 7.2 | Rape Clause | Councillor McCall | Councillor Baird |

Motion:

That Midlothian Council condemns the so-called rape clause in the UK Government's welfare reforms to child tax credits, which require victims of rape seeking to claim child tax credits to prove to the Department for Work and Pensions that their third child was born as a result of non-consensual sex; considers it barbaric that rape victims from Midlothian should be compelled to recount their abuse via an eight-page claimant form in order to claim welfare and further commends what it sees as cross-party support from Scottish Labour.

The Council applauds the principled decision that Rape Crisis Scotland and Scottish Women's Aid have taken to refuse to comply with a policy that is coercive and damaging to women and this council will write to Midlothian and East Women's Aid to offer to support their approach; the leader of the Council will also write to the Prime Minister and ask for an end to the policy of the 'rape clause' and 'family cap' to protect victims of rape and sexual abuse from untold distress and trauma arising from what it considers the cruel and callous welfare reforms of the Conservative Government.

Summary of discussion

The Council heard from Councillor McCall who presented the motion. In doing so Councillor McCall cited the recent High Court ruling that the benefit cap was unlawful, discriminatory and has caused real damage to families. Further the Councillor cited the Equalities Commission had suggested the legislation was regressive and may violate Human Rights Laws. Councillor McCall then spoke of the damaging affect this requirement would have to women who had been raped and that further it may discourage women in need from seeking the help they require as a result of being raped. In conclusion Councillor McCall cited the Scottish Labour Party Leader's recent speech in the Scottish Parliament in relation to the rape clause which echoed the sentiments of the motion.

Councillor Baird then seconded the motion citing that being a Councillor in one of the most deprived areas of Midlothian recognised the impact of these policies on his constituents.

Councillor Winchester was then heard stating that she felt that this was a national issue and as such felt that this motion was being used as a weapon and expressed her feeling that this was disgusting.

Councillor Hackett confirmed that the Labour Group would be supporting the motion. In supporting the motion Councillor Hackett suggested that the Council should be working with Women's Aid and other such organisation to oppose these changes.

Following a further contribution from Councillor Cassidy, the Council voted on the motion.

Five Councillors voted against the motion and twelve voted in favour of the motion which then became the decision of the Council.

Decision

The Council agreed to the terms of the motion

Action

Democratic Services/ Council Leader

| Motion No. | Motion Title | Proposed by: | Seconded by: |
|------------|------------------|-------------------------|-----------------------------|
| 7.3 | Gala Days | Councillor Parry | Councillor Johnstone |

Motion:

Midlothian Council congratulates the success of Gala Days, Festival's and Community Events held across Midlothian, and appreciates that these events bring together Midlothian's communities, require a huge effort from dedicated community champions as well as parents, carers, schools, children and other participants and recognises that these events could not take place without the help of volunteers who assist throughout the year as well as on the day.

Midlothian Council appreciates that these events are uplifting for Midlothian's Communities, values these traditions and wishes to congratulate and thank everyone involved.

Summary of discussion

The Council heard from Councillor Parry who presented the motion. Councillor Parry further spoke of her experience at the recent Loanhead Gala Day.

In the absence of Councillor Johnstone, Councillor Milligan seconded the motion and echoed the sentiments of the motion in relation to the work of the communities to mount these events which brings communities together.

Action

Democratic Services/ Provost

8. Reports

| Agenda No. | Report Title | Presented by: |
|------------|----------------------------------|----------------------------|
| 8.1 | Schedule of Meeting Dates | Director, Resources |

Outline of report and summary of discussion

The Council heard from the Director, Resources who presented a paper which invited Council to continue the discussion from the meeting of the Council of 23 May 2017 in relation to item 3.7 Scheme of Administration and Schedule of Meeting Dates at that meeting specially in relation to agreeing the schedule of meeting dates as outlined in the corrected appendix to the report.

The Council then heard from Councillor Milligan who confirmed that there would be difficulty in relation to Councillor availability to agree a meeting of the full Council on 15 August 2017 as per the proposal. Therefore Councillor Milligan proposed that the meeting of the Council scheduled for 15 August 2017, was postponed to take place on 29 August 2017 at 11am and in consequence the Cabinet meeting that was scheduled for 29 August 2017 be brought forward to 15 August at 11am. Further Councillor Milligan proposed that in terms of scheduling start times for meetings that these were brought into line with all meetings starting either at 11am or 2pm with the exception of the Petitions Committee which would continue to meet at 10am.

Councillor Muirhead seconded the proposal.

Following queries from Councillors Parry and Baird which Councillor Milligan responded to, the Council then agreed then schedule of meetings dates as amended.

Decision

The Council agreed to:

- (a) Approve the schedule of meeting dates as amended by Councillor Milligan's proposal.

Action

Democratic Services

| Report No. | Report Title | Presented by: |
|------------|--------------------------------------|----------------------------|
| 8.2 | Outside Bodies - Appointments | Director, Resources |

Outline of report and summary of discussion

The Council heard from the Director, Resources who in presenting the report invited the Council to fill the current vacancies within the Council's representation on Outside Bodies, namely Midlothian Twinning Association and Dean Tavern Trust.

Councillor Parry confirmed her nomination of Councillor Johnstone to the Dean Tavern Trust. Councillor Milligan and the Monitoring Officer confirming that if this

nomination was accepted, Councillor Johnstone would be required to step down from the Licensing Board.

The Council Leader suggested that the vacancy created by Councillor Johnstone's required resignation of her position on the Licensing Board could be delegated to Officers to accept a nomination from the SNP Group to fill the vacancy created on this Board.

Following this Councillor Parry also requested that the SNP Group's representation on the Police and Fire and Rescue Board be changed as follows~: Councillor Cassidy to step down and be replaced by Councillor McCall.

The SNP Group presented no nomination for their position on the Midlothian Twinning Association.

Decision

The Council agreed to:

- a) Councillor Johnstone filling the vacancy on the Dean Tavern Trust;
- b) The vacancy created by Councillor Johnstone's required resignation from the Licensing Board to confirmed by the SNP Group to Officers to allow the new member to attend the upcoming training course; and
- c) Amend the membership of the Police and Fire and Rescue Board to remove Councillor Cassidy and replace with Councillor McCall

Action

- a) Democratic Services
- b) SNP Group/ Legal Services
- c) Democratic Services

| Report No. | Report Title | Presented by: |
|------------|--|----------------------------|
| 8.3 | Social Work Complaints Review Panel | Director, Resources |

Outline of report and summary of discussion

The Council heard from the Director, Resources who presented a report inviting the Council to nominate Members to the Social Work Complaints Review Panel in line with the Council's Scheme of Administration. The Director confirmed that this was required on an interim basis.

Councillor Milligan confirmed that the nominations as per the Scheme of Administration would be Councillors Muirhead, Imrie, Hackett and Curran. This proposal was seconded by Councillor Russell.

| Decision |
|---|
| <p>The Council agreed that:</p> <p>(a) Councillors Muirhead, Imrie, Hackett and Curran would form the pool of Members required in relation to representation on the Social Work Complaints Review Panel</p> |
| Action |
| Democratic Services |

| Report No. | Report Title | Presented by: |
|------------|---|------------------------|
| 8.4 | Business Transformation Steering Group | Chief Executive |

| Outline of report and summary of discussion |
|---|
| <p>The Provost requested comment on the report which had been circulated which sought Council approval for the revised Terms of Reference for the Business Transformation Steering Group.</p> <p>The Council then heard from Councillor Parry who moved against the changes to the Business Transformation Steering Group. Councillor Parry confirmed that her reason for moving against the proposed change was that the Business Transformation Steering Group was set up with a specific purpose i.e. changing the way the Council work to make savings. Councillor Parry continued that her concern was that this Committee would end up being a 'cuts' Committee. In conclusion Councillor Parry moved the direct negative and further moved the status quo for the terms of the Business Transformation Steering Group.</p> <p>Councillor Milligan confirmed that the Business Transformation Steering Group has no decision making powers and acts as a guide to Officers on transformation which is not about cuts and making effective use of Council resources. Further Councillor Milligan confirmed that the Business Transformation Steering Group would make recommendations for the full Council to consider in relation to transformation.</p> <p>Councillor Muirhead was then heard in support of the proposed remit of the Business Transformation Steering Group which is required to support the Council in addressing the budget gap.</p> <p>Councillor Parry then replied that the Group had made recommendations that had not only made financial savings but had also improved the service that the communities of Midlothian had benefitted from.</p> <p>Councillor Cassidy then confirmed he seconded Councillor Parry's motion.</p> <p>Councillor Milligan then summed up confirming that he accepted the recommendations in the report.</p> <p>Following this the Council voted on the motions.</p> <p>Five Councillors voted in favour of Councillor Parry's amendment and twelve Councillors voted in favour of Councillor Milligan's motion to agree the report which then became the decision of the Council.</p> |

Decision

The Council agreed to:

- a) Approve the revised Terms of Reference for the Business Transformation Steering Group.

Action

Democratic Services

| Report No. | Report Title | Presented by: |
|------------|--|----------------------------|
| 8.5 | Asset Management Rationalisation – Elected Members Accommodation Review | Director, Resources |

Outline of report and summary of discussion

The Council heard from the Director, Resources who presented a report which sought Council approval to a proposal for the rationalisation of Elected Member accommodation within the third floor of Midlothian House and to introduce a further phase of the Council's Effective Working in Midlothian programme.

The Clerk circulated an amended layout proposal of the 3rd floor at Midlothian House which had been suggested by the Administration.

The Council Leader opened the debate by confirming that the purpose of this proposal was to support Elected Members working to the 'Effective Working in Midlothian' principles and to create more office space which would in turn realise savings to the Council.

Councillor Baird welcomed the proposal that space on the 3rd floor of Midlothian House be reconfigured to allow for staff to occupy some of the space and further spoke on behalf of the Group suggesting that there could be further space released if the SNP Group didn't occupy the Members' offices.

Councillor Parry was then spoke of her concerns in relation to the cost of the project. Further she re-iterated that it was the correct move to create more space for staff but felt there was not an adequate business case for the proposal. In conclusion Councillor Parry suggested that the report was continued to the next Council meeting to allow for cross party discussions and a more comprehensive business case.

Councillor Muirhead was then heard making reference to the report and commenting that in his view there was a clear business case for the proposals.

Councillor Milligan responded to Councillor Parry by re-iterating the savings to the Council as a result of the proposal coupled with more effective use of space for staff and Councillors.

Following this Councillor Parry spoke in favour of transforming the space to make better use of the building and further moved that the report was continued to the next meeting of the Council.

Councillor Milligan then heard summing up the proposals and formally moving that these were accepted by the Council.

The Director, Resources confirmed that the savings outlined in the report consisted of the reduced maintenance costs of Jarnac Court; reduced utility costs in Jarnac Court and reduced rates and water costs in Jarnac Court.

Councillor Cassidy was heard in support of Councillor Parry's comments and confirmed his view that further detail was required in relation to the business case for the proposals.

Following this the Council voted in relation to the motions.

Five Councillors voted for Councillor Parry's amendment that the report should be continued and twelve Councillors voted in favour of Councillor Milligan's motion that the proposals (subject to the amended layout plan that had been tabled at the meeting) were accepted which therefore became the decision of the Council.

Decision

The Council agreed to:

- (a) the proposal to reconfigure the 3rd floor of Midlothian House in line with the plan that was tabled by the Administration at the meeting;
- (b) request the Director Resources to progress the proposals in liaison with group leaders;
- (c) note the intention to undertake the works during the summer recess period for Member accommodation;
- (d) undertake the reconfiguration of the existing members' lounge during the summer recess to increase office utilisation; and
- (e) in approving the reconfiguration, approve the inclusion of £122,000 in the General Services Capital Plan for 2017/18.

Action

Director, Resources

| Report No. | Report Title | Presented by: |
|------------|---|------------------------|
| 8.6 | Audit Scotland Report – Local Government in Scotland – Performance and Challenges 2017 | Chief Executive |

Outline of report and summary of discussion

The Council heard from the Chief Executive who presented a report which provided the Council with a summary of Audit Scotland's report, 'Local government in Scotland: Performance and challenges 2017'. Further the Chief Executive elaborated on the Council's position in relation to the report's findings.

Councillor Milligan commented on the importance of this report – specifically in relation to the position of Midlothian Council. In drawing on the reference to workforce planning, the Council Leader then suggested that a report be brought back to Council for consideration in September if possible outlining how this will be managed in relation to Council structures over the next five years.

Councillor Hackett then spoke of the challenge in relation to setting a five year strategy with only year on year budgets to support this.

Decision

The Council agreed to:

- (a) note the Audit Scotland report and the position of Midlothian Council in relation to the report's recommendations

| Report No. | Report Title | Presented by: |
|------------|--|---|
| 8.7 | Financial Monitoring 2016-17 – General Fund Revenue | Head of Finance and Integrated Service Support |

Outline of report and summary of discussion

The Council heard from the Head of Finance and Integrated Service Support who presented a report which sought to provide Council with information on performance against revenue budget in 2016/17 and details of the material variances.

The Council Leader expressed his concern in relation to the final position – specifically in relation to the £2.5m overspend. Councillor Milligan also expressed concern in relation to the fact that the final variance from some areas of the Council was considerably worse than had been predicted.

Councillor Muirhead was then heard expressing his concern specifically in relation to the business transformation savings variance.

Councillor Smail was then heard expressing his concern in relation to the financial position and the impact to the Council.

Councillor Hackett was then heard echoing the concerns of Councillors Milligan and Muirhead and further spoke of the positive work done by the Commercial

Services team to achieve such a large underspend.

Decision

The Council agreed to:

- (a) note the contents of the report and consider the financial position in the context of the Financial Strategy for 2017/18 to 2021/22.

| Report No. | Report Title | Presented by: |
|------------|--|---|
| 8.8 | Housing Revenue Account – Revenue and Capital Final Outturn 2016-17 and Capital Plan 2017-18 to 2021-22 | Head of Finance and Integrated Service Support |

Outline of report and summary of discussion

The Council heard from the Head of Finance and Integrated Service Support who presented a report which sought to provide Council with:-

- The final outturn position for 2016/17 for both the Housing Revenue Account (HRA) Capital Plan and the Revenue Account;
- A revised capital plan for 2017/18 to 2019/20 reflecting the carry forwards from 2016/17.

Decision

The Council agreed to:

- (a) note the contents of the report

| Report No. | Report Title | Presented by: |
|------------|--|---|
| 8.9 | Annual Treasury Management Report 2016-17 | Head of Finance and Integrated Service Support |

Outline of report and summary of discussion

The Council heard from the Head of Finance and Integrated Service Support who presented a report which sought to inform members of the Treasury Management activity undertaken in 2016/17 and the year end position.

Councillor Milligan congratulated staff involved in the treasury management activities for their continued work in delivering such a positive position.

Councillor Smail was heard expressing his concern in relation to the variance between the interest received on deposits and the interest charged on the Council's borrowing and suggested he have further discussion with the s.95 Officer in respect of this balance. The Head of Finance and Integrated Service Support confirmed he was happy to discuss the report with any of the Elected Members.

Decision

The Council agreed to:

- (a) Note the Treasury Management Annual Report for 2016/17.

| Report No. | Report Title | Presented by: |
|-------------|--|---|
| 8.10 | General Services Capital Plan Outturn 2016-17 | Head of Finance and Integrated Service Support |

Outline of report and summary of discussion

The Council heard from the Head of Finance and Integrated Service Support who presented a report which presented the final outturn for 2016/17 on the General Services Capital Plan.

Decision

The Council agreed to:

- (a) Note the General Services Capital Plan outturn position for 2016/17.

| Report No. | Report Title | Presented by: |
|-------------|--|---|
| 8.11 | Financial Strategy 2018-19 to 2021-22 | Head of Finance and Integrated Service Support |

Outline of report and summary of discussion

The Council heard from the Head of Finance and Integrated Service Support who presented a report which provided Council with an update on the Financial Strategy encompassing the years 2018/19 to 2021/22.

This included:-

- An update on future years Scottish Government Grant;
- Budget projections for 2018/19 to 2021/22;
- A sensitivity analysis reflecting the potential impact of different pay and grant settlement scenarios years;
- An update on the arrangements for the delegation of resources to the Midlothian Integration Joint Board;
- An update on the change programme aimed at addressing the projected budget shortfalls;
- The proposed governance arrangements and timetable for the 2018/19 budget;
- Proposed additions to the General Services Capital Plan in 2017/18 in respect of the School estate;
- An update on Reserves.

Councillor Milligan emphasised that the report brought home the challenges that the Council is facing. Councillor Milligan specifically highlighted that the next five years would see a rise on the cost of delivering Council services whilst the grant

funding from the Scottish Government would reduce over the same period. Councillor Milligan further highlighted the challenges in meeting the budget gap in light of the protected funding for certain Council services. Further Councillor Milligan cited the projected demographic changes in Midlothian as further creating pressures on Council services – particularly impacting on front-line services. In conclusion Councillor Milligan referred to the fact that Midlothian is the fastest growing county in Scotland and therefore proposed, whilst the recommendations in the paper were accepted, that a further recommendation was added:

‘Council agrees that the Leader writes to all the MSPs representing Midlothian demanding that they oppose any further reduction in Scottish Government grant funding to Midlothian Council. In addition they will ensure that any adjustment in grant funding resulting from projected increases in house building within Midlothian do not fall behind the actual increases in population. In addition Council consents to the Council Leader to seek a meeting with the Finance Minister to make a case for additional and exceptional support in these exceptional circumstances.’

The Council then heard from Councillor Parry who wished to emphasise the local government financial position in Scotland and proposed that the Council Leader also writes to MPs and the Prime Minister to make a case for additional funding and oppose any further cuts in local authority funding.

Council Smaill was then heard provided a further analysis in relation to the balance of funding to local authorities between Westminster and Holyrood.

Council Hackett was then heard providing further comment in relation to the funding position for local authorities in Scotland and the impact to local communities.

In summing up Councillor Milligan agreed to widen the proposal to include the MP and the Prime Minister. Further the Council Leader confirmed that the way forward was to have meaningful discussions with MSPs, the Finance Minister and MP to highlight the impact to society.

Decision

The Council agreed to:

- a) Note the position in respect of the Scottish Government Grant Settlement as set out in section 2 and endorse the central planning assumption of average 3.25% per annum reduction in grant settlements;
- b) Note the current projected cost of services, key assumptions and resultant budget shortfalls as set out in section 3 and endorse the key assumptions on which the budget projections are based;
- c) Note the continuing uncertainties and the potential impact as outlined in the differing scenarios as set out in section 6;
- d) Note the requirement to delegate resources to the Midlothian Integrated Joint Board and the ongoing work to support the development of the IJB's own Financial Plans;

- e) Note the impact of the Change programme and projected future years Council Tax increases and the impact on the Financial Strategy as set out in table 6;
- f) Approve provisions in the General Services Capital Plan for 2017/18 as detailed in section 8.4 as follows:-
 - £200,000 in respect of Cuiken and Sacred Heart Primary School;
 - A additional provision of £0.936 million to allow the procurement and installation of modular units during the 2017/18 academic year to provide additional capacity at Mayfield Nursery School, Danderhall, St David's, Lasswade and Burnbrae Primary Schools.
- g) Note the governance arrangements out in section 9 and approve the proposed timetable set out in table 7;
- h) Note that the projections at this time indicate that a budget gap of £9.029 million for 2018/19 rising to £34.832 million by 2021/21, though these are heavily dependent on the assumptions detailed in the report;
- i) Note that the Strategic Leadership Group is engaged in developing budget options which will be presented to Council in September 2017, with budget decisions being in early 2018;
- j) Note the severity of the financial challenge and also the risks as set out in section 12.2.
- k) Otherwise note the contents of the report.
- l) The Leader writes to all the MSPs representing Midlothian demanding that they oppose any further reduction in Scottish Government grant funding to Midlothian Council. In addition they will ensure that any adjustment in grant funding resulting from projected increases in house building within Midlothian do not fall behind the actual increases in population. In addition Council consents to the Council Leader to seek a meeting with the Finance Minister to make a case for additional and exceptional support in these exceptional circumstances. In addition the Council Leader will write to the MP and Prime Minister to make a case for additional funding to local authorities in Scotland and oppose any further cuts in local authority funding.

| Action |
|---|
| (a-k) Head of Finance of Integrated Service Support |
| (l) Democratic Services/ Council Leader |

| Report No. | Report Title | Presented by: |
|-------------|-----------------------------------|---|
| 8.12 | Financial Accounts 2016-17 | Head of Finance and Integrated Service Support |

Outline of report and summary of discussion

The Council heard from the Head of Finance and Integrated Service Support who presented a report which provided Council with a brief overview of the Council's Financial Statements for 2016/17.

Councillor Smaill queried why the unaudited accounts had only been circulated to Members the day before to which the Head of Finance and Integrated Service Support confirmed there had been an issue in relation to the Capital Accounting which had a knock-on effect in relation to generating the final accounts.

Councillor Smaill expressed concern in relation to the date of the next Audit Committee to which the Chief Executive confirmed there would be a meeting of the Audit Committee in September 2017 and the date had yet to be confirmed.

Decision

The Council agreed to:

- (a) Endorse the contents of this report and approve the Council's Financial Statements for 2016/17

| Report No. | Report Title | Presented by: |
|-------------|---|---|
| 8.13 | Community Empowerment Act - Implementation | Director, Education, Communities and Economy |

Outline of report and summary of discussion

The Council heard from the Director, Education, Communities and Economy who presented a report which sought to:

- Update the Council on the progress in implementing the Community Empowerment (Scotland) Act 2015.
- Note the establishment of the Asset Management Assessment Group and publish a searchable database of council assets.
- Demonstrate the front-facing web resource for Participation Requests.
- Seek approval for the process for coordinating Participation Requests.

Councillor Muirhead was heard in support of the recommendations and further queried if there was anything in the legislation which prevented Elected Members being involved in asset transfer. The Council heard from the Community Planning Manager who confirmed that there is nothing excluding Elected Members from the process and confirmed that the process within Midlothian would ultimately see requests being brought forward to Council for approval. Councillor Muirhead continued by stating he felt it would be appropriate for Elected Members to be involved in the process at an earlier stage than was being proposed. The Community Planning Manager confirmed he would progress this with the Chair of the Community Planning Partnership Board and any Elected Member who wished to be involved.

Councillor Cassidy confirmed he welcomed the publication of the Asset Register and Councillor Hackett expressed his view that the sentiments of the Community Empowerment Act needed to be backed by funding from the Scottish Government – with specific reference to deprived communities.

Decision

The Council agreed to:

- a) Note the progress in implementing the Community Empowerment Act.
- b) Note the establishment of the Asset Management Assessment Group and the legal duty to publish a searchable database of Council assets.
- c) Approve the process for managing Participation Requests.
- d) The Community Planning Manager progressing Elected Member participation in relation to the asset transfer process in discussion with the CPP chair..

Action

Director, Education, Communities and Economy

| Report No. | Report Title | Presented by: |
|-------------|-------------------------------|------------------------|
| 8.14 | Single Midlothian Plan | Chief Executive |

Outline of report and summary of discussion

The Council heard from the Chief Executive who presented a report which sought approval from the Council for the 2017/18 annual action plan, outcomes and indicators, and their adoption as the partnership's shared Local Outcome Improvement Plan for 2017/18.

Decision

The Council agreed to:

- a) approve the Single Midlothian Plan for 2017/18 as agreed by the Community Planning Partnership Board

| Report No. | Report Title | Presented by: |
|-------------|-----------------------|----------------------------|
| 8.15 | Midfest - 2017 | Director, Resources |

Outline of report and summary of discussion

The Council heard from the Director, Resources who spoke to a report which sought to advise Council of: [Page 23 of 400](#)

- (a) the success and outcomes of Midfest 2016 festival and
- (b) the proposed arrangements going forward for the Midfest 2017 festival.

Councillor Parry who in confirming her broad support for the recommendations and for the festival aired her concerns in relation to charging for child admission to the festival and suggested other options in relation to funding should be considered going forward based on the feedback of the festival attendees.

The Director confirmed that he had considered other options but felt in the current climate he could not compromise on the safety of the event.

Decision

The Council agreed to:

- (a) Note the success of Midfest 2016
- (b) Note the resource implications particularly arising from the Sunday event; and the intention of the Director Resources to fund up to £10000 from existing budgets.
- (c) Instruct the Director Resources to continue to explore opportunities for reducing costs and maximising external funding.
- (d) Approve the proposed entry charges as set out in this report.

Action

Director, Resources

| Report No. | Report Title | Presented by: |
|-------------|--------------------------------|---|
| 8.16 | Voluntary Sector Grants | Director, Education, Communities and Economy |

Outline of report and summary of discussion

The Council heard from the Director, Education Communities and Economy who presented a report which invited Elected Members to consider extending current 3 year grant holders grants by six months to one year, to allow for engagement with stakeholders, voluntary organisations and Elected Members, to agree how the Council can use the limited resources going forward to best meet the needs of Midlothian's communities.

Councillor Muirhead referenced the Council's financial position in relation to the grants and confirmed that in order for the voluntary organisations to effectively plan their services it was sensible to extend the grants for 6 months.

Councillor Cassidy spoke in favour of this approach.

The Director confirmed that the organisations had requested that the extension be for a year rather than six months.

Following a discussion involving Councillors Hackett, Smaill, Parry, and Muirhead

with responses from the Director, Councillor Parry moved that there was a twelve month extension to organisations. This was seconded by Councillor Alexander.

Councillor Milligan moved that the recommendations in the report were accepted by the Council which was seconded by Councillor Muirhead.

Following this the Council voted in relation to the motions.

Five Councillors voted in favour of Councillor Parry's motion and twelve voted in favour of Councillor Milligan's motion which then became the decision of the Council.

Decision

The Council agreed to:

- (a) Extend 3 year grants for a further six months to the end of September 2018 to allow consideration of future options;
- (b) Invite third sector partners to re –enter “co- production” of revised arrangements, aiming to have an agreed position available for Council consideration during the budget setting process for 2018/19;
- (c) Request equalities staff undertake an Integrated Impact Assessment so that any changes to the grants programme comply with equality legislation and do not inadvertently discriminate against specific groups; and
- (d) Continue with another round of one year small grants on the existing basis.

Action

Director, Education, Communities and Economy

| Report No. | Report Title | Presented by: |
|------------|--|--------------------------|
| 8.17 | Update on Digital Centre for Excellence – Newbattle Community High School | Head of Education |

Outline of report and summary of discussion

The Council heard from the Head of Education who presented a paper which sought to update Council on progress towards the new Digital Centre of Excellence and to seek approval for the capital and revenue funding for the mainstream digital assets of the wider Centre.

Councillor Baird was heard in support of the proposals that had been presented to the Council.

Councillor Muirhead was heard in further support of the proposals.

Further Mr Bourne was heard in support of the proposals that had been presented.

Decision

The Council agreed to:

- (a) Note the proposed investment in digital assets which are designed to ensure that centre is fully equipped to deliver services from March 2018;
- (b) Approve the addition of £457,000 to the General Services Capital Plan in 2017/18 to fund the proposed investment;
- (c) Approve the additional revenue operating and borrowing costs of £38,000 as a consequence of this investment which will increase future years budget shortfalls;
- (d) Note the ongoing work to support the development of Newbattle Digital Centre of Excellence;
- (e) Approve the increased cost of DHT as outlined in 4.2 of the report; and
- (f) Note that a further report will be brought to Council once the outcomes and implications of City Deal funding is known.

Action

Head of Education

| Report No. | Report Title | Presented by: |
|------------|--------------------------------------|--------------------------|
| 8.18 | Saltersgate School Adaptation | Head of Education |

Outline of report and summary of discussion

The Council heard from the Head of Education who presented a paper which sought to:

- Update Council on the approval given in October 2016 to establish a capital budget within the General Services Capital Plan for adaptations and alterations to take place during session 2016-2017.
- Request funding to complete further internal adaptation and alterations in session 2017-18 and for the estimated costs on redevelopment of all sections of the playground.

Decision

The Council agreed to:

- (a) Note the successful completion of the internal adaptations and alterations approved in October 2016;

- (b) Note the proposed internal alterations and adaptations and the proposed playground development which are designed to ensure that Saltersgate School continues to meet Midlothian children's needs;
- (c) Approve the addition of £154,563 to the General Services Capital Plan in 2017/18 to fund the proposed internal alterations and adaptations;
- (d) Approve a net addition of £262,571 to the General Services Capital Plan in 2017/18 to fund the playground Improvements; and
- (e) Note that there will be additional unitary Charge and Borrowing costs as a consequence of these projects as detailed in the report.

Action

Head of Education

| Report No. | Report Title | Presented by: |
|-------------|--|---|
| 8.19 | Naming of New Centre at Newbattle | Head of Property and Facilities Management |

Outline of report and summary of discussion

The Council heard from the Head of Property and Facilities Management who presented a report who sought approval for the new multi use building at Newbattle to be named Newbattle Community Campus.

Decision

The Council agreed to:

- (a) Approve the change of name from Newbattle Centre to Newbattle Community Campus with immediate effect.

Action

Head of Property and Facilities Management

| Report No. | Report Title | Presented by: |
|-------------|---|---|
| 8.20 | Update on Current Position of Complaint Handling Procedure | Director, Education, Communities and Economy |

Outline of report and summary of discussion

The Council heard from the Director, Education, Communities and Economy who presented a report which provided Council with an update on the current position of the Complaint Handling Procedure, including the management of the corporate approach.

Decision

The Council agreed to:

- (a) Note the approach to the way the Council handles complaints to meet its obligations and the ongoing work in relation to developing the Council's approach to complaint handling.

| Report No. | Report Title | Presented by: |
|-------------|--|---|
| 8.21 | National Mental Health Strategy | Joint Director, Health and Social Care |

Outline of report and summary of discussion

The Council heard from the Joint Director, Health and Social Care who presented a report which sought to provide Council with a summary of the objectives and key actions outlined in the Scottish Government ten year Mental Health Strategy which was published in March 2017.

Decision

The Council agreed to:

- a) to note the new Mental Health Strategy and
- b) to note the implications highlighted in the report for Council services.

| Report No. | Report Title | Presented by: |
|-------------|--|---|
| 8.22 | Sustainable and Affordable Social Care Services | Joint Director, Health and Social Care |

Outline of report and summary of discussion

The Council heard from the Joint Director, Health and Social Care who presented a report which sought to summarise the work being undertaken to reshape services and further sought approval of two specific policies intended to ensure a stronger approach to the equitable provision of social care.

Decision

The Council agreed to:

- (a) Note the work being undertaken to develop a more financially sustainable approach to social care.

- (b) Approve the Fair Allocation of Care Policy
- (c) Approve the Transport Policy for People who use Community Care Services
- (d) Note the work being undertaken to extend the application of new technology

Action

Joint Director, Health and Social Care

| Report No. | Report Title | Presented by: |
|------------|--------------|--|
| 8.23 | Carers Act | Joint Director, Health and Social Care |

Outline of report and summary of discussion

The Council heard from the Joint Director, Health and Social Care who presented a report which sought to provide Council with information about the Carers (Scotland) Act (2016) and new duties under the legislation and to note the proposal to put in place a local implementation group.

Decision

The Council agreed to:

- (a) The establishment of a local implementation group to involve officers from Adult Care, Education and Children's Services in addition to colleagues from relevant voluntary organisations.

Action

Joint Director, Health and Social Care

9. Exclusion of Members of the Public

In view of the nature of the business to be transacted, the Council agreed that the public be excluded from the meeting during discussion of the undernoted item, as contained in the Addendum hereto, as there might be disclosed exempt information as defined in Part I of Schedule 7A to the Local Government (Scotland) Act 1973:-

- (a) Education Appointments – presented by Director, Resources – Approved
- (b) Scottish Government Regeneration Capital Grant Fund – Call for Applications – presented by Director, Resources - Approved

MIDLOTHIAN COUNCIL 27 JULY 2017

Item 6.1 Response from Council Leader

At a pre-arranged meeting with the Chief Executive on 14 June, the day of the tragic fire at Grenfell Tower, I asked if the Council would be taking appropriate action to check buildings in Midlothian and the Chief Executive confirmed that we would.

Midlothian Council has reacted in the same manner as all Councils throughout Scotland by establishing whether we have any similarly clad high rise buildings.

Midlothian does not have any high rise domestic properties however the low rise housing has been checked for fire rating compliance. The external wall insulation cladding being installed throughout Midlothian does not use a composite aluminium system such as used at Grenfell Tower. The insulating boarding is clad in wet dash/roughcast finish with its own fire resistant qualities and does not act as a cavity to allow fire to spread vertically.

Schools have also been checked to confirm the specification of cladding used in our schools has not been the same as Grenfell Tower. All the cladding systems used are fire rated zero as defined by Building Regulations and therefore considered low risk.

There is no evidence of the same Aluminium Composition Material (ACM) installed at Grenfell Tower being used on any of Midlothian Council's buildings.

At present, due to the lack of evidence of ACM installations, I am advised that no further action is required at this time but have asked officers to continue to monitor the situation.

Written Question to Leader of the Council**Report by John Blair, Director, Resources****1. Question to the Leader of the Council**

In terms of Standing Order 4.3(vii), the following written question has been received from Councillor Johnstone:-

Under the current system for people presenting as homeless how many persons have (a) low support needs, (b) medium support needs and (c) high support needs? What proportion of a, b, and c will be housed at Pentland house? What are the current options for those who have medium to high support needs?

How many persons presenting as homeless are being turned away daily? How many of those meets criteria for assistance and needs? How many persons are being asked to phone daily to request availability for emergency housing? And of these how many are single persons?

Will the council leader look to put in place immediate improvements to the current system to ensure the number of people in Midlothian sleeping rough does not increase?

2. Recommendation

The Leader of the Council is invited to respond to the question.

21 August 2017

Report Contact: Kyle Clark-Hay Tel: 0131 270 5796
e:mail Kyle.Clark-Hay@midlothian.gov.uk



Motion to Midlothian Council

29th August 2017

Midlothian Council welcomes the Scottish Governments introduction of Baby Boxes.

This new scheme means that every baby due in Scotland on or after 15th August 2017 will receive a Baby Box full of practical and useful items which will help tackle inequality and deprivation, improve health and support parents. The boxes will include materials which aim to promote the best possible outcomes for children and they will also provide a safe space for babies to sleep near their parents, which in turn will help to nurture and promote bonding and early attachment. Midlothian welcomes that from January 2018 all Baby Boxes will be delivered 4 weeks before the baby's due date, ensuring all families are provided with this vital resource in preparation for their new arrival.

Proposed By:



Councillor Colin Cassidy

Seconded By:



Councillor Kenneth Baird



Motion to Midlothian Council

29th August 2017

Midlothian Council commits to addressing period poverty by providing free sanitary protection products in all schools and Council workplaces in order to ensure women who are menstruating are not adversely impacted or unable to attend school or work because they are unable to afford the heavily taxed products every month.

Proposed by



Councillor Catherine Johnstone

Seconded by



Councillor Debbi McCall

Representation on Outside Bodies**Report by John Blair, Director, Resources****1 Purpose of Report**

The purpose of this report is to confirm nominations from the Council to fill various vacancies that have arisen in the Council's representation on Penicuik First (BIDs) Ltd.

2 Background

2.1 The Council received correspondence from Penicuik First (BIDs) Ltd (appendix 1) which confirmed that the Board of Penicuik First (BIDs) Ltd had agreed to invite all three Penicuik Councillors to hold positions within the organisation. Two of the Councillor representatives would hold the position of Director and third would be a BID Member.

2.2 Council is requested to confirm it is in agreement with the request and further to confirm which Councillor will be allocated to each of the vacant positions.

3 Report Implications**3.1 Resource Implications**

There are no Resource implications in relation to this report.

3.2 Risk Implications

There are no risk implications in relation to this report.

3.3 Policy Implications**Strategy**

There are no strategy implications arising from this report.

Consultation

No consultations have been undertaken in connection with this report.

Equalities

An equalities impact assessment is not required in connection with this report.

Sustainability

There are no sustainability implications arising from this report.

4 Recommendation

The Council is invited to:

- (a) Confirm the representation to Penicuik First (BIDs) Ltd in line with the content of this report.

Appendix 1 - Letter from Penicuik First (BIDs) Ltd.

1 August 2017

Report Contact:

Kyle Clark-Hay

Tel No 0131 270 5796

Kyle.Clark-Hay@midlothian.gov.uk

Seminar Requests

Report by Mary Smith, Director, Education, Communities and Economy

1 Purpose of Report

The purpose of this report is to recommend that the Council requests seminars to be held in relation to the Learning Estate Strategy and the Midlothian Local Development Plan. Coupled with this and as an action from the Cabinet meeting on 15 August 2017, it is recommended that Council requests a seminar in relation to Education Governance.

2 Background Information

- 2.1** Further to the development of the strategy to support Midlothian's Learning Estate, the Director, Education, Communities and Economy is requesting that Council approves that a seminar be arranged for Elected Members to allow further discussion in relation to this. It is further recommended that the seminar takes place during the week prior to the next Council meeting in September 2017.
- 2.2** The Director, Education, Communities and Economy is further requesting that the Council approves that a seminar be arranged for Elected Members in relation to the Midlothian Local Development Plan. The Midlothian Local Development Plan has now been through its formal Examination stage, with the Scottish Government Reporters' Report having been received in July 2017. The Reporters have recommended a number of modifications to the Plan which the Council will require to consider. A report is due for submission to Council on 26th September 2017 advising and recommending on the final stages towards formal adoption of the Plan. In advance of that the seminar provides an opportunity for Members to discuss the merits of the Reporters' recommendations and to consider the Council's response in moving to adoption of the Plan. It is recommended that this seminar takes place during the week prior to the next Council meeting in September 2017.
- 2.3** As an action from the Cabinet meeting of 15 August 2017, the Director, Education, Communities and Economy further requests that Council approve a seminar to be arranged in relation to Education Governance.

3 Report Implications

3.1 Resource

There are no Resource implications as a result of the recommendation contained within this report.

3.2 Risk

There are no risk implications arising directly from this report.

3.3 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

3.4 Key Priorities within the Single Midlothian Plan

Not applicable.

3.5 Impact on Performance and Outcomes

There is no impact on Performance Outcomes as a consequence of the recommendation contained within this report.

3.6 Adopting a Preventative Approach

Not applicable.

3.7 Involving Communities and Other Stakeholders

There are no Community or Other Stakeholder considerations as a consequence of the recommendation contained within this report.

3.8 Ensuring Equalities

There are no Equalities issues as a consequence of the recommendation contained within this report.

3.9 Supporting Sustainable Development

There are no Sustainable Development issues as a consequence of this report.

3.10 IT Issues

There are no direct IT issues as a result of the recommendation in this report.

4 Recommendations

Council is recommended to;

- (a) Instruct the Director, Education, Communities and Economy to progress and arrange a seminar for Elected Members in respect of the Learning Estate Strategy to take place during the week prior to the next Council meeting in September 2017;
- (b) Instruct the Director, Education, Communities and Economy to progress and arrange a seminar for Elected Members in respect of the Midlothian Local Development plan to take place during the week prior to the next Council meeting in September 2017; and
- (c) Instruct the Director, Education, Communities and Economy to progress and arrange a seminar for Elected Members in respect of Education Governance.

1 August 2017

Report Contact:

Name: Kyle Clark-Hay, Democratic & Document Services Manager

Tel No 0131 270 5796

Kyle.Clark-Hay@midlothian.gov.uk

New Governance Midlothian Community Planning Partnership Board

Report by Kenneth Lawrie, Chief Executive

1 Purpose of Report

This report invites the Council to approve the proposed new governance arrangements for the Community Planning Partnership Board following the passage of the Community Empowerment (Scotland) Act 2015. The recommendations in this report have been approved by the Board subject to agreement of partners own governance structures.

2 Background

2.1 Under the Community Empowerment (Scotland) Act 2015, Community Planning Partnerships were established as statutory boards with the following duties:

- Shared Leadership
- Governance and Accountability
- Resourcing Improvement
- Effective Performance Management

2.2 The Board as currently established operates to a governance document that pre-dates the passage of the 2015 Act and clearly needs to be redesigned to meet new requirements. Coupled with this it has also been agreed by the Board that the new legislation will provide an opportunity to re-shape the ways of working for the Partnership to strengthen and facilitate effective engagement.

2.3 Five core partners are named in the legislation as responsible for the co-facilitation of the Partnership. These are – Midlothian Council, Scottish Enterprise, NHS Lothian, Police Scotland and Scottish Fire and Rescue.

2.4 The Community Planning Partnership Board agreed that a short-life working group be established incorporating the five core partners to bring forward proposals to the Board in relation to governance.

In order to facilitate this in an effective way, a staged approach has been suggested as follows:

- Stage 1 – Governance structure agreed.
- Stage 2 – Review of 'terms of reference' for the Board and its key bodies.
- Stage 3 – Engage with the wider partnership to confirm the most effective method of involvement.

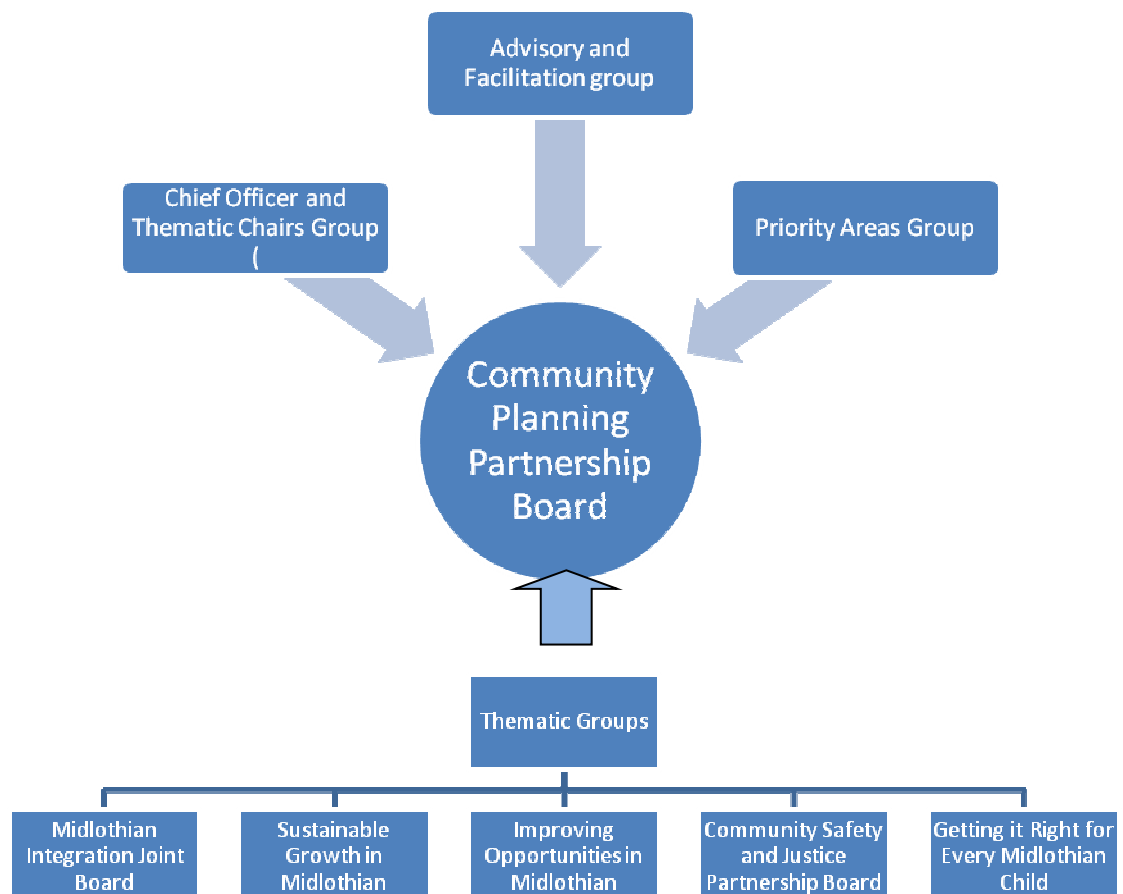
The recommendations within this report relate to stage 1.

3 Midlothian Community Planning Partnership Board

3.1 The Board is responsible for:

- Providing strategic leadership; by developing and setting out a joint vision and agreed outcomes for the area in the form of the Single Midlothian Plan, with the overall aim of improving quality of life in Midlothian for all residents and reducing inequality gaps.
- Identifying and agreeing the resources necessary to achieve these shared outcomes.
- Holding each other to account for the delivery of outcomes through constructive challenge, effective performance reporting and self evaluation.
- Ensuring the partnership operates to agreed approaches of capacity building/ co- production; preventive interventions and localising / channel shifting access to services.

Based on the discussions within the short-life working group, and having cognisance for the requirements under the 2015 Act, the proposal for the strategic governance of the work of the Board is set out below.



3.2 Group Roles

The specific remit of each of the Groups will be reviewed further in Stage 2 of the review of the governance arrangements. The following provides a high level description of the Groups and their interaction with the Community Planning Partnership Board. The aim of the Groups that support the Board is to allow the Board to act as key decision maker and have a strategic overview of community planning in Midlothian.

Thematic Groups – it was agreed by the short-life working group that the existing five thematic groups offered the best way of supporting community planning in relation to local and national priorities. These Groups will have a direct link to the Community Planning Partnership Board.

Chief Officer and Thematic Group Chairs Group– it was suggested by the short-life working group that a separate forum would be useful to include the key decision makers within the core partners and the chairs of the Thematic Groups to allow for discussion and decisions that will support the work of the Board.

Advisory and Facilitation Group – a group to support the mechanics of facilitating community planning within Midlothian and to provide expert advice to the Board in relation to legislation, policy etc.

Priority Areas Group – it was agreed by the short-life working group that a separate advisory and working group exist to support the key priority areas in Midlothian in relation to developing these communities in line with the Single Midlothian Plan.

3.3 Membership of the Board

There is a clear legal need, confirmed in both the 2003 and 2015 Acts, for local democratically elected representatives to participate in community planning. Unlike any other participants they have a unique mandate to represent the interests of local communities. As such, the recommendation within this paper is that three Elected Members (the Leader or Deputy Leader and a representative of each of the other political Groups) from Midlothian Council to sit on the Community Planning Board.

In addition members are proposed as follows:

- Appropriate representation from each of the core public sector partners - Police, Fire, Scottish Enterprise, NHS and Midlothian Council.
- A representative from Further Education.
- A representative from Higher Education.
- A representative from Skills Development Scotland.
- A representative of the Federation of Community Councils.
- A representative of the Third Sector Interface Partnership.
- A representative of Neighbourhood Planning groups.
- A representative from each local membership umbrella body for the private sector business community; namely the Chamber of Commerce and Enterprise and the Federation of Small Business.
- A representative from the Department for Work and Pensions.
- A representative from the Armed Forces.
- The Scottish Government Community Planning Link Director.

It is suggested that and Scottish Natural Heritage, Scottish Environment Protection Agency and Scottish Water given their limited staffing capacity to engage with all 32 CPP's, and the need to make best use of their contributions, are invited to be partners in the sustainable growth thematic group.

3.4 It is proposed that the Council Leader or Deputy Leader will assume the Chair of the Board with the Vice Chair to be selected from the Membership of the Board.

3.5 If the Board are minded to accept the structural proposals within this paper, it is further recommended that a period of transition between the existing arrangements and the implementation of the new arrangements exists to allow the continuation of the work of the Board. Based on the work in relation to stage 2 and stage 3 of the review being completed with recommendations being approved by the Board by the end of 2017. It is therefore recommended that the full implementation of the new governance arrangements commences on 1 January 2018.

4 Report Implications

4.1 Resource

There are no resource implications arising from this report.

4.2 Risk

The Board has overall responsibility for effective risk management of the partnership risks, and has delegated the operational management to the community planning working group.

Partners are expected to maintain systems of internal control and assurance covering their business affairs which includes internal check, segregation of duties and proper authorisation of key documents.

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

4.4 Key Priorities within the Single Midlothian Plan

The revised arrangements for the CPP Board are intended to have a positive impact on healthy inequalities, learning inequalities and Economic inequalities within Midlothian.

4.5 Impact on Performance and Outcomes

The CPP Board has a duty to publish an annual performance report which measures progress against agreed outcome indicators. Of critical importance will be those indicators which measure closing the gap in the three key priority outcomes.

4.6 Adopting a Preventative Approach

In keeping with the Christie Report on the future of public services, the CPP is driven by the recognition that the current model of service delivery is unsustainable. The Board has agreed to adopt prevention as a core approach.

4.7 Involving Communities and Other Stakeholders

The Community Empowerment Act 2015 requires public and stakeholder engagement in creation of the plan, and public reporting of performance. The board has overall responsibility for ensuring that this is undertaken, and has delegated the operational management to the community planning working group.

4.8 Ensuring Equalities

An Integrated impact assessment has not been considered necessary for this report which deals with structural change and governance.

4.9 Supporting Sustainable Development

An Integrated impact assessment has not been considered necessary for this report which deals with structural change and governance.

4.10 IT Issues

There are no IT issues arising from this report.

5 Recommendations

The Council is invited:-

(a) to agree the proposed revised arrangements as set out in this report.

26 July 2017

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Midlothian Council Local Scrutiny Plan 2017/18**Report by: Kenneth Lawrie, Chief Executive****1. Purpose of the Report**

The purpose of this report is to inform Council of the Local Scrutiny Plan 2017/18 produced by Audit Scotland.

2. Background

- 2.1 Audit Scotland works with a number of local government inspectorates in what is known as a Local Area Network (LAN) of local audit and inspection representatives. The LAN undertake a shared risk assessment process for all 32 local authorities, drawing on a range of evidence in order to identify targeted, risk-based scrutiny requirements for each council.
- 2.2 The shared risk assessment process results in each council receiving a Local Scrutiny Plan which identifies the risk areas that the LAN has identified as requiring scrutiny or where scrutiny is planned as part of a national programme. Plans for each council are available on the Audit Scotland website, a copy of Midlothian Council's Local Scrutiny Plan 2017/18 is shown in Appendix 1.
- 2.3 The Local Scrutiny Plan focuses on key risks previously identified by the LAN and also identifies potential new risks.

3. Local Scrutiny Plan 2017/18

- 3.1 The conclusion of the shared risk assessment for 2017/18, is that no significant risks were identified, that would require specific scrutiny by the LAN whilst also noting that scrutiny activity undertaken in the past twelve months had been part of routine ongoing inspection work or national activity.
- 3.2 The report noted that Midlothian was one of six fieldwork sites informing the Social Work in Scotland Report (Audit Scotland) September 2016, in this Midlothian was highlighted as a good practice example in engaging with people who use services.
- 3.3 The LAN noted that in terms of financial sustainability the Council recognised the significant challenges it faced and that the Financial Strategy in place was interlinked with the Single Midlothian Plan and underpinned by a range of supporting strategies and activities. The LAN further noted that whilst the Council was delivering against financial targets, the position beyond 2017/18 was unclear but that the planned activity of the Strategic Leadership Group would bring forward proposals for a balanced longer term financial plan to Council.
- 3.4 The LAN recognised the good progress the Council has made in the delivering of integrated Health and Social Care with its NHS Lothian partners, referencing the historical strength of partnership working and meeting national delay discharge targets in recent years.

- 3.5 In relation to Education the report noted the improvement in attainment, particularly in respect of literacy and numeracy and closing the gap between the most and least disadvantaged children and recognised the Council's intention and plans to continue to seek further improvements whilst also recognising the Council's continued recognition and celebration of the wider achievements of children and young people. Reducing exclusions figures was also noted as a priority identified by the Education Service.
- 3.6 In relation to Children's Services the LAN noted that the work undertaken in this area had produced transformational change which had improved outcomes for children, young people and their families as well as reducing the base budget of the services.
- 3.7 In addition the report notes that the Scottish Housing Regulator (SHR), as a result of its findings from a review and comparison of performance for all Scottish social landlords 2015/16, will monitor the council's progress in addressing the homelessness service risks previously identified in relation to the use of hostels, rough sleeping and outcomes for homeless people in particular, case durations. SHR will review the council's quarterly performance management reports and meet council officials as necessary.

4. Next Steps

- 4.1 The Local Scrutiny Plan 2017/18 (Appendix 1) will inform the ongoing performance and scrutiny activity undertaken by the Council. In addition to the areas identified, routine, scheduled audit and inspection work will be carried out through the annual audit process and the ongoing inspection of school and care establishments by Education Scotland and the Care Inspectorate respectively.
- 4.2 Routine scheduled audit and inspection work will take place through the annual audit Process. Following a new approach agreed in June 2016 Best Value will be assessed over the five year audit appointment, as part of the annual audit work. In addition a Best Value Assurance Report (BVAR) for each council will be considered by the Accounts Commission at least once in this five year period. The BVAR report for Midlothian Council is not planned in the period covered by this scrutiny plan. The Best Value audit work planned this year will focus on the council's arrangements for demonstrating Best Value in financial sustainability and financial management, and will be reported in the Annual Audit Report
- 4.3 The report also noted that the council may be subject to some nationally driven scrutiny or review activity between April 2017 and March 2018. Specifically this may include scrutiny or review activity around national themes, those being self-directed support and Adult support and protection. The report further noted that inclusion of Midlothian Council in either of these activities would be agreed only after further discussion with the council. Notification of Midlothian's inclusion in the joint thematic inspection of adult support and protection, commencing in November 2017, was received following publication of the Local Scrutiny Plan.
- 4.4 It is useful to note that the joint thematic inspection of adult support and protection will be the first independent scrutiny of adult support and protection in Scotland and that Midlothian is one of six partnership areas participating. The quality indicators used to conduct this scrutiny will be:
- Outcomes for adults at risk of harm and their unpaid carers
 - Key adult support and protection processes
 - Leadership for adult support and protection

4.5 The Scottish Housing Regulator may carry out further thematic inquiries during 2017/18 and will also review the Scottish Social Housing Charter data submitted by landlords and carry out data accuracy visits during the second quarter of 2017/18. Where councils are to be involved in a thematic inquiry or a data accuracy visit, the SHR will confirm this directly with the council and the LAN lead.

5. Report Implications

5.1 Resource

There are no additional resource implications.

5.2 Risk

The Local Scrutiny Plan 2017/18 provides the Council with the LANs assessment of areas of risk and potential areas for further scrutiny.

5.3 Single Midlothian Plan

Themes addressed in this report:

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

5.4 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 learning outcomes
- Reducing the gap in health outcomes
- Reducing the gap in economic circumstance

Clear reference is made in the Local Scrutiny Plan 2017/18 to the Single Midlothian Plan and approaches identified to deliver against it.

5.5 Impact on Performance and Outcomes

The report directly impacts Midlothian's ability to monitor and evaluate performance and outcomes by ensuring a strong focus on scrutiny activities and reporting.

5.6 Adopting a Preventative Approach

This report does not directly relate to adopting a preventative approach but the intention to adopt a preventative approach is a key approach captured in future delivery plans to address the financial challenge noted in the report.

5.7 Involving Communities and Other Stakeholders

This report does not directly relate to involving communities however co-production and capacity building Page 48 of 60

plans to address the financial challenge noted in the report.

5.8 Ensuring Equalities

This report does not directly impact people or propose any change to policy or practice however any subsequent actions identified as part of ongoing scrutiny will be subject to and EQIA as appropriate.

5.10 Supporting Sustainable Development

The recommendations in this report contribute to a sustainable approach to the continuous improvement of Council services.

5.11 IT Issues

There are no IT issues arising from this report at this time.

6. Recommendations

Council is asked to:

- a) Note the Local Scrutiny Plan 2017/18

Appendix 1 – Scrutiny Plan 2017/18

Date: 19 July 2017
Report Contact: Myra Forsyth, Policy & Scrutiny Manager
Tel No: 0131 271 3445
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Background Papers:

Audit Scotland Report, May 2017

Midlothian Council, Local Scrutiny Plan 2017/18 -
http://www.audit-scotland.gov.uk/uploads/docs/report/2017/lsp_170530_midlothian.pdf

Midlothian Council

Local Scrutiny Plan

2017/18



May 2017

Midlothian Council

Local Scrutiny Plan – April 2017 to March 2018

Introduction

1. This local scrutiny plan sets out the planned scrutiny activity in Midlothian Council during the financial year 2017/18. The plan is based on a shared risk assessment undertaken by a local area network (LAN), comprising representatives of all the scrutiny bodies who engage with the council. The shared risk assessment process draws on a range of evidence with the aim of determining any scrutiny activity required and focusing this in the most proportionate way.
2. This plan does not identify or address all risks in the council. It covers only those risk areas that the LAN has identified as requiring scrutiny, or where scrutiny is planned as part of a national programme. Planned scrutiny activity across all councils in Scotland informs the National Scrutiny Plan for 2017/18, which is available on the Audit Scotland website.

Scrutiny risks

3. The conclusion of the shared risk assessment for 2017/18, is that no significant risks have been identified, that would require specific scrutiny by the LAN. Scrutiny activity undertaken in the past twelve months has been part of routine ongoing inspection work or national activity. It included the following non-risk based scrutiny:
 - The Care Inspectorate led on a national project of validated self-evaluation of alcohol and drug partnerships (ADP's) across Scotland during 2016. Fieldwork activity concluded and all partnerships received individual feedback summaries to support their local continued improvement. A national report will be published in May 2017.

Social Work in Scotland Report (Audit Scotland) September 2016 – Midlothian was one of six fieldwork sites for the audit. In this Midlothian was highlighted as a good practice example in engaging with people who use services.

4. **Financial Sustainability.** The Councils Financial Strategy is interlinked with the Single Midlothian Plan and underpinned by a range of activities including the Delivering Excellence Programme, the People Strategy and The Effective Working in Midlothian (EWiM) Plan. The Financial Strategy recognises the significant challenges facing the council including decreases in grant funding, an ageing population and the resultant pressures on services, all of which impact on the projected budget shortfalls.

5. The Financial Strategy provides Longer Term Financial Projections through to 2021/22 which indicates that the council needs to achieve significant savings over that period in addition to the £24 million already included in the council's forward change programme. Savings of £8.5 million are required for 2018/19 rising to £30.5 million by 2021/22. Having brought forward a change programme for 2017/18 which totalled £8.5 million the Strategic Leadership Group is now working to identify proposals to address the challenge for future years. This work will allow proposals for a balanced Longer Term Financial Plan to put before council.
6. The council is delivering against financial targets but the position remains unclear beyond 2017/18.
7. **Health and Social Care Integration.** The council has made good progress on delivering integrated Health and Social Care, with its partners in NHS Lothian. Partnership working has been historically strong and the partnership has met national delayed discharge targets in recent years.
8. **Education and Children's Services.** There has been improvement in attainment, particularly in respect of literacy and numeracy, closing the gap between the most and least disadvantaged children. The council recognises that there continues to be scope to improve educational attainment, particularly through the Broad General Education, and it is beginning to use data and their new dashboard to improve the attainment groups of learners living in multiple deprivation areas. Midlothian Council continues to recognise and celebrate the wider achievements of children and young people. Many are involved in activities that help them to become effective contributors and responsible citizens. In relation to Children's Services, the work undertaken in this area has produced transformational change which has improved outcomes for children, young people and their families as well as reducing the base budget of the service. Plans to spend pupil equity funding are currently under discussion.
9. Exclusions from schools show a three year improving trend in the Primary sector. However exclusions still remain above the national average in respect of children in both primary and secondary stages. In contrast the number of exclusions from special education is zero, well below the national average. Nonetheless, reducing exclusion figures remains a priority for the education service.

Planned scrutiny activity

10. The council may be subject to some nationally driven scrutiny or review activity between April 2017 and March 2018. Specifically this may include scrutiny or review activity around to national themes, those being self-directed support and Adult support and protection. Both of these activities will be led by the Care Inspectorate but undertaken with other scrutiny bodies and partners. Inclusion of Midlothian Council in either of these activities will be agreed only after further discussion with the council.

11. Routine scheduled audit and inspection work will take place through the annual audit process and the ongoing inspection of school and care establishments by Education Scotland and the Care Inspectorate respectively. Audit Scotland will carry out a programme of performance audits during 2017/18 and individual audit and inspection agencies will continue to monitor developments in key areas of council activity and will provide support and challenge as appropriate. This will help to inform future assessment of scrutiny risk.
12. To assess the risk to social landlord services the Scottish Housing Regulator (SHR) has reviewed and compared the 2015/16 performance of all Scottish social landlords to identify the weakest performing landlords. In relation to the council's homelessness service, it identified risks in relation to the use of hostels, rough sleeping and outcomes for homeless people in particular, case durations. The SHR will monitor the council's progress in addressing the homelessness service weaknesses identified in this plan. It will review the council's quarterly performance management reports and meet council officials as necessary. SHR will publish the findings of its thematic inquiry work into gas safety and repairs completed during 2016/17. It may carry out further thematic inquiries during 2017/18. SHR will also review the Scottish Social Housing Charter data submitted by landlords and carry out data accuracy visits during the second quarter of 2017/18. Where councils are to be involved in a thematic inquiry or a data accuracy visit, the SHR will confirm this directly with the council and the LAN lead.
13. The Accounts Commission agreed the overall framework for a new approach to auditing Best Value in June 2016. Best Value will be assessed over the five year audit appointment, as part of the annual audit work. In addition a Best Value Assurance Report (BVAR) for each council will be considered by the Accounts Commission at least once in this five year period. The BVAR report for Midlothian Council is not planned in the period covered by this scrutiny plan. The Best Value audit work planned this year will focus on the council's arrangements for demonstrating Best Value in financial sustainability and financial management, and will be reported in the Annual Audit Report.

May 2017

Appendix 1: Scrutiny plan

| Scrutiny body | Scrutiny activity | Date |
|----------------------------------|---|-----------------|
| Audit Scotland | Audit Scotland plans to undertake performance audit work in a range of areas covering local government during 2017/18. These include Arm's Length External Organisations (ALEOs), city deals, children's mental health and health and social care integration. Any engagement with individual councils is still to be determined. Details of future audit work are available on the Audit Scotland website. | To be confirmed |
| Scottish Housing Regulator (SHR) | SHR will monitor the council's progress in addressing the weaknesses identified in relation to the council's homelessness service. The council will submit quarterly progress reports in relation to its proposed improvement actions and their outcomes. These will be followed by meetings with council officials as appropriate. | Quarterly |

Midlothian Council

Local Scrutiny Plan

2017/18

A summary of local government strategic scrutiny activity

This report is available in PDF and RTF formats, along with a podcast summary at:

www.audit-scotland.gov.uk 

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Impact of Exiting the European Union – Update

Report by Kenneth Lawrie, Chief Executive

1.0 Purpose of Report

This report sets out a follow-up assessment of the potential impacts on Midlothian of the decision to leave the European Union, following on from the initial report presented to Council in October 2016.

The impact can be considered under a number of separate headings amongst which are: EU funding, broader economic impacts; societal; environmental and regulatory issues. The initial report concentrated primarily on the loss of European Union grant aid, leaving some of the wider questions of economic and social policy impact for a later stage when it became clearer what the new relationship with the European Union will be.

2.0 Background

- 2.1** Much of the focus to date has been on the potential economic impacts including growth rates, currency fluctuations, future investment streams, employment and inflation. The degree to which the UK has access to the Single Market following its departure from the EU will have a significant influence on these issues. In parallel with this, there is of course the matter of migration, how this will be managed in the future and the impact that will have on skills, employment and the demand for public services.

The EU also has considerable regulatory influence in relation to environmental issues such as landfill, waste water and energy efficiency directives, with associated tariffs and funding, and also rules around procurement and state aid. The negotiations relating to all of these issues will be complex and detailed and significant uncertainty is likely to continue for some time to come.

A priority for the Council is to plan for this changing landscape as the future position clarifies, assembling relevant data and evidence and using this as appropriate to lobby in respect of any particular identified interests either on its own part or through COSLA.

- 2.2** The most immediately identifiable impact of exiting the EU for Midlothian will be in respect of EU funding streams. The use of EU funding in Midlothian is broken into two broad types; funds administered by the Council or where the Council provides match funding itself, and funds flowing into the area associated with nationally operated schemes such as agricultural subsidies. The previous report (appendix 1) set out the level of direct funding coming to Midlothian through the Council management of such funds, and the estimated level of other funding reaching Midlothian businesses, farmers, research agencies, sustainability agencies and Universities.
- 2.3** As stated in the previous report, a range of organisations including the National Farmers Union, COSLA, the Fraser of Allander Institute, the Institute for Fiscal Studies, the Federation for Small Business, the Institute of Directors and a range of academic and economic research bodies have produced overviews of the potential impact of leaving the EU. Accepting that the terms of any new relationship are still unknown, with very few exceptions there is consensus that the current period of uncertainty is having, and will continue to have, a negative impact on the prospects for the UK economy, Midlothian will not be immune to changes resulting from this. The decision about the UK's relationship with the Single Market will be a key factor in bringing this period of uncertainty to a close.

2.4 Currency exchange impacts so far have seen the value of the Pound drop against the Dollar and the Euro by a significant amount. Whilst this has made the UK a cheaper destination for tourism, and exports of UK produced and sourced goods cheaper, it also means imported goods are rising in cost, leading to inflationary pressures especially on items such as imported food and agricultural supplies. These impacts are now becoming evident despite the latest months figures not breaking the 3% inflation figure as predicted in the media.

2.5 'Article 50' exit negotiations began on 19 June 2017. A prospect of another UK election with a set 2 years to complete the process of agreeing terms for leaving may in the imminent future cause disruption. The way the Scottish First Minister, Cabinet and Scottish Parliament are to be involved in these negotiations remains to be seen.

The negotiations will follow four-week cycles throughout the first phase and dates have been set up to the week beginning 9 October 2017. For several weeks during this period neither the UK Parliament nor the European Parliament will be sitting. The EU has proposed a phased approach to the negotiations, starting with three priority areas – citizens' rights, a financial settlement, and the Ireland/Northern Ireland border – moving on to the UK's future relationship with the EU if "sufficient progress" is made in these three areas.

2.6 Exit from the EU could raise the possibility of changes to regulations regarding procurement within which Council services are provided. The EU Public Procurement Directive could be amended, although this would be a matter for Scottish Government who recently introduced legislation regarding procurement.

2.7 The free movement of labour is another concern. There is currently a national shortage of teachers in Scotland and concerns have been raised regarding whether exit will discourage EU nationals applying for opportunities working in Scottish schools. The impact of the referendum result has been calculated as leading to a possible 2.5% reduction in the total UK workforce over the next five years suggesting EU nationals will leave the UK causing a skill shortage in areas such as teaching.

2.8 One of the greatest demands for local authorities and communities in Scotland and across the UK is access to the NHS. Scotland already has an acute problem in recruiting and retaining GPs. The Royal College of General Practitioners Scotland recently said 226 GPs took their primary degree from a European Economic Area (EEA) country. Concern has been raised that, post-exit, many of these GPs will return to their country of origin with a projected deficit of 828 doctors in General Practice by 2021. Similarly, recent figures show a drop of 96% in the number of applications to the UK for nursing posts from individuals from the EU.

2.9 There are approximately 90,000 non-UK EU nationals resident in Scotland with over 30,000 in Edinburgh alone. These non-UK EU are currently eligible to vote in local government, Holyrood and European Parliament elections. EU nationals were able to vote in the Scottish independence referendum but not in the EU referendum. It is not clear at the moment if these voting rights will be retained post-exit. This is an area which is contributing to a level of anxiety among EU nationals regarding their immigration status.

Added to that anxiety there is a feeling in communities that after the UK leaves the EU then they will lose their rights to Council service areas such as housing, schools and health and social care. Fortunately, Scotland has not significantly experienced an increase in hate crime as in other areas of the UK after the referendum. The recent terrorist attacks in London and Manchester have however fed a perception that the UK needs to close its borders to non-UK nationals. Combined with leaving the EU, the situation has contributed to further anxiety among minority ethnic groups who can feel isolated at an uncertain time.

The Council needs to reach out to communities that do feel threatened and give them reassurances that their status is safe.

- 2.10** The Queen's Speech on 21 June was dominated by exit issues. There were eight Bills on the process of withdrawing from the EU:

Repeal Bill

This measure will repeal the 1972 European Communities Act and convert EU law into UK law. It is the centre piece of the Queen's Speech and is probably the most significant bill seen in decades.

Customs Bill This will ensure the UK has a standalone UK customs regime on exit.

Trade Bill This puts in place a legal framework to allow Britain to strike free trade deals with countries around the world.

Immigration Bill This enables the government to end the free movement of EU nationals into the UK, but still allows the country to attract "the brightest and the best".

Fisheries Bill Enables the UK to control access to its waters and set UK fishing quotas once it has left the EU.

Agriculture Bill This measure will support UK farmers and 'protect the natural environment after the UK leaves the EU and therefore the Common Agricultural Policy'.

Nuclear Safeguards Bill This establishes a UK nuclear safeguards regime as the UK leaves the EU and Euratom.

International Sanctions Bill ensures that as a permanent member of the UN Security Council, the UK continues to play a central role in negotiating global sanctions to counter threats of terrorism, conflict and the proliferation of nuclear weapons and returns decision-making powers on non-UN sanctions to the UK.

The Repeal Bill is the most important bill of the eight. The Bill repeals the European Communities Act, which says EU law is supreme to the UK's, and will transpose EU legislation into domestic UK law. It will affect thousands of EU laws on everything from workers' rights to the environment that are to be transferred into UK law. It would also end the jurisdiction of the European Court of Justice.

The Bill is likely to be "one of the largest legislative projects ever undertaken in the UK", a report by the House of Commons library predicts, with "major swathes of the statute book" needing to be examined to see how they will work. It is not likely to be debated on the floor of the Commons until the autumn. The Institute of Government identified four elements of the Bill that could decide whether it succeeds or fails in Parliament:

- Its objectives.
- The transfer of powers and responsibilities it outlines.
- The role of parliament and, finally
- the role of devolved governments.

2.11 Rights of EU citizens in the UK post exit

The government has published its policy statement on the rights of EU citizens living in the UK and of UK citizens in the EU. The key issues covered include:

Settled Status— All EU nationals who have five years' continuous residence will be invited to apply for "settled status" covering the right to reside, to undertake any lawful activity, to access public funds and apply for British citizenship.

Legal basis—The proposals exclude the rights of British and Irish citizens, which will be protected by the common travel area. There will be no need for Irish citizens to apply for settled status. The rights of people in Northern Ireland to identify as British or Irish or both will be unaffected.

2.12 Devolved Governments

The position of the Scottish Government is set out in the recent First Minister's joint statement with the First Minister of the Welsh Assembly of 13 July 2017;

*"The European Union (Withdrawal) Bill does not return powers from the EU to the devolved administrations, as promised. It returns them solely to the UK Government and Parliament, and imposes new restrictions on the Scottish Parliament and National Assembly for Wales. **On that basis, the Scottish and Welsh Governments cannot recommend that legislative consent is given to the Bill as it currently stands.** The Bill lifts from the UK Government and Parliament the requirement to comply with EU law, but does the opposite for the devolved legislatures: it imposes a new set of strict restrictions. These new restrictions make no sense in the context of the UK leaving the EU".*

2.13 UK Government position papers .The UK Government has published 3 position papers, on

- Privileges and Immunities,
- Nuclear materials safeguards, and
- ongoing judicial and administrative procedures.

And three policy papers on –

- Safeguarding the position of EU nationals.
- The United Kingdom's exit from and new partnership with the European Union.
- The Repeal Bill.

These are available at:

<https://www.gov.uk/government/collections/article-50-and-negotiations-with-the-eu>

3.0 Report Implications

3.1 Resource

There are no direct resource implications.

3.2 Risk

3.3 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

3.4 Key Priorities within the Single Midlothian Plan

The SMP commits Midlothian to closing the gap in economic circumstances between residents in the area, and between Midlothian and the rest of Scotland. Loss of EU funds is potentially a major setback to achieving this goal, depending on what alternative arrangements are brought forward over time by the UK and Scottish Governments. It is impossible at this stage to judge the wider impacts until the form of exit that is to be undertaken has been clarified

3.5 Impact on Performance and Outcomes

As the current programmes will continue to operate, no immediate impact is expected; however planning will be required to address the potential loss of significant external funds from 2020.

3.6 Adopting a Preventative Approach

Existing EU funds support the preventative approach in various ways. ESF funds are preventive of long term unemployment and ERDF funds support business sustainability and growth. The EAFRD funds play an important role in sustaining agricultural and food industries.

3.7 Involving Communities and Other Stakeholders

This report is an analysis of some of the potential impacts on Midlothian of the UK leaving the EU, but as the position clarifies, there may be a role for the Council in supporting organisations, businesses and communities through the changes in funding, regulation or other issues that may follow.

3.8 Ensuring Equalities

The loss of ESF employability programmes will have a direct negative impact on disadvantaged local residents if there is not a replacement of these funds from other UK or Scottish sources. More generally, the Council will need to consider the impacts on the communities of Midlothian as the details of the new post EU arrangements are clarified.

3.9 Supporting Sustainable Development

The loss of EAFRD in particular will impact negatively on the sustainability of the local environment if there is not a replacement of these funds from other UK or Scottish sources. This is a matter that the Council will need to keep under review.

3.10 IT Issues

Despite the Repeal Bill the new EU General Data Protection Regulations (GDPR) will still be coming into force next spring with major implications for the way partnership working is undertaken, data is held and shared with explicit consent.

4.0 Recommendations

Council is recommended to:

- Note this updated analysis of the potential impacts on Midlothian of the UK leaving the European Union.
- Note the need for the Council to continue to monitor the impact on Midlothian as the future position clarifies, assembling relevant data and evidence and using this as appropriate to lobby the UK and/or Scottish Governments in respect of any particular identified interests either on its own part or through COSLA.
- Ensure that the risks to Midlothian by the exit process are recorded and managed through the Corporate Risk Register.

26 July 2017

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Background Papers: Council Report of November 2016

Impact of Exiting the European Union

Report by Kenneth Lawrie, Chief Executive

1 Purpose of Report

This report sets out an initial assessment of the impact on Midlothian of the decision to leave the European Union. It concentrates on the loss of European Union grant aid, leaving wider questions of economic and social policy impact for a later report when it is clearer what the new relationship with the European Union will be.

2 Background

- 2.1** The use of EU funding in Midlothian is broken into 2 types, funds administered by the Council or where the Council provides matching funding itself, and funds flowing into the area associated with nationally operated schemes such as agricultural subsidies. The first type of funding can be easily quantified, the second can only be estimated as data is not available at the Midlothian level from Scottish Government.

2.2 Council EU operated programmes

European Social Fund

Current programme – operational up to December 2018 (with costs allowed until June 2019 for evaluation).

ESF Midlothian Employment Pipeline Programme

Total Budget to deliver all 10 projects £1,017,799 (figures rounded up to pounds).
Breakdown of Budget:

- 40% ESF Grant, £407,120.
- 60% Match funding from partner organisations delivering Midlothian Employment Pipeline objectives, £610,679 (£579,771 funding from third party organisations and £30,908 funded directly by Midlothian Council).
- 900 beneficiaries are anticipated -over 28 months 10 projects will target key beneficiary group's resident within Midlothian. These are:
 - Project 1 - Supporting young people with chaotic lifestyles and multiple barriers -Total Cost £270,000.
 - Project 2 - Engaging and supporting adults with learning, physical and mental health barriers to employment -Total Cost £120,000.
 - Project 3 - Support veterans and extended families into next steps, employment and in work support= Total Cost £180,000.
 - Project 4 - Tailored support for adults and youths on the autistic spectrum-Total Cost £120,000.
 - Project 5 - Barrier free fund including childcare Total Cost £51,600.
 - Project 6 - Supported vocational learning basic, certificated and intensive employability support for those involved in the criminal justice system- Total Cost £60,000.

- Project 7 - Supported vocational learning basic, certificated and intensive employability support for those who have experienced problems with substance misuse. Total Cost £60,000.
- Project 8 - Targeted support for parents/carers. Total Cost £90,000.
- Project 9 - Adults accredited learning opportunities, Sector Specific qualifications – REHIS, First Aid and CSCS -Total Cost £1,514.
- Project 10- Basic certificated Literary and numeracy provision. Total Cost £50,000.
- Management costs. The council is paid for setting up the project Total - £14,685.

State of Development

Projects 1 through to 8 have been put out to tender, and 6 tenders have been selected with 2 being re-tendered. Projects 9 and 10 have been allocated in house to Council. Midlothian Council has to this date not drawn down any of the ESF Structural Funds to support the above projects. There is no draft or future funding plans in place to sustain these projects beyond the current ESF Funding period of 2016- 2020. There has been no post 2020 funding confirmed.

ESF Poverty and Social Inclusion Fund

A strand of work linked to the local employability pipeline clients with £211,433 ESF funding over the same period. 500 beneficiaries planned for over 28 months. Funding for this has just been confirmed allowing tendering work to be undertaken.

European Regional Development Fund (ERDF)

Midlothian Council does not directly manage any projects that have been ERDF funded, however it is a partner in wider funds that benefit the area including Business Gateway Plus, Business Loans Scotland and the East of Scotland investment Fund.

East of Scotland Investment Fund (ESIF) - £300,000 invested by Midlothian Council, topped up with bank funding and matched 40% provided a total pot of just over £500,000. This fund has now closed but some businesses which have received funding are still paying back their loans.

Business Loans Scotland – the balance from ESIF is being transferred into the new pan Scotland loan fund. There is a new ERDF application. The size of the fund will be £525,000 which includes £157,500 (30%) from ERDF. Both of these loan funds are being managed by West of Scotland Loan Fund.

Business Gateway – as part of the East of Scotland consortium managed by West Lothian Council, Midlothian is set to benefit from Business Gateway Plus2 funding running to Dec 2018 amounting to £510,919, of which £204,367 (40%) will come from ERDF.

LEADER - Midlothian operationally manages a programme run jointly with East Lothian. The budget for the LEADER Programme is £3,490,769. With a maximum of 25% of this allocated towards administering the Programme, Midlothian based projects might expect to receive £1,309,038 on a 50/50 basis with East Lothian based projects.

This programme has been “suspended “to new bids beyond November 2016, pending a review by Scottish Government. There is at this point no clarity about when it will be reopened although there are indications from the Scottish Government that it will reopen and will not have a reduced allocation. No bids have been submitted to Leader from Midlothian for the November funding round. Other EU funds applicable to the Midlothian area.

There is no breakdown to Midlothian level of the following funds provided by EU. Whilst Midlothian is a small Council area of mixed urban/ rural nature, it is clear those local rural businesses, from farming to food production, environmental improvement/ protection and forestry here in Midlothian will be affected by the ending of these funds.

European Agricultural Fund for Rural Development - EAFRD

The European Agricultural Fund for Rural Development (EAFRD) is part of a suite of funding opportunities available for agricultural and rural businesses. It is part of the wider Rural Development Programme which will also run from 2014-2020.

Pillar 1 - Direct farm subsidy payments – Scotland wide budget - £2,929,827,303 over the 6 years (nearly £3 Billion).

Pillar 2 Forestry Grant Scheme Scotland wide budget - £7,875,000:

- The creation of new woodlands – contributing towards the Scottish Government target of 10,000 hectares of new woodlands per year.
- The sustainable management of existing woodlands.
- Support under eight categories: two for the creation of woodland six for management of existing woodland.

Agri-environment Climate Scheme Scotland wide budget - £10,937,500

Promotes land management practices which protect and enhance Scotland's natural heritage, improve water quality, manage flood risk and mitigate and adapt to climate change. For example funding will help to:

- Deliver the 2020 Challenge for Scotland's Biodiversity supporting appropriate management of protected nature sites.
- Contribute to Scotland's world-leading climate change targets.
- Preserve the historic environment.
- Improve public access.

Environmental Co-operative Action Fund Scotland wide budget @£312,500

Promotes the delivery of landscape-scale environmental projects by groups of farmers, foresters and other land managers. It supports planning and facilitation costs of co-operative projects to deliver environmental priorities throughout Scotland for example:

- Conservation of Vulnerable Priority Species.
- Control of Invasive Non-Native Plant Species.
- Woodland Creation.

Beef Efficiency Scheme Scotland wide budget @£1,406,250

To assist in the development of suckler herds to become as efficient as possible. This is a five-year scheme which will contribute to a range of improvements focusing on cattle genetics and management practice on-farm to help deliver against climate change targets by reducing emissions from beef production.

New Entrants Support Scotland wide budget @£625,000

Three dedicated schemes:

- **Young Farmers Start-Up Grant Scheme**
Aimed at those who are starting an agricultural business for the first time or who are taking over an existing agricultural business.
- **New Entrants Start-Up Grant Scheme**
Aimed at those who started their agricultural business in the last 12 months.
- **New Entrants Capital Grants Scheme**
Provides grants for people new to farming to make improvements to their agricultural business and help to promote sustainable development.

Food Processing, Marketing & Co-operation Scotland wide budget @£2,187,500

Supports the Scottish food and drink processing sector in line with the Good Food Nation vision, National Performance Framework, Programme for Government and Economic Strategy:

- Start-up grants for a new business.
- Development grants for an existing business.
- For example, funding can help:
 - develop or create food processing facilities, including buildings and equipment.
 - to run co-operative ventures to improve supply chain efficiencies.

Broadband Scotland wide budget @£281,250

Helps communities across rural Scotland to co-ordinate demand for broadband access by joining together with other community groups to deliver a broadband solution for their area. Open to rural communities in Scotland and is administered by Community Broadband Scotland.

2.3. Wider Implications

A range of national agencies including the National Farmers Union, COSLA, Fraser of Allander Institute, Institute for Fiscal Studies, the Federation for Small Business, the Institute of Directors, and a range of academic and economic research bodies have produced overviews of the potential impact of leaving the EU, accepting that the terms of any new relationship are as yet unknown. With few exceptions there is consensus that this uncertainty is having, and will continue to have, a significantly damaging effect on the UK economy. Almost all international economic institutions predict the wealth of the UK will continue to decline significantly over time following exit from the EU. This effect will be more so if no deal is done on participation in the single market, which requires UK agreement to the free movement of labour. Ceasing to allow this was a reason stated by many voters for voting in favour of exit.

2.4 Immediate Currency exchange impacts so far have seen the value of the Pound drop against the Dollar and the Euro by significant amount, (in the case of the Dollar by over 15%). Whilst this will make the UK a cheaper destination for tourism, and exports of UK produced and sourced goods cheaper, it also means imported goods are rising in cost. This is leading to inflationary pressures especially on items such as imported food, and for agricultural supplies for UK farmers such as fertiliser or fuel.

- 2.5** Capital investment through the UK National Infrastructure Delivery Plan committed to deliver over 600 projects by 2020/21 costing a total of £420bn, of which £100bn is Government-funded, with the remainder provided by private investment and EU investment. Whilst the decision to leave the EU will not directly impact on the UK Government's commitment to invest £100bn in the plan, the decision does introduce uncertainty around the feasibility of securing the balancing figure of £320bn.
- 2.6** The UK receives a net surplus of EU research and student mobility funding. The goal of the funding programme is to produce world-class science and to remove the barriers to innovation and make it easier for the public and private sectors to work together and deliver innovation. The UK has received £1.8bn of funding over the last two years and total investment was expected to reach £10.4bn by 2020, according to European Commission figures. Of the £1.8bn grant, the bulk is directed to higher education institutions, £257m to SMEs that undertake research, £115mn to non-SME businesses and £270mn to research organisations. Locally, Edinburgh based universities and research companies receive £255.71 million EU funding.
- 2.7** Some global financial institutions base themselves in Edinburgh in order to access the wider EU market through what is termed 'passporting'. This means that any financial services firm that is authorised to conduct business in a European Economic Area (EEA) state is entitled to carry on permitted activities in any other EEA state. As is now being reported in the UK press, a full exit from the EU Single Market may prevent global (and British) financial services companies based in Edinburgh, such as RBS, Standard Life, Virgin Money, from accessing EU markets. There is a risk that these companies may move their headquarters away from the UK to an EU location to continue to access EEA markets.
- 2.8** On July 20 the EU tabled a package of proposals for climate and energy to progress the transition to a low carbon economy and fully implement the 2030 Climate and Energy Framework. There are three elements: legally binding emission targets for non-Emission Trading Scheme (ETS) sectors, new rules for land use and a strategy for low emission mobility. Covering approximately 45% of the EU's emissions, the ETS puts an overall emissions cap on high polluting industries, and then allocates carbon allowances which companies can trade. This will concern Scottish Local Government regardless of the status of relations between Scotland and the EU. The First Minister has announced that there will be new Scottish legislation on climate change. Despite the EU/UK Referendum result, it is anticipated that the UK Government will also remain coordinated with EU climate and energy action. Norway and Iceland have for example indicated their intention to participate.

3 Report Implications

3.1 Resource

The UK Government is committed to the continuation of operation of all EU funds until 2020, including providing matching funding allocations through the block grant to Scotland but has made no commitment to support for these areas of activity from UK treasury funding beyond that date.

3.2 Risk

There is a significant risk to the Midlothian area of loss of external funds currently supporting employment, business development, and agricultural activities.

The suspension of bids to the LEADER programme is of particular and immediate concern, as there are a significant number of bids in preparation.

3.3 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

3.4 Key Priorities within the Single Midlothian Plan

The Single Midlothian Plan commits Midlothian to closing the gap in economic circumstances between residents in the area, and between the area and Scotland. Loss of EU funds will be a major blow to achieving this goal as it supports business growth, employability programmes for the most disadvantaged and both sustained and diversified agricultural and food industries.

3.4.1 Impact on Performance and Outcomes

As the current programmes will continue to operate, no immediate impact is expected; however planning will be required to address the potential loss of significant external funds in 2020.

3.4.2 Adopting a Preventative Approach

ESF funds are preventive of long term unemployment, ERDF of business failure, EAFRD of loss of agricultural and food industries.

3.4.3 Involving Communities and Other Stakeholders

Not relevant to this report.

3.4.4 Ensuring Equalities

The loss of ESF employability programmes will have a direct negative impact on disadvantaged local residents if there is not a replacement of these funds from other UK / Scottish sources.

3.4.5 Supporting Sustainable Development

The loss of EAFRD in particular will impact negatively on the sustainability of the local environment if there is not a replacement of these funds from other UK / Scottish sources.

4 IT Issues

None

5 Recommendations

This Report has sought to advise Council of the possible funding impacts of the decision to leave the European Union. Council is recommended to:

- Seek assurances from Scottish and UK Governments that new funds will be introduced to replace those being lost.
- Request clarification from Scottish Government as to the reason for the suspension of the LEADER Programme, the likely duration of the suspension and any changes Midlothian Council can expect to the Programme when the suspension is lifted as a matter of urgency.
- Request Scottish Government introduce new business development investment to replace loss of ESF / ERDF and Leader , especially focussing on:
 - Rural economies diversification
 - Tourism
 - Science and technology, especially supporting business development around sciences.
 - Connectivity to Global markets.
- Request Scottish Government simplify and localise employability funding and reduce overheads; in light of the loss of top sliced ESF funding on exit from the EU to Skill Development Scotland; by handing over SDS and DWP employability budgets to CPP's and transferring SDS staff to Councils.

18 October 2016

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Background Papers: None

EU Referendum: Impact of Brexit on the Government & Public Sector (GPS)

27 June 2016



Macro summary of impact on the Government & Public Sector (GPS)

The 'Leave' vote will lead to a significant impact for the public sector as it will be the sector that has to deliver the implementation of Brexit and experience leadership change. We now know that there will be a change of Prime Minister. In addition it is possible that an opposition leadership contest will also take place in the near future.

With parliamentary recess approaching the majority of activity is now likely to be taking place outside of Parliament until the Autumn. Public sector business and service delivery will continue across the full breadth of the sector, but public servants within departments and beyond will be awaiting to understand what the political fallout will mean for them and their work.

Over the Summer the leadership contest will run its course whilst in Whitehall the civil service starts to plan for the process to leave the EU. Immediate impacts are likely to be a significant distraction effect within central government as a new political leadership team comes to grips with the decision to leave and the 'promises' made to the electorate of the benefits of leaving at a time when the economy could suffer a material blow. Wider political impacts will be felt if the devolved administrations (Scotland in particular) continue to push for further referendums. This will likely lead to further instability in terms of the make up of the United Kingdom.

The UK Government will feel under pressure to start delivering palpable signs of the promised benefits whilst tackling the real task of the economy and negotiating exit from the EU. The negotiation will place a large burden on the likes of Cabinet Office, HMT, FCO, BIS and the HO and will likely distract from the normal run of business - this will spread to other departments as the task of unpicking legislation progresses.

The UK has not had a trade negotiation capability of any note since the 1970s. EU legislation has been embedded in UK law and built upon over forty years of regulations, directives and agreements blurring the legislative lines between the UK and EU. The government needs to decide how to opt out of each element and what alternatives will be put in place - stated as being 80,000 pages of agreements. Likely to tie up parliamentary time for years unless wholesale acceptance and targeted action is taken.

Macro summary of impact on GPS (cont'd)

This distraction and any remedial measures to tackle the economy will dominate parliamentary time for a considerable time and, in the short term, could delay decision making on current government business such large programmes currently in train.

Particular claims during the Leave campaign have been more money for the NHS, reduced taxes on such things as utilities, protection of regional and agricultural grants, fisheries policy and controlled immigration/improved border controls. All of these would take government time and attention and cost money at a time when the economy could take a sustained downturn post vote impacting upon such targets as house building and seeing investors move temporarily or permanently away from the UK.

However, it is unlikely that the disentangling of UK/EU legislation can take place quickly enough for UK contributions to be reduced materially in the next couple of years. The electorate are also likely to expect quicker results and therefore it is highly likely that the new political leadership would need to revisit the announcements in SR15 and effectively redo the spending review (say in autumn 2016 or post a general election if one happens in 2017). The process of a spending review itself and the uncertainty within government of the outcome could lead to a further dampening of activity for several months as seen post 2015 election.

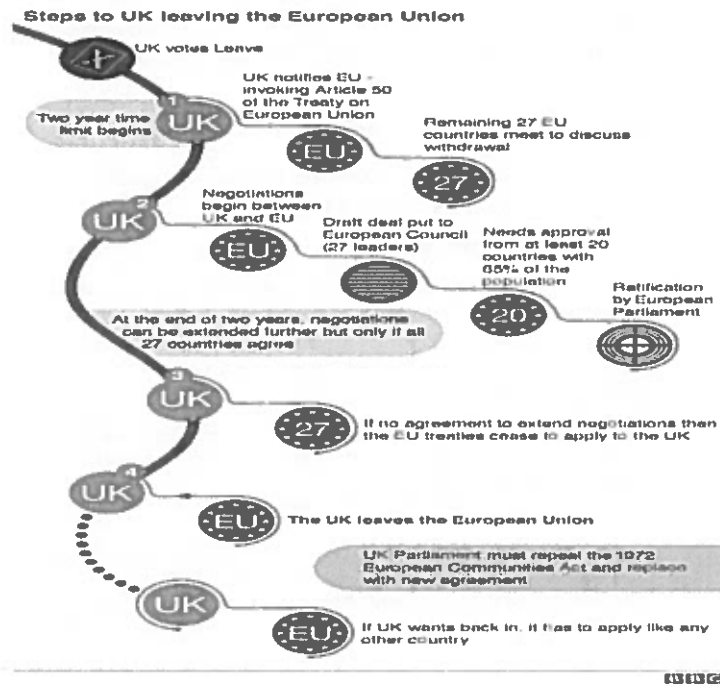
One of the key issues will be dealing with the many complex challenges over an extended period of time that need the civil service to sort and deliver them. As the political situation settles then leaving the EU will become a reality with its own operational, administrative and political challenges. The civil service will need to continue to successfully deliver government business in a context of increased and extended political uncertainty.

The Chancellor's speech on the 27 June 2016 summed up the key risks - market volatility is likely to continue, uncertainty will impact investment, and there is a long way to go to agree future long-term economic relationships.

Key next step dates

- **28 June** - EU leaders are due to gather for a summit in Brussels.
- **1 July** - the Netherlands will hand over the EU's six-month rotating presidency to the relatively-inexperienced Slovakia, which must now lead the negotiations towards Brexit. The UK had been due to take the helm at the end of 2017, but that will not happen now.
- **21 July** - the Westminster Parliament is due to rise for its summer break, but the civil service and ministers will need to continue to work on preparations for negotiations.
- **Mid August** - if the Conservative leadership takes a similar length of time as in 2005, this is around when the successor to Mr Cameron could be announced. Given the need for someone to take charge of the talks, it is likely there would be a strong desire to move as fast as possible. The new PM would then presumably set out their reshuffled cabinet before Parliament returns.
- **5 September** - Parliament is due back for 10 calendar days, and while the early Autumn sitting is usually quiet, this year it could be extremely busy as the government tries to reduce the backlog of business. It is not certain that any Brexit related legislation will be brought into this session.
- **15 September – 10 October** - Conference season. This will be the opportunity for the new PM to set out the vision and timetable for Brexit.
- **Mid October – 20 December** - Autumn parliamentary session - this will be the first real opportunity for Parliament to focus much time and attention on Brexit related legislation.

Key process & Timeline steps (source BBC)



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EY

Key EU legislation focus



EU legislation in all its forms touches all parts of the GPS sector by the nature of the market covering all aspects of UK life. Vote Leave has called for legislation in the current session of Parliament to 'end the European Court of Justice's control over national security and allow the government to deport criminals from the EU'. The Brexiteers have also pledged to abolish the 5% rate of VAT on household energy bills by amending the VAT Act 1994. Other parliamentary actions promised by the Leave campaign include ending the automatic right of all EU citizens to enter the UK, and repealing the European Communities Act 1972 (Repeal) Bill - the legislation that guarantees the supremacy of EU law to domestic rules.

However, it is clear that it will take some time to cut the ties to Brussels. Based on the focus issues of the Vote Leave campaign key areas of legislative focus over the coming months/years for the government are likely to be:

- Finance Bill – to respond to any economic shocks via an emergency budget/autumn statement
- Overall disentangling of EU legislation – upon which much UK legislation has subsequently been built upon so no small task
- Devolved Administrations – Second Independence Referendum in Scotland?
- Immigration/border controls/policing
- Defence/security arrangements
- Trade deals and business regulatory laws,
- Agricultural & fisheries policies
- Taxation
- Energy
- Devolution/local government
- Transport – for instance a new runway could be seen to be critical to expanding the UK's trade.

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EY

Scenario drivers

Trade

Exports to EU, access to markets, imports (supply chain) from EU, impact on customers, e.g. business done in UK with EU-owned businesses; NB trade with other markets could also be impacted as EU trade deals are taken away from the UK

| Risk area | Summary of impact / possible preparatory steps |
|-------------------------|--|
| 1. Trade deals (EU) | <ul style="list-style-type: none"> The UK would need to start negotiations for new trade deals with the EU – this is likely to be protracted and potentially hostile, and will require significant civil service resource and legal advice. This could introduce uncertainty into the business world and markets and be a significant distraction for government. Coupled with this will be the lack of trade negotiation in the UK government – no real capability has existed since the 1970s although there are UK civil servants with experience of negotiating on legislative issues within the EU. |
| 2. Trade deals (non EU) | <ul style="list-style-type: none"> Following a leave vote the UK will be free to negotiate trade deals outside of the EU. This would also be a priority for the government as it is a visible sign of the benefits of Brexit whilst helping support the economy. But this may not be able to be accomplished in an accelerated timescale and would require capable civil service resource – which government does not have in swathes as most negotiation has been carried out by the EU and negotiating a new deal with the EU could be prioritised over non EU deals. It is also not clear that such negotiations can be legally formalised before the UK formally leaves the EU. |
| 3. Energy | <ul style="list-style-type: none"> Impacts could well be seen in utilities and power as many are owned/operate by European HQ companies e.g. EDF, E.ON, Scottish Power etc. and issues could relate to debt leverage, corporate structure, future funding e.g. Nuclear New Build – Hinkley Point C. Power trading could also be impacted - e.g. import/export agreements between National Grid and France. |

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Scenario drivers

Trade (cont'd)

Exports to EU, access to markets, imports (supply chain) from EU, impact on customers, e.g. business done in UK with EU-owned businesses; NB trade with other markets could also be impacted as EU trade deals are taken away from the UK

| Risk area | Summary of impact / possible preparatory steps |
|-------------------------|---|
| 4. Local government | <ul style="list-style-type: none"> Local authorities and enterprise agencies are central to driving the growth of the economy in supporting balance of payments in their localities. There will be a high level of uncertainty for businesses to invest and recruitment following the immediate impact of Brexit that may productivity and trade and major issues. Companies may stop UK plans to locate in the UK set up sites elsewhere. FDI could be reduced as many companies locate in the UK to trade with Europe. Tariffs will clearly be an issue – it will certainly be a question businesses will want answers to quickly but will take time. With regards to devolution it may be difficult for the government to reverse the trend as the mantra of the Leave campaign has been to 'take back control' and have self determination – likewise this will make it difficult for a Brexit focused government to resist pressure from the devolved administrations to have more say in their affairs or to hold referendum on ceding from the UK. |
| 5. Carriers | <ul style="list-style-type: none"> Airports – impacts on operators regarding air space and landing agreements will cascade into airport owner/operators with respect to future expansion (new runway) Visa and travel impacts likely to significant impact on sector e.g. low cost airlines. |
| 6. Business Uncertainty | <ul style="list-style-type: none"> Companies may stop plans to locate/invest in the UK and set up sites elsewhere. FDI could be reduced as many companies locate in the UK to trade with Europe. Tariffs will clearly be an issue – it will certainly be a question businesses will want answers to quickly but will take time to resolve introducing more uncertainty. |

7



Scenario drivers

Migration

Impact on ability to hire skilled and unskilled staff, possible wage pressure, impact on existing staff

| Risk area | Summary of impact / possible preparatory steps |
|---------------------|---|
| 1. Health | <ul style="list-style-type: none"> The NHS relies heavily upon migrant workers both professional and semi skilled. Any changes to immigration policy may impact upon the NHS and social care services' ability to deliver services |
| 2. Local Government | <ul style="list-style-type: none"> Migration is always an issue for Local Authorities who are usually the end point for housing and location of migrants to the UK as well as employing large numbers in social care. Changes may create issues of access to capabilities and labour. Could be a movement of companies locating elsewhere over the medium term to access broader EU workforce market creating local issues of investment. |
| 3. Infrastructure | <ul style="list-style-type: none"> Potential large impact upon the EU migrant labour workforce needed to deliver infrastructure programme across all sectors. Infrastructure also use large migrant workforce for maintenance and operating assets. |
| 4. Higher education | <ul style="list-style-type: none"> The UK education system is highly dependent upon non UK students to help fund the overall system. With Brexit this could change and reduce the amount of income coming into the system and putting the HE system under greater pressure. The sector is already gearing up/entering a period of consolidation without any Brexit impact |

8



Scenario drivers

Regulation

Changes to regulation of products and services, impact on standards and future investment

| Risk area | Summary of impact / possible preparatory steps |
|------------------------|--|
| 1. Business regulation | <ul style="list-style-type: none"> Brexit will allow the UK government to reduce business regulation and 'red tape' however the likelihood is that in order to trade with the EU the UK would still have to abide by EU regulations to a large degree. There are areas such as environment regulations, Employment law and the Working Time Directive that have to be questioned as to whether or not these are seen as 'bad' legislation. Reducing red tape could make the UK more attractive to external investment but the attraction of the larger EU market could attract movement of companies from the UK to the EU. A reduction in red tape, if it affects workers rights, could also potentially lead to a resurgence in trade unionism. |
| 2. Local government | <ul style="list-style-type: none"> Legacy funding and investments from previous EU projects are now maturing and subject to EU rules. This may change. Many regions are subject to grants /debt funding supported through the EU. There will even be more uncertainty as the rest of the world may not continue to trade with the EU on the same basis when we are no longer part of the 'club' |
| 3. State Aid | <ul style="list-style-type: none"> When the UK leaves the EU, the rules preventing unlawful State Aid would cease to apply to the UK and Government would be in a position to revise their public spending guidelines and protocols. This could enable direct investment in certain projects that may not currently be possible due to the state aid rules. This would have an obvious impact on such bodies as UKTI, Highlands & Islands Enterprise and Scottish Enterprise. The future model could be a more flexible model to work within, however following an expected negative impact on GDP post Brexit, there may be reductions in the amount of state aid made available overall and there are risk of trade tariffs being imposed |

9



Scenario drivers

Government policy

Access to EU research funding, taxation, possible use of state aid by UK Government to back selected sectors. In addition to previous comments regarding Government policy the below are some specific issues of particular interest to the GPS market

| Risk area | Summary of impact / possible preparatory steps |
|--|---|
| 1. General macro EU leave policy | <ul style="list-style-type: none"> The government may feel under pressure to start delivering palpable signs of the promised benefits whilst tackling the real task of negotiating exit from the EU. The negotiation will place a large burden on the likes of Cabinet Office, HMT, FCO, BIS and the HO and will distract from the normal run of business - this would spread to other departments as the task of unpicking legislation progresses. EU legislation has been embedded in UK law for 40 years and subsequently built upon, so a complicated task unless EU law is accepted as UK law. |
| 2. Re-visiting current spending policy | <ul style="list-style-type: none"> Particular claims during the Leave campaign have been more money for the NHS, reduced taxes on such things as utilities, agricultural & fisheries policy, local government grants and controlled immigration/ improved border controls. All of these will cost money and government time at a time when the economy may take a sudden downturn post vote and investors move temporarily or permanently away from the UK. It is very possible that the new political leadership would need to revisit the announcements in SR15 and effectively redo the spending review (say in autumn 2016). The process of review itself and the uncertainty within government of the outcome could lead to a further dampening of activity for several months as seen post 2015 election. |
| 3. Public procurement | <ul style="list-style-type: none"> The UK is subject to the EU Procurement Directive which has been adopted into UK law via enabling legislation: the Public Contracts Regulations 2015 in England and Wales, and the Public Contracts (Scotland) Regulations 2015 in Scotland. Nothing would change in the short term however these laws could be revoked and/or replaced with alternative legislation. The UK could restrict competition to the UK, but then it would be likely that the EU would also be able to restrict competition across the remainder of the EU to exclude UK businesses. The UK is however also party to the World Trade Organisation's Government Procurement Agreement however and, as such, even in the event of a Brexit, those rules would continue to apply. |

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Scenario drivers

Government policy (cont'd)

Access to EU research funding, taxation, possible use of state aid by UK Government to back selected sectors. In addition to previous comments regarding Government policy the below are some specific issues of particular interest to the GPS market

| Risk area | Summary of impact / possible preparatory steps |
|---------------------|---|
| 4. EU grants | <ul style="list-style-type: none"> The public sector currently benefits from grant funding from various EU institutions and that funding can be useful in research, stimulating growth and regeneration in areas and projects that would not otherwise be feasible. When the UK leaves the EU, it is likely that UK public sector bodies would no longer be entitled to apply for that grant funding, which may prejudice the ability to progress those projects or areas of research. This is particularly relevant to the LG and HE sectors. We could also see potential reduction on locational grant funding for employment and infrastructure in the more remote/deprived areas such as the Welsh valleys, Highlands and Islands. These areas currently receive a higher % of European grant funding and this may not be able to be replaced by the relevant government. |
| 5. Local Government | <ul style="list-style-type: none"> LEPs are heavily funding through Local Growth Deals and with a significant notional allocation or ERDF/ESF funding from Europe. This poses a risk and level of assurance as to what commitment of funding will remain and when it will expire. Will Government re-commit or be able to afford to re-commit to such funding? Many local authorities are accelerating business support through significant borrowing through the EIB. Terms may change going forward and level of risk scrutiny could increase with ex-ante assessments. A new industrial policy for key industries and sectors will need to be rolled out asap to bolster confidence and support, but on what basis? Local government funding will be under scrutiny once again. |
| 6. Higher Education | <ul style="list-style-type: none"> HE sector relies heavily on EU students more than non-EU students. The UK may seem less attractive and lose income. |

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Scenario drivers

Government policy (cont'd)

Access to EU research funding, taxation, possible use of state aid by UK Government to back selected sectors. *In addition to previous comments regarding Government policy the below are some specific issues of particular interest to the GPS market*

| Risk area | Summary of impact / possible preparatory steps |
|--------------------------|--|
| 7. Accounting treatments | <ul style="list-style-type: none">Public Sector bodies in the UK are currently required to comply with the European System of Accounts 2010. These rules have impacted on the public sectors ability to structure finance solutions and delivery models.Following Brexit the UK would no longer need to follow rules prescribed by Eurostat and that may allow the ONS to follow alternative accounting rules which could impact future delivery models. |
| 8.. Infrastructure | <ul style="list-style-type: none">Uncertainty over the economy may restrict government's investment in infrastructure projects. This could couple with a perfect storm as investors are unwilling to invest in the UK and the fact that the European Investment Bank (the EIB) provides a large element of finance for many of the UK's largest complex infrastructure projects. 2015 saw a record year for the EIB's engagement across the United KingdomA Brexit will likely to impact on the UK public sector's ability to secure EIB finance, although it is also possible that a Brexit could give rise to alternative models. |

Key immediate questions...

- ▶ What is the impact of a steep fall in sterling on your organisation?
- ▶ Do you have the capabilities to meet the challenges heading your way?
- ▶ Are you confident you can maintain service delivery through an extended period of uncertainty?
- ▶ Are there any risks to supply contracts, including outsourcing, as a result of the vote?
- ▶ What are the plans to retain the workforce, both skilled and un-skilled, now potentially at risk of losing their right to work in the UK?
- ▶ Have you communicated with staff?
- ▶ Are there any major bids outstanding or programmes underway that could be impacted?
- ▶ Are there any immediate issues relating to EU funding or projects such as R&D?
- ▶ What is the plan to manage the longer-term impact?
- ▶ Are there any opportunities your organisation could take advantage of during this period?
- ▶ Are you comfortable in the strength of business relationships with non-UK based distributors, customers and suppliers?
- ▶ Are you comfortable with your financing given the risk of interest rate rises to bolster sterling and a likely re-rating of the risk profile of UK assets?

EY | Assurance | Tax | Transactions | Advisory

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ED None

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Midlothian Equality Plan 2017 – 2021 & Midlothian Equality Outcomes & Mainstreaming Progress Reports 2015 – 2017**Report by: Kenneth Lawrie, Chief Executive****1. Purpose of Report**

The purpose of this report is to advise Council of the new Midlothian Equality Plan 2017 – 2021 and Midlothian Equality Outcomes & Mainstreaming Progress Reports 2015 – 2017 as required to meet statutory requirements as set out in the Equality Act 2010 and the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012, 2015 and 2016.

2. Background

- 2.1** The Equality Act 2010, the Equality Act 2010(Specific Duties) (Scotland) Regulations 2012, 2015 and 2016 require public bodies such as the Council, Education Authority and Licensing Board to produce and publish an Equality Plan for the period 2017 – 2021 and Equality Outcomes and Mainstreaming Progress Reports for the period 2015 – 2017.
- 2.2** The Equality Plan sets out a programme of equality, diversity and human rights work for the period 2017 – 2021, with the Equality Outcomes Progress Report and Equality Mainstreaming Progress Report providing an update on work undertaken during the period 2015 – 2017 to progress equality, diversity and human rights in both our communities and workplace.
- 2.3** All three Equality Reports are designed to ensure the Council, Education Authority and Licensing Board (separated as required by the Act), progress the requirements of section 149 (1) of the Equality Act 2010 to:
- Eliminate unlawful discrimination, harassment, victimisation and any other conduct that is prohibited under the Act;
 - Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
 - Foster good relations between persons who share a relevant protected characteristic and persons who do not share it
- 2.4** The reports presented today meet the legal requirements of the Equality legislation as detailed in section 2.2, and support a positive way forward for the Council, Education Authority and Licensing Board.

3 Report Implications

3.1 Resource

There are no resource implications arising directly from this report other than the time of the Council's corporate Equality, Diversity & Human Rights Officer.

3.2 Risk

The Council has a statutory duty to comply with the Equality Act 2010 and The Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012, 2015 and 2016.

3.3 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

3.4 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 learning outcomes
- Reducing the gap in health outcomes
- Reducing the gap in economic circumstance

Equality, diversity and human rights underpin all three priorities.

3.5 Impact on Performance and Outcomes

Completion of actions and the meeting of outcomes within these reports will enhance equality, diversity and human rights performance and outcomes.

3.6 Adopting a Preventative Approach

By adopting a pro-active approach to equality, diversity and human rights a preventative approach will be engendered.

3.7 Involving Communities and Other Stakeholders

The Midlothian Equality Plan 2017 – 2021 was out for consultation earlier this year.

3.8 Ensuring Equalities

Content within these reports relate to best practice and compliance with the Equality Act 2010 and The Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012, 2015 and 2016.

3.9 Supporting Sustainable Development

The content of these reports contribute to a sustainable approach to the continuous improvement of equality, diversity and human rights within Midlothian Council.

3.10 IT Issues

There are no IT issues arising from this report.

4 Summary

The Council, Education Authority and Licensing Board are subject to equality legislation as detailed in the Equality Act 2010 and subsequent Regulations in 2012, 2015 and 2016. This means that the three bodies are required to develop, publish and report progress on equality outcomes and mainstreaming activities on a two-year cycle and produce a new Equality Plan every four years. These reports need to demonstrate how the three bodies are working towards eliminating unlawful discrimination, victimisation and harassment, advancing equality of opportunity and fostering good relations to all people irrespective of their age, disability, gender re-assignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex sexual orientation, or poor socio-economic status.

5 Recommendations

Council is asked to note the contents of the Midlothian Equality Plan 2017 – 2021 & Midlothian Equality Outcomes and Mainstreaming Progress Reports 2015 – 2017.

Appendices: **Midlothian Equality Plan 2017 – 2021 & Midlothian Equality Outcomes & Mainstreaming Progress Reports 2015 – 2017**

Date: **04 August 2017**
Report Contact: **Lesley N Crozier, Equality, Diversity & Human Rights Officer**

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Background Papers: **None**



Midlothian

Equality Plan 2017-2021



This document can be made available in different formats and in different languages. If you would like a copy in another language or format, please email equalities@midlothian.gov.uk or phone 0131 271 3658

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Introduction

Midlothian Council, Education Authority & Licensing Board believes that equality is a fundamental right that everyone should have. No one should be denied opportunities because of who they are and everyone should be able to be themselves. This principle must underpin all of the work that the Council, Education Authority & Licensing Board does. To put this into practice, we need to:

- recognise that some people are not always treated fairly and can experience discrimination and inequality;
- ensure our services meet the needs of people in our communities and that communities have choice and control over the services they use where appropriate;
- challenge ourselves to tackle the inequality that exists in our communities and work together with our partners to improve outcomes for equality groups; and
- tackle prejudice and negative attitudes towards people and celebrate the diversity within our community.

Midlothian has changed significantly in recent years. The county continues to have growing population as well as large numbers of young people and a growing elderly population. In Midlothian we have also welcomed new communities including Syrian refugee families, and the needs of existing communities continue to become increasingly diverse. At the same time, the Council's budget is under pressure and the need to reduce costs and modernise the way we deliver our services has never been more important.

The Community Empowerment (Scotland) Act 2015 brings new requirements for the Council and its partners to work with the community and ensure that everyone has the opportunity to participate in local decision making. The Midlothian Community Planning Partnership has reminded us all of the negative impact of poverty on individuals and communities, and the need to work together to tackle inequality.

This plan sets out our commitment to tackling inequality and promoting inclusion. We believe that we need to lead the way in planning and delivering services which meet the needs of our diverse communities and respond to the changes ahead. We also must strive to be a good workplace for all our employees and to promote positive work experiences for our young workforce.

We look forward to supporting equality in all aspects of the Council, Education Authority & Licensing Board's work and employment practices and to reporting the progress we make to you over the coming years.

Kenneth Lawrie, Chief Executive & Councillor Derek Milligan, Council Leader

Section 1: Why we developed an Equality Plan

The Importance of Tackling Poverty and Promoting Equality and Inclusion

‘An equal society protects and promotes equal, real freedom and substantive opportunity to live in the ways people value and would choose, so that everyone can flourish. An equal society recognises people’s different needs, situations and goals and removes the barriers that limit what people can do and be.’ UK Equalities Review 2007

This definition of equality captures three aspects of equality:

Opportunity - whether everyone really has the same chance to reach their potential

Agency - what degree of choice and control an individual has in taking part

Process – whether discrimination (or the way we do things) causes or contributes to a particular inequality.

What is the purpose of the Equality Plan?

The purpose of the Equality Plan is to clearly state the Council’s commitment to equality and diversity and to demonstrate how we are meeting the requirements of the Equality Act 2010. It also frames this work in the context of the Council and Community Planning Partnership’s overarching commitment to make ‘Midlothian – a Great Place to Grow’, and connects all work which is aimed at reducing the impact of poverty and inequality.

Together with its action plan, the Equality Plan identifies key priorities for achieving improved equality outcomes in a targeted and consistent way across the Council and Community Planning Partnership. The Equality Plan contributes to all aspects of the Midlothian Community Planning Partnership’s Single Midlothian Plan 2017-2018 and to the following strategic priorities outlined in the Plan:

- Reducing the gap in learning outcomes
- Reducing the gap in health outcomes
- Reducing the gap in economic circumstances

Midlothian Council through its work on reducing inequality and promoting equality and diversity aims to:

- Continue to lead a culture where respect, choice and understanding is fostered and diversity positively valued;
- Maintain a working environment where unlawful discrimination, harassment, victimisation or bullying is not tolerated;
- Continue to develop our understanding of the needs of different individuals and communities in a time of rapid change;

- Continue to embed the equality agenda in all our work, and contribute to the early intervention and prevention approach adopted by the Council and its Partners;
- Improve understanding of the impact of poverty and inequality on people's lives; and
- Ensure that we plan and deliver services which meet modern standards of delivery and that are inclusive of a wide range of different needs from digital services to face to face interactions

The Council as an **Education Authority** also needs to meet the requirements of the Equality Act, including the specific duties. The Council also administers the **Licensing Board** and needs to meet the requirements of the Act when undertaking its duties in this regard. The commitments of these bodies are also contained in this Plan.

Through this work, we will meet our legal obligations to remove disadvantage, advance equality of opportunity and promote good relations with various groups. The Plan also aims to develop our work on all protected characteristics. It furthers work of previous equality schemes, reports and action plans.

The Equality Act 2010

The purpose of the Equality Act is to ensure that everyone, whether at work or in using a service has the right to be treated fairly. It protects people from discrimination on the basis of certain characteristics. These are known as protected characteristics and they vary slightly according to whether a person is at work or using a service.

During the course of 2017, the Scottish Government intend to enact a further requirement on public sector bodies to consider 'socio economic status' alongside the protected characteristics outlined below.

At this time (April 2017), further information is not yet available about the scope of this new requirement. This plan will be updated as appropriate following issue of guidance on socio economic status.

The protected characteristics are:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership (the law provides protection in the area of employment and vocational training only)
- Pregnancy and maternity
- Race
- Religion and Belief

- Sexual Orientation
- Sex (formerly known as gender)

What is Discrimination?

Discrimination comes in different forms. It can be:

- **Direct** when someone's gender, ethnicity, faith, sexual orientation, age, disability or being transgender is used as an explicit reason for treating them differently. This is the kind of discrimination that people often recognise easily.

An example might be where a community learning and development worker refuses to work with someone because they are gay.

- **Indirect** when there are rules, services or ways of doing things that have the effect of discriminating against certain groups

For example, the venue you choose for a local event or training might not be accessible to everyone with a disability.

This kind of discrimination is more subtle and can be harder to spot. It often results from simply not understanding or thinking about the needs of certain groups.

- Treating a disabled person unfavourably because of something connected with their disability when this cannot be justified (known as **discrimination arising from disability**).
- Failing to make **reasonable adjustments** for disabled people e.g. making a hearing loop available at meetings where you know people will be using hearing aids.
- **Discrimination by association** occurs when someone is discriminated against because of their association with someone protected by the Equality Act.

An example might be a Bed and Breakfast refusing a block booking for your group because one of the couples is gay. This would be direct discrimination against the gay couple. It would also be discrimination against you by association.

- **Discrimination by perception** allows someone to claim discrimination even if they do not have the protected characteristic, An example would be an atheist bullied at a football match for being catholic can claim discrimination even though he is not catholic.
- It is important to remember that some people experience discrimination on several grounds – this is sometimes called **multiple discrimination**.

The law also protects against:

- **Harassment** is when an individual is subjected to unwanted conduct which has the intent or effect of violating someone's dignity or of creating an intimidating, hostile, degrading, humiliating or offensive environment.

An example of this would be when a person has made inappropriate sexual comments about a colleague's clothing.

- **Victimisation** is where an individual has sought to enforce their rights, or helped another to do so, and as a result is treated less favourably than others who have not complained.

An example of this would be when a person is excluded from a social work/ work event because they have complained about the conduct of a colleague.

What responsibilities does Midlothian Council have under the Act?

As a local authority, Midlothian Council is required to implement the Public Sector Equality Duty in addition to the provisions relating to employment, education and training. This is comprised of two elements, the general duty and the specific duty.

The general duty was developed for public bodies recognising the significant impact that the delivery of public services has on people's lives. The general duty is designed to ensure that, if followed, services are designed to meet the diverse needs of the community and also builds inclusive services. The three general duties are to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.

The **specific duty** is designed to help authorities to put the general duty into practice. It includes a requirement for the authority to:

- Report on mainstreaming the equality duty
- Publish equality outcomes and report progress
- Assess and review policies and practices
- Gather and use employee information
- Publish gender pay gap information

- Publish statements on equal pay
- Consider award criteria and conditions in relation to public procurement
- Publish in a manner that is accessible

Section 2: How we developed the Equality Plan

Outcomes are the consequences of the actions that we undertake; things that make a difference to the lives of people.

This Equality Plan builds on the previous Equality Outcome and Mainstreaming Report 2013 – 2017 and Single Midlothian Plans 2015, 2016 and 2017 all of which were developed after a series of consultations with local groups and individuals. These outcomes continue to reflect the needs of our communities, and reflect ongoing work to achieve positive outcomes for individuals and communities across the county.

To inform our outcomes we continue to:

- engage with people with protected characteristics;
- engage with voluntary and third sector organisations that work with equalities groups;
- consider feedback from consultation on the existing equality objectives;
- consider equality issues raised by members of staff and the community previously;
- look at what existing service areas are doing about equality;
- look at external factors which will impact on local people and the way in which the Council delivers services; and
- consult on a draft set of equality outcomes

Factors influencing the new Equality Plan

Midlothian continues to grow and change. There are many factors which influence people's individual circumstances and their life experiences. In developing this plan, the following are some of the factors we have considered:

- 1) Welfare Reform;
- 2) Findings of the Midlothian Community Planning Partnership;
- 3) Community Empowerment (Scotland) Act 2015;
- 4) Gender based Violence;
- 5) Welcoming of Syrian Refugee families;
- 6) Increasing diversity across our population, especially from Eastern Europe;
- 7) Local Development Plan;
- 8) City Deal;

- 9) Living Wage;
- 10) Focus on Digital Services;
- 11) Wider Council Transformation Programme; and
- 12) Brexit and potential implications for Equality and Human Rights legislation arising from the exit of the EU.

Local communities across Midlothian remain active in highlighting equality and inclusion issues that are affecting their lives. These include:

- 1) LGBT equality in local schools and communities;
- 2) Sex (Gender) Equality issues, including domestic abuse, female representation on boards, maternity leave and mental health for new parents;
- 3) The impact of Poverty- particularly on women and children, including access to sanitary products;
- 4) Understanding the needs of vulnerable families;
- 5) Hate crime experienced by local BME communities, particularly BME business owners, those with physical and learning disability, LGBT hate crime;
- 6) Promoting understanding of mental health, including suicide awareness and prevention;
- 7) Inclusion of children with additional support needs in mainstream services and fun activities;
- 8) Ensuring our services are accessible to all regardless of age, race or disability; and
- 9) Requests for meeting spaces to meet religious needs during special religious periods

For our services, emerging issues include:

- 1) Supporting services including schools, housing services and care homes to consider transgender equality, and ensure a positive experience for those who need services;
- 2) Continuing issues of high levels of sex (gender) based violence, including emerging issues of GBV in dementia households;
- 3) Facilitating interpretation and translation services across a broader range of services, including British Sign Language;
- 3) Dealing with concerns about racism and victimisation in the community;

- 4) Dealing with service users in distress as a result of the impact of welfare reform including expressing suicidal thoughts;
- 5) Supporting sports clubs to consider equality and inclusion and encouraging them to think about these issues differently;
- 6) Supporting those providing Early Years services to think about inclusive play and the importance of equality in early years;
- 7) Meeting the needs of Syrian refugee families; and
- 8) Increasing demand for emergency food provision and continually increasing numbers being referred to local foodbanks

Equality Evidence Review

- Midlothian Council employees: Of the total Council workforce in 2015/16, 71.8% are female, and 28.2% are male.
- There are unacceptably high instance of Violence against Women in Midlothian. 1,102 incidents of domestic abuse were reported in Midlothian in 2015/2016 and we know that many more go unreported. The impact of domestic abuse on women and children is devastating and can be long lasting. It is recognised that men are also affected by domestic abuse and that it is also present in same sex relationships.
- Reported hate crime has increased in recent years in Midlothian. Victims of racist hate crime are often repeat victims as they work in public facing jobs in the retail and catering industries. Disability and other forms of Hate Crime remains underreported across Midlothian
- The ability to 'be you' and feel respected in the community has a big impact on an individual's mental health and wellbeing and also their sense of community. Midlothian social attitudes show that prejudice and negative attitudes towards equality groups remain a problem in our communities.
- We need to recognise that different people have different needs when accessing and using our services. All services need to take account of equality in designing, developing and implementing their services.
- Life expectancy varies between the most affluent and the most deprived areas of the county. This highlights that although we are living longer healthier lives, some groups in the community are not benefiting equally from improvements in health.

Building on existing work

The Council has been working to meet the requirements of previous equalities legislation for a number of years and has developed good practice and skills arising from this work. The Council also works within a complex legislative requirements and provides a range of services for vulnerable people as required. For more information about previous equality work and examples of good practice, please read our 'Mainstreaming Equality Reports'. These are available on our website.

Section 3: Delivering Equality in Midlothian

How can we advance Equality of Opportunity?

As a service provider Midlothian Council plays a significant role in people's lives. We need to ensure that our services are accessible to all those who need them and demonstrate that we have considered the diverse needs of the community when developing them. We can do this by:

- removing or minimising disadvantages suffered by people who share a relevant protected characteristic that arise from them having that characteristic;
- taking steps to meet the needs of people who share a relevant protected characteristic that are different from the needs of those who do not share it; and
- encouraging individuals or groups who share a relevant protected characteristic to participate in public life or in any other activity in which their participation is disproportionately low

Outcomes are the consequences of the actions that we undertake, things that make a difference to the lives of people. Midlothian Council has set the following equality outcomes to work towards. These outcomes reflect the work that is being undertaken to mainstream equality into all areas of the Council's work and the work we do in partnership with others. Therefore the outcomes are similar, and in some cases the same as the outcomes contained in the Council's Single Midlothian Plan 2017 – 2018.

Midlothian Council Equality Outcomes 2017-2021

1. Midlothian Council is a positive workplace for all employees

- Midlothian Council is a workplace free of harassment, discrimination and victimisation
- Midlothian Council will continue to work to eliminate any gender pay gap between employees
- Midlothian Council will have a range of flexible working policies in line with business need.
- Midlothian Council will have a range of opportunities for employees to develop successful career paths
- Midlothian Council will develop opportunities for young people

2. All of Midlothian's young people are successful learners, confident individuals, effective contributors and responsible citizens

- Close the gap in literacy rates between boys and girls in primary school and SIMD areas
- Reduced incidence of identity based bullying in youth settings e.g. homophobia
- All children are ready to start primary school

3. In Midlothian we live healthier, more active and independent lives

- See Midlothian Health & Social Care Partnership Equality Outcomes 2016 – 2018 on www.midlothian.gov.uk

4. Everyone in Midlothian has access to quality sustainable housing

- People with particular needs are able to get and sustain their choice of housing, including independent living
- Increase housing supply and improve access to housing, including affordable housing

5. Fewer people are the victim of crime, disorder and abuse in Midlothian

- Improved levels of safety for women and children experiencing domestic abuse
- Reduced incidence of hate crime
- Increased confidence in reporting hate crime
- Midlothian Licensing Board will work with license holders and other Council services to support positive behaviour on and around license premises

6. Midlothian has strong, vibrant communities where residents have a sense of belonging

- Midlothian equalities communities can meet to celebrate or raise awareness of cultural heritage or specific issues affecting them
- Midlothian Communities are well informed and can influence decisions that matter in their local areas

7. Fewer people experience poverty in Midlothian

- People will be supported out of poverty and welfare dependency

8. Midlothian Council services will meet the needs of all those in the community

- Equality is taken into account when planning and designing services and when making decisions
- Midlothian Council has increased knowledge and capacity about equality, diversity and poverty
- Midlothian Council Procurement Practices ensure equality is a core part of the tendering process
- Midlothian Council is meeting its responsibilities and duties under the Equality Act 2010 and subsequent Regulations

Midlothian Council as an Education Authority

Midlothian Council as an Education Authority is founded on inclusive values, and seeks to provide a wide range of high quality services to all, while giving priority to the most vulnerable and disadvantaged individuals and groups in our communities.

The Education Authority continues to strive to make a positive difference to the lives of children, young people and their families. The Council/Education Authority recognises the individuality and diverse needs of all children, young people and their families.

Curriculum for Excellence

The Curriculum for Excellence is a new way of looking at the curriculum that builds on best existing practices in Scottish education. It is a continuing process to encourage more learning through experiences to best ensure that children and young people are prepared for the complex world they will be living in when they leave school. Children and young people are at the centre of learning provision. Our aspiration is that they should all develop the four capacities to become:

- successful learners
- confident individuals
- responsible citizens
- effective contributors

To achieve these we follow key principles to underpin the development of policies and procedures for meeting the needs of all pupils:

- all children and young people residing in Midlothian will have access to educational and social opportunities of the highest quality
- the individuality and diverse needs of all children and young people will be recognised and met where possible
- positive partnerships with parents, children and young people will be established to enable the sharing of common aims, views and aspirations
- collaborative working with other agencies and networking of services will be a requirement

Our long term outcome is that 'All of Midlothian's young people are successful learners, confident individuals, effective contributors and responsible citizens'.

Key actions will include:

- Developing new ways of working to improve and promote positive mental wellbeing with children and young people across Midlothian

- Establishing a baseline of level of engagement with children and young people in planning for their needs
- Closing the attainment gap affecting children and young people facing additional barriers to learning
- Delivering national improvement actions set by the Scottish government
- Closing the attainment gap for children and young people affected by additional barriers to learning

Integrated Impact Assessment (IIA)

The Midlothian Council Education Authority will use the Integrated Impact Assessment Tool that has been developed by Midlothian Council. All reports presented to the Council committees proposing new policies or guidelines setting out new functions, or proposing any other changes with implications for equality strands will include details of the results of the impact assessment.

Publication

Information about all Education functions, including a copy of this Plan, Annual Reports and results of impact assessments will be published on the Council website and Edubuzz.

Midlothian Council: Licensing Board

The Midlothian Licensing Board is constituted in terms of the Licensing (Scotland) Act 2005 and the Gambling Act 2005. The regimes under these Acts set out broad aims which the Board must and will support in all its functions. The pursuit of these aims is a principal feature of this Board's statement of policy. A copy of the Board's Statement of Licensing Policy can be viewed https://www.midlothian.gov.uk/info/200269/licences_and_permits/404/licensing_board

The Licensing (Scotland) Act 2005:

- Preventing crime and disorder;
- Securing public safety;
- Preventing public nuisance;
- Protecting and improving public health ; and
- Protecting children from harm

The Gambling Act 2005:

- Preventing gambling from being a source of crime and disorder, being associated with crime or disorder or being used to support crime
- Ensuring that gambling is conducted in a fair and open way
- Protecting children and other vulnerable young persons from being harmed or exploited by gambling

Our Outcomes

In all the Licensing Boards' work we will contribute to the long term outcome:

'Fewer people are the victim of crime, disorder and abuse in Midlothian'.

Our short term priorities include:

- Developing the Licensing Application process to ensure fair access, including the development of electronic applications
- Licensing Board works in partnership with a range of stakeholders to ensure the most effective decisions are made to meet the aims of the Board
- Licensing Board works with license holders and other Council services to support positive behaviour on and around license premises.

Gathering Information

The Licensing Board works with a range of partners to ensure that they have the appropriate information they need to make the right decisions about applications presented. Key partners include police, health and fire services, anti-social behaviour team, community councils, child protection teams and any other relevant

stakeholders. Where relevant this can include information about equalities issues and experiences of equality groups in the community.

Integrated Impact Assessment

The Midlothian Licensing Board will use the Integrated Impact Assessment Tool that has been developed by Midlothian Council. All reports presented to the Board proposing new policies or guidelines setting out new functions, or proposing any other changes with implications for equality strands will include details of the results of the impact assessment.

Publication

Information about all Licensing functions, including a copy of this Plan, Annual Reports and results of impact assessments will be published on this page https://www.midlothian.gov.uk/info/200269/licences_and_permits/404/licensing_board

Midlothian Council as an Employer

The Council's vision is that 'Midlothian is a Great Place to Grow'. Delivering quality services needed by the residents of Midlothian is fundamental to the Council and its People Strategy. The five key values identified within the strategy are:

- Celebrate
- Respect
- Excellence
- Support
- Together

Key areas of work include:

- Implementing Equal Pay
- Equality in recruitment and selection
- Conditions of service
- Prevention of harassment
- Employee development

Fundamental to achieving this goal is equality of employment opportunities and the Council strives to ensure that equal opportunities underpin all aspects of employment and employment policies.

Equal Pay

Midlothian Council is committed to the principle of equal pay for all our employees. This is outlined in the Council's Equal Pay Statement. The Council implemented the national Single Status Agreement at a local level, and this saw the introduction of a new pay and grade structure for all affected Local Government Employees. Craft workers, teachers and Chief Officer's pay are generally regulated by national conditions of service

Living wage

Midlothian Council agreed to introduce the Scottish Government's 'Living Wage' structure. The introduction of the living wage will particularly benefit women who are more highly represented in lower paid and part time jobs.

The Council supports a range of work that supports the equalities agenda including:

- A comprehensive Employee Assistance programme
- Use of the Two Ticks symbol
- Participation in the Stonewall Diversity Champions Programme
- Taking the See Me campaign pledge
- Healthy Working Lives

Our Employment Outcome:

Our long term outcome is that 'Midlothian Council is a positive workplace for all employees'

- Midlothian Council will be a workplace free of harassment, discrimination and victimisation
- Midlothian Council will continue to work to eliminate any pay gap between employees on the grounds of disability, gender or race
- Midlothian Council will have a range of flexible employment practices in line with business need
- Midlothian Council will have a range of opportunities for employees to develop successful career paths
- Midlothian Council will develop opportunities for young people

Mainstreaming Equality

'Mainstreaming equality' means taking equality into account in the way Midlothian Council undertakes its day to day functions. In practice this means that we think about equality as a core part of everything that we do from our employment practices to the services we plan and provide.

Mainstreaming equality has a number of benefits including:

- Embedding equality into the culture of the Council and influencing our attitudes and behaviours;
- Allowing the Council to demonstrate how we are meeting our legal obligations to promote equality; and
- Allowing us to continually improve our performance and the services we plan and provide.

Key ways we can help to ensure we consider equality as part of everything we plan and do:

1. Ensuring high level commitment to Equality through all levels of the Council structures and planning procedures.
2. Understanding the impact of our work
3. Gathering information about the experiences of equality groups
4. Building organisational capacity
5. Ensuring that those who provide services on our part consider equality
6. Working in partnership with others.

Detailed information about how the Council has mainstreamed equality can be found in the Mainstreaming Equality Reports that can be accessed at www.midlothian.gov.uk

1. Ensuring high level commitment to Equality through all levels of the Council structures and planning procedures.

- **Service Planning and Performance**

The service planning structure at Midlothian Council includes the Single Midlothian Plan, the local outcomes improvement plan for Midlothian and Service Business Plans. Each of these plans makes a contribution to achieving the Council's desired outcomes. A strong commitment to equal opportunities is made at each level of the Planning process. Guidance developed for each stage of the planning process includes guidance on how to include equality.

Single Midlothian Plan (the local outcome improvement plan for Midlothian)



Business Plans (including Service Plans, Unit Plans and Teams Plans)

2. Understanding the Impact of our work

- **Integrated Impact Assessment (IIA)**

Midlothian Council in partnership with East Lothian Council and NHS Lothian has developed an 'Integrated Impact Assessment Tool' to allow us to examine the impact of our decisions on the community. The tool brings together key social, environmental and economic priorities to highlight whether the decisions we make or the plans we put in place will have a positive, neutral or negative impact in the community. The process also helps the Council to be more transparent and accountable for the decisions we make.

Midlothian Council requires all reports to the Council committees to include the findings of the Integrated Impact Assessment where proportionate and relevant.

Integrated Impact Assessments are published on the Council's website

www.midlothian.gov.uk

- **Equalities Monitoring**

Equalities 'Monitoring', means gathering and analysing information on the personal characteristics of our service users. Gathering information about our service users helps us to understand the profile of our community, who is and who isn't using our services and what people think of them.

Equalities monitoring allows us to establish:

- The nature or extent of inequality
- The areas where action is most needed to encounter inequality
- Whether or not measures aimed at reducing inequality are succeeding

Midlothian Council is currently developing 'A Guide to Monitoring Equalities in Council Services' in order to provide clear guidance on how to monitor equalities effectively in service areas.

- **Reporting on equalities performance**

The Council has developed a series of performance indicators which relate to equalities. These comprise both statutory performance indicators and indicators gathered through the Single Midlothian Plan, the local outcomes improvement plan for Midlothian.

Key Performance Indicators (including the Statutory Performance Indicators) are published on the Council's performance website and can be accessed [here](#).

The Key Performance Indicators are reported to the Policy & Performance Review Committee for scrutiny by the Elected Members. Performance reports are also analysed by the Council Management Team. Indicators relating to equalities are reported in relation to several outcomes.

3. Gathering Information about the experiences of equality groups

Midlothian Council recognises that gathering evidence about the needs and experiences of those with protected characteristics is an important way for us to plan and deliver services that meet the needs of the community. Further, having this information also helps us to assess the impact of proposed and revised policies.

We seek to:

- Identify what issues people in local communities are facing which might be stopping them from accessing our services or making it harder for them to access our services
- Learn more about the diverse experiences of people in the community
- Build trust and improve communication with harder to reach communities
- Understand which issues are within the remit of the Council to address, together with our partners where relevant.

The Council does this in a number of ways including community engagement, research and working in partnership with other specialist organisations.

- **Community Engagement**

The Council routinely engages with a range of local equality groups to gather information about their experiences. Examples include:

- Midlothian Peoples Equality Group (MPEG)
- Citizens Panel
- Midlothian Young Peoples Advice Service (MYPAS)
- Midlothian LGBT Youth Group

The Council also has a dedicated Community Engagement Officer, and active Community Councils that are encouraged to be inclusive in the ways that they work.

4. Building Organisational Capacity

- **Equality Training**

Equality and diversity training is a key way forward for all employees to understand more about the meaning and importance of equality and diversity, and the impact of prejudice and discrimination. By March 2013 96% of all staff had attended or completed online equality and diversity awareness training, and to this day such training forms part of the new staff induction process. Awareness training has also been rolled out to Elected Members and the Council's Management Team. The Council now intends to develop an Equality Training Plan. The aims of this Equality Training Plan will be to:

- ensure that Midlothian Council is able to meet its general and specific duties under equalities and human rights legislation;
- provide employees with opportunities for learning and awareness of their role and responsibilities under Equality and Human Rights legislation; and
- develop a skilled, motivated and culturally capable workforce that can bring about changes that will improve services and tackle inequalities

Key aspects of the training plan will include:

- Training and development for Elected Members;
- Bespoke training opportunities , including inter-agency training;
- E-Learning;
- Equality Guides and Online Resources; and
- Individual Support and Guidance

5. Ensure that those who provide services on our behalf also consider equality

Midlothian Council strives to ensure that all duties under the Equality Act will be integral to the procurement process. The Council's current Corporate Procurement Strategy contains clauses to ensure the equality of opportunity in relation to service provision and employment. The Council also actively supports the use of Article 19 (regulation 7) and is actively working to ensure that at least some Council contracts are with supported businesses.

6. Work in partnership with others- The Midlothian Community Planning Partnership

The Midlothian Community Planning Partnership's Single Midlothian Plan 2017 – 18 which is the local outcomes improvement plan for Midlothian has equality underpinning all its outcomes and actions.

For more information on the Single Midlothian Plan 2017 – 18 and previous plans, please visit [here](#).

Fostering Good Relations

The requirement of the Equality Act is to foster good relations between those who have a protected characteristic and those who do not. There are two significant components to this work:

- tackling prejudice
- promoting understanding

Midlothian has strong and active communities with high levels of satisfaction about the places people live reported through local resident's surveys. However, despite a positive picture we are aware that there are pockets within our communities where tensions exist. Midlothian's population is changing and across the country we have seen a growth in support for far right political parties, increasing concerns about immigration, incidents of hate crime and global terrorist incidents. This highlights the importance of working towards community cohesion and it challenges us to build consideration about how our work can help to foster good relations in all aspects of our work.

We have included 'promotes good relations' as a core policy theme within our new Integrated Impact Assessment process to help us ensure we maximise our awareness of this area of work.

Section 4: Midlothian Equality in Action

You can find out more information about equalities work in Midlothian by visiting our engagement page [here](#).

Contact us

You can get in touch with us by:

- **Email:** equalities@midlothian.gov.uk
- **Phone:** 0131 271 3658
- **Write to:** Lesley N Crozier
Equality, Diversity & Human Rights Officer
Midlothian Council
1st Floor, Midlothian House
Buccleuch Street
DALKEITH
EH22 1DN

Draft Equality Action Plan for Midlothian Council, Midlothian Education Authority & Midlothian Licensing Board

2017 – 2021

| Section Outcome/Working Equality Outcomes | Actions | Timescale | Indicator | Equality Protected Characteristic |
|--|--|------------------|-------------------|---|
| | | | | |
| 1. Midlothian Council is a positive workplace for all employees | | | | |
| Midlothian Council is a workplace free of discrimination, harassment and victimisation | Develop Equality in Employment Action Plan to include the following: <ul style="list-style-type: none"> • Gender-based Violence Workplace Policy • Disability Confident Scheme • Healthy Workplace • Stonewall Champions • Living Wage • Gender Pay Gap • Employee Monitoring • Mental Health Strategy • Updating HR policies | 2017 - 2021 | Under development | <ul style="list-style-type: none"> • All |

| Section Outcome/Working Equality Outcomes | Actions | Timescale | Indicator | Equality Protected Characteristic |
|--|---|------------------|-------------------|--|
| | | | | |
| Midlothian Council will continue to work to eliminate any pay gap between employees on the grounds of disability, gender or race | Revise and continue to implement the Equal Pay Statement to include gender, race and disability | 2017 - 2021 | Under development | <ul style="list-style-type: none"> • Disability • Gender • Race |
| Midlothian Council will have a range of flexible working policies in line with business need | Further development of flexible working options | 2017 - 2021 | Under development | <ul style="list-style-type: none"> • All |
| Midlothian Council will have a range of opportunities for employees to develop successful career paths | Under development | 2017 - 2021 | Under development | <ul style="list-style-type: none"> • All |

| Section Outcome/Working Equality Outcomes | Actions | Timescale | Indicator | Equality Protected Characteristic |
|--|-------------------|------------------|-------------------|---|
| | | | | |
| Midlothian Council will develop opportunities for young people | Under development | 2017 - 2021 | Under development | <ul style="list-style-type: none"> • All |
| 2. All of Midlothian's young people are successful learners, confident individuals, effective contributors and responsible citizens | | | | |
| Close the gap in literacy rates between boys and girls in primary school and SIMD areas | Under development | 2017 - 2021 | Under development | <ul style="list-style-type: none"> • Gender • LAC |
| Reduced incidence of identity based bullying in youth settings e.g. homophobia | Under development | 2017 - 2021 | Under development | <ul style="list-style-type: none"> • Disability • Gender re-assignment • Pregnancy & maternity • Race |

| Section Outcome/Working Equality Outcomes | Actions | Timescale | Indicator | Equality Protected Characteristic |
|---|-------------------|-------------|-------------------|---|
| | | | | |
| | | | | <ul style="list-style-type: none"> • Religion or belief • Sex • Sexual orientation |
| All children are ready to start primary school | Under development | 2017 - 2021 | Under development | <ul style="list-style-type: none"> • Disability • Gender re-assignment • Race • Religion or belief • Sex |
| 3. In Midlothian we live healthier, more active and independent lives | | | | |
| See Midlothian Health & Social Care Partnership Equality Outcomes 2016 – 2018 on www.midlothian.gov.uk | | 2016 - 2018 | | <ul style="list-style-type: none"> • All |

| Section Outcome/Working Equality Outcomes | Actions | Timescale | Indicator | Equality Protected Characteristic |
|---|-------------------|------------------|-------------------|--|
| | | | | |
| 4. Everyone in Midlothian has access to quality sustainable housing | | | | |
| In Midlothian people with particular needs are able to get and sustain their choice of housing including independent living | Under development | 2017 - 2021 | Under development | <ul style="list-style-type: none"> • Age • Disability • Sex |
| In Midlothian there will be increased housing supply and improved access to housing including affordable housing | Under development | 2017 - 2021 | Under development | <ul style="list-style-type: none"> • All |

| Section Outcome/Working Equality Outcomes | Actions | Timescale | Indicator | Equality Protected Characteristic |
|--|-------------------|-------------|-------------------|--|
| | | | | |
| 5. Fewer people are the victim of crime, disorder and abuse in Midlothian | | | | |
| Improved levels of safety for women and children experiencing domestic abuse | Under development | 2017 - 2021 | Under development | <ul style="list-style-type: none"> • All |
| Reduced incidence of hate crime | Under development | 2017 - 2021 | Under development | <ul style="list-style-type: none"> • Disability • Gender re-assignment • Race • Religion or belief • Sexual orientation |
| Increased confidence in reporting hate crime | Under development | 2017 - 2021 | Under development | <ul style="list-style-type: none"> • All |

| Section Outcome/Working Equality Outcomes | Actions | Timescale | Indicator | Equality Protected Characteristic |
|--|---|------------------|------------------|--|
| | | | | |
| <p>Midlothian Licensing Board will work with license holders and other Council services to support positive behaviour on and around license premises</p> | <p>Developing the Licensing Application process to ensure fair access, including the development of electronic applications</p> <p>Licensing Board works in partnership with a range of stakeholders to ensure the most effective decisions are made to meet the aims of the Board</p> <p>Licensing Board works with license holders and other Council services to support positive behaviour on and around license premises.</p> | | | |

| Section Outcome/Working Equality Outcomes | Actions | Timescale | Indicator | Equality Protected Characteristic |
|---|--|-------------|-------------------|---|
| | | | | |
| 6. Midlothian has strong, vibrant communities where residents have a sense of belonging | | | | |
| Midlothian equalities communities can meet to celebrate or raise awareness of cultural heritage or specific issues affecting them | <p>Revise methods/ways of engagement</p> <p>Address gaps in current methods of engagement</p> <p>Provide opportunities to equality groups to participate in areas arising from the Community Empowerment (Scotland) Act 2015</p> | 2017 - 2021 | Under development | <ul style="list-style-type: none"> All |
| Midlothian Communities are well informed and can influence decisions that matter in their local areas | Under development | 2017 - 2021 | Under development | <ul style="list-style-type: none"> All |

| Section Outcome/Working Equality Outcomes | Actions | Timescale | Indicator | Equality Protected Characteristic |
|---|--|------------------|-------------------|--|
| | | | | |
| 7. Fewer people experience poverty in Midlothian | | | | |
| People will be supported out of poverty and welfare dependency | Under development | 2017 - 2021 | Under development | • All |
| 8. Midlothian Council services will meet the needs of all those in the community | | | | |
| Equality is taken into account when planning and designing services and when making decisions | Integrated Impact Assessments Equalities monitoring Engage with equality groups in service re-design and decision making when relevant | 2017 - 2021 | Under development | • All |

| Section Outcome/Working Equality Outcomes | Actions | Timescale | Indicator | Equality Protected Characteristic |
|--|---|------------------|---------------------------------|--|
| | | | | |
| | and appropriate | | | |
| Midlothian Council has increased knowledge and capacity about equality, diversity and poverty | Under development | 2017 - 2021 | Under development | • All |
| Midlothian Council Procurement Practices ensure equality is a core part of the tendering process | Under development | 2017 - 2021 | Under development | • All |
| Midlothian Council is meeting its responsibilities and duties under the Equality Act 2010 and subsequent Regulations | Compliance-plus with the Equality Act 2010 and subsequent Regulations 2012, 2015 & 2016 | 2017 - 2021 | Progress Reports in 2019 & 2021 | • All |



Midlothian Council Equality Mainstreaming Progress Report 2015 - 2017

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Foreword by the Chief Executive, Midlothian Council

Welcome to the Midlothian Council Equality Mainstreaming Progress Report for the period 2015 - 2017.

The Council last reported progress on 30 April 2015 as required under the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 and this report can be found [here](#)

Further progress has been made over the last two years as the Council still believes that equality is a fundamental right that everyone should have. No one should be denied opportunities because of their age, disability, gender reassignment, marriage or civil partnership, pregnancy or maternity, race, religion or belief, sex, sexual orientation or socio economic status, and everyone should be able to be themselves.

It is my opinion that this principle must underpin all of the work the Council plans and does, and I am determined that the Council will do this through:

- Recognising that some people are not always treated fairly and can experience discrimination and inequality;
- Ensuring that our services meet the needs of all people in our communities, and that communities have choice and control over the services they use where appropriate;
- Challenging ourselves to tackle the inequality that exists in our communities, and working with community planning partners to improve outcomes for equality groups; and
- Tackling prejudice and negative attitudes towards people and celebrate the diversity within our communities

I and my fellow Council employees commit to working hard to deliver the highest quality of public services for the people of Midlothian. We look forward to supporting equality in all aspects of the Council's work and employment practices, and to setting a new Equality Plan for the period 2017 – 2021 on which we will report in 2019 and 2021.

Yours sincerely

Kenneth Lawrie

Chief Executive

Midlothian Council

1.0 Purpose of Report

- 1.1 The purpose of this report is to demonstrate current progress in mainstreaming equality throughout Midlothian Council both in the observance of its duties and functions and within its workforce during the period 2015 – 2017.
- 1.2 This equality mainstreaming progress report uses the terms ‘Midlothian Council/Council’ as shorthand for the Council, Education Authority and Licensing Board (all three bodies).
- 1.3 The Council has also produced an Equality Outcome Progress Report which outlines how the Council has progressed its agreed equality outcomes in its role as a service provider and as an employer during the period 2015 - 2017.

2.0 Legislative Background

- 2.1 In October 2010 the Equality Act 2010 (the Act) came into force. This was a consolidating piece of legislation gathering together 40 years of previous discrimination legislation.
- 2.2 On 05 April 2011 the Public Sector Equality Duty (PSED) came into force. The PSED replaced the separate duties on public bodies relating to race, disability and gender equality.
- 2.3 The new PSED extended the scope of equality legislation to include not only race, disability and gender but also age, gender re-assignment, marriage and civil partnership, pregnancy and maternity, religion or belief, and sexual orientation.
- 2.4 These nine categories are now known as the protected characteristics.
- 2.5 In 2017 we understand that the Scottish Government will enact the socio economic characteristic/duty.
- 2.6 The PSED as set out in the Act is known as the ‘general equality duty’ (GED).
- 2.7 The GED requires public listed authorities in the planning and exercising of their public duties and functions to have ‘due regard’ to the need to:
 - Eliminate unlawful discrimination, harassment and victimisation and other prohibited conduct;
 - Advance equality of opportunity between people who share a relevant protected characteristic and those who do not; and

- Foster good relations between people who share a relevant protected characteristic and those who do not

2.8 These three areas are sometimes known as the ‘three needs’.

2.9 Having ‘due regard’ in relation to advancing equality of opportunity includes:

- Removing or minimising disadvantages suffered by persons who share a protected characteristic that are connected to that characteristic;
- Taking steps to meet the needs of persons with protected characteristics that are different from persons who do not share it; and
- Encouraging participation in public life and other areas where representation is disproportionately low

2.10 Having ‘due regard’ in relation to the need to foster good relations includes:

- Tackling prejudice; and
- Promoting understanding

2.11 As previously noted at present there are nine protected characteristics and there is no hierarchy to those nine. In alphabetical order they are:

- Age
- Disability (learning difficulties, mental health, physical and sensory)
- Gender re-assignment
- Marriage and civil partnership (restricted to elimination of unlawful discrimination in employment)
- Pregnancy and Maternity
- Race
- Religion or Belief
- Sex (formerly known as gender)
- Sexual orientation

2.12 On 27 May 2012 the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 came into force.

- 2.13 These Regulations imposed duties on listed public bodies for the purpose of enabling the better performance by the listed authority of the duty imposed by section 149(1) of the Equality Act 2010, the PSED.
- 2.14 These duties are to:
- Report progress on mainstreaming the equality duty;
 - Publish equality outcomes and report progress;
 - Assess and review policies and practices;
 - Gather and use employee information;
 - Publish gender pay gap information;
 - Publish statements on equal pay, etc;
 - Consider award criteria and conditions in relation to public procurement;
 - Publish in a manner that is accessible, etc;
 - Consider other matters; and
 - Scottish Ministers to publish proposals to enable better performance
- 2.15 The 2012 Regulations dictate when reports and progress reports have to be published (outcome reports every four years, progress reports every two years starting on 30 April 2013). The Regulations also state that all new and/or revised policies must be impact assessed against the needs of the GED, and that workforce profiling, gender pay gap and equal pay statements should form part of the mainstreaming report for organisations who have more than 150 employees at prescribed times. Finally, the Regulations look for listed bodies to improve their procurement activities and to publish all materials in a manner that is accessible to all.
- 2.16 On 11 June 2015 the Equality Act 2010 (Specific Duties) (Scotland) Amendment Regulations 2015 came into force.
- 2.17 This set of Regulations increased the number of listed bodies who are required to adhere to the Act and includes Integration Joint Boards established by order under section 9(2) of the Public Bodies (Joint Working) (Scotland) Act 2014 (3).
- 2.18 This means that the Midlothian Integration Joint Board (ELIJB) is now subject to the duties and responsibilities of the Equality Act 2010 and its subsequent Regulations.

The MLIJB has its own Equality Mainstreaming Report and is therefore outwith the scope of this report.

2.19 On 18 March 2016 the Equality Act 2010 (Specific Duties) (Scotland) Amendment Regulations 2016 came into force.

2.20 This new set of Regulations:

- Introduced a new requirement on listed public authorities to publish the gender composition of their Boards, and to produce succession plans to increase the diversity (across all protected characteristics) of their Boards; and to
- Lower the threshold for listed bodies to publish information on their gender pay gap and equal pay statements, from those authorities with more than 150 employees to those with more than 20 employees

2.21 With regard to local authorities and in relation to the first part of 2.20 above it must be ensured that the democratic process is not interfered with in any initiatives undertaken to improve the gender composition of Boards. Consideration of such initiatives will form part of mainstreaming equality throughout the Council during the period 2017 – 2021.

2.22 This is the Council's 2nd Equality Mainstreaming Report and is for the period 2015 – 2017. In the Council's first Mainstreaming Progress Report several areas were identified as key to where the organisation could demonstrate commitment to mainstreaming equality as part of everything it plans and does. Section 4 of this report will provide details of progress in these areas and detail new areas of activity.

2.23 It is important to note that the Council as an Education Authority must also meet the requirements of the Act and subsequent Regulations. Further, the Council also administers the Licensing Board and it too needs to meet the requirements of the Act and Regulations when undertaking its duties. Accordingly, at the relevant points within this report reference will be made to all three bodies.

3.0 Mainstreaming Equality 2015 – 2017- context

3.1 In the Council's last Equality Outcome & Mainstreaming Report 2013 – 2015 it was said that:

- Mainstreaming equality meant making equality part of the day to day business of the Council, Education Authority & Licensing Board both as service planners, providers and employers, rather than a 'bolt-on' at the end of projects and other programmes of work;

- By mainstreaming equality, the Council, Education Authority & Licensing Board could ensure that equality of opportunity was part of the culture of the organisations, and that both employees and customers could benefit from organisations where they felt valued and their interests and issues on a level par with all others' issues and values;
- Further, by mainstreaming equality the Council, Education Authority & Licensing Board could demonstrate its commitment to the general duty by publicly demonstrating that they would not condone unlawful discrimination, victimisation and harassment; and that
- The Council, Education Authority & Licensing Board could also demonstrate that they would work to advance equality of opportunity and fostering good relations between people who share a protected characteristic and those who do not within their own organisations and through partnership and joint working practices with neighbours and community planning partners.

The Council, Education Authority & Licensing Board remain committed to these considerations, and during the period 2015 – 2017 have worked hard to embed each of the needs of the General Equality Duty for each protected characteristic throughout all of its work.

4.0 Progress made 2015 – 2017 to mainstream equality throughout all three bodies (Council, Education Authority & Licensing Board)

4.1 Understanding the impact of our work – the new Integrated Impact Assessment (IIA)

Working in partnership with NHS Lothian, East & West Lothian, and the City of Edinburgh Council a new Integrated Impact Assessment was developed during the period 2014 - 2016. This IIA looks not only to equality issues but to socio-economic inequality, health inequalities, environmental and sustainability matters thereby giving service providers the bigger picture that allows them to identify priorities now and in the future.

This IIA process was launched throughout Midlothian Council in 2016 and is now in regular use. Other public organisations are beginning to use this process and future developments in respect of the IIA will include an online version and further training sessions to ensure that the IIA process starts at the beginning of every relevant project Council, Education Authority and Licensing Board wide.

Completed impact assessments are published on the Council website as required by the Act and can be found [here](#).

4.2 Building Organisational Capacity

Equality & Diversity Training

Training continues to be an important method of mainstreaming equality and diversity throughout the Council, Education Authority and Licensing Board. Talks are currently underway with East Lothian Council to share training opportunities and this will allow Midlothian employees to immediately benefit from East Lothian's existing Equality Training Plan 2015 – 2018. This will:

- Ensure that Midlothian Council is able to meet its general and specific duties under equalities and human rights legislation.
- Provide employees with opportunities for learning and awareness of their role and responsibilities under equality and human rights legislation.
- Develop a skilled, motivated and culturally capable workforce that can bring about changes that will improve services and tackle inequalities.

In addition, updates for the Council's Management Team and Elected Members on Equality & Diversity Awareness and the new Integrated Impact Assessment focusing on the benefits that this process gives to service planning and delivery as well as staff wellbeing have been delivered.

Further, over the last two years all staff have been encouraged to undergo refresher equality and diversity training, and those involved in developing service planning and delivery to request more detailed training in the need for and use of the new Integrated Impact Assessment tool.

4.3 Council's Equality Working Group (EWG)

In the Council's first Mainstreaming Progress Report it was noted that the structure and purpose of the Equality Working Group (EWG) was under review.

It has now been agreed that membership of this group needs to be elevated to third tier officers service-wide which will mean that there is a senior management buy in to the group and what it plans and does. This group will be supported and guided by the Council's Equality & Diversity Officer and will in essence be responsible for the embedding of equality and diversity throughout the organisation and within the Community Planning Partnership. Initial actions of this group will be to:

- Provide a briefing note to the Council and the Community Planning Partnership as to its remit and membership;

- Identify those within each service who must have Impact Assessment training in order to ensure the service planning and delivery does reflect the needs of all citizens within Midlothian;
- Embed into the organisation an equality and diversity newsletter that continually enforces the need for a process that protects individuals from unlawful discrimination, victimisation and harassment, and progresses the need to advance equality of opportunity and foster good relations between persons who have/have not protected characteristics

4.4 Joint Community Planning Equality Forum (CPEF)

As with the Equality Working Group remit and membership of the Joint Community Planning Equality Forum (CPEF) is now under review. This Forum, which is jointly run by East Lothian Council, is in need of refreshment, and work is about to begin on contacting Community Partners to see who is best placed and qualified to take part in this important group. Initial work for the Forum will involve:

- Developing a strategic plan and way of working that will ensure that all service planning and delivery of the Community Planning Partners is underpinned by the principles of equality and diversity;
- Working further with the Community Planning Equality Engagement Officer in activities undertaken by the Midlothian People's Equalities Group (MPEG), Neighbourhood Planning exercises, community initiatives, and other Community Planning activities;
- Ensuring that whilst the Community Planning Partnership has decided to target actions aimed at closing the outcome gap for residents in the parts of the county identified in the top 20% of SIMD, that this does not adversely affect members with protected characteristics in other Midlothian areas

4.5 Working with the Procurement Section

For the period 2015 – 2017 the Equality section identified further work with the procurement section in order to:

- Develop further equality issues within our procurement strategy such as buying with other community planning partners and increasing supplier diversity;
- Identify need and build a business case by reviewing the current provision for equality in procurement; building equality into the business case and engaging with service users;
- Introduce equality requirements in contract specifications including;

- Specify positive action and reasonable adjustments as well as workforce requirements;
- Use more inclusive advertising and selection of tenderers' processes;
- Develop an inclusive award process as well as implementing equality contract conditions and monitoring them;
- Learn lessons at the end of a contract

This will ensure that the procurement team understand their responsibilities and obligations within the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012, particularly to consider the use of award criteria and conditions in relation to public procurement.

4.6 Participation in LGBT (Lesbian, Gay, Bi-sexual & Transgender) History Month 2017

On 20 February 2017 the Council in association with Midlothian Young Peoples' Advice Service (MYPAS), LGBT Youth Scotland and East Lothian's Sense of Place Initiative held an event in the Dalkeith Arts Centre to understand and celebrate the past, present and future of LGBT life in Midlothian.

In particular the event was celebrating the birth of a new young person's LGBT Midlothian Group and learning about the experiences others had gone through in previous years in Midlothian.

It was an evening of sorrow, hope and joy and was enjoyed by all. The evening also allowed valuable input from the Midlothian LGBT community into actions that they would like to see the Council undertake in order to fulfil its responsibilities under the Equality Act 2010.

4.7 Participation in Equality & Rights Network (EaRN)

The Equality and Rights Network (EaRN), is a member-led network that seeks to advance equality, promote human rights and tackle inequality and poverty in Edinburgh and surrounding areas.

Midlothian Council along with East Lothian Council has been extended an invitation to join this network and is looking into this possibility and how it could best benefit our communities by attending meetings as a sleeping partner at present.

It is anticipated that further details about participation with this network will be forthcoming in the next equality progress report in 2019.

4.8 SWAN (Scottish Workplace Networking) for LGBT People

SWAN was founded in 2008 by Ian Arnot and Robert Cole, who were involved with BT's LGBT Networking group, Kaleidoscope.

At the time, many companies and public sector employers had their own networking organisations but there was nothing that connected them. SWAN was created in order to fill this gap and provide a network in Scotland to bring people from different sectors together.

SWAN has become synonymous with networking within the LGBT professional community. As an organisation they have been hosted at many major businesses in the central belt of Scotland and attendance is consistently growing. SWAN aims to provide LGBT people with access to networking opportunities and with the help of corporate hosts they are able to do this absolutely free.

The Council in partnership with East Lothian Council have been approached by SWAN and asked if we would host an event. It is anticipated that this will take place within the period 2017 – 2019.

4.9 Stonewall Scotland

The Council is pleased to be a member of Stonewall Scotland's Diversity Champion's Programme.

Stonewall Scotland works to achieve equality and justice for lesbian, gay, bisexual and transgender people.

By working with Stonewall we can help LGBT people to become more involved in the education, service planning and delivery in our area.

4.10 LGBT Youth Scotland

LGBT Youth Scotland is the largest youth and community-based organisation for lesbian, gay, bisexual and transgender (LGBT) people in Scotland. The charity's mission is to:

“Empower lesbian, gay, bisexual and transgender young people and the wider LGBT community so that they are embraced as full members of the Scottish family at home, school and in every community.”

The Council is an active member of the Lothian LGBT Development Group and as can be seen in section 4.6 above has co-hosted an event with LGBT Youth in LGBT History month this year.

4.11 NHS Gypsy/Traveller Health Steering Group

NHS Lothian approached the Council in 2014 requesting that the Equality & Diversity Officer attend this group which looks after the specific health issues relating to Gypsy/Travellers in the East & Midlothian areas. The group is currently being refreshed and Midlothian Council is playing an active role in this activity.

5.0 **Other ongoing work in support of equal opportunities**

During the last two years there have been a number of equality themed community events co-ordinated by the Council's Equalities Engagement Officer which has further helped the organisation to be proactive in relation to its duties and responsibilities under the Equality Act 2010. A summary timeline of a selection of these activities follows:

- Sept 2015 – Midlothian Mela 2015
- Oct 2015 – Black History Month event
- Jan 2016 - Holocaust Memorial Day display in Dalkeith library with related library book display; 2nd display in Fairfield House/ council intranet and displays used by Midlothian Scouts and Brownie packs.



March 2016 – Equal Midlothian Week events

- People First: History of People First and Hate Crime film showings followed by Q&A session with People First members
- Moving Minds – MECOPP'S (Minority Ethnic Carers of People Project) Gypsy Traveller exhibition – travelling Dalkeith, Lasswade and Penicuik libraries over 6 weeks.
- Gypsy Traveller Cultural Awareness Training
- Jam session – ethnic minority gathering held by Health in Mind's Equal Access project.
- Woodburn Women's Health and Motivation open morning

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- International Women's Day exhibition held by Women's Aid
- Bookbugs "Around the World" Sessions at Midlothian Libraries
- Suicide Talk – Choose Life Awareness Raising Session
- Midlothian People's Equality Group (MPEG) - Human Library at Penicuik High School
- Midlothian Mela 2016

June 2016 - MPEG Police Contact Centre visit – 7 members attended



July 2016 – MPEG AGM – Guest Speaker from the Scottish Refugee Council's Speaker Programme



Oct 2016 - Hate Crime Awareness Week;-

- Disability Hate Crime event – 15 people attended
- Facts and Fears about Islam event – 32 people attended
- Hawthornden Primary School input – School assembly – "Celebrating difference and diversity" p 4-7 (approx 220 pupils and 10 staff); Human library with 3 x primary 7 classes – 60 pupils, 10 adult volunteers.

Oct 2016

- Black History Month event – 48 people attended
- Penicuik Library – Black History Month Book display

Dec 2016 and Jan 2017 - Gypsy-Traveller Cultural Awareness Training – 12 people attended Dec session and 13 people attended January session.

Dec 2016 – MPEG fundraising - Winter raffle

Jan 2017 – Diabetes/ weight management consultation with women at Bonnyrigg Muslim Community Centre (BMCC)

MPEG – Monthly board meetings (approx 10 board members)

The Engagement Officer has also provided ongoing support over the year to Bonnyrigg Muslim Community Centre (BMCC) and MPEG in successful funding applications.

Planned work for 2017 – 2021 includes:

- Continued support to BMCC to access funding. Continue to build links with the Muslim community in Midlothian. Support the implementation of consultation outcomes (e.g. women's only swimming session; nutritional advice)
- Continued support to MPEG to increase membership, representation across the protected characteristics, and increase funding for project based work.
- Continue to network with minority groups in Midlothian and support community equalities groups where there is evidence of need.
- Continued support to schools to address equalities issues. Roslin Primary and PAVE alternative educational resource have both requested some input as a result of issues arising.
- Continued support towards the establishment of LGBT representative groups within Midlothian, LGBT events and encourage commitment to the LGBT Youth Charter Mark.
- Continued training for frontline staff to enable them to have better understanding of the barriers to accessing services and better engagement with equalities group. (e.g. Gypsy-Traveller Cultural Awareness ; Interfaith Scotland; ELREC/ Amina Hate Crime sessions)
- LLE Equalities course for members of the public
- Deliver actions as allocated on SMP:
 1. Continue to address all prejudiced based bullying/ discrimination/ inappropriate behaviour in schools and colleges.
 2. Develop the role of neighbourhood planning groups in creating and sustaining inclusive communities.
 3. Develop community engagement, involvement and consultation practices so that all protected characteristic groups are included in service planning and delivery exercises.
 4. Find opportunities for equalities characteristic groups to maximise influence by working together.

6.0 Areas of development for 2017 – 2021

6.1 In addition to ongoing projects/work noted in section 4, the following areas of work will be further developed in the period 2017 – 2021:

- The Council will address gaps in employee monitoring information and other evidence legislation and good practice requires us to have;
- We (the Council) will conduct an interim evaluation to make sure we are up to speed with the actions and outputs needed to meet our equality duties;
- Build relationships with individuals and organisations who can assist us by getting involved in progressing equality outcomes;
- Meet with managers and other stakeholders within the Council who can assist the Equality & Diversity Officer in mainstreaming progress and plans for the future;
- Consider further how we prepare for the inclusion of race and disability in our equal pay policy and occupational segregation information from 2017 onwards;
- Evaluate and improve further our approach to the duties on Equality Impact Assessment and Procurement
- Further develop the process to be followed in the gathering of data and information for the mainstreaming report 2017 - 2019;
- Make sure that the people we involve with in equality outcome setting are empowered and have the capacity to be involved;
- Ensure that the Equal Pay Statement and the Gender Pay Gap information covers all the requirements of the Act for 2017 -2019

7.0 Employee Information Analysis for the year 2015/2016

7.1 Key Findings

- Far too many employees are reluctant to answer equality monitoring questions and understanding the reason/(s) for this must be a priority action for the Council within the next reporting period.

- The Council needs to address what data and information it gathers in relation to its workforce, those leaving the organisation and those being short-listed in recruitment exercises to fully understand and relate to its workforce, leaver and recruitment profiles.
- The organisation needs to try and attract a more diverse workforce to fully reflect those within its communities as detailed in the 2011 Census.
- The Council's workforce remains comprised of 72% female employees and 28% male employees.
- The number of female casual employees is more than double that of male casual employees.
- Job-share and part time positions are predominantly held by female employees, with under 5% of male employees taking up similar positions.
- There is double the number of female employees to male employees in the displaced employee section known as SWITCH.

7.2 Workforce Profile Analysis

Age

During the year 2015/16 the age profile of the workforce was:

| Age Band | Number | Percentage |
|--------------|-------------|---------------|
| 16 - 24 | 534 | 9.5% |
| 25 - 39 | 1619 | 28.8% |
| 40 – 55 | 2418 | 43.0% |
| 56 – 59 | 506 | 9.0% |
| 60 – 64 | 356 | 6.3% |
| 65+ | 185 | 3.3% |
| Total | 5618 | 100.0% |

The greatest number of employees falls into the 40 – 55 age band but employees in the 16 – 24 age band (9.5%) are now almost equal to the 60+ cohort.

The average age of a Midlothian Council employee is 43 a fall of one year since 2015, and the percentage of employees in the 16 – 24 age band has increased by 0.5%. For those aged 55 and over the percentage has dropped by 0.7%.

Disability

During the year 2015/16 the disability profile of the workforce was:

| Type of Disability | Number | Percentage |
|------------------------------|-------------|-------------|
| DID NOT ANSWER | 3342 | 59.5% |
| Learning Disability | 13 | 0.2% |
| Longstanding Illness | 20 | 0.4% |
| Mental Health Condition | 13 | 0.2% |
| No disability | 2121 | 37.8% |
| Other, such as disfigurement | 5 | 0.1% |
| Physical Impairment | 16 | 0.3% |
| Prefer not to answer | 76 | 1.4% |
| Sensory Impairment | 12 | 0.2% |
| Total | 5618 | 100% |

The number of employees who did not answer the disability question remains disappointingly high at 59.5% and the reason/(s) for this need full investigation during the period 2017 - 2021. Of the 1.4% of employees who did report a disability enquiries need to be made as to how they find the Council as an employer and what actions they consider would enable better reporting of this protected characteristic.

Gender Re-assignment

In answer to the question 'have you ever identified as a Transgender person or Trans person?' in 2015/2016 the following was recorded:

| Answer | Number | Percentage |
|----------------------|-------------|-------------|
| Did not answer | 4597 | 81.8% |
| No | 998 | 17.8% |
| Prefer not to answer | 23 | 0.4% |
| Yes | 0 | 0% |
| Total | 5618 | 100% |

With less than one fifth of employees answering this question as with disability this is very disappointing and again full investigations as to why employees are reluctant to answer this question need to be made during the period 2017 – 2021. It would also appear that those answering 'yes' to the question in 2014/15 have either left the organisation or are now unwilling to answer the question and again this needs investigation.

Marriage and Civil Partnership

In 2015/2016 the workforce profile in this category was as follows:

| Status | Number | Percentage |
|---------------------------|-------------|---------------|
| Divorced/Separated | 191 | 3.4% |
| Living with partner | 185 | 3.3% |
| Married/Civil Partnership | 2655 | 47.3% |
| No answer provided | 953 | 17.0% |
| Prefer not to answer | 409 | 7.3% |
| Single | 1180 | 21.0% |
| Widowed | 45 | 0.8% |
| Total | 5618 | 100.0% |

As with other protected characteristics the Council needs to look into why just under a quarter of its workforce are reluctant to provide details of their marriage, civil partnership or other status.

Pregnancy and Maternity

No data available at the time of reporting.

For those employees who are pregnant or on maternity leave their roles are risk assessed to determine any potential negative health impacts and they are, in line with statute and best practice, given special leave to attend appointments associated with their pregnancy. During maternity leave they are again, in line with statute, offered the opportunity and actively encouraged to take part in 'keep in touch days'. Employees on maternity leave are also communicated with on a regular basis in terms of keeping them up to date with any changes.

There is much emphasis on the importance to foster good relations in order that when an employee returns to work after a period of maternity leave the transition back to work is one where the employee feels fully integrated as soon as possible. Many of those returning from maternity leave apply for and are granted more part time and/or flexible working opportunities.

Race

| Ethnic Origin | Number | Percentage |
|--|-------------|---------------|
| African (inc Scottish/British) | * | 0.0% |
| African Other | * | 0.1% |
| Asian Bangladeshi (inc Scottish/British) | * | 0.0% |
| Asian British | * | 0.1% |
| Asian Indian (inc Scottish/British) | * | 0.0% |
| Asian Other (inc Scottish/British) | * | 0.1% |
| Asian Pakistani (inc Scottish/British) | 9 | 0.2% |
| Bangladeshi | * | 0.0% |
| Black (inc Scottish/British) | * | 0.0% |
| Caribbean or Black (other) | * | 0.0% |
| Other | * | 0.0% |
| Irish | * | 0.0% |
| Mixed - any other mixed background | 11 | 0.2% |
| Pakistani | * | 0.0% |
| Prefer not to answer | 40 | 0.7% |
| White - Eastern European (eg Polish) | 8 | 0.1% |
| White and Black African | * | 0.0% |
| White and Black Caribbean | * | 0.0% |
| White Gypsy/Traveller | * | 0.0% |
| White Irish | 27 | 0.5% |
| White Other | 69 | 1.2% |
| White Other British | 225 | 4.0% |
| White Scottish | 2007 | 35.7% |
| DID NOT ANSWER | 3193 | 56.8% |
| Total | 5618 | 100.0% |

- Where the number reported is five or less we are required to respect anonymity and the number is therefore withheld.

During the period 2017 – 2021 investigation needs to take place as to why over half the workforce do not wish to provide their ethnic origin details.

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Nationality

| Nationality | Number | Percentage |
|----------------------|--------|------------|
| British | 1151 | 20.5% |
| English | 32 | 0.6% |
| Northern Irish | 12 | 0.2% |
| Other | 88 | 1.6% |
| Prefer not to answer | 33 | 0.6% |
| Scottish | 1605 | 28.6% |
| Welsh | 6 | 0.1% |
| DID NOT ANSWER | 2691 | 47.9% |
| Grand Total | 5618 | 100.0% |

Again, during the period 2017 – 2021 investigation needs to take place as to why just under a half of the workforce does not wish to provide details of their nationality.

Religion or Belief

| Religion or Belief | Number | Percentage |
|--------------------------|--------|------------|
| Buddhist | 8 | 0.1% |
| Church of Scotland | 424 | 7.5% |
| Hindu | * | 0.0% |
| Muslim | 6 | 0.1% |
| None | 439 | 7.8% |
| Other Christian | 67 | 1.2% |
| Other Religion or Belief | 9 | 0.2% |
| Prefer not to answer | 180 | 3.2% |
| Roman Catholic | 124 | 2.2% |
| DID NOT ANSWER | 4360 | 77.6% |
| Total | 5618 | 100.0% |

- Where the number reported is five or less we are required to respect anonymity and the number is therefore withheld.

With over 75% of the workforce not being prepared to state their religion or belief there is again a great need to investigate the reason for this during the period 2017 – 2021.

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Sex (Gender)

| Sex (Gender) | Number | Percentage |
|--------------|--------|------------|
| Female | 4034 | 71.8% |
| Male | 1584 | 28.2% |
| Total | 5618 | 100% |

The gender mix of the Council's workforce remains very much as previously reported in 2014/2015 (71% and 29% respectively).

Sexual Orientation

| Sexual Orientation | Number | Percentage |
|-----------------------|--------|------------|
| Bisexual | * | 0.1% |
| Gay | 7 | 0.1% |
| Heterosexual/Straight | 1048 | 18.7% |
| Lesbian | * | 0.1% |
| Prefer not to answer | 282 | 5.0% |
| DID NOT ANSWER | 4273 | 76.1% |
| Grand Total | 5618 | 100.0% |

- Where the number reported is five or less we are required to respect anonymity and the number is therefore withheld.

With over 75% of the workforce not being prepared to state their sexual orientation, there is again a great need to investigate the reason for this during the period 2017 – 2021.

Caring Responsibilities

In 2015/2016 employees were asked 'do you have caring responsibilities'. The table below shows data received in relation to this question.

| Do you have caring responsibilities? | Number | Percentage |
|--------------------------------------|--------|------------|
| No | 623 | 11.1% |
| Prefer not to answer | 17 | 0.3% |
| Yes - Over 18 | 92 | 1.6% |
| Yes - Under 18 | 297 | 5.3% |
| Yes - Under and Over 18 | 22 | 0.4% |
| DID NOT ANSWER | 4567 | 81.3% |
| Total | 5618 | 100.0% |

As with previous characteristics investigation needs to take place as to why over four fifths of the workforce does not wish to divulge if they have caring responsibilities.

Disciplinary Cases

No disciplinary action has been taken, regardless of the outcome, and analysis has shown no evidence of disproportionate treatment on the grounds of any of the protected characteristics.

Grievance Cases

No grievance cases were lodged, regardless of the outcome, and analysis has shown no evidence of disproportionate treatment on the grounds of any of the protected characteristics.

7.3 Leavers Profile Analysis

Data/information on this will be collected and analysed as from 2016/17.

7.4 Recruitment Profile Analysis

Age Profile

Data/information not available at the time of reporting

Disability

| Job Applicants | Number | Percentage |
|----------------------|-------------|----------------|
| Yes | 346 | 3.76% |
| No | 8420 | 91.58% |
| Prefer not to answer | 77 | 0.84% |
| Unknown | 351 | 3.82% |
| Total | 9194 | 100.00% |

| Successful Candidates | Number | Percentage |
|-----------------------|------------|----------------|
| Yes | 25 | 3.09% |
| No | 739 | 91.23% |
| Prefer not to answer | 2 | 0.25% |
| Unknown | 44 | 5.43% |
| Total | 810 | 100.00% |

Midlothian Council Equality Mainstreaming Progress Report 2015 – 2017

Gender Re-assignment

Data/information not available at the time of reporting

Marriage & Civil Partnership

| Job Applicants | Number | Percentage |
|---------------------------|---------------|-------------------|
| Married/Civil Partnership | 2768 | 30.11% |
| Not Married | 5960 | 64.82% |
| Prefer not to answer | 100 | 1.09% |
| Unknown | 366 | 3.98% |
| Total | 9194 | 100.00% |

| Successful Candidates | Number | Percentage |
|------------------------------|---------------|-------------------|
| Married/Civil Partnership | 327 | 40.37% |
| Not Married | 434 | 53.58% |
| Prefer not to answer | 4 | 0.49% |
| Unknown | 45 | 5.56% |
| Total | 810 | 100.00% |

Pregnancy and Maternity

Data/information not available at the time of reporting

Midlothian Council Equality Mainstreaming Progress Report 2015 – 2017

Race

| Job Applicants | Number | Percentage |
|---|-------------|---------------|
| African - (Inc. Scottish/British) | 35 | 0.4% |
| African - Other | 83 | 0.9% |
| Any Mixed or Multiple | 54 | 0.6% |
| Asian - Bangladeshi (Inc. Scottish/British) | 23 | 0.3% |
| Asian - Chinese (Inc. Scottish/British) | 20 | 0.2% |
| Asian - Indian (Inc. Scottish/British) | 70 | 0.8% |
| Asian - Other (Inc. Scottish/British) | 17 | 0.2% |
| Asian - Pakistani (Inc. Scottish/British) | 74 | 0.8% |
| Black - (Inc. Scottish/British) | 14 | 0.2% |
| Caribbean - (Inc. Scottish/British) | * | 0.1% |
| Caribbean or Black (Other) | 12 | 0.1% |
| Other - Arab (Inc. Scottish/British) | 8 | 0.1% |
| Prefer not to answer | 61 | 0.7% |
| White - Eastern European (e.g. Polish) | 56 | 0.6% |
| White - Irish | 163 | 1.8% |
| White - Other British | 795 | 8.6% |
| White - Other white ethnic group | 348 | 3.8% |
| White - Polish | 125 | 1.4% |
| White - Scottish | 6802 | 74.0% |
| Did not answer | 429 | 4.7% |
| Total | 9194 | 100.0% |

- Where the number reported is five or less we are required to respect anonymity and the number is therefore withheld.

| Successful Candidates | Number | Percentage |
|---|------------|----------------|
| African Other | * | 0.25% |
| Any Mixed or Multiple | * | 0.25% |
| Asian – Indian (Inc. Scottish/British) | * | 0.25% |
| Asian - Bangladeshi, Chinese, Pakistani | * | 0.37% |
| Prefer not to answer | * | 0.49% |
| Did not answer | 51 | 6.30% |
| White – Eastern European | * | 0.25% |
| White - Polish | 8 | 1.11% |
| White - Scottish | 620 | 76.54% |
| White - Irish | 14 | 1.73% |
| White – Other British | 74 | 9.14% |
| White – Other White Ethnic Group | 28 | 3.46% |
| Total | 810 | 100.00% |

Midlothian Council Equality Mainstreaming Progress Report 2015 – 2017

- Where the number reported is five or less we are required to respect anonymity and the number is therefore withheld.

Religion, Faith or Belief

| Job Applicants | Number | Percentage |
|--------------------------|-------------|----------------|
| Buddhist | 31 | 0.34% |
| Church of Scotland | 1559 | 16.96% |
| Hindu | 32 | 0.35% |
| Humanist | 20 | 0.22% |
| Jewish | 7 | 0.08% |
| Muslim | 113 | 1.23% |
| None | 4557 | 49.56% |
| Other Christian | 655 | 7.12% |
| Other Religion or Belief | 100 | 1.09% |
| Pagan | * | 0.01% |
| Prefer not to Answer | 631 | 6.86% |
| Roman Catholic | 951 | 10.34% |
| Sikh | 11 | 0.12% |
| Did not Answer | 526 | 5.72% |
| Total | 9194 | 100.00% |

- Where the number reported is five or less we are required to respect anonymity and the number is therefore withheld.

| Successful Candidates | Number | Percentage |
|--------------------------|------------|----------------|
| Buddhist | * | 0.12% |
| Church of Scotland | 152 | 18.77% |
| Humanist | * | 0.12% |
| Jewish | * | 0.12% |
| Muslim | * | 0.37% |
| None | 400 | 49.38% |
| Other Christian | 48 | 5.93% |
| Other Religion or Belief | 7 | 0.86% |
| Pagan | * | 0.12% |
| Prefer not to Answer | 53 | 6.54% |
| Roman Catholic | 85 | 10.49% |
| Did not Answer | 58 | 7.16% |
| Total | 810 | 100.00% |

Midlothian Council Equality Mainstreaming Progress Report 2015 – 2017

- Where the number reported is five or less we are required to respect anonymity and the number is therefore withheld.

Sex (Gender)

| Job Applicants | Number | Percentage |
|----------------------|-------------|----------------|
| Female | 6010 | 65.37% |
| Male | 2821 | 30.68% |
| Prefer not to Answer | 26 | 0.28% |
| Did not Answer | 337 | 3.67% |
| Total | 9194 | 100.00% |

| Successful Candidates | Number | Percentage |
|-----------------------|------------|----------------|
| Female | 574 | 70.86% |
| Male | 191 | 23.58% |
| Prefer not to Answer | * | 0.25% |
| Did not Answer | 43 | 5.31% |
| Total | 810 | 100.00% |

- Where the number reported is five or less we are required to respect anonymity and the number is therefore withheld.

Sexual Orientation

| Job Applicants | Number | Percentage |
|-----------------------|-------------|----------------|
| Bisexual | 77 | 0.84% |
| Gay | 65 | 0.71% |
| Heterosexual/Straight | 8230 | 89.51% |
| Lesbian | 55 | 0.61% |
| Other | 11 | 0.12% |
| Prefer not to Answer | 348 | 3.79% |
| Did not Answer | 408 | 4.44% |
| Total | 9194 | 100.00% |

| Successful Candidates | Number | Percentage |
|-----------------------|------------|----------------|
| Bisexual | 6 | 0.74% |
| Gay | * | 0.37% |
| Heterosexual/Straight | 720 | 88.89% |
| Lesbian | * | 0.37% |
| Other | * | 0.12% |
| Prefer not to Answer | 28 | 3.46% |
| Did not Answer | 49 | 6.05% |
| Total | 810 | 100.00% |

- Where the number reported is five or less we are required to respect anonymity and the number is therefore withheld.

7.5 Training Profile Analysis

The Council uses different approaches to training such as one-to-one, group coaching sessions and leadership management courses for identified learning needs. This move away from a one size fits all classroom training approach continues to facilitate inclusion for all employees irrespective of protected characteristic.

7.6 Conclusion

The Council is fully committed to the ethos of the Equality Act 2010 and is determined to provide employees with a workplace that is fit-plus for the 21st century.

Gathering data and information for this analysis has highlighted a number of areas for the Council to focus on in the years ahead. The main points of note are:

- The Council must continue to ensure that all employees are aware of the benefits of flexible working. Particular effort needs to be made to ensure that employees working in areas which are traditionally less likely to avail themselves of employee benefits are made aware of the opportunities available to them.
- The age profile of the Council continues to represent challenges to workforce planning within the organisation.
- Further work needs to be done to ensure that the Council is a positive workplace for lesbian, gay, bi-sexual and transgender employees and new recruits.

Continuing and promoting our work with Stonewall Scotland is an important element in this work.

- Engagement with employees in relation to equal opportunities is an important means of giving the Council a more qualitative insight into the issues concerning employees, and allows the Council to take these on board when reviewing and developing new policies. The Council needs to encourage employees to feel confident about declaring their disability, sexual orientation or information about other protected characteristics.
- The Council needs to develop its reputation as a modern, inclusive and welcoming workplace both for existing employees and for new recruits.
- The Council needs to develop the data and information it gathers on existing employees, leavers, and new potential new recruits in order to be a modern employer of choice.

8.0 Employee information analysis for the year 2016/2017

- 8.1 Analysis of the 2016/17 employee data is not available at the time of this publication. The full analysis will be published in due course on the Council website under equality and diversity.

9.0 Gender Pay Gap

- 9.1 The gender pay gap between average hourly rate of pay for male and female – all Council employees as at 31st March 2017 was 2.96%.

10.0 Equal Pay Statement

- 10.1 Equal Pay Statement

Midlothian Council believes in equal opportunities in employment and is committed to the fundamental principle that procedures to determine the pay and conditions of employment of all our employees do not discriminate unlawfully and aims to eliminate any sex bias or any form of discrimination. The Council recognises that in order to achieve equitable pay it should operate a pay system which is transparent and based on objective criteria.

The Council believes that pay is one of the key factors affecting motivation and relationships at work and therefore considers it important to develop pay arrangements that reward employees fairly. The Council will work with Trade Unions to develop fair and non-discriminatory pay and progression systems which are understood and accepted by employees and by the managers who operate the system. All aspects of the pay package will be reviewed and monitored regularly to ensure it delivers equal pay. Any pay inequalities which cannot be justified will as far as is possible be eliminated.

The Council will aim to:

- Continue to use objective, justifiable and proportionate job-related information and an analytical job evaluation scheme to determine the salaries of jobs and the Council's salary structures.
- Monitor existing and future pay practices and the impact or potential impact on men and women.
- Assess and review the findings of monitoring activities and take action where necessary.
- Provide development and guidance for managers and others directly involved in decisions about pay and benefits.
- Continue to work with the recognised Trade Unions on equal pay and equalities in employment.
- Inform employees of how our pay practices work and how their own pay is determined.
- Respond promptly and investigate where necessary grievances on equal pay.

Our commitment to equal pay extends to both race and disability and whilst able to monitor this as our systems are developed to check for bias we will be in a position to more accurately report this in late 2017.

11.0 Next Steps

- 11.1 The new Equality Plan 2017 – 2021 which will include new and revised equality outcomes and proposed mainstreaming activities will be published in draft by 30 April 2017.
- 11.2 This Plan will go to the newly elected Midlothian Council for approval during 2017.
- 11.3 During the period 30 April – 11 June this Plan will be open for consultation.
- 11.4 Progress on this new Plan will be reported by 30 April 2019 and 30 April 2021.

11.5 This new Equality Plan will continue and develop further the commitment the Council has to equality, diversity and human rights with the aim of further:

- Embedding a culture where respect, choice and understanding is fostered and diversity positively valued;
- Creating an environment where unlawful discrimination, harassment, victimisation or bullying is not tolerated;
- Understanding and addressing the needs of different groups; and
- Implanting the equality agenda in all that we provide and do to ensure that all people, irrespective of their age, disability, gender reassignment, marriage or civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation or socio economic status have the same opportunity to live and flourish within our communities

12.0 Contact Details

12.1 Should you wish to get in touch regarding this report, the equality outcomes progress report or new Equality Plan 2017 – 2021 please do so by post to:

Lesley Crozier
Equality, Diversity & Human Rights Officer
Policy & Scrutiny Team
Midlothian Council
Midlothian House
Buccleuch Street
DALKEITH
EH22 1DN

Email to:

Lesley.crozier@midlothian.gov.uk or equalities@midlothian.gov.uk

Telephone to:

0131 271 3658

13.0 Alternative Formats

- 13.1 This document can be made available in different formats and in different languages. If you would like a copy in another language or format, please email equalities@midlothian.gov.uk or phone 0131 271 3658.



Midlothian Council

Equality Outcomes Progress Report

2015 - 2017

Contents

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Foreword by the Chief Executive, Midlothian Council

Welcome to the Midlothian Council Equality Outcomes Progress Report for the period 2015 - 2017.

The Council last reported progress on 30 April 2015 as required under the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 and this report can be found [here](#).

Further progress has been made over the last two years as the Council still believes that equality is a fundamental right that everyone should have. No one should be denied opportunities because of their age, disability, gender reassignment, marriage or civil partnership, pregnancy or maternity, race, religion or belief, sex, sexual orientation or socio economic status, and everyone should be able to be themselves.

It is my opinion that this principle must underpin all of the work the Council plans and does, and I am determined that the Council will do this through:

- Recognising that some people are not always treated fairly and can experience discrimination and inequality;
- Ensuring that our services meet the needs of all people in our communities, and that communities have choice and control over the services they use where appropriate;
- Challenging ourselves to tackle the inequality that exists in our communities, and working with community planning partners to improve outcomes for equality groups; and
- Tackling prejudice and negative attitudes towards people and celebrate the diversity within our communities

I and my fellow Council employees commit to working hard to deliver the highest quality of public services for the people of Midlothian. We look forward to supporting equality in all aspects of the Council's work and employment practices, and to setting a new Equality Plan for the period 2017 – 2021 on which we will report in 2019 and 2021.

Yours sincerely

Kenneth Lawrie

Chief Executive

Midlothian Council

1.0 Purpose of Report

- 1.1 The purpose of this report is to demonstrate progress against current equality outcomes.
- 1.2 This equality outcomes progress report uses the terms 'Midlothian Council/Council' as shorthand for the Council, Education Authority and Licensing Board (all three bodies).
- 1.3 The Council has also produced a Mainstreaming Equality Progress Report which outlines how the Council has taken forward work to mainstream equality across the Council both in its role as a service provider and as an employer. The mainstreaming report also contains examples of good practice in terms of equality.

2.0 Background

- 2.1 In October 2010 the Equality Act 2010 (the Act) came into force. This was a consolidating piece of legislation gathering together 40 years of previous discrimination legislation.
- 2.2 On 05 April 2011 the Public Sector Equality Duty (PSED) came into force. The PSED replaced the separate duties on public bodies relating to race, disability and gender equality.
- 2.3 The new PSED extended the scope of equality legislation to include not only race, disability and gender but also age, gender re-assignment, marriage and civil partnership, pregnancy and maternity, religion or belief, and sexual orientation.
- 2.4 These nine categories are now known as the protected characteristics.
- 2.5 In 2017 we understand that the Scottish Government will enact the socio economic characteristic/duty.
- 2.6 The PSED as set out in the Act is known as the 'general equality duty' (GED).
- 2.7 The GED requires public listed authorities in the planning and exercising of their public duties and functions to have 'due regard' to the need to:
 - Eliminate unlawful discrimination, harassment and victimisation and other prohibited conduct;
 - Advance equality of opportunity between people who share a relevant protected characteristic and those who do not; and

- Foster good relations between people who share a relevant protected characteristic and those who do not

2.8 These three areas are sometimes known as the ‘three needs’.

2.9 Having ‘due regard’ in relation to advancing equality of opportunity includes:

- Removing or minimising disadvantages suffered by persons who share a protected characteristic that are connected to that characteristic;
- Taking steps to meet the needs of persons with protected characteristics that are different from persons who do not share it; and
- Encouraging participation in public life and other areas where representation is disproportionately low

2.10 Having ‘due regard’ in relation to the need to foster good relations includes:

- Tackling prejudice; and
- Promoting understanding

2.11 As previously noted there are nine protected characteristics and there is no hierarchy to those nine. In alphabetical order they are:

- Age
- Disability (learning difficulties, mental health, physical and sensory)
- Gender re-assignment
- Marriage and civil partnership (restricted to elimination of unlawful discrimination in employment)
- Pregnancy and Maternity
- Race
- Religion or Belief
- Sex (formerly known as gender)
- Sexual orientation

2.12 On 27 May 2012 the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 came into force.

- 2.13 These Regulations imposed duties on listed public bodies for the purpose of enabling the better performance by the listed authority of the duty imposed by section 149(1) of the Equality Act 2010, the PSED.
- 2.14 These duties are to:
- Report progress on mainstreaming the equality duty;
 - Publish equality outcomes and report progress;
 - Assess and review policies and practices;
 - Gather and use employee information;
 - Publish gender pay gap information;
 - Publish statements on equal pay, etc;
 - Consider award criteria and conditions in relation to public procurement;
 - Publish in a manner that is accessible, etc;
 - Consider other matters; and
 - Scottish Ministers to publish proposals to enable better performance
- 2.15 The 2012 Regulations dictate when reports and progress reports have to be published (outcome reports every four years, progress reports every two years starting on 30 April 2013). The Regulations also state that all new and/or revised policies must be impact assessed against the needs of the GED, and that workforce profiling, gender pay gap and equal pay statements should form part of the mainstreaming report for organisations who have more than 150 employees at prescribed times. Finally, the Regulations look for listed bodies to improve their procurement activities and to publish all materials in a manner that is accessible to all.
- 2.16 On 11 June 2015 the Equality Act 2010 (Specific Duties) (Scotland) Amendment Regulations 2015 came into force.
- 2.17 This set of Regulations increased the number of listed bodies who are required to adhere to the Act and includes Integration Joint Boards established by order under section 9(2) of the Public Bodies (Joint Working) (Scotland) Act 2014 (3).
- 2.18 This means that the Midlothian Integration Joint Board (MLIJB) is now subject to the duties and responsibilities of the Equality Act 2010 and its subsequent Regulations.

The MLIJB has its own Equality Outcomes Report and is therefore outwith the scope of this report.

2.19 On 18 March 2016 the Equality Act 2010 (Specific Duties) (Scotland) Amendment Regulations 2016 came into force.

2.20 This new set of Regulations:

- Introduced a new requirement on listed public authorities to publish the gender composition of their Boards, and to produce succession plans to increase the diversity (across all protected characteristics) of their Boards; and to
- Lower the threshold for listed bodies to publish information on their gender pay gap and equal pay statements, from those authorities with more than 150 employees to those with more than 20 employees

2.21 With regard to local authorities and in relation to the first part of 2.20 above it must be ensured that the democratic process is not interfered with in any initiatives undertaken to improve the gender composition of Boards.

3.0 Equality Outcomes Progress 2015 - 2017

3.1 It is said that: *'An equal society protects and promotes equal, real freedom and substantive opportunity to live in the ways people value and would choose so that everyone can flourish. An equal society recognises people's different needs, situations and goals and removes the barriers that limit what people can do and be.'* UK Equalities Review, 2007.

3.2 During the period 2015 – 2017 Midlothian Council has been working to achieve this fairness of opportunity and existence through its current equality outcomes and equality mainstreaming activities. The equality outcomes are in great part delivered through the Community Planning Partnership (CPP) and the Single Midlothian Plan (SMP) which is the local outcomes improvement plan (LOIP) for Midlothian.

3.3 The Council now submits for noting progress made with its equality outcomes which were set following the CPP review and engagement process in 2015/16 for the period 2015 – 2017.

3.4 It should be noted that these equality outcomes take into consideration evidence about the comparative quality of life of people living in Midlothian where it is clear that less well off residents experience poorer health, have fewer choices in how they use low incomes, and where there is a proven relationship between these factors and their learning.

Midlothian Council Equality Outcomes Progress Report 2015 – 2017

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| SMP/LOIP Outcome/(s) for Adult Health & Care: | People are able to look after and improve their own health and wellbeing and live in good health for longer People, including those with disabilities/long term conditions or are frail are able whenever possible, to live independently and in their own home Health and Social Care have contributed to reducing health inequalities Unpaid carers are supported to look after their own health and wellbeing | | | |
| Equality Outcome | Action(s) | Performance Indicator | Progress 2015 - 2017 | Equality Protected Characteristic |
| Equality Outcomes for the Midlothian Health & Social Care Partnership (MLH&SCP) are excluded from this progress report as they will form part of a separate Equality Outcomes Progress Report specifically for MLH&SCP due on 30 April 2018. | The MLH&SCP Equality Outcomes Report and the Equalities Mainstreaming Report 2016 – 2018 was developed during the period 2015/16 and approved by the Midlothian Integration Joint Board in June 2016. | N/A | Not applicable – progress will be reported on MLH&SCP Equality Outcomes on 30 April 2018. | All |
| SMP/LOIP Outcome/(s) for Community Safety: | Fewer people are the victims of crime, abuse or harm People feel safe in their neighbourhoods and homes Our communities take a positive role in shaping their future | | | |
| Equality Outcome | Action(s) | Performance Indicator (PI) | Progress 2015 - 2017 | Equality Protected Characteristic |
| Midlothian Licensing Board will work with license holders and other Council/CPP services to | One of the actions undertaken to address this outcome has been to encourage responsible | <ul style="list-style-type: none"> reduce the volume of violence and anti social behaviour aggravated by alcohol; | <ul style="list-style-type: none"> 16/17: On target, with a number of actions being carried out including targeting of 'party houses' through | All |

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| support positive behaviour on and around license premises | alcohol retailing in Midlothian via positive actions. | <ul style="list-style-type: none"> • increase the number of licensed premises participating in the 'best bar none' scheme; and • increase the number of licensed premises participating in proactive partnership licensing activity. | <p>the weekly partnership T&CG, police visits to problem and monitored licensed premises, improved dispersal order for Dalkeith town centre, early intervention meetings with licensees and their staff following incidents, also seeking exclusion orders for licensed premises as part of a sentence for alcohol related offences;</p> <ul style="list-style-type: none"> • 16/17: Off target, Police Scotland restructure reduced activity in this task. 3 officers identified who will now be responsible for taking forward Best Bar None and Pub watch. 4 premises have signed up so far this year; and • 16/17: On target, 3 licensed premises actively participating in the Licensing Forum. 4 Premises have signed up to this year's Best Bar None programme | |
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| In Midlothian fewer people will be victims of crime, disorder or abuse | There have been a number of actions undertaken to address this outcome and these include: developing a local strategic plan for improving Community Justice outcomes; | There is no PI for this action | 16/17: on target. Detailed analysis has been undertaken and a consultation and engagement exercise is currently underway. | All |
| | Completing community payback orders satisfactorily; | Increase the% of successful completions of orders | 16/17: on target. 83% of Community Payback Orders have been successfully completed in Q1 and Q2. | |
| | increasing multiagency working to improve the safety of high risk victims of domestic abuse; | % of MARAC cases showing reduction in risk upon exit from the domestic abuse | 16/17: on target. 22 of 23 exits were completed. There was no entry Risk Identification Checklist (RIC) for the one case in order to be able to compare so this has been excluded from the total. | |
| | effective risk management of registered sex offenders; | Proportion of MAPPA clients convicted of a Group 1 or 2 offence | 16/17: on target. No MAPPA clients have been convicted of Group 1 or 2 | |

Midlothian Council Equality Outcomes Progress Report 2015 – 2017

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| | <p>increased enforcement action against domestic and sexual offenders; and</p> <p>targeting prolific house breakers and thieves through ASBOs and CRASBOs working in partnership with the ASBVO group</p> | <p>% of domestic abuse and initial bail checks conducted within prescribed timeframe of 24 hours</p> <p>The number of crimes of non domestic housebreaking (excluding businesses)</p> | <p>offences.</p> <p>16/17: on target. Pro-active domestic abuse bail checks are vital to ensure that the perpetrator is adhering to bail conditions imposed at the court</p> <p>16/17: on target. Enhanced public awareness via social media, consideration for action taken at ASBVO (Anti Social Behaviour and Violent Offender), deployment of plain clothed officers in problematic areas</p> | |
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| SMP/LOIP Outcome/(s) for Getting it Right for Every Midlothian Child (GIRFEMC) | <ul style="list-style-type: none"> • Children in their early years and their families are being supported to be healthy, to learn and to be resilient • All Midlothian children and young people are being offered access to timely and appropriate support through the named person service - • All care experienced children and young people are being provided with quality services • Children and young people are supported to be healthy, happy and reach their potential • Inequalities in learning outcomes have reduced | | | |
|--|---|--|--|-----------------------------------|
| Equality Outcomes | Action(s) | Performance Indicator (PI) | Progress 2015 - 2017 | Equality Protected Characteristic |
| <p>Midlothian Council will develop opportunities for young people</p> <p>And</p> <p>All of Midlothian's young people are successful learners, confident individuals, effective contributors and responsible citizens</p> | <p>Develop a 3 year Corporate Parent Plan that meets the requirement of Part 9 of the Children and Young People (Scotland) Act 2014</p> | <p>% of Corporate Parent actions are on target</p> <p>% of care experienced young people living in homeless accommodation</p> | <p>16/17: on target.</p> <p>16/17: on target. 31 out of 418 young people</p> | <p>All</p> |
| | <p>Ensure our participation and engagement practice is compliant with the Children and Young People (Scotland) Act</p> | <p>% of care experienced young people that tell us they feel safe, are healthy, are active , are respected, take responsibility, and</p> | <p>16/17: on target</p> | |

Midlothian Council Equality Outcomes Progress Report 2015 – 2017

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| | 2014 | feel included % all children and young people that tell us they feel safe, are healthy, are active, are respected, take responsibility and feel included | 16/17: on target | |
| | Reduce the timescale in decision making for children achieving permanent placements | Average length of time (months) from a child becoming Looked After to recommendation for permanence | 16/17: on target | |
| | Through the Phase 2 of Children Service Review provide timely and effective early interventions so that children and families receive the right supports when they need it | Increase % of the numbers of Self Directed Support taken up by families | 16/17: On target All families being assessed or reviewed in 16/17 have been offered SDS options 1-4. | |
| | Encourage and celebrate achievement amongst vulnerable young people | Number of young people gaining accredited certificates | 16/17: Data only The latest information (2014/15) shows that out of the 15 looked after school leavers, 73% gained | |

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| | | | 1 or more qualification at SCQF (Scottish Certificate Qualification Framework) level 4. The national average is 73% | |
| | Woodburn family learning centre, (currently operational) - monitor the impact on child in early learning | Develop the 27 month child health check form in preparation of transferring the information into all 3-5 year settings | 16/17: On Target Joint working group set up to improve process and prepare transfer documentation. | |
| | | One session per week to be delivered of 'Parents involved in children's learning (PICL)' | 16/17: On target | |
| | Mayfield Family Learning Centre - Complete audit of area needs through the EY strategic planning group | Audit complete | 16/17: On Target Currently undertaking a scoping exercise looking at resources | |
| | Gorebridge Family Learning Centre - progress towards planned opening date in May 2017 | Gorebridge Family Learning Centre open | 16/17: On Target Centre currently being constructed. | |
| | Increase the range of providers of early years and childcare for 2 years olds | Number of partnership agencies contracted to deliver "a good time to be two" programme | 16/17: On Target | |
| | Implement results of | Percentage of Early | 16/17: On Target | |

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| | review of teachers in Early Learning and Childcare settings, reducing number of teachers and creating peripatetic posts covering 3-5 settings | Learning Communities established with full team compliment | | |
| | Review of property and financial requirements to increase in Early Learning and Childcare to 30 hours a week for 2/3/4 year olds, fully embedded by 2020 | Results of review of property and financial requirements | 16/17: On Target | |
| | Implement a partnership approach to parental engagement and referral pathways | Number of early years pathway processes in place | 16/17: On Target The Every Days A Learning Day parenting pathway group has been established. A publication is due December 2016. | |
| | Deliver training for education and multiagency partners to focus on embedding GIRFEC processes and language, 5 Practitioners Questions, National Practice Model, Wellbeing | All Children and young people in Midlothian have an identified Named Person | 16/17: Complete Proprietary process for introduction of the named person, subject to legislation is complete | |

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| | Concerns Forms, and Resilience Matrix | | | |
| | | Ensure system is in place to monitor those who choose to opt out | 16/17: Data Only Named person delayed until August 2017. | |
| | Reduce the overall % of bullying incidents in schools | Numbers of confirmed reports of bullying incidents | 6/17: Data only | |
| | Refocus improvement planning on improving outcomes for learners ensuring progression through the broad general education. Continue to embed visible learning in order to create assessment capable learners | Increase in 2% of pupils achieving expected CfE level by end of P1, P4,P7 and S3 in reading, writing and maths | 16/17: Data not yet available | |
| | Implement a range of attendance strategies in order to improve attendance overall | Average primary school attendance | 16/17: Off Target Primary attendance for the 16/17 school year is at 96.13%. This is the highest recorded quarterly attendance for primaries. Authorised absences make up 2.18% and unauthorised absences | |

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| | | | 1.63% with exclusions at 0.06%. | |
| | | Average secondary school attendance | 16/17: Off Target Secondary attendance for the 16/17 school year is at 91.69%. This is the highest recorded quarterly attendance for secondaries in 2 years. Authorised absences make up 4.83% and unauthorised absences 3.34% with exclusions at 0.14%. | |
| | Commence a review of inclusion in order to reduce numbers of exclusions | Total number of primary school exclusions | 16/17: On Target There have been 47 primary exclusions for the 16/17 school year relating to 37 pupils. Average length of exclusion is 2.5 school days. | |
| | | Total number of secondary school exclusions | 16/17: On Target There have been 76 secondary exclusions for the 16/17 school year relating to 72 pupils. Average length of exclusion is 2.8 school | |

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| | | | days. | |
| | To identify the current gaps in educational attainment at individual school level and implement a range of targeted strategies to close the gap (2%) | Improvement in the % of SIMD 1 and 2 pupils achieving the expected CfE level by the end of P1, P4, P7 and S3 | 16/17: Data not yet available | |
| SMP/LOIP Outcome/(s) for Improving Opportunities for the People of Midlothian | <ul style="list-style-type: none"> • Poverty levels in Midlothian are lower than the Scottish average • Midlothian residents are successful learners and young people go on to positive destinations when they leave learning • There is a reduction in inequality in health outcomes • Citizens are engaged with service development and delivery | | | |
| Equality Outcomes | Action(s) | Performance Indicator (PI) | Progress 2015 - 2017 | Equality Protected Characteristic |
| In Midlothian fewer people experience poverty | Provide high quality and localised welfare advice and support, targeted at the areas with the highest levels of poverty | Midlothian Council Welfare Rights Team (WRT) will generate an additional benefit income maximization of £250k per quarter. | 16/17: On Target | All |
| | | Midlothian Citizen Advice Bureaux (CABs) will generate an additional income maximization of £625k per quarter | 16/17: On Target | |

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| | | Midlothian CABs will provide 500 benefit advice sessions quarterly | 16/17: On Target | |
| | | % of people that receive benefit advice sessions by the CABs, and take part in the evaluation report feeling more able to cope as a result of this advice | 16/17: On Target. 100% of clients who used the service were satisfied with the service provided. 100% felt that the Adviser had understood the issue and been of help and 100% would use the service again. | |
| | | Of the clients referred to WRT, 75% will receive an increase in their benefit as a result of the intervention by the team | 16/17: Data not yet available – survey in progress | |
| | Support claimants through the appeals process | The Welfare Rights Team will support 50 claimants per quarter through the appeals process | H1 16/17: Off target Dispute areas resolved prior to appeal. | |
| | | Of the 50 clients support by the WRT in the appeal process, 65% will receive additional benefits | 16/17: On Target | |
| | Develop a child poverty measurement framework so poverty levels can be | Develop agree child poverty measures with IOM and GIRFEMC | 16/17: Complete 8 measures agreed | |

Midlothian Council Equality Outcomes Progress Report 2015 – 2017

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| | tracked over time | | | |
| | | Develop a measurement framework that enables regular measurement of child poverty proxy measures | 16/17: On Target | |
| | | Child poverty levels in Midlothian reduce by 1% a year and move below the Scottish average | 16/17: On Target Scottish target for 14/15 is 22% Midlothian average for 14/15 is 21% | |
| | Provide short term support to people experiencing significant hardship. This will include practical interventions including access to food banks; travel vouchers and trial energy vouchers for households experiencing fuel poverty | Midlothian Food-bank will provide 1,500 – 2,000 people with emergency food supplies | 16/17: On Target | |
| | Develop the area targeting programme and demonstrate evidence of additional resources (financial and human) for the areas with the highest levels of poverty | Local profiles of need, local outcome gap indicators, local asset registers and resource baselines will be in place and in use within neighbourhood planning | 16/17: Complete | |

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| | | processes | | |
| In Midlothian we live healthier, more active and independent lives | Bespoke accredited courses are offered to the veteran community to increase their qualification levels and support them back into employment | Deliver accredited courses | 16/17: On Target | All |
| | Deliver the actions identified in Midlothian Adult Learning Partnership so that qualification levels are improved at all levels (SVQ1-4) | The qualification levels of Midlothian residents have increased as follows: SVQ4 and above from 38.5% to 40% | 16/17: Off Target The latest available information (Jan-Dec 2015) shows Midlothian is slightly below the Scottish average. | |
| | | SVQ3 and above from 58.8% to 60% | 16/17: On Target | |
| | | SVQ2 and above from 75.5% to 76.5% | 16/17: On Target | |
| | | SVQ1 and above from 85.6% to 86.5% | 16/17: On Target | |
| | | Midlothian residents with no qualifications have reduced from 9.7% to 9.4% | 16/17: On Target | |
| Midlothian Council will develop opportunities for young people | Deliver the actions identified in the Delivering Midlothian Young Workforce Action Plan | % of those leaving school secure a positive destination | 16/17: Off Target Continuing positive trend of improvement over the past 5 years. | All |

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| | | % of 16-19 years olds secure a positive destination (reported quarterly). DSYW plan details the actions required to achieve this | 16/17: Data only This is a new average calculation, compared to the previous snapshot calculation, value 89.9% for the same period. This stat is only reported once a year in August | |
| In Midlothian we live healthier, more active and independent lives Midlothian Council will develop opportunities for young people | Provide one-to-one or group ICT tuition to 115 older people and vulnerable adults over the age of 50 as part of the Connect Online Programme. Provide digital advice and support to 100 people with dementia and their carers | Clients will feel more confident in using ICT. | 16/17: On Target 98% learner report an increase in skills and confidence at using computer/iPad. 100% learnings report that they will continue to use their computer/iPad independently following the sessions. 87% had a greater understanding of what technology, products and services are available, 88% had more confidence and 93% had more information | All |

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| | Provide training and support to 150 Third Sector organisations to improve the quality of their volunteer placements and volunteer management | Third Sector organisations who have access to support and training report that they are better able to recruit, manage and retain volunteers as a result of receiving training and support | <p>16/17: On Target. 270 organisations supported through a variety of bespoke training, support, advice and information.</p> <p>0 training sessions held yet – Autumn Training Programme due to begin in October.</p> <p>6 monthly e-bulletins sent to 380 recipients.</p> <p>77% of Volunteer Involved Organisations feel better able to recruit, manage and retain volunteers as a result of receiving training and support (based on feedback from survey issued in April 2016)</p> | |
| | Support 90 young people to volunteer as part of the Transform Project | Of the young people that volunteer as part of the Transform Project 80% report that they have | <p>16/17: On Target 91% of volunteers reported to have developed new</p> | |

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| | | developed new employability skills and 80% feel that they have gained more confidence & skills to help them progress positively in their lives. | employability skills. 81% of volunteers have gained confidence and skills to progress positively in their lives. | |
| | Increase access and support to digital services, particularly, in the areas with the lowest levels of IT literacy | Number of sessions to support customers in developing their general IT skills | 16/17: On Target | |
| | Deliver programmes that will impact positively on health including sexual health, physical activity and healthy eating | A teenage pregnancy pathway will be developed for Midlothian | 16/17: On Target This work should now be forming part of the Scot Govt national strategy - 'Preventing Pregnancy and Parenthood in Young People' – NHS Lothian are working alongside the National Lead on this work. A teenage pregnancy event was held in Midlothian in April 2016 – following this a locally lead working group was to be established to lead on the development of local | |

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| | | | pathways which would then be piloted – working group not established. | |
| | Improve the knowledge and skills of the local workforce in relation to health inequalities, health literacy and money matters | Draft a Workforce Development plan, activities detailed in the Health Inequalities Action Plan | 16/17: Completed | |
| | | % report they have learnt something that will benefit their work | 16/17: On Target | |
| | Provide support and direction to programmes and partnerships to ensure they undertake work to tackle health inequalities | Work with MELDAP to extend Bibliotherapy sessions into the Horizon's cafe in Dalkeith by completing delivery of a pilot programme for 8 individuals which has been co-produced between the bibliotherapist and service users | 16/17: Complete | |
| | | Provide extended access to Bibliotherapy services by increasing number of groups areas across Midlothian | 16/17: On Target | |
| | | Provide bibliotherapy | 16/17: Off Target | |

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| | | sessions across Midlothian in a range of venues | | |
| In Midlothian, council services meet the needs of all members of the community | Complete Neighbourhood Plans in all of the 16 Community Council areas. Agree a schedule of Neighbourhood Plan reviews | Each of the Neighbourhood Plans can demonstrate 3 tangible improvements as result of the process | 16/17: On Target | All |
| | Provide support to Third Sector and community groups, increase the capacity of Community Councils to involve a wide cross section of the community | Community Councils to adopt new constitutions that enable 16-18 year olds to become members. Undertake a pilot with 3 of the Community Councils, to increase the involvement of young people. Each pilot to increase the number of young people by 75% | 16/17: On Target | |
| | Undertake the Citizens Panel survey as a way of informing service development and delivery | Complete two citizen panel surveys with a response rate of at least 60% | 16/17: On Target The Summer Survey was distributed to panel members 612 from 1,000 responded. | |
| | Test new approaches to funding that enable more community involvement in | Attract external funding to test at least 2 new approaches that enable | 16/17: On Target External funding attracted from Scottish Government | |

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| | budgeting decisions | public engagement in the decision making processes | and Coalfield Regeneration Trust | |
| | Provide bespoke support and training to social enterprises and establish new social enterprises that reflect the social needs of Midlothian | Provide 1-2-1 support for 20 social enterprises and 5 networking events | 16/17: On Target 18 social enterprises given 1-2-1 support and 3 networking events. | |
| | Establish clear processes for community groups to make access the CPP decision making as part of the Community Empowerment Act | To produce new guidance and processes for Participation Requests. Test and refine the process based on feedback | H1 16/17: Data Only Delayed due to preparation for inspection | |

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| SMP/LOIP Outcome/(s) for Sustainable Growth | <ul style="list-style-type: none"> • New jobs and businesses are located in Midlothian • Midlothian's economic growth rate consistently outperforms the Scottish average • Midlothian is an attractive place to live work and invest in • The gap between average earnings of those living and working in Midlothian and the Scottish average has decreased • Environmental limits are better respected , in relation to waste , transport, climate change and biodiversity • More social housing has been provided taking account of local demand • Homelessness has reduced and people threatened with homelessness can access advice and support services | | | |
|--|---|-------------------------------|---|-----------------------------------|
| Equality Outcomes | Action(s) | Performance Indicator (PI) | Progress 2015 - 2017 | Equality Protected Characteristic |
| <p>In Midlothian everyone has access to quality sustainable housing</p> <p>In Midlothian people with particular needs are able to get and sustain their choice of housing including independent living</p> <p>In Midlothian there will be increased housing supply and improved access to housing including affordable housing</p> | In partnership between Council, RSL (Register of Social Landlords) and private developers, deliver new affordable homes. | Number of new homes completed | 16/17: Off Target. 28 units built/acquired | All |

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| | Investigate accelerated development of affordable housing via use of innovative approaches | Number of units currently under construction | 16/17: Data Only Two projects which do not require subsidy being built in Dalkeith and Bonnyrigg. | |
| | | Number of Units complete | 16/17: No Data Available | |
| | Develop affordable housing to meet specialist provision | Complete 12 unit complex care development as part of special needs programme | 16/17: On Target Units are currently under construction. | |
| | | Number of other special provisions complete | 16/17: On Target Two wheelchair accessible houses currently under construction in Loanhead and Gorebridge | |
| | Increase the support to young people through the Youth Homelessness Prevention Service | % of young people approaching youth homeless prevention (YHP) service that go on to present as homeless | 16/17: On Target This service continues to prevent homelessness amongst 16-25 year old group, demonstrating positive housing outcomes. | |
| | Deliver online housing options and advice to improve availability of tailored information and advice | Number of households using (YHP) service per annum | 16/17: Data Only This service continues to prevent homelessness amongst 16-25 year old group, demonstrating positive housing | |

Midlothian Council Equality Outcomes Progress Report 2015 – 2017

| | | | | |
|--|---|--|--|--|
| | | | outcomes. | |
| | Deliver "Leaving Home" education programme in schools | Number of secondary schools engaged in Education Programme | 16/17: Complete Midlothian Council have engaged all six mainstream high schools in the Housing Education Programme – delivering key sessions to three year groups; S2, S4 and S6. The number of sessions delivered, in total, can vary between 100 and 120 per academic year (depending on the class composition) | |
| SMP/LOIP Outcome/(s) for Overall Equality | Equality, Diversity and Human Rights are cross-cutting and underpin all that the Community Planning Partnership does, plans and provides. The Equality Act 2010 & Public Sector Equality Duty requires public organisations, both as an employer and in the planning and delivery of services to have due regard to the need to (1) eliminate unlawful discrimination, harassment and victimisation, (2) advance equality of opportunity and (3) foster good relations between people who share a protected characteristic and those who do not. | | | |
| Equality Outcomes | Action(s) | Performance Indicator (PI) | Progress 2015 - 2017 | Equality Protected Characteristic |
| Midlothian Council is a workplace free of discrimination, harassment and victimisation | Develop an Equality in Employment Action Plan to include the following: <ul style="list-style-type: none"> Gender-based Violence Workplace Policy | Actions within the plan completed/enacted | Work in progress on all actions | All |

Midlothian Council Equality Outcomes Progress Report 2015 – 2017

| | | | | |
|---|--|---|--------------------------------|---|
| <p>Midlothian Council will continue to work to eliminate any gender pay gap between employees</p> <p>Midlothian Council will have a range of flexible working policies in line with business need</p> | <ul style="list-style-type: none"> • Disability Confident Scheme • Healthy Workplace • Stonewall Champions • Living Wage • Gender Pay Gap • Employee Monitoring • Mental Health Strategy • Updating HR policies | | | |
| <p>Midlothian Council Procurement practices ensure equality is a core part of service delivery and employment</p> | <p>Introduction of a new Procurement Strategy</p> | <p>Work to start on performance indicators 2017</p> | | |
| <p>Midlothian Council will meet its responsibilities under the Equality Act 2010</p> | <ul style="list-style-type: none"> • Report progress on mainstreaming the equality duty; • Publish equality outcomes and report progress; • Assess and review policies and practices; • Gather and use employee information; • Publish gender pay | <p>Report as required in 2017, 2019 and 2021</p> | <p>16/17: On Target</p> | <p>All (as below)</p> <ul style="list-style-type: none"> • Age • Disability • Gender re-assignment • Marriage & Civil Partnership • Pregnancy & Maternity • Race • Religion or belief • Sex |

Midlothian Council Equality Outcomes Progress Report 2015 – 2017

| | | | | |
|--|---|--|--|---|
| | <p>gap information;</p> <ul style="list-style-type: none">• Publish statements on equal pay, etc;• Consider award criteria and conditions in relation to public procurement;• Publish in a manner that is accessible, etc | | | <ul style="list-style-type: none">• Sexual Orientation• Poor socio-economic status |
|--|---|--|--|---|

4.0 Next Steps

- 4.1 The new Equality Plan 2017 – 2021 which will include new and revised equality outcomes and proposed mainstreaming activities will be published in draft by 30 April 2017.
- 4.2 This Plan will go to the newly elected Midlothian Council for approval on 27 June 2017.
- 4.3 During the period 30 April – 31 May this Plan will be open for consultation.
- 4.4 Progress on this new Plan will be reported by 30 April 2019 and 30 April 2021.
- 4.5 This new Equality Plan will continue and develop further the commitment the Council has to equality, diversity and human rights with the aim of further:
 - Embedding a culture where respect, choice and understanding is fostered and diversity positively valued;
 - Creating an environment where unlawful discrimination, harassment, victimisation or bullying is not tolerated;
 - Understanding and addressing the needs of different groups; and
 - Implanting the equality agenda in all that we provide and do to ensure that all people, irrespective of their age, disability, gender reassignment, marriage or civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation or socio economic status have the same opportunity to live and flourish within our communities

5.0 Contact Details

- 5.1 Should you wish to get in touch regarding this report, the equality mainstreaming progress report or new Equality Plan 2017 – 2021 please do so by post to:

Lesley Crozier
Equality, Diversity & Human Rights Officer
Midlothian Council
1st Floor, Midlothian House
Buccleuch Street
DALKEITH
EH22 1DN

Email to:

Lesley.crozier@midlothian.gov.uk or equalities@midlothian.gov.uk

Telephone to:

0131 271 3658

6.0 Alternative Formats

- 6.1 This document can be made available in different formats and in different languages. If you would like a copy in another language or format, please email equalities@midlothian.gov.uk or telephone 0131 271 3658

Election of Elected Member Equality Champion

Report by Kenneth Lawrie, Chief Executive

1 Purpose of Report

The purpose of this report is to invite Council to nominate an Elected Member as the Equality Champion for Midlothian Council.

2 Background

2.1 The Equality Act 2010 was introduced to help make Britain a fairer society.

2.2 The Act places particular duties on public authorities such as local authorities to reflect the pivotal role they can play in dismantling inequality and driving up positive outcomes for all.

2.3 The Public Sector Equality Duty (PSED) (sometimes referred to as the General Equality Duty (GED)) came into force on 05 April 2011 and covers the 'protected characteristics' of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. In addition, later in 2017 the socio-economic duty will be enacted.

2.4 Those bodies subject to the PSED are required to demonstrate 'due regard' to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and any other conduct prohibited under the act;
- Advance equality of opportunity between persons who share a relevant protected characteristic and those who do not share it; and
- Foster good relations between persons who share a relevant protected characteristic and those who do not share it

2.4 To assist public bodies in meeting the PSED, further Scottish specific duties came into force on 27 May 2012 and require listed authorities to carry out the following activities:

- Report on the mainstreaming the equality duty;
- Publish equality Outcomes and report progress;
- Assess and review policies and practices;
- Gather and use employee information;
- Publish gender pay gap information;
- Publish statements on equal pay; and
- Consider award criteria and conditions in relation to public procurement

- 2.5** All local authorities, Education authorities, and Licensing Boards are covered by the general and specific duties. Council approved the first Midlothian Equality Outcome & Mainstreaming Report 2013 – 2017 on 14 May 2013, and today are being asked to note the contents of the Midlothian Equality Plan 2017 – 2021 & Midlothian Equality Outcomes and Mainstreaming Progress Reports 2015 – 2017.
- 2.6** The Equality & Human Rights Commission (EHRC) is keen to see that public authorities are making good progress in embedding the equality duties in all their day-to-day work. The PSED represents a positive opportunity for Elected Members as public authority leaders to ensure that they make better decisions based on robust evidence.
- 2.7** Accordingly, Elected Members have an important role to play in championing equality within Councils, as well as a scrutiny role to ensure that equality considerations are included in the decision making and governance of the Council.
- 2.8** Further, Elected Member Equality Champions demonstrates senior leadership and support for equality and diversity matters and initiatives.
- 2.9** There is strong support for local authorities to have Equality Champions by the Equality & Human Rights Commission.
- 2.10** On 25 March 2014 Midlothian Council nominated its first Elected Member Equality Champion.
- 2.11** A nomination is now required for the new Council following the Local Government Election in May 2017.

3 Report Implications

3.1 Resource

Resource required would be Elected Member time to carry out the following duties:

- Attending equality related community events (approximately 4 to 6 per annum);
- Act as an Elected member spokesperson for equality related issues as required;
- Promoting equality issues within the Council and external community; and
- Attend Midlothian Peoples Equality Group (MPEG) meetings

Support and guidance for these duties would be provided by the Council's Corporate Equality, Diversity & Human Rights Officer and Equalities Engagement Officer (community events and MPEG).

3.2 Risk

The Council has a statutory duty to comply with the Equality Act 2012 and The Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012, 2015 and 2016. Appointment of an Elected Member Equality Champion is considered good practice by the Equality and Human Rights Commission as Equality Champions demonstrate senior leadership and support for equality and diversity matters and initiatives within an organisation. Appointment of an Equality Champion would demonstrate good practice in this field.

3.3 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

3.4 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 learning outcomes
- Reducing the gap in health outcomes
- Reducing the gap in economic circumstance

Equality, diversity and human rights underpin all three priorities.

3.5 Impact on Performance and Outcomes

Not applicable

3.6 Adopting a Preventative Approach

By adopting a pro-active approach to equality, diversity and human rights a preventative approach will be engendered.

3.7 Involving Communities and Other Stakeholders

The recommendations within this report would benefit all those within Midlothian.

3.8 Ensuring Equalities

The recommendations within this report relate to an appointment that would ensure best practice and compliance with the Equality Act 2012 and The Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012, 2015 and 2016.

3.9 Supporting Sustainable Development

If adopted, the recommendations within this report will contribute to a sustainable approach to the continuous improvement of equality, diversity and human rights within Midlothian.

3.10 IT Issues

There are no IT issues arising from this report.

4. Summary

- 4.1** Appointment of an Elected Member Equality Champion is considered good practice by the Equality and Human Rights Commission as Equality Champions demonstrate senior leadership and support for equality and diversity matters and initiatives within an organisation. The appointment of an Equality Champion would demonstrate good practice in this field.

5. Recommendations

Council is invited to:

- 5.1** Appoint an Elected Member to be the Midlothian Council Equality Champion; and
- 5.2** Agree the role for the Equality Champion as set out under item 3.1 of this report.

| | |
|---------------------------|--|
| Date: | 17 August 2017 |
| Report Contact: | Lesley N Crozier, Equality, Diversity & Human Rights Officer |
| Tel Number: | 0131 271 3658 |
| Email: | lesley.crozier@midlothian.gov.uk |
| Background Papers: | None |

Financial Monitoring 2017/18 – General Fund Revenue

Report by Gary Fairley, Head of Finance and Integrated Service Support

1 Purpose of Report

The purpose of this report is to provide Council with information on performance against revenue budget in 2017/18 and details of the material variances.

2 Background

2.1 Budget Performance

The projected budget performance figures shown in appendix 1 result in a net overspend of £2.153 million for the year which is 1.04% of the revised budget.

The main areas of variance are outlined below:

Pressures

- A provision for an additional contribution to the Midlothian Integration Joint Board reflecting demand led pressures in delegated Adult Social Care services, particularly the Community Care Resource Panel and in Home Care packages. They are currently projected to overspend by £1.183 million but this can be volatile given the fluidity of demand and potential high value of individual packages of care;
- Additional running costs for Care Homes for Older people of £0.266 million;
- Achievement of Council Transformation Targets for Integrated Service Support, Procurement savings, Customer Services and for tactical reductions in contracted hours has slipped and is projected to overspend by £0.859 million;
- In setting the 2017/18 budget Council agreed a package of operational and service cost reductions and income generation measures. There is currently projected to be £0.383 million of slippage to future financial years in delivering these. This may change over the course of the year;
- Demand led pressures in Children's Services of £0.237 million, particularly in non-residential commissioned services. The Children's Services budget has been reducing steadily in recent years due to transformational activity;
- Slippage in the opening of Pentland House which has put additional pressure on Bed and Breakfast budgets for Homeless clients. An overspend of £0.208 million is currently projected.

Favourable Movements

- Costs associated with PPP contracts are £0.302 million less than budgeted due to one-off rebates and lower than expected inflation;
- A continued growth of properties in Midlothian will generate an improvement on budget of £0.250 million for Council Tax Income;
- Slippage in external borrowing requirement and lower than expected borrowing rates gives rise to an underspend of £0.146 million.

Detailed information on material variances is contained in appendix 2 which identifies each variance, explains why it happened, outlines what action is being taken to control variances and details the impact of that action.

2.2 Delegation of resources to Midlothian Integration Joint Board

The approved budget provided for the allocation of £37.510 million to the Midlothian Integration Joint Board (MIJB) for the provision of delegated services. As reported to Council on 23 May 2017 this is supplemented by a one off allocation of £1.180 million as part of the year end flexibility arrangements. In addition there have been minor virements which reduce the budget by £0.086 million and which results in a projected revised allocation to the Board of £38.604 million.

The projected outturn indicates expenditure of £39.864 million which represents an overspend in respect of services delegated by the Council of £1.260 million. Whilst the Integration Scheme sets out the mechanism for addressing an overspend position by the MIJB it is considered prudent, given that the MIJB has no reserves, to reflect in the monitoring the impact an additional contribution from the Council to meet the projected overspend.

2.3 Council Transformation Programme

Council approved utilisation of £7.718 million of General Fund Reserve to fund costs associated with the ongoing transformation programme.

At the report date £3.411 million of this has been applied with future commitments of £0.489 million identified for 2018/19. This leaves £3.818 million as uncommitted.

2.4 General Fund Reserve

The projected balance on the General Fund as at 31 March 2018 is as follows:

| | £ million | £ million |
|--|-----------|---------------|
| Reserve as at 1 April 2017 | | 17.651 |
| Less earmarked reserves utilised in 2017/18 | | (5.084) |
| General Reserve at 1 April 2017 | | 12.567 |
| <i>Planned movements in reserves</i> | | |
| Planned Utilisation | (3.970) | |
| Supplementary Estimate | (0.058) | |
| Council Transformation Programme Costs | (0.300) | |
| One-off costs of VSER | (0.089) | |
| Other | 0.073 | |
| | | (4.344) |
| Overspend per appendix 1 | | (2.153) |
| General Fund Balance at 31 March 2018 | | 6.070 |

An element of the General Fund is earmarked for specific purposes and this is shown below:

| | £ million |
|--|--------------|
| General Fund Balance at 31 March 2018 | 6.070 |
| <i>Earmarked for specific purposes</i> | |
| Budgets earmarked for Council Transformation | (3.818) |
| General Reserve at 31 March 2018 | 2.252 |

The uncommitted General Fund Reserve at 31 March 2018 is £2.252 million. The impact of projected financial performance for 2017/18 will be considered in the context of the future financial challenge the Council faces in the next Financial Strategy report which will be presented to Council in September.

A prudent level of uncommitted reserves is seen to be between 2% and 4% of net expenditure which equates to between approximately £4 million and £8 million. The General Reserve projected is below this level and there may be additional one-off costs associated with service transformation and workforce reduction which could further reduce the available reserve. There is also a risk that the reserve is required as a buffer to offset further slippage in the achievement of planned savings.

3 Report Implications

3.1 Resource

The projected performance against budget set out in this report presents the initial projections for the year. Work continues within the Directorates to reduce projected overspends and to progress the delivery of approved savings.

Whilst this report deals with financial issues there are no financial implications arising directly from it.

3.2 Risk

Section 95 of the Local Government (Scotland) Act 1973 requires all Local Authorities in Scotland to have adequate systems and controls in place to ensure the proper administration of their financial affairs.

The assessment of performance against budgets by services is underpinned by comprehensive financial management and budgetary control arrangements. These arrangements are central to the mitigation of financial risk.

Ensuring that adequate systems and controls are in place minimises the risk of significant variances arising, and where they do arise they help to ensure that they are identified and reported on and that appropriate remedial action is taken where possible. The primary purpose of this report is to provide an assessment of performance for the full year based on activity in the first quarter of the year. The material variances detailed in appendix 2 highlight that the financial management and budgetary control arrangements require continual review and enhancement if financial risk is to be effectively mitigated during the year.

3.3 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

3.4 Impact on Performance and Outcomes

The decisions taken to balance the budget will have fundamental implications for service performance and outcomes. The Council's Transformation Programme aims to minimise the impact on priority services.

3.5 Adopting a Preventative Approach

The proposals in this report do not directly impact on the adoption of a preventative approach.

3.6 Involving Communities and Other Stakeholders

No consultation was required.

3.7 Ensuring Equalities

There are no equality implications arising directly from this report.

3.8 Supporting Sustainable Development

There are no sustainability issues arising from this report.

3.9 IT Issues

There are no IT implications arising from this report.

4 Recommendations

It is recommended that Council:

- a)** Note the contents of the report;
- b)** Note that along with the Chief Executive assurance is being sought from Heads of Service that remedial action is being taken to address the projected overspend set out in appendix 2;
- c)** Consider the financial position in the context of the next Financial Strategy report scheduled to be presented to Council on 26th September 2017.

16th August 2017

Report Contact:

David Gladwin Tel No 0131 271 3113

E mail david.gladwin@midlothian.gov.uk

Background Papers:

Appendix 1

GENERAL FUND OVERVIEW 2017/18

| Function | Revised Budget £ | Outturn £ | (Underspend) / Overspend £ |
|---|------------------------|--------------------|----------------------------------|
| Management | 1,627,215 | 1,627,215 | 0 |
| <u>Education Communities and Economy</u> | | | |
| Childrens Services | 14,698,564 | 14,935,564 | 237,000 |
| Communities and Economy | 4,365,985 | 4,393,985 | 28,000 |
| Education | 87,174,393 | 86,855,393 | (319,000) |
| <u>Health and Social Care</u> | | | |
| Midlothian Integrated Joint Board - Adult Social Care | 38,603,803 | 39,863,803 | 1,260,000 |
| Customer and Housing Services | 11,198,429 | 11,242,429 | 44,000 |
| <u>Resources</u> | | | |
| Commercial Services | 15,564,581 | 15,699,581 | 135,000 |
| Finance and Integrated Service Support | 12,508,897 | 12,562,897 | 54,000 |
| Properties and Facilities Management | 13,194,705 | 13,439,705 | 245,000 |
| Lothian Valuation Joint Board | 555,551 | 561,551 | 6,000 |
| Central Costs | 2,416,372 | 2,416,372 | 0 |
| Non Distributable Costs | 1,338,436 | 1,338,436 | 0 |
| GENERAL FUND SERVICES NET EXPENDITURE | 203,246,931 | 204,936,931 | 1,690,000 |
| Loan Charges | 7,407,639 | 7,261,639 | (146,000) |
| Investment Income | (300,475) | (300,475) | 0 |
| Council Transformation Programme savings target | (1,818,703) | (959,703) | 859,000 |
| Allocations to HRA, Capital Account etc. | (4,781,596) | (4,781,596) | 0 |
| | 203,753,796 | 206,156,796 | 2,403,000 |
| less Funding: | | | |
| Scottish Government Grant | 149,692,000 | 149,692,000 | 0 |
| Council Tax | 45,004,000 | 45,254,000 | (250,000) |
| Utilisation of Reserves | 9,057,796 | 11,210,796 | 2,153,000 |

Financial Monitoring 2017/18 – General Fund Revenue – Material Variances**Education, Communities and Economy****Children's Services**

| Description of Variance | Reason for Variance | Quarter 1 £000 | Additional information / Action taken |
|---|--|---------------------------|---|
| Non-Residential services commissioned and provided for children with and without disabilities | Higher than anticipated levels of demand for Respite, Direct Payments and Taxi Services commissioned for children with disabilities. There is also a projected overspend on respite services commissioned for children without disabilities. | 189 | The causes and trends underlying this variance will be analysed and addressed in the 2018/19 budget setting process. |
| Residential and Day Education Placements | The forecast requirement for residential placements is higher than anticipated and provided for in the budget. Demand for new placements, particularly expensive secure accommodation has been high for the first quarter of the financial year. | 49 | This represents a 2% overspend on the Multi-Agency Resource Group budget of £3 million. The budget has been substantially reduced from £3.9 million in 2016/17 reflecting Council Transformation activity. The group continues to challenge new demand to keep costs under control and has recently been successful in its work to progress children in secure placements to allow them to move to other forms of care. |
| Gross Overspend | | 238 | |
| <i>Offset by:</i> | | | |
| Other non-material variances | Miscellaneous over and underspends covering the remaining areas of the Children's Services budget. | (1) | No impact on frontline service. |
| Net Overspend | | 237 | |

Communities and Economy

| Description of Variance | Reason for Variance | Quarter 1 £000 | Additional information / Action taken |
|------------------------------------|--|-------------------|--|
| Midlothian Local Development Plan | The estimate of the costs of the required public examination of the LDP by Scottish Government reporter was lower than the expected final outturn. The variable being the number and complexity of unresolved objections to the LDP. | 38 | One-off financial pressure associated with completing the 2014 Plan. |
| Charging for Section 75 Agreements | Charging for Section 75 Agreements was approved by Council when setting the 2017/18 budget. Processes to allow this to happen are still under development so the 2017/18 savings target will not be achieved in full. | 20 | Appointment of section 75 compliance officer in July 2017 provided the resource to enable the charging arrangements to commence. |
| Landlord Registration Income | Landlord registrations are renewable on a 3 year cycle. Fewer registrations are due to be renewed in 2017/18 than budgeted. | 19 | |
| Other non-material variances | Miscellaneous over and underspends covering the remaining areas of the Service budget. | 15 | |
| Gross Overspend | | 92 | |
| <i>Offset by:</i> | | | |
| Vacancies and Performance Factor | The number of vacancies across the service exceeds the performance factor. | (64) | |
| Net Overspend | | 28 | |

Education

| Description of Variance | Reason for Variance | Quarter 1 £000 | Additional information / Action taken |
|--|---|-------------------|--|
| Lifelong Learning and Employability Income | There is a projected under recovery of income as a result of lower contract values awarded and a withdrawal of funding from the Big Lottery in 2017/18. | 63 | There will be a focus on reducing expenditure throughout the service in order to minimise the impact of reduced income values. |
| Gross Overspend | | 63 | |
| <i>Offset by:</i> | | | |
| PPP Contracts | Insurance costs are lower than provided for in the contract which leads to a refund from the contractor. | (182) | Windfall Income. This is the consequence an annual review for PPP2 (£83,000) and a 5-yearly review for PPP1 (£99,000). |
| | Contractual refund of funding paid to cover reparation of malicious damage that was not utilised. | (65) | Assumptions regarding performance reductions will be checked and updated during the development of the 2018/19 budget. |
| | The rate of inflation applied to contracts was lower than provided for in the budget. | (55) | Inflation assumptions will be reviewed during development of the 2018/19 budget. |
| Other non-material variances | Miscellaneous over and underspends covering the remaining areas of the Education Service budget. | (80) | No impact on frontline service. |
| Net Underspend | | (319) | |

Health and Social Care

A provision for an additional allocation for services Delegated to Midlothian Integration Joint Board - Adult Social Care

| Description of Variance | Reason for Variance | Quarter 1 £000 | Additional information / Action taken |
|---|---|---------------------------|---|
| Community Care Resource Panel | Assessed needs are currently more than budgeted. The budget amounts to around £32m, is demand led and subject to demographic pressures. Individual packages of care are sometimes in excess of £100k per annum and as a consequence projections in this area can be volatile. | 792 | An overspend position at the end of the previous financial year alongside additional savings targets remain a challenge to meet .However the Realistic Care, Realistic Expectations work stream continues to monitor savings delivery. A Review Team is in place and is assessing existing packages of care, with a view to reducing the existing level of commitments whilst still meeting critical and substantial need. The implementation of two new policies, Fair Access to Care and Transport will ensure transparency and equity in this process. |
| Home Care / Midlothian Enhanced Rapid Response and Intervention Team (MERRIT) | Additional employee costs due to the volume of care packages being provided. | 391 | <p>The ongoing challenges in external providers delivering sufficient capacity to meet growing needs has resulted in additional hours needing to be delivered within Homecare and MERRIT to support hospital discharge and admission avoidance. Whilst noting that this is a more expensive solution, the overspend is being offset by the unfilled contracted hours of the external providers.</p> <p>A review of care at home is in progress and is also being supported by an external procurement process that will result in additional care at home capacity from October onwards, which will reduce internal delivery costs.</p> |
| Care Homes for Older People | Overspend on staffing costs to cover gaps in the rota at Newbyres (£195k) and Highbank (£71k). | 266 | <p>The levels of sickness absence within Newbyres and Highbank is driving the overspend within the agreed budgets. This is being addressed with support from HR through absence management panels and identifying agreed action plans to support staff to return to work.</p> <p>A planned service review within Highbank will be undertaken</p> |

| Description of Variance | Reason for Variance | Quarter 1 £000 | Additional information / Action taken |
|--|---|-------------------|--|
| | | | over the next two months and will support a move towards development of a new model of staffing and care delivery within agreed budgets. Further work will be done to expand the locum bureau to avoid the ongoing need for agency staff. |
| Non-achievement of management review saving | Delays in implementing a new management structure across Health and Social Care. | 55 | The revised management structure will be presented to Midlothian Partnership Forum on 16/08/17 and this will be followed by a consultation process with staff. |
| Other non-material variances | Miscellaneous over and underspends covering the remaining areas of the Adult and Social Care budget. | 40 | No impact on frontline service. |
| Gross Overspend | | 1,544 | |
| <i>Offset by:</i> | | | |
| Public Protection | Scottish Government funding provided specifically for Adult Support and Protection requirements. Some spend relevant to this funding is in the form of care packages and is met from the resource panel budget. | (159) | No impact on frontline service but underspend offsets care and support costs related to protection issues. |
| Criminal Justice | An element of the Scottish Government funding is used to fund the management and administration of this service. | (65) | No impact on frontline service. |
| Cherry Road, Community Access Team, Shared Lives | An underspend on supplies and services. | (60) | No impact on frontline service. |
| Net Overspend | | 1,260 | |

Customer and Housing Services

| Description of Variance | Reason for Variance | Quarter 1 £000 | Additional information / Action taken |
|------------------------------|---|-------------------|--|
| Homelessness accommodation | Specialist treatment required in the conversion works to reuse Pentland House have led to delays in the project, with completion now anticipated to be 31 st July 2017. The full saving on the Bed and Breakfast budget will therefore not be made | 208 | The budget provided for an average 36 B and B places per week. Average occupancy is currently 69 places. |
| Gross Overspend | | 208 | |
| <i>Offset by:</i> | | | |
| Revenues Service Vacancies | There have been a number of vacancies and also maternity savings resulting in a projected underspend within the revenues processing team. | (74) | No impact on frontline service. |
| Customer Services Vacancies | There are still a number of posts to be filled following the recent review of the service, it is anticipated they will be filled imminently. | (54) | No impact on frontline service. |
| Community Safety Staffing | Projected saving as a result of not backfilling maternity absence. | (27) | No impact on frontline service. |
| Other non-material variances | Miscellaneous over and underspends covering the remaining areas of the Customer and Housing Services budget. | (9) | No impact on frontline service. |
| Net Overspend | | 44 | |

Resources

Commercial Services

| Description of Variance | Reason for Variance | Quarter 1 £000 | Additional information / Action taken |
|--|---|-------------------|---|
| Review of travel arrangements associated with the grey fleet. | A budget reduction of £150,000 in 2017/18 was approved. At this stage it is anticipated that savings will commence in 2018/19. | 150 | Work is underway to develop options and plans. The financial impact of these will be picked up in due course. |
| Commercial Operations Service Review | A budget reduction of £250,000 in 2017/18 was approved. The review is underway but will only part deliver planned savings in 2017/18. | 60 | It is anticipated that the full saving will be achieved in 2018/19. |
| Trade Waste Charges | A 10% price increase was approved for 2017/18 and was expected to generate an additional £30,000 of income. Subsequently the customer base reduced and this will result in less income being generated than expected. | 18 | The service continues to look to attract new customers. |
| Review the number of Football Pitches | A budget reduction of £10,000 in 2017/18 was approved. At this stage it is projected that the review will not yield any savings in 2017/18. | 10 | Review work is underway and the financial impact of this will be picked up in due course. |
| Review of financial contribution to Pentland Hills Regional Park | A budget reduction of £20,000 in 2017/18 was approved. The full impact of this saving will not be achieved in 2017/18. | 5 | It is anticipated that the full saving will be achieved in 2018/19. |
| Gross Overspend | | 243 | |
| <i>Offset by:</i> | | | |
| Waste Disposal Charges | Tonnages in the early part of the year are lower than expected. | (78) | Volume of tonnage can be volatile. |
| Roads Services Income | Income generated from new developments and TTROs is anticipated to exceed budget | (30) | Budget will continue to be monitored and will be reviewed if sustainable in the longer term. |
| Net Overspend | | 135 | |

Finance and Integrated Service Support

| Description of Variance | Reason for Variance | Quarter 1 £000 | Additional information / Action taken |
|-------------------------------------|--|-------------------|--|
| Employee Performance Factor | The performance factor for the service is £466,000. At this time predicted vacancies and other staffing variations will not fully offset this giving rise to an overspend. | 135 | Only essential vacancies are filled and work continues to explore opportunities to reduce this overspend. |
| Central Postages and printing costs | The volume of postages and printing exceeds budget. | 60 | A review of activity is underway with the aim of minimising volumes and reducing reliance on paper in accordance with EWIM principles. |
| External Legal Fees | Continuing costs associated with residual equal pay and other staffing related cases, the continued high incidence of children's permanence cases, a rise in the costs of curators fees associated with permanence cases and occasional complex one-off cases. | 30 | <p>The residual legal issues relating to Equal Pay claims are intended to be brought in-house during 2017/18.</p> <p>Children's permanence cases have now been brought in-house although there will be a number of legacy cases to be completed by external solicitors.</p> <p>A registration scheme has been implemented to employ curators on a lower fee basis than previously charged.</p> |
| Bank Charges | The shift towards electronic payments has led to increased transaction costs. | 25 | A review of bank charges is underway with the aim of negotiating lower rates with service providers. |
| Gross Overspend | | 250 | |
| <i>Offset by:</i> | | | |
| Digital Costs | The anticipated cost of equipment and support costs is lower than budgeted. | (109) | Future year budgets will be reviewed. |
| Disclosure Scotland Fees | Anticipated costs in 2017/18 are lower than budgeted. | (28) | Future year budgets will be reviewed. |
| Archiving | Anticipated costs in 2017/18 are lower than budgeted. | (25) | Costs are expected to increase in future years as the facility is used more. |
| Other non-material variances | Miscellaneous over and underspends covering the remaining areas of the Finance and Integrated Service Support budget. | (34) | |
| Net Overspend | | 54 | |

Properties and Facilities Management

| Description of Variance | Reason for Variance | Quarter 1 £000 | Additional information / Action taken |
|---|--|---------------------------|---|
| EWiM planned building closures | Evolving plans for buildings that were planned to be sold or demolished through approved EWiM projects have resulted in anticipated revenue savings not materialising. | 95 | Ongoing costs associated with evolving plans will be reported to Council in due course. |
| Properties and Facilities Management Service Review | A budget reduction of £60,000 in 2017/18 was approved. The review is underway but at this stage it is not anticipated that the full saving will accrue in 2017/18. | 60 | It is anticipated that the full saving will be achieved in 2018/19. |
| Public Toilet Provision | A budget reduction of £40,000 in 2017/18 was approved. At this stage it is not anticipated that the full savings will be achieved in 2017/18. | 40 | An options paper to deliver this saving will be presented to Council in due course. |
| Closure of Penicuik Town Hall | A budget reduction of £30,000 in 2017/18 was approved. This has been delayed due to grant funding approvals for external refurbishment works. | 30 | |
| Review of Facilities Management Officers | A budget reduction of £40,000 in 2017/18 was approved by Council. This will be achieved in part in 2017/18. | 20 | It is anticipated that the full saving will be achieved in 2018/19. |
| Gross Overspend | | 245 | |

Other

| Description of Variance | Reason for Variance | Quarter 1 £000 | Additional Information / Action taken |
|--|---|---------------------------|--|
| Loan Charges | Slippage in the plan has resulted in a lower value of borrowing than planned for. In addition borrowing both on a short term and long term basis has been sourced at lower rates than expected at the time of setting the 2017/18 budget. | (146) | |
| Transformation Savings – Integrated Service Support | A Target of £1.122 million of savings was set for 2017/18 which consisted of slippage from previous years and also an additional target for 2017/18. A large part of this target is on course to be delivered in 2017/18 but not all of it. | 345 | The shortfall in delivery will be achieved in 2018/19. |
| Transformation Savings - Procurement | A target of £0.350 million for procurement savings was set for 2017/18 which reflected slippage in targeted savings for previous years. It is projected that £0.100 million of this will be achieved. | 250 | Continuing inflationary pressures are such that it is challenging to secure budget reductions as contracts are being re-tendered. The Contract Delivery Plan is currently being refreshed and this may identify further savings in 2017/18. Contract savings have been made or are planned for 2017/18 which impact on the Capital Account and the Housing Revenue Account. |
| Transformation Savings – Customer Services | A target of £0.295 million of savings was set for 2017/18 which reflected slippage in targeted savings from previous years and also an additional target for 2017/18. It is projected that £0.181 million will be achieved in 2017/18. | 114 | The shortfall in delivery will be delayed until 2018/19 with a further update on deliverability at quarter 2. |
| Transformation Savings – Tactical Reductions in contracted hours | The target of £0.150 million will not been achieved in 2017/18 | 150 | Progress in taking forward a voluntary reduction in hours initiative and promoting flexible retirement options have been delayed. |
| Council Tax Income | A continued growth in Band D equivalents results in a higher than budgeted Council Tax yield. | (250) | The continued growth in Band D equivalents will be factored into Council Tax income budgets for future years. |

**Housing Revenue Account
Revenue Budget and Capital Plan 2017/18****Report by Gary Fairley, Head of Finance and Integrated Service Support****1 Purpose of Report**

The purpose of this report is to provide Council with a summary of expenditure and income to 7th July 2017 for the Capital Plan and a projected outturn for both the Housing Revenue Account (HRA) and Capital Plan for 2017/18.

2 Background**2.1 Capital Plan 2017/18**

The Capital Plan Budget has been revised to reflect the current profile of spend as shown in appendix 1 and there are no material variances to be reported at this stage.

2.2 Revenue Account 2017/18

For 2017/18 there is currently a projected underspend of £0.973 million against budget, as shown in appendix 2, this is due to:-

- Lower demand for reactive repairs due to continuous capital investment in existing stock will result in a projected underspend on repairs of £0.507 million;
- Rephasing of the capital plan and favourable interest rates will result in an underspend on debt charges of £0.249 million;
- The provision for bad debts due to Universal Credit is not anticipated to be as high as expected resulting in an underspend of £0.222 million;
- Private Registered Social Landlord properties not budgeted for resulting in additional service charge income of £0.234 million.

Offset by:-

- Higher than projected right to buy sales and rephasing of housing stock will reduce the level of rents received by £0.313 million.

The HRA reserve balance is projected to be £34.357 million at 31st March 2018. The longer term financial projections demonstrate that the majority of this will be required to finance existing investment commitments to 2031/32. However a more comprehensive review of the model is underway and will be reported to Council later in the year.

3 Report Implications

3.1 Resource

There are no direct resource implications arising from this report.

3.2 Risk

The principal risks are around the issue of affordability, ensuring that the investment in new build and the existing stock can be made without having to impose unacceptable increases on weekly rents.

Whilst the HRA reserve balance is projected to be £34.357 million at 31 March 2018, the longer term financial projections demonstrate that the majority of this will be required to finance existing investment commitments.

3.3 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

3.4 Impact on Performance and Outcomes

This report links to the Corporate Priority 1a. "Provide quality, affordable housing including increasing homelessness accommodation".

3.5 Adopting a Preventative Approach

There are no issues arising directly from this report.

3.6 Involving Communities and Other Stakeholders

No external consultation has taken place on this report.

3.7 Ensuring Equalities

There are no equality issues arising directly from this report.

3.8 Supporting Sustainable Development

There are no sustainability issues arising from this report.

3.9 IT Issues

There are no IT issues arising directly from this report.

4 Summary

The summarised projected financial performance for 2017/18 is:

- Capital Expenditure of £22.206 million;
- A net underspend of £0.973 million on the Revenue Account;
- The HRA reserve at 31st March 2018 is projected of £34.357 million.

5 Recommendations

Council is recommended to note the contents of this report.

Date 3rd August 2017

Report Contact:

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Background Papers: HRA Capital Plan and Revenue Budget

HOUSING REVENUE ACCOUNT CAPITAL PLAN 2017/18

| | Revised Budget | Actuals to Date | Projected Outturn | Variation (Under)/Over |
|--------------------------------|----------------|-----------------|-------------------|------------------------|
| | £'000 | £'000 | £'000 | £'000 |
| FUNDING | | | | |
| Net Receipts from Sales | 2,468 | 984 | 2,468 | 0 |
| Grants | | | | |
| -Incentivising New Build | 1,025 | 575 | 1,025 | 0 |
| -Mortgage to Rent | 114 | 0 | 114 | 0 |
| -Buy Backs Funding | 320 | 0 | 320 | 0 |
| Council Tax on Second Homes | 150 | 0 | 150 | 0 |
| Developer Contributions | 1,000 | 0 | 1,000 | 0 |
| Borrowing Required | 17,129 | 579 | 17,129 | 0 |
| TOTAL AVAILABLE FUNDING | 22,206 | 2,138 | 22,206 | 0 |

| | £'000 | £'000 | £'000 | £'000 |
|---|---------------|--------------|---------------|----------|
| APPROVED EXPENDITURE | | | | |
| New Build Houses Phase 1 | 125 | (74) | 125 | 0 |
| New Build Houses Phase 2 | 11,266 | 1,059 | 11,266 | 0 |
| New Build Houses Phase 3 | 2,767 | (1) | 2,767 | 0 |
| Buy Backs | 960 | 233 | 960 | 0 |
| Aids & Adaptations | 400 | 98 | 400 | 0 |
| Homelessness - Mortgage to Rent | 224 | 0 | 224 | 0 |
| Homelessness - Pentland House Refurbishment | 384 | 14 | 384 | 0 |
| Scottish Housing Quality Standard | | | | |
| -Kitchen Replacement | 200 | 2 | 200 | 0 |
| -Upgrade Central Heating Systems | 800 | 77 | 800 | 0 |
| -Sanitary Ware Replacement Programme | 179 | 58 | 179 | 0 |
| -SHQS Repairs | 4,901 | 672 | 4,901 | 0 |
| Total Expenditure | 22,206 | 2,138 | 22,206 | 0 |

MIDLOTHIAN COUNCIL

HOUSING REVENUE ACCOUNT 2017/18

Appendix 2

| | Revised Budget | Projected Outturn | Variation (Under)/Over |
|--------------------------------------|---------------------------|------------------------------|-----------------------------------|
| Average No of Houses | 6,992 | 6,917 | (75) |
| | £000's | £000's | £000's |
| Repairs and Maintenance | | | |
| Decant/Compensation | 6,307 | 5,800 | (507) |
| General Repairs | 41 | 42 | 1 |
| Grounds Maintenance | 604 | 602 | (2) |
| | 6,952 | 6,444 | (508) |
| Administration and Management | 4,934 | 4,888 | (46) |
| Loan Charges | 9,478 | 9,229 | (249) |
| Other Expenses | 2,887 | 2,638 | (249) |
| TOTAL EXPENDITURE | 24,251 | 23,199 | (1,052) |
| Rents | | | |
| Houses | 26,712 | 26,399 | 313 |
| Garages | 556 | 556 | 0 |
| Others | 614 | 848 | (234) |
| TOTAL RENTS | 27,882 | 27,803 | 79 |
| NET EXPENDITURE/(INCOME) | (3,631) | (4,604) | (973) |
| BALANCE BROUGHT FORWARD | (29,753) | (29,753) | 0 |
| BALANCE CARRIED FORWARD | (33,384) | (34,357) | (973) |

General Services Capital Plan 2017/18 to 2021/22

Report by Gary Fairley, Head of Finance and Integrated Service Support

1 Purpose of Report

The purpose of this report is to provide Council with:-

- An update of the General Services Capital Plan incorporating rephasing of projects and new projects approved since the previous report to Council on 08 March 2016 (Section 2.1/2.2)
- Information on further additions to the Capital Plan for approval (Section 2.3);
- Information on the projected performance against budget for 2017/18 (Section 3);
- Update on the capital fund (Section 4) and the projected debt outstanding (Section 5).

2 Rephasing and New Projects

2.1 Rephasing

The General Services Capital Plan presented to Council on 07 February 2017 allowed, over the period 2017/18 to 2021/22, for expenditure of £98.927 million, funding of £70.295 million, and a total borrowing requirement of £28.632 million.

Expenditure and income forecasts covering the period of the plan have been rephased based on the outturn position for 2016/17 and the most recent information available.

This revises the overall levels of expenditure, funding and borrowing required over the period 2017/18 to 2021/22 as shown in Table 1 below.

Table 1: General Services Capital Plan 2017/18 to 2021/22 including rephasing

| Item | 2017/18 Budget | 2018/19 Budget | 2019/20 Budget | 2020/21 Budget | 2021/22 Budget | Total Budget |
|-------------------------------|---------------------------|---------------------------|---------------------------|---------------------------|---------------------------|-------------------------|
| | £000's | £000's | £000's | £000's | £000's | £000's |
| Expenditure | 19,239 | 24,150 | 25,296 | 22,374 | 10,693 | 101,752 |
| Funding | 10,555 | 21,201 | 17,185 | 11,940 | 9,581 | 70,462 |
| Borrowing Required | 8,684 | 2,949 | 8,111 | 10,434 | 1,112 | 31,290 |

2.2 Approved Projects

Since the report to Council on 07 February 2017, the following projects have received approval by Council for inclusion in the General Services Capital Plan.

Council 28 February 2017

- **Danderhall hub:** New Primary School with integrated Leisure and Library space. £15.317 million budget with £6.491 million funded from developer contributions and £8.826 million from prudential borrowing;
- **Shawfair Town Centre Land Purchase:** Purchase of site owned by Network Rail adjacent to the new Shawfair Town Centre. £5.615 million budget to be fully funded by an external contribution from Shawfair LLP;

Council 27 June 2017

- **Modular Units:** The procurement and installation of modular units during the 2017/18 academic year to provide additional capacity at Mayfield Nursery School, Danderhall, St. David's Lasswade and Burnbrae Primary Schools. £1.967 million budget to be funded £1.031 million from existing grant provision for Early Years and £0.936 million from prudential borrowing;
- **Newbattle Centre:** Investment in digital assets for a new centre of excellence in digital industries at the new Newbattle Centre. £0.457 million budget to be funded by prudential borrowing;
- **Saltersgate Adaptations – Phase III:** Internal alterations and transformation of playground into 5 themed play and learning spaces. £0.417 million budget to be funded by prudential borrowing;
- **Cuiken & Sacred Heart Primaries – Preparatory Works:** Appointment of professional team to progress detailed design plans and costs for extensions to Cuiken and Sacred Heart Primaries. £0.200 million budget to be funded by prudential borrowing;
- **Midlothian House 3rd Floor Reconfiguration:** Alterations to the third floor of Midlothian House to rationalise existing Councillors accommodation, relocate existing Council staff, and incorporate flexible meeting space. £0.122 million budget to be funded by prudential borrowing;

2.3 Projects presented for approval

The following new projects are being presented for inclusion in the plan:-

- **Outdoor Play Equipment – Rosewell & Gorebridge:** Provision of an outdoor skate park sports facility in Rosewell Park, play equipment at Arniston park in Gorebridge, and play equipment/children's bmx bike facility at Auld Gala Park in Gorebridge. Budget of £0.178 million fully funded through developer contributions from existing Section 75 agreements;
- **Purchase of 9/11 White Hart Street:** Purchase of investment property in Dalkeith. £0.150 million budget approved under delegated authority by the Chief Executive 11 July 2017 to be funded by prudential borrowing;
- **Early Years Pilot – Mayfield Family Outreach Centre:** Adaptations to the existing Family Outreach Centre as part of Scottish Government's 1140 hours initiative for 2&3 year olds. Budget of £0.020 million fully

funded by £0.020 million of Scottish Government's Early Years Capital Grant;

The inclusion of these projects revises the overall levels of expenditure, funding and borrowing required over the period 2017/18 to 2021/22 as shown in table 2 below.

Table 2: General Services Capital Plan including Projects Approved / for Approval

| Item | 2017/18 Budget | 2018/19 Budget | 2019/20 Budget | 2020/21 Budget | 2021/22 Budget | Total Budget |
|---------------------------|----------------|----------------|----------------|----------------|----------------|----------------|
| | £000's | £000's | £000's | £000's | £000's | £000's |
| Expenditure | 28,466 | 26,563 | 32,163 | 27,374 | 11,630 | 126,197 |
| Funding | 17,441 | 22,224 | 18,849 | 12,895 | 10,560 | 81,969 |
| Borrowing Required | 11,025 | 4,339 | 13,314 | 14,479 | 1,070 | 44,228 |

3. 2017/18 Projection against budget

3.1 Expenditure

Expenditure to 25 June 2017 is £4.883 million with a projected expenditure outturn of £28.426 million against the revised budget of £28.466 million, with variances as follows:-

- **Gore Glen Bing:** project now complete therefore saving £0.057 million against £0.058 million remaining budget;
- **Easthouses Lily Stand:** expenditure of £0.005 million projected with no budget;
- **Electric Vehicle Charging Points:** additional expenditure of £0.012 million fully funded by additional £0.012 million Scottish Government Grant

At this stage it is anticipated that budgets for all other projects detailed in Appendix 2 will be fully spent in the current year.

3.2 Funding

The funding available to finance the Capital Plan in 2017/18 is expected to total £17.453 million against the revised budget of £17.441 million, with a small variance in respect of additional funding of £0.012 million from the Scottish Government for installation of electric vehicle charging points. Funding of £2.783 million has been received to 25 June 2017.

3.3 Borrowing

The budgeted level of borrowing for 2017/18 is £11.025 million. Based on the forecast expenditure and funding levels as noted above, the revised estimate of the level of borrowing required for 2017/18 is £10.973 million, a reduction of £0.052 million. The impact on the

Council's borrowing costs is reflected in the Financial Monitoring 2017/18 General Fund Revenue report elsewhere on today's agenda.

The projected performance against budget for 2017/18 is shown in table 3 below:-

| Item | 2017/18 Rephased Budget £000's | Actual To 25/06/17 £000's | 2017/18 Projected Outturn £000's | 2017/18 Variance £000's |
|-------------------------------|---|------------------------------------|---|-------------------------------|
| Expenditure | 28,466 | 4,883 | 28,426 | -40 |
| Funding | 17,441 | 2,783 | 17,453 | +12 |
| Borrowing Required | 11,025 | 2,100 | 10,973 | -52 |

4. Capital Fund

The Capital Fund at the start of the 2017/18 financial year was £22.485 million. Capital Receipts of £7.912 million are forecast to be received in 2017/18 (£0.087 million to 25 June 2017), and will be transferred to the capital fund. This will increase the balance in the Capital Fund to £30.397 million as at 31 March 2018.

Council, on 27 September 2016, approved the medium to long-term strategy for the Capital Fund, specifically, to maintain the current arrangements for crediting all capital receipts for the disposal of assets to the Capital Fund, and for £12.000 million to be earmarked from the Capital Fund for the Edinburgh and South East Scotland City Region Deal.

The projected balance on the Capital Fund at 31 March 2022, inclusive of the release of £12.000 million City Deal funding, is £27.097 million.

5. Overall Cap on Debt Outstanding

The projected level of debt outstanding, based on the expenditure and income assumptions outlined in Tables 2 and 3, and net of any forward funded projects, is shown in Table 4 overleaf:-

Table 4: Debt outstanding net of any forward funded projects

| Item | 2017/18 Budget | 2018/19 Budget | 2019/20 Budget | 2020/21 Budget | 2021/22 Budget |
|---|---------------------------|---------------------------|---------------------------|---------------------------|---------------------------|
| | £000's | £000's | £000's | £000's | £000's |
| Debt Outstanding 01 April | 113,739 | 120,896 | 121,323 | 130,838 | 141,475 |
| Borrowing arising from Capital Plan | 10,973 | 4,339 | 13,314 | 14,479 | 1,070 |
| Debt Repayments | -3,816 | -3,913 | -3,799 | -3,842 | -3,912 |
| Debt Outstanding 31 March | 120,896 | 121,323 | 130,838 | 141,475 | 138,633 |
| | | | | | |
| Less: Net debt on Forward Funded projects | -5,483 | -6,946 | -11,121 | -10,922 | -9,096 |
| Debt Outstanding 31 March exc. Forward Funded projects | 115,414 | 114,377 | 119,717 | 130,553 | 129,537 |
| Agreed Cap | 124,000 | 124,000 | 124,000 | 124,000 | 124,000 |
| Headroom | 8,586 | 9,623 | 4,283 | -6,553 | -5,537 |

As can be noted from the table above, the overall level of debt outstanding is projected to exceed this cap in the year ended 31 March 2021 by £6.553 million and remain £5.537 million above the cap in the year ended 31 March 2022.

The loan charges incorporated within previous Financial Strategy reports are based on the overall level of debt outstanding remaining within the cap of £124.000 million. As noted above, the level of debt outstanding is projected to exceed the cap and this will result in either (a) a corresponding increase in the level of loan charges over the period 2017/18 to 2021/22 or (b) require reductions in Capital Expenditure or alternative sources of funding.

6. Report Implications

6.1 Resource

The borrowing required to finance the planned investment in 2017/18 to 2021/22 is currently £44.176 million. The loan charges associated with the borrowing requirement for 2017/18 are reported to Council in the Financial Monitoring 2017/18 General Fund Revenue report presented elsewhere on today's agenda.

6.2 Risk

The inherent risk in the Capital Plan is that projects will cost more than estimated thus resulting in additional borrowing. The monitoring procedures ensure that significant variations are reported at an early stage so that remedial action can be taken to mitigate this risk.

As noted in Section 5, the level of debt outstanding exceeds the cap and will therefore result in additional loan charges. This risk is exacerbated through the lack of fully developed asset management plans, with only provisional sums for the Council's 6 core asset bases (Property, Roads, Street Lighting, Footway & Footpaths, Vehicles and Digital Services equipment) currently included in the capital plan. The impact of the Learning Estate Strategy is yet to be quantified and is therefore currently not included in the plan, further exacerbating this risk. In order to mitigate this risk it is proposed that officers review the emerging Learning Estate Strategy, the additional investment requirements arising from the developing asset management plans, and the prioritisation of any new projects, to ensure that the overall level of debt outstanding remains affordable.

6.3 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

6.4 Impact on Performance and Outcome

There are no issues arising directly from this report.

6.5 Adopting a Preventative Approach

There are no issues arising directly from this report

6.6 Involving Communities and Other Stakeholders

No external consultation has taken place on this report.

6.7 Ensuring Equalities

There are no equalities issues arising directly from this report.

6.8 Supporting Sustainable Development

There are no sustainability issues arising directly from this report.

6.9 Digital Services Issues

There are no Digital Services implications arising from this report.

7 Recommendations

Council is asked to:

- a) Approve the projects as outlined in Section 2.3 to be added to the General Services Capital Plan;

- b) Approve the allocated expenditure and funding in the General Services Capital Plan 2017/18 to 2021/22 (as shown in appendices 1 and 2);
- c) Note the General Services Capital Plan Quarter 1 monitoring position for 2017/18;
- d) Note that based on the current forecasts and provisional sums, that the level of debt outstanding is forecast to exceed the £124.000 million cap.

Date 9 August 2017

Report Contact:

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Background Papers:

Appendix 1 – Summary General Services Capital Plan 2017/18 to 2021/22

Appendix 2 – Detailed General Services Capital Plan Expenditure 2017/18 to 2021/22

Appendix 1

Summary General Services Capital Plan 2017/18 to 2021/22

| GENERAL SERVICES CAPITAL PLAN 2017/18 to 2021/22 | 2017/18 Budget £'000 | 2018/19 Budget £'000 | 2019/20 Budget £'000 | 2020/21 Budget £'000 | 2021/22 Budget £'000 | Total Budget £'000 |
|---|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-----------------------------------|
| EXPENDITURE | | | | | | |
| Resources | 11,150 | 10,298 | 13,858 | 19,601 | 10,108 | 65,015 |
| Education, Community & Economy | 16,875 | 11,928 | 12,155 | 5,523 | 1,320 | 47,801 |
| Health & Social Care | 197 | 437 | 150 | 150 | 203 | 1,137 |
| Council Transformation | 205 | 3,900 | 6,000 | 2,100 | 0 | 12,205 |
| Total Approved Expenditure | 28,426 | 26,563 | 32,163 | 27,374 | 11,630 | 126,157 |
| FUNDING | | | | | | |
| Government Grants | 10,543 | 9,218 | 9,218 | 8,336 | 8,336 | 45,651 |
| Government Grants - Others | 264 | 0 | 0 | 0 | 0 | 264 |
| Receipts from Sales transferred to Capital Fund | 7,912 | 0 | 8,700 | 0 | 0 | 17,217 |
| Transfer from Capital Fund to Capital Plan | -7,912 | 3,900 | -2,700 | 2,100 | 0 | -5,217 |
| Developer Contributions | 1,474 | 4,813 | 3,631 | 2,459 | 2,223 | 14,601 |
| Other Contributions | 5,172 | 4,293 | 0 | 0 | 0 | 9,465 |
| Total Available Funding | 17,453 | 22,224 | 18,849 | 12,895 | 10,560 | 81,981 |
| Approved Borrowing Required | 10,973 | 4,339 | 13,314 | 14,479 | 1,070 | 44,176 |

Appendix 2

Detailed General Services Capital Plan Expenditure 2017/18 to 2021/22

| GENERAL SERVICES CAPITAL PLAN | 2017/18 | 2018/19 | 2019/20 | 2020/21 | 2021/22 | Total |
|--|----------------|----------------|----------------|----------------|----------------|---------------|
| 2017/18 to 2021/22 | Budget | Budget | Budget | Budget | Budget | Spend |
| | £'000 | £'000 | £'000 | £'000 | £'000 | £'000 |
| RESOURCES | | | | | | |
| Customer Services | | | | | | |
| Front Office - Device & Interactive Asset Upgrades | 312 | 143 | 0 | 0 | 0 | 454 |
| Back Office - Anti Virus Upgrades | 0 | 49 | 26 | 0 | 0 | 75 |
| Network Enterprise - Network Assets (Power & Data) | 182 | 44 | 0 | 0 | 0 | 226 |
| IGS - Compliance - Data Encryption | 0 | 15 | 8 | 0 | 0 | 23 |
| IGS - Compliance - PCI | 39 | 0 | 0 | 0 | 0 | 39 |
| Disaster Recovery | 0 | 0 | 0 | 26 | 14 | 40 |
| Service Desk - ITMIS Service Improvement | 80 | 0 | 0 | 0 | 0 | 80 |
| Committee Management System | 3 | 0 | 0 | 0 | 0 | 3 |
| Paperless Meetings | 16 | 0 | 0 | 0 | 0 | 16 |
| Business Application Upgrades inc. mobile working | 139 | 0 | 0 | 0 | 0 | 139 |
| Interactive White Board Replacement | 474 | 0 | 0 | 0 | 0 | 474 |
| SWAN Programme | 517 | 0 | 0 | 0 | 0 | 517 |
| New GoreGlen & Bilston Digital Assets | 67 | 0 | 0 | 0 | 0 | 67 |
| Newbattle Centre for Excellence in Digital Industries | 297 | 160 | 0 | 0 | 0 | 457 |
| Digital Services Asset Management Plan | 0 | 1,645 | 2,496 | 2,355 | 2,264 | 8,759 |
| Commercial Operations | | | | | | |
| Street Lighting Upgrades | 761 | 1,000 | 1,000 | 1,000 | 1,350 | 5,111 |
| Footway & Footpath Network Upgrades | 318 | 500 | 500 | 500 | 675 | 2,493 |
| Road Upgrades | 1,306 | 1,570 | 1,500 | 1,500 | 2,025 | 7,901 |
| Zero Waste Capital Contribution | 0 | 0 | 0 | 7,380 | 0 | 7,380 |
| Cycling, Walking & Safer Streets Projects | 79 | 108 | 102 | 94 | 122 | 505 |
| Footpath Lighting: Bonnyrigg Bypass to Gorton Road | 83 | 44 | 0 | 0 | 0 | 127 |
| B6482 Newbattle/Easthouses Road Cycleway | 54 | 29 | 0 | 0 | 0 | 84 |
| A6094: Bonnyrigg Bypass Cycleway & Toucan Crossing / R | 49 | 26 | 0 | 0 | 0 | 75 |
| Ironmills Park Steps | 21 | 0 | 0 | 0 | 0 | 21 |
| New recycling facility - Penicuik | 244 | 0 | 0 | 0 | 0 | 244 |
| Vehicle & Plant Replacement Programme | 2,552 | 2,515 | 1,707 | 2,957 | 2,226 | 11,958 |
| Electric Vehicles - Powerpoint Installation | 58 | 0 | 0 | 0 | 0 | 58 |
| Grass Cutting Machinery | 78 | 42 | 0 | 0 | 0 | 120 |
| Geogrid - Barleyknowe Lane | 43 | 0 | 0 | 0 | 0 | 43 |
| Vogrie Car Parking Barriers | 17 | 0 | 0 | 0 | 0 | 17 |
| King George V Park Outdoor Fitness Equipment | 4 | 0 | 0 | 0 | 0 | 4 |
| Gore Glen Bing | 1 | 0 | 0 | 0 | 0 | 1 |
| Easthouses Lily Stand | 5 | 0 | 0 | 0 | 0 | 5 |
| Outdoor Play Equipment - Rosewell | 32 | 17 | 0 | 0 | 0 | 49 |
| Outdoor Play Equipment - Gorebridge | 84 | 45 | 0 | 0 | 0 | 129 |
| Property & Facilities | | | | | | |
| Stobhill Depot Upgrade | 568 | 0 | 0 | 0 | 0 | 568 |
| New Depot: EWIM Phase III | 122 | 1,228 | 5,519 | 2,788 | 83 | 9,740 |
| Straiton Bing Site Investigation | 2 | 0 | 0 | 0 | 0 | 2 |
| Property Upgrades inc. Lighting/Lightning | 1,723 | 1,000 | 1,000 | 1,000 | 1,350 | 6,073 |
| Midlothian House 3rd Floor Reconfiguration | 79 | 43 | 0 | 0 | 0 | 122 |
| Purchase of 7 Eskdail Court, Dalkeith | 243 | 0 | 0 | 0 | 0 | 243 |
| Purchase of 49 Abbey Road, Dalkeith | 215 | 0 | 0 | 0 | 0 | 215 |
| Purchase of 31 Jamac Court, Dalkeith | 1 | 0 | 0 | 0 | 0 | 1 |
| Hillend Freestyle Jump Slope Upgrade | 208 | 0 | 0 | 0 | 0 | 208 |
| Purchase 9/11 White Hart Street | 98 | 53 | 0 | 0 | 0 | 150 |
| TOTAL RESOURCES | 11,172 | 10,276 | 13,858 | 19,601 | 10,108 | 65,015 |

| | 2017/18 | 2018/19 | 2019/20 | 2020/21 | 2021/22 | Total |
|---|---------------|---------------|---------------|---------------|---------------|----------------|
| EDUCATION, COMMUNITY AND ECONOMY | Budget | Budget | Budget | Budget | Budget | Spend |
| Early Years | £'000 | £'000 | £'000 | £'000 | £'000 | £'000 |
| Gorebridge Development Trust (EYG Funded) | 115 | 0 | 0 | 0 | 0 | 115 |
| Gorebridge Development Trust | 91 | 0 | 0 | 0 | 0 | 91 |
| Gorebridge Development Trust (EYG Funded) | 66 | 0 | 0 | 0 | 0 | 66 |
| Early Years Pilot - Mayfield Family Outreach Centre | 13 | 7 | 0 | 0 | 0 | 20 |
| Further Early Years Provisions | 0 | 382 | 382 | 382 | 382 | 1,530 |
| Primary | | | | | | |
| New Bilston Primary | 239 | 0 | 0 | 0 | 0 | 239 |
| New Gorebridge North Primary | 236 | 0 | 0 | 0 | 0 | 236 |
| Paradykes Primary Replacement | 7,403 | 470 | 0 | 0 | 0 | 7,873 |
| Roslin Primary Replacement | 1,373 | 143 | 0 | 0 | 0 | 1,516 |
| Former Hopefield Primary School | 300 | 4,573 | 4,714 | 141 | 0 | 9,728 |
| Inspiring Learning Spaces | 98 | 0 | 0 | 0 | 0 | 98 |
| New Danderhall Primary hub | 100 | 2,413 | 6,867 | 5,000 | 937 | 15,317 |
| Cuiken & Sacred Heart Primaries - Design Team | 130 | 70 | 0 | 0 | 0 | 200 |
| Secondary | | | | | | |
| Lasswade High School inc. 2nd MUGA | 435 | 154 | 0 | 0 | 0 | 589 |
| Newbattle High School Preparatory Works | 476 | 544 | 182 | 0 | 0 | 1,202 |
| Beeslack Community High School Pitch | 17 | 0 | 0 | 0 | 0 | 17 |
| General | 0 | 0 | 0 | 0 | 0 | |
| Online Payments for Schools | 39 | 39 | 10 | 0 | 0 | 87 |
| PPP1 Land Acquisition | 27 | 0 | 0 | 0 | 0 | 27 |
| Saltersgate Alterations Phase II | 160 | 0 | 0 | 0 | 0 | 160 |
| Saltersgate Alterations Phase III - Internal Alterations | 100 | 54 | 0 | 0 | 0 | 155 |
| Saltersgate Alterations Phase III - Playground Improvements | 171 | 92 | 0 | 0 | 0 | 263 |
| Modular Units - Various | 1,279 | 688 | 0 | 0 | 0 | 1,967 |
| Children and Families | | | | | | |
| Planning & Development | | | | | | |
| Environmental Improvements | 209 | 209 | 0 | 0 | 0 | 418 |
| Borders Rail - Economic Development Projects | 125 | 125 | 0 | 0 | 0 | 250 |
| East High Street Public Realm & Burns Monument | 20 | 0 | 0 | 0 | 0 | 20 |
| Shawfair Town Centre Land Purchase | 3,650 | 1,965 | 0 | 0 | 0 | 5,615 |
| TOTAL EDUCATION, COMMUNITY AND ECONOMY | 16,873 | 11,928 | 12,155 | 5,523 | 1,320 | 47,799 |
| HEALTH AND SOCIAL CARE | | | | | | |
| Adult & Social Care | | | | | | |
| Assistive Technology | 100 | 437 | 150 | 150 | 203 | 1,040 |
| Travelling Peoples Site Upgrade | 17 | 0 | 0 | 0 | 0 | 17 |
| Homecare | 80 | 0 | 0 | 0 | 0 | 80 |
| Customer & Housing Services | | | | | | |
| TOTAL HEALTH AND SOCIAL CARE | 197 | 437 | 150 | 150 | 203 | 1,137 |
| COUNCIL TRANSFORMATION | | | | | | |
| Purchase to Pay | 15 | 0 | 0 | 0 | 0 | 15 |
| Online Housing Applications | 27 | 0 | 0 | 0 | 0 | 27 |
| Corporate Telephony Services Upgrade | 9 | 0 | 0 | 0 | 0 | 9 |
| EWiM - Buccleuch House Ground Floor | 33 | 0 | 0 | 0 | 0 | 33 |
| Website Upgrade | 121 | 0 | 0 | 0 | 0 | 121 |
| City Deal | 0 | 3,900 | 6,000 | 2,100 | 0 | 12,000 |
| TOTAL COUNCIL TRANSFORMATION | 205 | 3,900 | 6,000 | 2,100 | 0 | 12,205 |
| GENERAL SERVICES CAPITAL PLAN TOTAL | 28,448 | 26,541 | 32,163 | 27,374 | 11,630 | 126,156 |



Community Policing Teams

Report by Eibhlin McHugh, Director of Health and Social Care

1. Purpose of Report

The purpose of this report is to bring to Council recommendations set out for the remit and operation of Council funded Community Policing Teams, following the motion approved at Council on 23 May, 2017;

“Midlothian Council recognises that the removal of funding for the Police Community Teams by the previous Council Administration was extremely unpopular with Midlothian residents who saw the value of the additional expenditure on this Police resource.

The last few months, over which the Community Action Teams were being phased out, has coincided with a significant rise in highly visible anti-social behaviour and damage to property across a number of our towns, placing massive pressure on existing police resources.

Council therefore agrees the principle of the reinstatement of the funding of the 2 Community Action teams and instructs officers to negotiate with Police Scotland to determine the following:

- *The timescales required for this to be achieved.*
- *The cost of implementation in the current financial year.*
- *The annual cost of implementation in future years.*
- *The basis of a service level agreement between the Council and Police Scotland, which ensures, and is able to evidence, that the funding used will provide police officers in addition to that which is available through centrally funded resources.*

Council expects the results of the negotiations to be presented to the next full meeting of Midlothian Council, or as soon as possible thereafter, with a view to then obtaining a final decision on the reinstatement at that point.”

2. Background

Midlothian Council previously provided funding of £0.500 million per annum to resource two additional teams of police officers to act as a tactical police response to crime and anti social behaviour in Midlothian and address identified community priorities. Each team consisted of one sergeant and six constables, and were governed under a Service Level Agreement (SLA) between Midlothian Council and Police Scotland.

Funding for the 2 teams of 7 police officers was phased out as part of a savings package approved by Council during the budget setting process. Midlothian Council agreed to initially reduce the level of funding in the years 2015/16 and 2016/17 resulting in the complete withdrawal of the Midlothian Community Action Teams from April 2017.

At the first meeting of the new Midlothian Council on Tuesday 23 May 2017 councillors approved a motion instructing council officials to negotiate with Police Scotland on the costs of implementing the change in the current and future years, and to determine the timescales in which this could be achieved.

Councillors have also called for a service level agreement to be negotiated with Police Scotland to ensure that Council funding would provide police officers additional to those posts which are funded centrally.

3. Justice in Scotland

The Justice in Scotland Strategy: Vision and Priorities published in July, 2017 reports that Scotland has become a safer place. The report states that; overall levels of crime and victimisation have fallen. We are less likely to be a victim of violence or property crime, or to be injured, or die, as a result of a fire. The number of people experiencing crime had either held stable or reduced across all crime types measured in Scotland to 2014-15.

People also feel safer in their communities, with fear of crime continuing to decrease. People are worrying less about most types of crime and are feeling safer when walking alone after dark in their local area. Recorded crimes of handling offensive weapons are the lowest in 32 years. The number of people under 18 convicted of handling an offensive weapon has fallen by 81% since 2006-07. There has been a 59% fall in emergency admissions to hospital due to assault with a sharp object between 2006-07 and 2015-16. Action has been taken to reduce and prevent violence including through the Violence Reduction Unit, Mentors in Violence Programme, Medics Against Violence and No Knives Better Lives Programme.

The “Whole Systems Approach” to Youth Justice is based on prevention, early intervention and support. There is a strong focus on a multidisciplinary approach to keeping young people out of the criminal justice system and minimising statutory intervention. This approach, which followed a bold shift to prevention in 2008 and continues through the youth justice strategy Preventing Offending: Getting It Right for Children and Young People (2015), has contributed to a fall of 78% in the number of under 18 year olds being prosecuted in court since 2006-07. Offence referrals to the Children’s Reporter have decreased substantially as more young people are diverted from prosecution and kept out of the justice system.

We know that effective, person-centred interventions and effective supervision with support are key to addressing the underlying causes of reoffending for the adult population too. Evaluation of the mentoring approach

and services provided through the Reducing Reoffending Change Fund shows that mentoring, when combined with other support, is an effective approach which helps mentees to learn and implement constructive, non-criminal ways of addressing problems in their lives and to reduce risk factors associated with offending behaviour.

4. Safer Midlothian

Community Safety is essential to the quality of life of people in Midlothian, although it is strongly influenced by the quality of service delivery it is an outcome rather than a service. Community safety embraces a range of issues including crime prevention; antisocial behaviour; drug and alcohol misuse; domestic abuse; road safety; fire safety and accident prevention. It is about ensuring everyone has the right to live in safe and secure communities, feeling safe and with reduced incidence of crime.

In addition, the Midlothian Community Safety and Justice Partnership was developed to replace the previous Lothian and Borders Community Justice Authority. The new Community Justice structure became part of the broader community planning structure. This allows a review of the Community Safety service proposed as alignment to the new national objectives will allow management of these 2 separate service teams to be combined in 2017.

A redesign of the services will determine current areas of service and development into those that contribute to reducing reoffending.

The Council has continued to work collaboratively to ensure these outcomes are being delivered locally through partnership with local solutions to focus on the drivers for anti social behaviour and criminality and take steps to reduce offending and build safer communities. Police Scotland report locally that in the period 01/04/2017 to 31/07/2017, there has been an increase of 14.5% in incidents of anti- social behaviour (ASB). In the same period at year to date, in 2016/17; there were 2,018 ASB incidents, while in 2017 year to date there have been 2,310.

5. Service Level Agreement

The reinstatement of the Council funded Community Policing Teams would be subject to a Service Level Agreement requirement (Appendix 1).

The previous arrangement was governed by a Service Level Agreement, which was reviewed annually and signed off by the Council Chief Executive and Local Divisional Commander. Monthly reports were produced for the Community Safety Delivery Group members and quarterly reports provided to Midlothian Police and Fire & Rescue Board for scrutiny.

The proposed level of funding shall provide two dedicated teams of one sergeant and six constables per team. These will be uniformed officers,

working on different shift patterns to maximise visibility and be tasked via the weekly Partnership Tasking and Coordination (TAC) meeting to address identified community issues throughout Midlothian. Where officers are abstracted the proportionate costs shall be refunded.

The following areas of business are key to the role:

- Tackling antisocial behaviour and disorder
- Tackling substance misuse (both drugs and alcohol)
- Road Safety (reduce road casualties)
- Tackling housebreaking
- Reduce youth related calls
- High visibility patrols for community reassurance
- Community engagement

However, the teams will remain flexible to address emerging issues or threats.

6. Resource

The cost for Police Scotland to provide 2 full time Sergeants and 12 full time Constables to deliver the service in accordance with the terms and conditions set out in the Service Level Agreement will be £0.557 million per annum and subject to a 1% per annum inflationary increase for the 3 year period 1st April 2018 to 31st March 2021 The fee will be pro rata where the service is only delivered for part of a year.

There is no budget within Customer and Housing services to reinstate the Community Policing Teams therefore if the service is reinstated during the current financial year it will require Council to approve a supplementary estimate (estimated at £46,000 for each month of operation) which will reduce the available General Fund Reserve. In addition the full team reinstatement would require a budget provision of £0.563 million to be incorporated into the 2018/19 budget projection, so increasing the budget shortfalls for 2018/19 and future years from those reported to Council on 27 June 2017. This will in turn require savings to be made elsewhere in the budget to meet the cost of the Community Policing Teams.

7. Report Implications

6.1 Single Midlothian Plan and Business Transformation

Themes addressed in this report:

- ☒ Community safety
- ☐ Adult health and care
- ☐ Getting it right for every Midlothian child
- ☐ Improving opportunities in Midlothian
- ☐ Sustainable growth and housing
- ☐ Business transformation and Best Value

☐ None of the above

8. Recommendations

Council is requested to:

- a) consider the report and decide whether to reinstate funding of the 2 Community Action teams based on these terms and the basis of the draft Service Level Agreement which is to be concluded by officers, and;
- b) note the financial implications of reinstatement on both reserves and future years budget shortfalls.

Date: 28th July 2017

Report Contact:

Name: Kevin Anderson, Head of Customer & Housing Services

Tel No: 0131 271 3225

Email: kevin.anderson@midlothian.gov.uk



SERVICE LEVEL AGREEMENT APRIL 2018 TO MARCH 2023

BETWEEN

MIDLOTHIAN COUNCIL

AND

POLICE SCOTLAND



1. Introduction

Antisocial behaviour (ASB) has the potential to impact any community, adversely affecting people's quality of life. It is recognised that no single agency can necessarily manage this in isolation.

The introduction of the Antisocial Behaviour etc. (Scotland) Act 2004 placed a legal requirement upon local authorities and Police to work in partnership to develop strategies specifically to tackle antisocial behaviour. In Midlothian the Community Safety Partnership (CSP) was already formed and this legislation gave it specific focus with regards to ASB.

Over the years the CSP has evolved and a large number of agencies are partners now, working together to tackle community safety issues, including ASB, throughout Midlothian. The commitment given through the CSP has led to focused community planning and the development of effective measures in order to best address ASB issues and improve the lives of people who live, work grow up in and visit Midlothian.

Midlothian Council and Police Scotland have entered into a Service Level Agreement (SLA) which outlines specific identified resources provided by the Police at agreed levels. These will work alongside and give added value to the current operations of partners within the Midlothian Community Safety Partnership. Midlothian Council contributes significantly to the funding of these resources.

2. Parties

This is an agreement between Midlothian Council, Health and Social Care Directorate, based at Fairfield House 8 Lothian Road, Dalkeith, EH22 3ZN. ("The Council") and Police Scotland, Newbattle Road, Dalkeith, EH22 3AX. ("The Police").

The Police are respectively liable for meeting the terms of this agreement to ensure the delivery of agreed services.

3. Statement of Purpose

Community Action Teams (CAT) will work jointly with Midlothian Council and key partners, using an intelligence led approach to sustain performance in dealing with Anti Social Behaviour, reduce crime,

improve the quality of life and promote safer communities within Midlothian.

The purpose of this SLA is to provide sound governance, accountability, performance management structures and measures to provide integrity and transparency in the management of CAT, Anti-Social Behaviour Liaison Officer and Community Safety Partnership Analyst

4. Context of Working Agreement

- 4.1 The funding provides for 2 x CAT based in Bonnyrigg, covering all of Midlothian.
- 4.2 The methodology of the CAT's supports the Midlothian Antisocial Behaviour Strategy focusing on prevention, disruption and enforcement. It also contributes to the outcomes and priorities as detailed in the community safety section of the Midlothian Single Plan 2017- 18; based on the strategic assessment and the Midlothian Local Policing Plan as agreed by the Midlothian Safer Communities Board.

5. Duration

This agreement will operate from 1 April, 2018 until 31 March, 2023 or an earlier date as may become necessary due to variation or termination as provided for in the SLA (see section 14). Subject to the approval of both parties this agreement may be extended or replaced beyond 2023.

6. Financial Arrangements

- 6.1 The Council shall pay to Police Scotland the sum of £557,000 per annum in 2017/18, for the provision of 2 full time Sergeants and 12 full time Constables to deliver the service in accordance with the terms and conditions set out in this agreement. The fee will be pro rata where the service is only delivered for part of a year.

The inflationary increase for the 3 year period 1st April 2018 to 31st March 2021 will be held at 1% per annum.

The Police will invoice Midlothian Council on a quarterly basis for the above services. These invoices will be submitted by the 10th day of the month following the end of each quarter.

7. General Aims & Objectives

- 7.1 The aim of the CAT is to impact positively on the quality of life within the communities of Midlothian, concentrating on preventing antisocial behaviour and crime.

- 7.2 Through a partnership and community focused approach the CAT's aim to provide sustainable long-term solutions to the diverse range of antisocial behaviour and quality of life issues that occur within Midlothian.
- 7.3 Objectives include providing an enforcement and proactive capability to areas, identified by intelligence analysis, as being in need of concentrated attention. This will be a flexible resource responding to 'hotspots' of antisocial behaviour and disorder by working in problematic areas for intensive periods of time, bringing relief to communities under stress and targeting individuals who are identified as antisocial.
- 7.4 The CAT's will consider all avenues of engagement, problem solving and disposal methods and may utilise a variety of tools including early intervention and diversionary activities to deal effectively with early signs of problem behaviour. The CAT's form part of a wider 'Community Team' which has a separate but complementary preventative remit and is not funded by Midlothian Council.

8. Specific Services to be provided

- 8.1 Officers funded by Midlothian Council consist of:
- 14 Police Officers consisting of 2 Sergeants and 12 Constables and formed into 2 teams to be known as Community Policing Teams.
- 8.2 The overall vision of the CAT will be to impact positively on life quality within the communities of Midlothian by reducing all types of antisocial behaviour through prevention, disruption and enforcement. (See appendix 3)
- 8.3 The activities of the CAT's will focus on 6 key areas these being: high visibility patrolling, recidivist offending, youth engagement, licensed premises, support partners and colleagues and road safety.
- 8.4 The recruitment, selection and appointment of the CAT officers will be the responsibility of the police, although funding for these posts will be the responsibility of Midlothian Council.
- 8.5 The CAT's will be located in police accommodation and no routine additional charges will arise from this arrangement. The Police will absorb any associated costs (i.e. utilities, stationery etc).
- 8.6 The Police will provide the minimum of two vehicles for the CAT and absorb any associated costs.

- 8.7 Training for officers and police staff will normally be provided for by the Police; requests for specific courses could be made to the Community Safety Manager and considered on an individual basis.
- 8.8 Deployment of CAT resources will be made subject to an intelligence led approach based on analysis and available intelligence. With a primary focus on antisocial behaviour and quality of life issues, the CAT's will be a resource for actions generated weekly through Community Safety Tasking and Co-ordinating Group. The Safer Midlothian Group will provide scrutiny and oversight on a monthly basis.
- 8.9 On a daily basis the work of the CAT's will be co-ordinated by CAT Sergeants taking operational direction from Community Inspectors.
- 8.10 The CAT's will be deployed using a shift system that addresses the respective needs of the community to address anti social behaviour and quality of life issues.

9. Accountability

- 9.1 CAT Officers will be accountable to the Local Area Commander, and Midlothian Council's Head of Customer and Housing Services.
- 9.2 Unless there are exceptional circumstances, CAT Officers, will not be routinely abstracted from their core role. For the purposes of this agreement the term 'abstraction' means that when CAT's are 'on duty' they will not be routinely utilised in any other capacity other than their core function as agreed within this service level agreement. The number of abstraction hours must be provided in the monthly performance report. Where officers are abstracted the proportionate costs shall be refunded.
- 9.3 Any absence through sickness over a period exceeding one month will require consultation between Local Area Commander and Midlothian Council's Head of Customer & Housing Services as to whether the officer should be replaced.
- 9.4 CAT Officers will remain under the direction of the Chief Constable, who retains exclusive rights over the deployment of resources, having regard to prevailing wider operational issues and requirements. The rationale for any abstraction as referred to in 9.2 will be recorded to ensure transparency. Performance reports will detail the number of hours in relation to abstracted periods. If the abstraction period exceeds 7 consecutive days then agreement should be sought from Midlothian Council's Head of Customer & Housing Services

10. Performance

- 10.1 CAT performance information will be collated by the Police on a monthly basis and submitted for the information and consideration of any Council scrutiny group considered appropriate. Feedback on actions generated through the tasking process will be fed back through the Community Safety Tasking and Co-ordinating Group. The Safer Midlothian Group will provide operational scrutiny.
- 10.2 The headline areas for measuring performance in relation to CAT will be based around the prevalent types of antisocial behaviour offences they address.
- 10.3 Each CAT will therefore be monitored on their contribution towards

Reducing incidents of Anti-Social behaviour measured through:

- number of hours of high visibility patrols undertaken providing reassurance and deterring ASB offences,
- monitoring ASBO's

Reducing alcohol and drug misuse through:

- number of licensed premises visits,
- number of positive stop searches for drugs/alcohol

Reducing violent crime through:

- number of positive stop searches for weapons

Reducing crimes of dishonesty through:

- Searches for stolen property

Reducing re-offending measured through:

- number of pro-active bail curfew/condition checks
- number of warrant checks/arrests

Contribute to protecting Midlothian's children and adults at risk Measured by:

- number of concern forms raised reflecting the team's understanding and engagement with multi-agency public protection work

Contribute to Road Safety by detecting offences measured by:

- Number of warnings and vehicle seizures in relation to anti-social behaviour involving vehicles.
- number of ASB fixed penalties issued
- number of road traffic based reports submitted
- number of road traffic based Fixed Penalty Notice's issued
- number of vehicle seizures under section 165 RTA
- number of breath tests carried out

They will also work alongside partners and facilitate joint patrols where this is deemed most effective and will instigate and contribute to operations and initiatives.

CAT activity is primarily enforcement however, where appropriate, officers can be used in a preventative manner by involvement in diversionary activities.

All supported by contextual information where necessary and appropriate.

10.4 A report detailing activity and performance will be submitted to Midlothian Police and Fire & Rescue Board as part of the local police scrutiny process.

10.5 These performance criteria will be subject to continuous review as the role of the CAT develops and becomes embedded in local communities.

11. Police Obligations

11.1 The Police will maintain adequate insurance arrangements, and produce evidence of this cover annually for inspection by the Council when requested.

11.2 The Police will be responsible for meeting all relevant statutory and other requirements including those related to:

- Employment Legislation
- Health and Safety Legislation
- Equal Opportunities Legislation

Generally the Police will have responsibility for ensuring that they or anyone acting on their behalf complies with the relevant law.

11.3 The Police will ensure that staff have the appropriate training, expertise and, if required, the qualifications to deliver the funded services.

12. Complaints and User Feedback

12.1 Any complaints received against any Police employee in a role covered by this agreement will be dealt with under the normal police complaints and discipline procedures.

13. Variation

Variations in the extent, duration, nature or grant funding of the services provided under this agreement may be made by mutual agreement.

14. Termination

14.1 The Council may terminate this agreement if either or both of the providers:

- Commits a material breach of its obligations under the Agreement
- Persistently fails, after a reasonable period of notice has been given, to provide the service in accordance with the terms of this agreement
- Is unable to represent, in accordance with Clause 10, satisfactory performance

14.2 The Council shall not be entitled to terminate this agreement in respect of a material breach of the Police's obligations in terms of 14.1 unless and until they have given written notice to the Police stating the basis of the breach and allowing the Police a reasonable period, as stated in the notice, to remedy the alleged breach and the Police have failed to do so within the period specified in the notice.

14.3 The Police or Council may terminate this agreement on giving six months notice in writing stating the reasons why they wish to or require to withdraw from it.

14.4 Upon termination of this agreement, the Police will repay to the Council the balance of any money paid as detailed in 6.1 which has not been used in accordance with this agreement.

15. Resolution of Disputes

15.1 If any dispute should arise between the Council and the Police in respect of the terms of this agreement or either parties' rights or obligations under this Agreement both parties and their officers shall use all reasonable endeavours to reach an amicable and working resolution of the matter in dispute as quickly as possible.

15.2 If any dispute is unable to be resolved then the dispute shall be referred to a single independent arbiter mutually agreed by both parties. The findings and awards of such arbiter shall be final and binding upon both parties.

15.3 For the avoidance of doubt, if any matter arising out of this agreement is subject to dispute or referred to arbitration, the Police shall continue to remain responsible for the continuing provision for the service and the Council and the Police should consider whether the payments should continue in the context of the dispute. If after investigation the Council removes funding then the Police are no longer required to maintain running the service.

16. Nominated Officer

- 16.1 The Council shall nominate, in writing, to the Police an Officer (the “Nominated Officer”) responsible for contact and exercising all rights and responsibilities of the Council under this Agreement and may by notice in writing change the identity of the Nominated Officer from time to time. At present the Community Safety Manager will be responsible for the operational elements of the SLA. The Community Safety Manager will be responsible for attending the Midlothian Communities meeting as well as fulfilling ‘Following the Public Pound’ duties.

17. Assignment & Sub-contracting

- 17.1 The Police shall not assign, or sub-contract, their responsibilities under this agreement without the prior written consent of the Council.

18. Confidentiality

- 18.1 Both parties agree to adhere to the Pan Lothian information sharing protocol.
- 18.2 Documents and information relating to this Service Level Agreement shall not be disclosed by the Police or the Council to any other person without the other parties permission unless disclosure is authorised by Statute or Court Order.
- 18.3 Reference is made to the Freedom of Information (Scotland) Act 2002, applicable to Midlothian Council, as a Scottish Public Authority under Schedule 1 of that Act. Both the Police and the Council acknowledge that unless an exemption applies under that Act, that the Council may be under a regulatory obligation to provide information on this Service Level Agreement and relating records to members of the public making a Freedom of Information Act request.

19.0 Law of Scotland

- 19.1 The construction, validity, performance and all other matters arising out of, and in connection with, this agreement shall be governed by the Law of Scotland and subject to the exclusive jurisdiction of the Scottish Courts in WITNESS THEREOF these presents typewritten on this and the 10 preceding pages are executed as follows.

Signed:..... Date:

() on behalf of Police Service of Scotland

Witness:..... Date:

() on behalf of Police Service of Scotland

Signed: Date:

Kenneth Lawrie, Chief Executive, on behalf of Midlothian Council

Witness:Date:

Kevin Anderson, Head of Customer and Housing Services, on behalf of
Midlothian Council

Appendix

Community Policing Teams - Midlothian

Vision & activities

Vision

Impact positively on life quality within the communities of Midlothian by reducing all types of antisocial behaviour through prevention, disruption and enforcement.

Activities

- 1. High Visibility Patrolling:** the provision of community support and reassurance by undertaking high visibility vehicle, foot and cycle patrols focusing on identified antisocial behaviour issues.
- 2. Offenders:** intelligence led focus on individuals known to engage in antisocial behaviour, drugs use/supply and persistent alcohol abuse, with specific attention being given to persons subject to ASBOs and judicial bails (including curfews).
- 3. Youth Engagement:** actively engage with youths and foster a positive image of the police and their local communities. Act as primary first responders to youth calls, disrupt antisocial behaviour and enforce appropriate legislation firmly but fairly. Maximise alcohol seizures. Engage with partners and CBO colleagues to identify appropriate support and diversionary activities.
- 4. Licensed Premises:** monitor licensed premises activity and act as first responders to antisocial behavior related incidents whenever possible.
- 5. Support Partners & Colleagues:** engage with community partners to work together towards the vision and promote joint patrolling. Support divisional colleagues by acting as first responders to antisocial behaviour related incidents that are occurring in real time whenever possible. Instigate and contribute to operations and initiatives linked to the core vision.
- 6. Road Safety:** tackle antisocial vehicle use, giving specific attention to inconsiderate vehicle use on the Midlothian road network and the illegal use of off-road motorcycles. Maximise the appropriate use of ASBO warnings and vehicle seizures.

Midlothian Local Policing Plan 2017-2020**Report by Kevin Anderson, Head of Customer and Housing Services****1 Purpose of Report**

The purpose of this report is to seek elected members approval for the Midlothian Local Police Plan 2017-2020.

2 Background

2.1 Section 47(1) of the Police & Fire Reform (Scotland) Act 2012 states that the local police commander must prepare a “Local Police Plan” that sets out priorities for the policing of that local authority area and submit that police plan to the relevant local authority for approval.

2.2 The 2017 to 2020 Local Police Plan for Midlothian is attached for information.

3 Report Implications**3.1 Resource**

There are no additional resource implications.

3.2 Risk

Risk in delivery of the planned outcomes is mitigated as the Midlothian Local Police Plan for 2017-2020 is closely aligned with the Single Midlothian Plan 2017-18.

The new police plan has been developed in discussions with all partners delivering public services in Midlothian and with representatives of the communities they serve.

3.3 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

3.4 Key Priorities within the Single Midlothian Plan

The Midlothian Local Police Plan for 2017-2020 is closely aligned to the Single Midlothian Plan with a particular emphasis on the areas of business as at 3.3 above.

3.5 Impact on Performance and Outcomes

Police Scotland is a core partner in the delivery of Community Planning in Midlothian and under the terms of the Community Empowerment Act shares a new statutory duty to facilitate community planning. Through close interagency working with the wider Community Planning Partnership and through partnership working with local communities this plan should support the performance and outcomes in the Single Midlothian Plan.

3.6 Adopting a Preventative Approach

The Single Midlothian Plan commits partners to plan a preventative approach to service provision. Consequently, this new police plan is outcome focussed rather than target driven.

3.7 Involving Communities and Other Stakeholders

The new police plan has been developed in discussions with all partners delivering public services in Midlothian and with representatives of the communities they serve.

Groups facing additional barriers in Midlothian have been involved in the consultation process.

3.8 Ensuring Equalities

The guidance makes clear that there must be a demonstrable effort to support the involvement in decision making of people that face additional barriers to participating in public life. The consultation process for this new police plan included people that face additional barriers.

3.9 Supporting Sustainable Development

There is no impact of this plan on supporting sustainable development.

3.10 IT Issues

There are no specific IT issues.

4 Recommendations

It is recommended that Council consider and approve the attached Midlothian Local Police Plan 2017-2020 to meet the requirements under Section 47 (1) of the Police & Fire Reform (Scotland) Act 2012.

Date 7 August 2017

Report Contact: Kevin Anderson, Head of Customer and Housing Services

Tel No 0131 271 3225

kevin.anderson@midlothian.gov.uk

Background Papers:

Midlothian Local Police Plan 2017-2020



Midlothian

Local Police Plan

2017 to 2020

Contents

1. Introduction
2. All About Midlothian
3. Police Scotland
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8. Appendix 1 – Police Performance Indicators

1. Introduction

Section 47 of the Police & Fire Reform (Scotland) Act 2012 states that the local police commander must prepare a ‘Local Police Plan’ that sets out priorities for the policing of that local authority area. The plan must set out the reasons for selecting the priorities and identify how the achievement of those priorities may be measured.

This is the 2017 to 2020 Local Police Plan for Midlothian.

The policing priorities in this Local Policing Plan were identified using

- The Police Strategic Assessment 2017/2020 (an analysis of risks and threats likely to impact on communities)
- Results from the Public Consultation Survey “Your View Counts” (Your View Counts is a new process for public consultation available online 365 days a year at www.scotland.police.uk. The consultation survey can also be obtained through your local police station)
- The Midlothian Council Local Outcome Improvement Plan (referred to as the Single Midlothian Plan 2017-18).

The Local Authority and a range of local partners were also consulted on the final content of the Local Police Plan.

Midlothian Community Planning Partnership say

Midlothian Community Planning Partnership welcomes the new police plan, which is closely aligned with the goals of the partners, set out in the Single Midlothian Plan and has been developed in discussions with all partners delivering public services in Midlothian and with representatives of the communities they serve.

The police plan forms a core strand of the work of the community safety and justice partnership arm of community planning in Midlothian. Beyond this, the police service in Midlothian is integrated with, and contributes significantly to the wider work of the partnership. Beyond community safety and justice partnership work, this is most evident in health and social care and getting it right for Midlothian children themes where co- working between police and partners to address the problems facing our communities is now an everyday and natural approach. The Partnership has set three key goals, reducing inequalities in learning, health and economic circumstances. The partners have also adopted three approaches, building the capacity of communities for self-help, prevention of problems at the earliest point and modernising and localising access to public services. The police plan makes a clear contribution towards these.

2. All about Midlothian

Population Growth

Midlothian's population continues to grow at a rate exceeding that predicted, a trend, which is likely to continue with the population, estimated to increase by 13.3% by 2027 (2015 to 2027). With the current and emerging population characterised by young and retired segments, and the impact of an increase in new-build housing schemes there will undoubtedly be a radical change in the nature and volume of service demand for Police Scotland and other public sector agencies.

The face of policing in Scotland has and must adapt and respond to the new challenges these changes in demographic will bring. The predicted rise in the elderly and under 16's will place specific demands on Police Scotland and our partners as well as the challenges linked to new and emerging trends in criminality such as cyber crime and financial harm.

Police Scotland also recognise that around 80% of police work relates to non-criminal events, but instead deals with wider societal issues such as missing persons, mental health related enquiries and vulnerabilities.

A cohesive society requires engagement from all partner agencies, to prevent, tackle and reduce inequalities and understand and better serve our communities. **With limited resources aligned to changing and increasing demands, we must work creatively with partners in the spirit engendered by the Community Empowerment Act to ensure our communities in Midlothian receive the service they expect and deserve.**

(*Source: Midlothian Community Planning Strategic Assessment 2016).

Police Resources

Within Midlothian our operating model was established with local communities at its heart, focusing on working collaboratively with partners to deliver preventative policing and keep people safe. Uniformed resources are split between community and response policing teams.

Named and dedicated community officers work within each council ward to deliver consistent, local engagement and effective partnership working. In addition to this, dedicated teams of response officers work with our partners to make our communities safer and improve their wellbeing as well as responding to calls from the public and emergency situations.

Within Midlothian, Youth Community Officers work across each of Midlothian's High Schools focusing on early intervention and restorative justice, developing proactive strategies to reduce the likelihood of offending, engaging with pupils, offering support and advice to improve their wellbeing.

A partnership analyst and antisocial behaviour officer are embedded within Midlothian Council's Community Safety and Justice team, working alongside council antisocial behaviour officers, the mediation service, housing staff and a wide range of partners to build upon existing effective working practices. In addition, a Portfolio Delivery Officer, a Local Delivery Officer and a Community Planning Officer work with the council team to enhance liaison between departments and 3rd party agencies. This relationship is designed to deliver services and initiatives to keep people safe. **This coordinated approach allows the sharing of information to effectively task partnership resources, identify and respond to emerging crime trends and tackle the issues that cause the greatest harm in our communities.**

Not Protectively Marked

A range of specialised resources including crime investigation, road policing, public protection and intelligence provide localised support to front line policing. Specialist national divisions are further available to provide support when a serious crime takes place, or public safety is under threat from criminals.

Police Buildings

Police Scotland needs modern, flexible buildings, which are fit for the future. We will seek to embed modern working practices and technology to help shape future service provision, whilst maximising opportunity for partnership working, from a modern and efficient asset base.

This approach will further enhance collaboration and partnership working.

3. Police Scotland

Police Scotland was formed on 1st April 2013.

Since that date the service has faced many challenges and has sought to evolve in a progressive and constructive manner reflecting changes in society and local communities. Within these challenges the service has attempted to identify and take advantage of new opportunities to strengthen both local and national policing.

Whilst this Local Police Plan for Midlothian confirms the local policing priorities for the next 3 years, these changes in our society and local communities mean that the police service has to adjust to continue to operate effectively; prioritising resources over the longer term, leading up to 2026.

Over the next ten years, the police service will need to make productive use of limited resources to create the ability to focus on early intervention and prevention by addressing inequalities. Also to improve the overall impact of the service, working more intelligently with partners and the public to deliver **better outcomes for communities.**

4. Better Outcomes for Communities

This 2017-2020 Local Police Plan for Midlothian represents the start of a change from short-term 3-year objectives to a focus on longer-term outcomes, which are in line with those of the Midlothian Community Planning Partnership.

Accordingly, all the identified priorities for the policing of Midlothian have been aligned to the themes and the relevant outcomes contained within the Single Midlothian Plan 2017-18

The relationships between outcomes, themes and police priorities are illustrated in the following 3 tables;

Table 1 – Better Outcomes for Communities

People, including those with disabilities/ long-term conditions or are frail are able wherever possible, to live independently and in their own home

Single Midlothian Plan 2017-18 (Adult Health & Care)

| Theme as per Single Midlothian Plan 2017-18 | Identified Police Priority | Short Term Police Outcome |
|---|----------------------------|--|
| Adult Health & Care | Adults at risk | Adults at risk are safer and less vulnerable |
| | Missing persons | To reduce instances and harm |

Table 2 - Better Outcomes for Communities

(1) Fewer people are victims of crime, abuse or harm & (2) People feel safe in their neighbourhood and homes & (3) Our communities take a positive role in shaping their future

Single Midlothian Plan 2017-18 (Community Safety)

| Theme as per Single Midlothian Plan 2017-18 | Identified Police Priority | Short Term Police Outcome |
|---|---|--|
| Community Safety & Justice | Misuse of alcohol & drugs | To reduce the harm |
| | Gender based harm (including domestic abuse) | To reduce the harm |
| | Crimes of dishonesty (housebreakings and theft) | To reduce the harm |
| | Violent crime | To reduce the harm caused by public & private space violence |
| | Financial harm including doorstep crime & fraud | To reduce the harm |
| | Cyber crime | To reduce the harm |
| | Antisocial behaviour (including hate crime) | To reduce the harm |

Not Protectively Marked

| | | |
|--|---|--------------------------|
| | Serious & organised crime and counter terrorism | Safeguarding communities |
| | Death and injury on Midlothian's roads | To reduce the harm |

Table 3 - Better Outcomes for Communities

(1) Children and young people are supported to be healthy, happy and reach their potential & (2) All care experienced children and young people are being provided with quality services

Single Midlothian Plan 2017-18 (Getting it Right for Every Midlothian Child)

| Theme as per Single Midlothian Plan 2017-18 | Identified Police Priority | Short Term Police Outcome |
|---|-----------------------------------|--|
| Getting it Right for Every Midlothian Child | Child protection | Children at risk are safer and less vulnerable |
| | Child sexual abuse & exploitation | Children at risk are safer and less vulnerable |
| | Missing persons | To reduce instances and harm |

5. Achieving Priorities & Outcomes

The following pages demonstrate how we will practically achieve priorities and outcomes through policing in collaboration with partners and communities.

Achieving Priorities & Outcomes

Adults at Risk, Missing Persons

To ensure people, including those with disabilities/ long-term conditions or are frail are able wherever possible, to live independently and in their own home we will ...

- Be open, responsive and accountable to victims, witnesses and communities, giving them an effective voice and working to develop new ways to meet their needs such as a better understanding of cultural and diversity requirements and ensuring they receive the help and support they require;
- Protect victims and the most vulnerable within our communities, working in partnership, sharing relevant information and taking action to support these individuals by providing assistance, intervention and referral;
- Enhance our investigations into missing people and provide appropriate support to individuals and families affected.

CASE STUDY - Adults at Risk, Intensive Home Treatment Team

Poor mental health affects many people in our communities and accounts for a considerable amount of police time and resources. Police Scotland recognise that partnership and collaborative approaches are essential to ensure that individuals affected by mental health get the correct care and that their ongoing welfare is a priority through appropriate referral and signposting.

Midlothian police are currently working in partnership with the Midlothian Intensive Home Treatment Team (IHTT) to provide a Midlothian Mental Health Triage service. This service is designed to ensure that individuals, aged 18 years and over, in mental health crisis who come to the attention of the police in Midlothian are assessed as quickly and appropriately as possible, leading to more timely intervention by mental health professionals when required, avoiding unnecessary detention either in a police station or hospital.

The IHTT process allows police officers coming into contact with relevant people to speak directly by telephone with a mental health nurse who will have access to health service information and is able to provide medical support and guidance. This process allows a timely initial assessment to be made whilst the individual is still within the community, identifying the most appropriate course of action.

Providing police officers with information and guidance to make more informed decisions about the care of individuals will significantly reduce the requirement for police attendance at hospital leading to a more effective and efficient use of both Police and Health Service resources as well as better outcomes for those affected by mental health issues and our wider communities.

CASE STUDY - Missing Persons, The Care Home Protocol

In the year 2016-2017, Police Scotland received 22003 missing person reports (source: PSOS National Missing Person Register). Records show that 481 of these reports were for people missing from Midlothian.

Research shows that 2.9% of these people missing from Midlothian had dementia (Scottish Government statistics). It is clear that in order to mitigate the risk to those affected by dementia, Police Scotland has a duty along with its partners to provide a robust, fit for purpose strategy for this specific category of vulnerable missing person.

In February 2015 the Police Scotland National Missing Persons Unit produced the partnership agreement “Adults Who Go Missing from Care Settings in Scotland” focussing on prevention and response. This was piloted in Midlothian, aimed at improving the partnership risk assessment and management of vulnerable missing adults.

In Midlothian, care home staff were provided with a framework to identify those people at risk of becoming a missing person. For each of those identified as at risk, a Care Home Plan was created that contained all relevant details relating to that person, including a description and detailed personal history. This process allows care home managers and staff to identify those most at risk and introduce preventative measures to protect them within the care setting. Should such persons be reported as missing, the Care Home Plan will be provided to police at the outset of their enquiries, providing all relevant information to direct the enquiry strategy and trace the missing person sooner, minimising the risk to their health and welfare.

With evaluations providing recommendations to further enhance the current system, the existing protocol has proved to be extremely effective and has been agreed by the Scottish Government as best practice and is set to be incorporated within the National Missing Persons Framework later this year.

Achieving Priorities & Outcomes

Misuse of Alcohol & Drugs, Gender Based Harm, Crimes of Dishonesty, Violent Crime, Financial Harm, Cyber Crime, Antisocial Behaviour & Hate Crime, Serious & Organised Crime & Counter Terrorism, and Death & Injury on Midlothian Roads

To ensure (1) Fewer people are victims of crime, abuse or harm & (2) People feel safe in their neighbourhood and homes & (3) Our communities take a positive role in shaping their future we will ...

- Engage and share information with partners to prevent and reduce crime, ensuring the most vulnerable members of social groups within our communities are protected, focussing on the offences and offenders that cause the greatest harm;
- Prevent criminality and the misuse of drugs and alcohol through effective early intervention, education and enforcement;
- Influence road user behaviour and improve road safety awareness through education, initiatives, activities and enforcement;
- Prevent serious and organised crime, target, disrupt and deter those involved;
- Protect our communities from the threat of terrorism, contributing fully to the UK Government CONTEST Strategy in respect of terrorism locally, across the region, nationally and internationally.

CASE STUDY - Domestic Abuse, the Disclosure Scheme

In Midlothian, the focus is on Keeping People Safe and this includes protecting victims of Domestic Abuse from further harm. In 2015 – 2016, of the 32 Local Authority areas in Scotland, Midlothian was the 6th highest in terms of incidents of Domestic Abuse recorded (128 per 10,000 population).

The scale of the problem of Domestic Abuse cannot be overstated and in Midlothian we continue our determined fight against the harm it causes.

The Disclosure Scheme for Domestic Abuse Scotland (known less formally as Clare's Law) was launched nationally in 2015 and aims to provide a way of sharing information about a partner's abusive past with a potential victim and gives people at risk of Domestic Abuse, the information needed to make an informed decision on whether to continue the relationship.

The Disclosure Scheme for Domestic Abuse Scotland has two main triggers for disclosure – the “Right to Ask” and the “Power to Tell”.

The “Right to Ask” is open to anyone who has concerns about a new partner's abusive past or has concerns about another person's new partner. An example of this would be a parent concerned about their child's new partner.

The “Power to Tell” is when Police Scotland receives information or intelligence about the safety of a person who may be at risk.

Referrals into the Midlothian scheme can be made in a number of ways. These include:

- Online through the Police Scotland website
- Via 101
- At a Police Station
- By approaching an officer in the street and making an application
- As part of an enquiry that Police/partner agencies are dealing with

The scheme is a useful, pro-active tool in our continued efforts to tackle Domestic Abuse and compliments our existing policies, procedures and partnership working in Midlothian.

CASE STUDY - Financial Harm, Operation Monarda

In Midlothian, we continue to successfully deliver Operation Monarda, a high profile national campaign, delivered locally to tackle all forms of bogus callers and associated doorstep crime. These crimes have a devastating impact on the lives of their victims, particularly the elderly and vulnerable and can have potentially serious consequences for their life chances.

This campaign sees Police Scotland work in partnership with a range of agencies including Trading Standards, The Department of Work and Pensions, Driver and Vehicle Standards Agency (DVSA) and the DVLA, focussing on prevention through locally delivered education and media campaigns.

Working with Midlothian partners to deliver high profile media campaigns through the distribution of literature to the public, private and third party sectors, to help raise awareness of the prevalence of financial crime and what to look out for, helps our communities in employing preventative measures. This also assists Police Scotland in the gathering of intelligence to identify emerging threats, prevent crime and apprehend offenders.

In addition to prevention, robust multi-agency enforcement days are held which sees the deployment of officers utilising a range of policing tactics to specifically target the perpetrators of these crimes, disrupting and detecting criminality.

Reducing the number of individuals affected by doorstep crime, Operation Monarda keeps vulnerable groups in Midlothian safer and empowers our local communities.

CASE STUDY – Prevent E-Learning Package – Counter Terrorism

The analysis of results from the **YOUR VIEW COUNTS** survey, revealed that the number one policing priority identified by the public, is countering the threat from terrorism. The results differ vastly from previous community surveys, showing an increased public awareness of terrorism following recent terrorist attacks at home and abroad.

In Midlothian we understand that concern and the effects this can have on our community, which is why Midlothian is fully involved with the Governments **CONTEST** (Counter Terrorism) strategy.

One strand of the strategy is **PREVENT**. Prevent's aim is to stop people becoming terrorists or supporting terrorism, through being radicalised by others.

To help identify vulnerable individuals who might be susceptible to radicalisation, the PREVENT E-Learning Package training tool was developed and produced by the divisional Multi-Agency Contest Group, of which Midlothian is a fully active member. The development team included police officers from local and national departments as well as partners from Education, Health and the Local Authorities. The brief was to create a method of explaining PREVENT, to assist staff identify any vulnerable individual and offer support to prevent them from becoming radicalised by extremists. All Midlothian local authority staff undergo PREVENT training and the E – Learning package has provided a consistent approach to training in this important area. So far a large number of Midlothian local authority staff have completed the training course. This will help safeguard vulnerable individuals, reduce the risk of them becoming radicalised and also lessen the impact from extremism and terrorism in our community.

Achieving Priorities & Outcomes

Child Protection, Child Sexual Abuse & Exploitation, Missing Persons

To ensure (1) children and young people are supported to be healthy, happy and reach their potential & (2) all care experienced children and young people are being provided with quality services we will ...

- Remain committed to the development of strong working partnerships to protect children and young people within our communities through referral, early effective intervention, education and enforcement;
- Through the proactive sharing of information with partners we will identify those most exposed to risk allowing us to implement effective measures for their protection;
- Conduct all enquiries in a child-focussed manner, ensuring children are meaningfully involved in decision making about their lives and the services they receive.

CASE STUDY – Road Safety/Educational Interventions for Young People

Across Midlothian, road safety is a priority, with young drivers being overrepresented in many serious and fatal road accidents. It is therefore important through education to ensure that young drivers understand that the skill of driving comes with a responsibility to keep people safe.

With many serious and fatal accidents occurring on rural roads, where the cause of the collision can be attributed to driver behaviour, helping young drivers develop excellent driving skills and an awareness of safety issues is important for the continuous improved safety of our road networks.

To address the issues surrounding young drivers, a programme of events to emphasise risk and support good driving behaviour is provided for all senior pupils at high schools across Midlothian. Working with partners including Transport Scotland, the Scottish Fire and Rescue Service, the Scottish Ambulance Service, local cycling groups, Midlothian Community Safety Unit and third party organisations, Police Scotland deliver an educational event with an educational theatre performance, followed by group discussion and debate surrounding the issues arising from the play as well as inputs from partners regarding their experiences when attending road traffic collisions. The Police Scotland Roads Policing Unit provides information on some of the responsibilities that young drivers have and the impact ignoring these can have. Following this formal session, attendees can interact with representatives from all agencies, stimulating discussion and a greater awareness of the dangers that can be faced on our roads.

Having run for several years this programme is very successful with 76% of attendees stating the event would have a direct impact on their driving and felt more able to challenge other road users behaviour as a result.

CASE STUDY - “Fearless” Campaign & Operation Sandorne

In Midlothian High Schools, the ‘Fearless’ campaign is currently being utilised to educate and encourage 11-16 year olds to speak out about crime. An anonymous reporting system run by Crimestoppers, Fearless provides a bespoke website featuring information, advice, help and support to young people on the issues surrounding crime and criminality as well as a safe place to provide information regarding crime and its perpetrators anonymously.

Supported further by online media resources including Facebook and Twitter, providing a variety of videos, workbooks and school learning materials, Fearless is now being integrated within the curriculum for excellence reinforcing empowerment through education. See www.fearless.org

Midlothian High Schools are now identifying local pupils to become Fearless Champions and operate as role models within their schools.

Operation Sandorne is an ongoing initiative in Midlothian, aimed at targeting drug dealing amongst schoolchildren, complimenting the prevention aspect of the Fearless campaign through robust enforcement. Delivering a zero tolerance approach to drug dealing within this peer group, police officers take fast executive action in response to information regarding drug dealing alongside effective interventions for those children and young persons identified as being involved in drugs supply.

Providing a multi agency approach to drug supply, supporting interventions and prevention through education, Operation Sandorne has had considerable success, including the recovery of drugs with a significant street value. Through collaboration with Midlothian partners, these schemes help empower children and young persons to make better more informed decisions about their lives.

CASE STUDY - Looked after Children as Missing Persons

In Midlothian, we recognise that looked after children are, by the very nature of their age and circumstances, a particularly vulnerable group within our communities and at even greater risk of harm if they become a missing person. The term "looked after children" refers to children and young people who are in care.

Police Scotland and its partner agencies (including NHS Lothian, Midlothian Local Authority and Who Cares Scotland) are promoting Corporate Parenting in Midlothian. This means that everyone in our organisations has a responsibility to try and support the wellbeing of our looked after children.

With this in mind, we set up a working group with partners across the Local Authority and Social Work and reviewed all working practices around how we deal with looked after children who have been reported missing. By working together, we improved awareness and understanding across our partners resulting in better outcomes for looked after children who were being reported missing on a regular basis.

Devising early intervention programmes and addressing the underlying issues and causes of their repeated missing episodes allows us to support these children in making safer and healthier choices, in turn, increasing their wellbeing and reducing the number of missing person episodes.

This local approach, along with ongoing work by the National Missing Person Framework pilots means resources are as effective as possible at delivering the local outcomes we seek to achieve.

6. Measuring Success

As previously indicated, this 2017-2020 Local Police Plan for Midlothian represents the start of a change to a focus on longer-term outcomes. Accordingly, the outcomes will not be achieved during the lifetime of this Plan.

There are many factors that influence short-term performance, but to allow for appropriate scrutiny, performance indicators have been identified from Police Scotland Quarterly Management Information, from Your View Counts Surveys and from User Satisfaction Surveys that reflect a better focus on outcomes.

In monitoring progress towards outcomes, these police performance indicators should be considered in context with partner indicators within the Single Midlothian Plan.

Police Performance Indicators are listed in Appendix 1.

7. Contact Us

Local Contact Details:

Dalkeith Police Station
Newbattle Road
Dalkeith
EH22 3AX

Telephone number: Single Non-Emergency, Number 101

Email: For all non-emergency issues or enquiries relating to Police business, you can contact us via:

mailto:MidlothianLPP@scotland.pnn.police.uk

This group email address is provided for you to discuss non-urgent local policing issues. It should not be used to report a crime or incident.

For information about your local Community Policing Team and other services that Police Scotland provides, please refer to the Force website at: <http://www.scotland.police.uk/>

You can contact your Community Policing Team to discuss non-urgent local policing issues at:

DalkeithCPT@scotland.pnn.police.uk or

PenicuikCPT@scotland.pnn.police.uk

We are here to help

We will continue to keep in touch with you to keep you updated on the ongoing work being carried out to tackle the issues that are affecting life for you in Midlothian.

- If you have any concerns or issues you wish to discuss, contact your local Community Policing Team.
- Dial 999 for an emergency that requires urgent police attention.
- For non-emergency contact, call 101, the single non-emergency number.

Not Protectively Marked

- If you have information about crime in your area and wish to provide it anonymously, call CRIMESTOPPERS on 0800 555 111
- Service users who are deaf or have a hearing impairment can contact Police Scotland via TextRelay in an emergency on 18000 or non-emergency on 18001 101.

Social Media: #keepingpeoplesafe

Twitter

<http://twitter.com/policescotland>

Facebook

<http://facebook.com/policescotland>

8. Appendix 1 – Police Performance Indicators

People, including those with disabilities/ long-term conditions or are frail are able wherever possible, to live independently and in their own home

Missing Person Incidents – Adults Source: Missing Persons Coordinator, J Division

Bogus Workmen Crimes Source: UNIFI Crime Recording System

(1) Fewer people are victims of crime, abuse or harm & (2) People feel safe in their neighbourhood and homes & (3) Our communities take a positive role in shaping their future

Domestic Abuse Incidents Source: SCOMIS

Number of Hate Incidents Source: SCOMIS

Antisocial Behaviour Incidents Source: SCOMIS

Drug Supply, Production and Cultivation Source: SCOMIS

Housebreakings (Domestic) Source: SCOMIS

Not Protectively Marked

Crimes of Dishonesty (all group 3) Source: SCOMIS

Serious Violent Crime (Murder, Attempted Murder, Culpable Homicide, Serious Assault and Assault and Robbery) Source: SCOMIS

Road Casualties - Source: Analysis and Performance Unit - Local Authority Scrutiny Board Report – Midlothian

(1) Children and young people are supported to be healthy, happy and reach their potential & (2) All care experienced children and young people are being provided with quality services

Missing Person Incidents – Children Source: Missing Persons Coordinator, J Division

Day Services Policy

Report by Alison White – Head of Service

1 Purpose of Report

The growing pressures on social care coupled with the continuing budget reductions faced by Midlothian Council mean it is essential that there is a radical overhaul of the approach to the delivery of services. This report seeks approval for a Day Services Policy intended to ensure a stronger approach to the equitable provision of Day Services.

2 Background

2.1 Sustainable and Affordable Social Care Services

A report on 'Sustainable and Affordable Social Care Services' was accepted by Midlothian Council on 27th June 2017. This report outlined pressures on Social Care Provision; demographic pressures, growing budget pressures and workforce pressures. The report also summarises the key elements of the Social Care Redesign Programme in place to mitigate these pressures. The key elements being; culture of transformation, integration and the *Realistic Care Realistic Expectations* approach.

A number of specific policies were also referenced in the report. Subsequent to this report a further policy in relation the provision of Day Services has been prepared.

2.2 Day Services Policy

The overall purpose of the Day Service Policy is to ensure there is a fair allocation of resources to individuals who require support by detailing the eligibility criteria for Day Services and outlining appropriate models of Day Service provision. This policy complements and should be read in conjunction with Midlothian Council 'Fair Allocation of Care Policy' approved in June 2017. The policy has a particular focus on services to people with a Learning Disability

The Day Services Policy, included in Appendix 1 of this report, addresses the following:

- Purpose and eligibility for day services – this includes the amount of Day Service support that would be provided
- The principles that underpin Day Service provision

- The types of Day Service Provision and the factors that will influence eligibility for this service.

The policy also contains some specific guidance on factors related to eligibility.

2.3 Day Service Strategy

Learning Disability Services in Midlothian are undergoing significant change and major developments are taking place to reflect the fact that the expectations of the Learning Disability population in Midlothian is changing rapidly. People clearly want very different opportunities and the right support and services to deliver support that is individualised and reflects their aspirations. This next change has to involve a cultural shift to true participation in society for people with Learning Disabilities and the empowerment to make this happen.

A new Strategy is being developed which aims to remove the concept of a 'service user', in the traditional sense, and replace it with an approach that delivers services that focus on achieving things that will make a difference in people's lives. It is based on the Human Rights of a diverse group who come from all backgrounds, cultures and walks of life. At its heart is a fundamental shift in power and a new relationship between service providers and people who use day services.

A full review of existing day services has been undertaken. The next stage is to speak to people about the findings of the day service review and its recommendations. A small number of expert panels have been arranged which will focus on conversations with stakeholders to assess to what extent services are currently configured to meet the aspirations of the Strategy and articulate how the services should change or evolve to do so.

3 Report Implications

3.1 Resource

Implementation of the 'Day Services Policy' will ensure there is more robust and consistent decision-making in the allocation of social care resources for Day Service provision. It will also help ensure that there is an equitable allocation of resources to individuals with similar needs.

3.2 Risk

There are a number of risks associated with not taking steps to implement the Day Services Policy:

- There is a continued inequity in the allocation of resources between individuals who have similar levels of need
- Increased budget pressures arising for inconsistent decision making around cost effective provision of support

The key risk associated with the implementation of this policy is:

- Anxiety from individuals who are experiencing a change in their support as a result of the change in policy. This however will be mitigated by ensuring we continue to work in a person-centred manner and enabling people to have access to independent advocacy.

3.3 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

3.4 Key Priorities within the Single Midlothian Plan

The proposed policy fits with the Health and Social Care priorities in relation to setting and maintaining a balanced budget position.

3.5 Impact on Performance and Outcomes

Midlothian Council takes an outcomes focussed approach in the provision of social care services. This approach would not change as a result of the adoption of this policy, however it will ensure there is equity and transparency when meeting individual's needs.

3.5 Adopting a Preventative Approach

The proposed policy identifies the need for and supports the application of preventative approaches in the provision of Social Care Support.

3.6 Involving Communities and Other Stakeholders

As part of the implementation of this policy there will be discussion with the joint planning groups. Full consultation was undertaken on the Fair Access to Care policy and the Day Services Policy is aligned with that policy. A wide consultation exercise regarding the introduction of a broader strategy is currently underway.

3.7 Ensuring Equalities

Equalities Impact Assessments have been completed and no issues of concern have been identified. A greater level of equity of service will be result from their implementation.

3.8 Supporting Sustainable Development

The implementation of the policy will ensure a more sustainable delivery of Day Services.

3.9 IT Issues

There are no IT issues associated with this report.

4 Summary

This report describes the proposed Day Services Policy and the work that is underway to develop a wider day service strategy.

5 Recommendations

Council are invited to:

- Approve the Day Services Policy
- Note the development and consultation work on the Day Service Strategy.

Date 8/8/17

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Background Papers:

Appendix 1 – Proposed Day Services Policy

Day Services Policy (Adults)

DRAFT DOCUMENT

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2 Introduction

Midlothian Council provides a range of Community Care support services to individuals with varying levels of support needs. This includes the provision of Learning Disability Day Services to individuals affected by disabilities.

Where an individual has complex support needs there can be significant variation in costs of providing Day Services depending upon the service model used to provide this support. This policy aims to ensure there is a fair allocation of resources to individuals who require support by detailing the eligibility criteria for Day Services and outlining appropriate models of Day Service provision. This policy complements and should be read in conjunction with Midlothian Council 'Fair Allocation of Care Policy' approved in June 2017.

3 Legislative and Policy Context

3.1 Legislative Context

The main duty to provide community care services derives from Section 12A of the Social Work (Scotland) 1968 Act. Section 12A of this Act provides:

Where it appears to the local authority that any person for whom they are under a duty or have a power to provide community care services may be in need of any such services the local authority must:

- Assess the need of that person for support
- Decide on the basis of the assessment whether services should be provided taking account of:
 - Whether there is a carer providing substantial amount of care on a regular basis; and
 - Both the views of the person whose needs are being assessed and the views of the carer

Midlothian Council is accordingly required to perform its statutory duties in terms of the 1968, however Midlothian Council is entitled to exercise its discretion in performing those statutory duties. Midlothian Council must ensure that an assessed need is being met, and must take into account the views of the individual and their carer, however, they do not have to fund the care requested by an individual or their carer if the assessed need can be met by a more cost effective resource. The local authority is not required to fund more expensive models of care where support can be provided effectively by alternate models of care.

3.2 Policy Context

This policy clarifies eligibility for and models of Learning Disability Day Service provision. All commissioning of resources should be consistent with wider policy initiatives including:

- The Keys to Life Learning Disability strategy
- Midlothian Council Fair Allocation of Care Policy

Day services are also provided for people with mental health needs and for people with physical disability. Whilst this policy is focussed upon services to people with learning disability there are some general principles which apply across all day services e.g. the support available with care support needs attending further education college.

3.3 Self Directed Support

The Social Care (Self Directed Support) (Scotland) Act 2013 introduced choice and control in the provision of social care support. The Act places a duty on local authority social work departments to offer people who are eligible for social care a range of choices over how they receive their social care and support. It allows people to choose how their support is provided to them, and enables people, if they wish to do so, to organise their support themselves under Self Directed Support (SDS) options 1 or 2. It also requires that the local authority must provide information, including the available budget, to individuals so that they can choose which option of support they wish. If the individual chooses SDS options 1 or 2, the local authority must make payment of a relevant amount to enable the individual to arrange for the provision of support. It should be noted that payment made by the Local Authority should be an amount that the local authority considers is a reasonable estimate of the cost of securing the provision of support for the supported person.

While Self Directed Support does ensure individuals have choice and control about their care and support there are limitations. When agreeing what support can be provided under options 1 and 2 the Local Authority needs to be satisfied that the:

- Individual is eligible for proposed support and the support will meet assessed outcomes
- Support will ensure the individual is safe and promote independence and active citizenship

4 Purpose and Eligibility for Day Services

Individuals with a disability may require specific day service support during the day. This support will mitigate the risks to individuals that would exist in the absence of structured daily activity. The Day Service support that would be provided should meet outcomes in three main areas listed below. Outcomes should be meaningful, realistic and achievable.

- **Outcomes related to staying safe** – Where an individual is assessed as being at risk of harm if they were left on their own without programmed support activities during the day
- **Outcomes related to being independent** – Where programmed activities are required during the day to ensure an individual develops or is supported to exercise basic independence skills necessary to engage in activity that is meaningful to the individual. (Basic independence skills include things such as communication, decision making, managing own behaviour, self care skills, navigating social relationships)
- **Outcomes related to being an active citizen** – Where due to the individuals disability without support they would be unable to engage in critical activities associated with being an active citizen such as forming and maintaining relationships, having a social life and being part of the wider community

The Midlothian Council's eligibility criteria mean that support will only be provided when an individual would be at substantial or critical if support was not provided. This means that Day Service support would only be provided when there is evidence that the absence of such support would put an individual's long term health and wellbeing at risk as a result of loss of independence and inability to be an active citizen.

4.1 Amounts of Support

The amount of support provided will depend upon the risk if an individual does not receive support. Support will only be provided to reduce risk to an acceptable level and not to eliminate risk entirely. For example while an individual may require support 5 days a week to stay safe it is unlikely there would be a need for a 5 days a week service to mitigate the risks associated with being an active citizen.

The factors that will determine the amount of Day Service an individual receives are as follows:

- **Support to stay safe** – The amount of time an individual needs to be supported to be safe and the staffing ratio required to ensure the individual is safe
- **Support to be independent** – The amount of time an individual needs to be supported to engage in meaningful activity and the staffing ratio required for this. The amount of time an individual could be supported for would be determined by the amount of purposeful activity necessary to avoid harm to an individual's wellbeing that would result from them not engaging in any purposeful activity.
- **Support to be an active citizen** – The amount of time individual needs to be supported to engage in activities associated with being active citizen and the staffing ratio required for this. The amount of time an individual could be supported for would be determined by the amount of activity necessary to mitigate risks associated with social isolation.

4.1.1 The level of support an individual will be eligible for will vary depending upon an individual's circumstances and their living arrangements. Supported Living

Where an individual receives a supported living service their support should be organised to ensure risks associated with safety, independence and active citizenship are mitigated. For some individuals their supporting living service will provide all the support related to these risks, for others day services will be part of the support arrangements. An individual will not normally receive both Supported Living support and Day Services during the day. The best way of providing services will be decided on a case by case basis; for example if an individual's level of assessed need is such that specialist Day Service provision is required and the individual would require additional support from the supported living service to engage in this support.

4.1.2 Independent Living with Support

Where an individual is living independently with some support, Day Services can be provided when there is an assessed need for structured day services as a protective factor to keep the individual safe. An individual may also be eligible for some support with basic independence skills necessary to engage in purposeful activity and some support to engage in the community. Normally individuals living independently with some support will not require high levels of day service support.

4.1.3 Living at Home

The amount of support an individual living at home with family / carers will receive will depend upon the amount of support needed to ensure independence and active citizenship. Day Services would only be provided on a full time basis where an individual is assessed as not being safe when on their own at times when the family/carers are not available to support the individual. The level of service may also be informed by an assessment of the carers' needs.

4.1.4 Residential Care

Where an individual receives residential care, day services should be provided as part of this service. There would therefore not normally be any eligibility for additional Day Services.

5 Principles Underpinning Day Service Provision

There are a number of principles that underpin the Day Service provision that are drawn from 'Keys to Life' policy and local consultation. The principles outlined will apply to all Day Service provision commissioned by Midlothian Council. These principles will also be adopted when commissioning services to ensure that the range of service provision is available locally.

- **Day Services will promote independence and active citizenship** – In line with the Keys to Life strategy all service provision should promote independent and active citizenship. This will include the creation of meaningful communities and experiences for individuals. Services funded by Midlothian Council will be required to evidence this is being achieved, where appropriate with reference to the individual experiences of individuals using the services.
- **Services to be delivered locally** –Day services should, wherever possible, be delivered in Midlothian. Out of area service will only be considered when there is an assessed need for specific provision or out of area service provision meets an individual's assessed need and is no more expensive
- **Services to promote individual learning and development** –Day services should, wherever appropriate, support individual to learn and develop new skills
- **Enhanced level of support based on assessed need** - The default level of support will be shared support. Increased levels of support, such as 1-1 support will only be provided when there is an assessed need for this level of support to engage in Day Services. Holistic assessments will be undertaken to assess the level of need and should always include input from health services on the level and impact of a disability.
- **Resource decision to include transport costs** – When making resource decisions the full cost of the service provision, including costs of getting to and from the service should be considered. This will support the principle that all services should be provided locally.
- **Specific eligibility criteria apply to transition services** – Midlothian Council recognises there can be value in providing specialist Day Services for young adults leaving school. These services can support individuals to develop independence skills that may mean the individuals need less support in the long term. Eligibility for these services will be time limited and be dependent on an assessment that appropriate transition related outcomes will be met.
- **Service provision will be appropriate to stage in life** – It is recognised that Day Service provision should reflect an individual's age. The Day Services that would be appropriate for someone leaving school are different from the Day Services for an adult in later life, or passed retirement age.
- **Services will support healthy lives** – Day Services will be organised to support individuals enjoy the highest attainable standard of living, health and family life. Services should develop individual outcomes that emotional, physical and psychological wellbeing. Services will be expected to proactively work to contribute to addressing issues related to health inequalities.

6 Types of Day Service Provision

The table below summarised the main types of day service provision and the key factors that would determine eligibility for them:

| Model | Description | Factors Influencing Eligibility for this Service |
|---|---|--|
| Specialist building based provision | <ul style="list-style-type: none"> Specialist building space is required to cater for complex physical disabilities Adaptations are required to the physical environment to make it safe for individuals(e.g. when an individual presents challenging behaviour) | <ul style="list-style-type: none"> Assessed need for specialist building based provision Unable to share social space and therefore require specialist environment |
| Specialist Transition Services | <ul style="list-style-type: none"> Services targeted at young adults leaving or recently left school who will benefit from services with an enhanced focus on learning that will help an individual develop skills that mean they will require less support in the future. Services that support an individual to engage in person centred planning associated with the transition to becoming an adult Services will work to deliver clearly started outcomes that will be regularly reviewed and based on the principles of Good Transitions 3 (Scottish Transitions Forum). | <ul style="list-style-type: none"> Assessed benefits of enhanced levels of learning Normally only available for a fixed period after school Continuation of this resource would be contingent on progress |
| Programmed Activities – Building Based | <ul style="list-style-type: none"> Service orientated around a building that provide programmed activities that in a safe environment and promote independence and active citizenship | <ul style="list-style-type: none"> Assessed need for structured support with basic independence skills Assessed need for this to be building based provision |
| Programmed Activities-Community / Resource Centre Based | <ul style="list-style-type: none"> Services based within the community that provide programmed activities that provide a safe environment and promote independence and active citizenship | <ul style="list-style-type: none"> Assessed need for structured support with basic independence skills in order participate in purposeful activity |
| Further Education | <ul style="list-style-type: none"> Further education courses aimed at individuals who require supported learning (SCQF Level 1 & 2) | <ul style="list-style-type: none"> Support would be provided if the young person met the eligibility criteria for day service provision (see section 7.1) |

| Model | Description | Factors Influencing Eligibility for this Service |
|---------------------------------------|---|---|
| Supported Employment (& volunteering) | <ul style="list-style-type: none"> Services that provide supported employment and volunteering opportunities | <ul style="list-style-type: none"> Individual is assessed as being unable to engage in employment or volunteering without support to develop and sustain basic independence skills |
| Local Area Co-ordination | <ul style="list-style-type: none"> Services that provide the co-ordination necessary to be independent and engage in purposeful activity | <ul style="list-style-type: none"> Individual assessed as needing lower levels of support with their independence skills |
| Relationships / Social Life Outings | <ul style="list-style-type: none"> Day Services that provide social activities and opportunities | <ul style="list-style-type: none"> Not normally individually funded, but may be grant funded by the Local Authority |

7 Specific Eligibility Guidance

7.1 Further Education

Some individuals may choose to access a college course in place of a day service. This is particularly the case with young people leaving school who may benefit from continuing education to develop their independence skills. While courses themselves are funded by further education establishments Midlothian Council may be requested to fund transport and additional support at college. Funding for transport or additional support will be considered only when:

- An individual is assessed as being eligible for a Social Care Day Service if they did not attend college
- The course supports the learning of basic independence skills (appropriate to the needs of individuals with a learning disability). These courses are normally at SCQF Level 1 & 2.
- Wherever possible the individual will be supported to travel independently
- As outlined in Fair Access to Care Policy the expectation is that people will make their own arrangements to access services. Transport will only be made available for individuals to attend College courses within Midlothian where there is no other way to safely access services. Only exceptionally will this include journeys to campuses outwith Midlothian. If individuals or families choose to go outwith Midlothian they may be required to pay additional support and travel costs themselves.
- Where additional support is needed for someone to attend college social care funding is only available for personal care and support provided during breaks. Support for learning will be responsibility of the college

7.2 Stage of Life

Day service provision will vary dependent upon an individual's stage in life. When an individual reaches retirement age the amount of Day Service provision related to promoting independence and active citizenship will be assessed consistent with the amount of support older people can receive. While this may change the amount of support an individual receives the support service should still meet the specific needs associated with an individual's disability.

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Christmas Light Funding Options**Report by John Blair, Director, Resources****1 Purpose of Report**

At its meeting of 20 December 2016 Council accepted a proposal from Council officers to "Review Christmas Light Funding" as part of the overall financial strategy to meet the financial budget deficit facing the Council.

The potential cash saving, which has been included in the budget projections for 2017/18 in the event that the provision of Christmas Lights no longer be carried out by the Council, based on 2016/17 outturn figures was £66,800. The revenue budget reduction was estimated to be £60,000 at the time the budget for 2017/18 was set by the Council.

The purpose of this report is to invite Council to consider the following options;

- A. Whether it wishes to continue to fund the supply, erection, maintenance, and take down of Christmas Lights and trees at the various towns across Midlothian including support Switch on Events
- B. Consider an option to reduce this funding over a phased period (of up to five years) subject to local communities bridging the funding gap and taking responsibility for the funding to provide Community Christmas lights in the future.
- C. Cease the supply, erection, maintenance and the take down of all Christmas lights and trees across Midlothian from Winter 2017.

2 Background**2.1 Locations affected**

The provision of Christmas lighting varies across Midlothian depending on the size of the town or village and the previous efforts made by some communities to generate external funding sources.

Based on 2016 Christmas lights are provided at the following locations;

- Penicuik
- Loanhead
- Bonnyrigg
- Dalkeith
- Mayfield
- Gorebridge
- Newtongrange
- Pathhead
- Lasswade
- Roslin
- Bilston
- Rosewell
- Danderhall

In addition to Christmas lights a number of locations are also provided with a Christmas tree within the community

The direct cost of supplying, erecting, maintaining and removing Christmas lights and associated work is approximately £66,800 per annum based on 2016/17. This sum also includes the costs associated with the various switch on events which

traditionally take place when residents are available to attend ie evenings and weekends.

2.2 Community Involvement

At this stage the review of Christmas Light funding has not been specifically highlighted with local community groups. However, with the potential for the cessation of this service it has become widely known (as part of the Council's budget process) and has been commented on particularly through social media.

Accordingly at this point in time there have been no firm proposals brought forward by local communities that would allow the provision of Christmas lights to continue in local area. Historically some financial support has been provided from Penicuik and Newtongrange communities [to the Council] who have indicated they would continue to provide funds to offset the costs of the service going forward.

In this regard and in the wider context, contact could be made with each individual community group to ascertain whether they would be in a position to meet any future funding gaps which would allow option B) as outlined in section 1 above to be pursued. i.e. each local community fund the service directly themselves.

A further option for community self help which could be progressed would be the installation of infrastructure and equipment in each town/village that would simplify the erection and dismantling of the lights. This is similar to the scheme provided in the Scottish Borders towns where the Council play a very minimal role in the provision of Christmas lights. In this regard there are two options to be considered; where the communities would take responsibility for the erection maintenance repair of removal of Christmas lights.

- 1) One off infrastructure investment which would require qualified electrical personnel to erect the lights at an initial capital cost of £66,000
- 2) One off infrastructure which would require competent but not necessary qualified personnel to erect the lights at an initial capital cost of £135,000

These options are set out in further detail within the next section of the report.

3 Options for Consideration

3.1 Continue Existing Service [Option A]

The operation to erect, maintain and take down Christmas lights is carried out over a four month period of the year and generally involves staff from the Council's Land and Countryside and Road lighting teams.

Initially this work includes the checking and replacement of individual light fittings prior to the erection and installation within the towns and villages.

In addition there requires to be strength checking of light fittings on the street, pull testing on the buildings and further electrical testing on site.

The following table outlines the full costs for 2016/17 Christmas Lights; which included additional features compared to previous years.

| Task | Cost 16/17 | Note |
|--|----------------|------|
| Check, repair, testing of lights and equipment | £11,500 | |
| Erection and removal of the lights | £34,400 | |
| Christmas tree supply and provision | £6,500 | |
| Estimated Energy Supplies | £3,000 | |
| Switch-on events staffing and management | £6,700 | |
| Other Event Support Costs | £5,800 | (a) |
| Total Expenditure 2016/17 | £67,900 | |
| Contribution from communities | £1,100 | |
| Net costs 2016/17 | £66,800 | |

Note:

| | |
|---|---------------|
| (a) The other event support costs comprise; | |
| ▪ Catering at event switch on events | £1,400 |
| ▪ Festive event sundries previously funded via Ward Revenue Environmental funds | <u>£4,400</u> |
| | <u>£5,800</u> |

The costs outlined in the table above, assume that no further lighting is added to the existing stock and that no significant replacement of lighting is required. It should be noted that some of the equipment is dated and nearing the end of its useful life.

Christmas lighting has a limited life and therefore if a decision was taken whereby the Council assumed full responsibility for providing Christmas lights an allowance would require to be made for the ongoing replacement of lights. A prudent figure of £10,000 per annum would require to be set aside for this purpose if the existing levels of equipment were to be provided.

The full year costs associated with the supply, erection, maintenance and removing of Christmas lights and associated infrastructure is £66,800. Following the Council decision in December 2016 the sum of £60,000 has been removed from Land and Countryside revenue budget in 2017/18.

Currently, Christmas lights are stored within a sizable ageing shed at Vogrie Country Park. During a recent Health and Safety inspection of the building it was identified that asbestos was present in the shed, and the shed was in a fragile condition. If significant activity was to take place within the shed i.e. the maintenance, removal and inspection of lights, there is a risk that the asbestos could be disturbed and become a hazard to staff. In addition the condition of the roof which is integral to the asbestos panels gives cause for concern and would require to be replaced in the near future.

The capital cost of repairing the working and storage shed at Vogrie Country Park is estimated at £90,000. If this option was to be progressed this sum would require to be allowed for in the general capital budget. This would give a consequential annual revenue cost of £6,500 per annum over a 20 year period. However, this option is not being recommended by Director Resources as this is not the optimum location for serving the whole of Midlothian. The alternative is to hire a suitable shed at an estimated annual cost of £10,500 per annum depending on availability.

It should also be noted that an exercise is currently underway which will outline the future potential strategic options for the future Vogrie Country Park. It is therefore considered not prudent upgrading the shed at this time for the reasons outlined.

The following table summarises the revenue costs of continuing to provide Christmas lights;

Option (A): Council continue to fund Christmas lights

| Revenue Costs | Cost |
|---|----------------|
| Erection, maintenance and removing lights | £66,800 |
| Shed hire for storage and workspace | £10,500 |
| Estimated Annual Replacement of lights | £10,000 |
| Total costs | £87,300 |

3.2 Reduced Funding [Option B]

Based on the total costs set out in 3.1 this option seeks to reduce funding over a period (e.g. phased over one to five years) which would allow communities to identify funding to allow the service to continue if this were the wishes of individual communities.

If funding was reduced over one year i.e. no funding support towards Christmas 2018, then no financial provision would require to be allocated in the 2018/19 budget.

If funding was reduced over a phased period (five years) the following table outlines the funding that could be reduced compared to existing service levels.

Option (B): Five Year Phased Reduction

| | 2017/18 | 2018/19 | 2019/20 | 2020/21 | 2021/22 | Thereafter |
|--------------|----------------|----------------|----------------|----------------|----------------|----------------|
| Base funding | £66,800 | £53,440 | £40,080 | £26,720 | £13,360 | £0 |
| Storage Cost | £10,500 | £10,500 | £10,500 | £10,500 | £10,500 | £10,500 |
| Total | £73,300 | £63,940 | £50,580 | £37,220 | £23,860 | £10,500 |

In addition, infrastructure improvements as outlined in section 2.2 requires to be considered by the Council if communities wish to continue to provide with Christmas lights. This option does not include a sum for the annual replacement of lighting.

3.3 Communities Involvement [Option C]

The table in 3.2 outlines the funding required from the Council if this was to be reduced over a phased period (five years).

In addition if Council were minded to provide infrastructure that would make it simpler for communities to take on the responsibility for Christmas lights the following table summarises the capital investment required;

| Capital Investment | Cost |
|--|----------|
| C1 :Infrastructure requiring qualified personnel | £66,000 |
| C2 :Infrastructure requiring competent personnel | £135,000 |

Progressing one of these options would depend on communities agreeing to accept responsibility for the erection, maintenance and removal of the lights, and for a sustainable period.

The following tables summaries the cost of these two options regarding community involvement.

Option (C1): Qualified Personnel

This cost relates to a mutual capital investment of £66,000

| | 2017/18 | 2018/19 | 2019/20 | 2020/21 | 2021/22 | Thereafter |
|--------------|----------------|----------------|----------------|----------------|----------------|----------------|
| Base funding | £66,800 | £0 | £0 | £0 | £0 | £0 |
| Storage Cost | £10,500 | £10,500 | £10,500 | £10,500 | £10,500 | £10,500 |
| Loan Charges | £680 | £4,500 | £4,500 | £4,500 | £4,500 | £4,500 |
| Total | £77,980 | £15,000 | £15,000 | £15,000 | £15,000 | £15,000 |

Option (C2): Competent Personnel

This cost relates to a mutual capital investment of £135,000

| | 2017/18 | 2018/19 | 2019/20 | 2020/21 | 2021/22 | Thereafter |
|--------------|----------------|----------------|----------------|----------------|----------------|----------------|
| Base funding | £66,800 | £0 | £0 | £0 | £0 | £0 |
| Storage Cost | £10,500 | £10,500 | £10,500 | £10,500 | £10,500 | £10,500 |
| Loan Charges | £1,400 | £9,100 | £9,100 | £9,100 | £9,100 | £9,100 |
| Total | £78,700 | £19,600 | £19,600 | £19,600 | £19,600 | £19,600 |

3.4 Complete Cessation of Christmas Lights Service: Option (D)

This option to cease funding of the supply, erection, maintenance and removing Christmas lights include Christmas Trees provides a cash saving to the Council of £66,800 per annum based on 2016/17 outturn position.

4 Report Implications

4.1 Resource

If Council is minded to continue to support the supply, erection, maintenance and dismantling of Christmas lights this will increase the budget gap previously identified to the Council by the Head of Finance and Integrated Service Support.

The following table outlines the financial position of all the options as set out earlier in the report.

| SUMMARY POSITION | | | | | | |
|--|----------------|----------------|----------------|----------------|----------------|-------------------|
| Revenue Costs | FY 1718 | FY 1819 | FY 1920 | FY 2021 | FY 2122 | Thereafter |
| | £ | £ | £ | £ | £ | £ |
| Option A :Existing Service | | | | | | |
| Revenue Cost to Council | 66,800 | 66,800 | 66,800 | 66,800 | 66,800 | 66,800 |
| Replacement lighting | 10,000 | 10,000 | 10,000 | 10,000 | 10,000 | 10,000 |
| Add : Cost of Storage | 10,500 | 10,500 | 10,500 | 10,500 | 10,500 | 10,500 |
| Total | 87,300 | 87,300 | 87,300 | 87,300 | 87,300 | 87,300 |
| | | | | | | |
| Option B : Phased Reduction (Community Funding) | | | | | | |
| Revenue Cost to Council | 66,800 | 53,440 | 40,080 | 26,720 | 13,360 | 0 |
| Add : Cost of Storage | 10,500 | 10,500 | 10,500 | 10,500 | 10,500 | 10,500 |
| Total | 77,300 | 63,940 | 50,580 | 37,220 | 23,860 | 10,500 |
| | | | | | | |
| Option C1 :Community managed: Qualified Personnel | | | | | | |
| Revenue Cost to Council | 66,800 | 0 | 0 | 0 | 0 | 0 |
| Add : Cost of Storage | 10,500 | 10,500 | 10,500 | 10,500 | 10,500 | 10,500 |
| Loan Charges | 680 | 4,500 | 4,500 | 4,500 | 4,500 | 4,500 |
| Total | 77,980 | 15,000 | 15,000 | 15,000 | 15,000 | 15,000 |
| | | | | | | |
| Option C2 :Community managed: Competent Personnel | | | | | | |
| Revenue Cost | 66,800 | 0 | 0 | 0 | 0 | 0 |
| Add : Cost of Storage | 10,500 | 10,500 | 10,500 | 10,500 | 10,500 | 10,500 |
| Loan Charges | 1,400 | 9,100 | 9,100 | 9,100 | 9,100 | 9,100 |
| Total | 78,700 | 19,600 | 19,600 | 19,600 | 19,600 | 19,600 |

The following table sets out the impact of each of the options on the Council's overall reserves position.

| IMPACT ON RESERVES | FY 1718 | FY 1819 | FY 1920 | FY 2021 | FY 2122 | Thereafter |
|--|----------------|----------------|----------------|----------------|----------------|-------------------|
| | £ | £ | £ | £ | £ | £ |
| Option A :Retain existing service | 87,300 | 87,300 | 87,300 | 87,300 | 87,300 | 87,300 |
| Option B : Phased Reduction (community funding) | 77,300 | 63,940 | 50,580 | 37,220 | 23,860 | 10,500 |
| Option C1 :Community managed: Qualified Personnel | 77,980 | 15,000 | 15,000 | 15,000 | 15,000 | 15,000 |
| Option C2 : Phased Reduction : Competent Personnel | 78,700 | 19,600 | 19,600 | 19,600 | 19,600 | 19,600 |

The above table assumes that the Community Involvement options would commence in time for Christmas 2018

4.2 Risk

Notwithstanding the positive impact that the provision of Christmas lights have within local communities there is an element of retail activity that arises as a consequence of people being attracted to a particular area and this would be at risk if lights were no longer provided.

There is a risk to health and safety if the shed at Vogrie continues to be used during the period when the lights were erected and dismantled in its current condition.

However the overall financial gap facing the Council is unprecedented and it is incumbent to explore all options with regards to non statutory spend.

4.3 Single Midlothian Plan and Business Transformation

- ☐ 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

In terms of the key priorities through the Single Midlothian Plan, the options set out in this report will allow the Council to consider its relative priorities.

4.5 Impact on Performance and Outcomes

The provision of Christmas lights has a positive impact on the physical well being of the local communities however this is a non statutory service and this report outlines alternatives for consideration by the Council.

4.6 Adopting a Preventative Approach

The options to continue to provide Christmas lights makes the local communities more attractive for those who live, visit and work in area.

4.7 Involving Communities and Other Stakeholders

No formal community consultation has taken place at this time. However, if the option to continue to fund for a defined period was agreed then consultation would take place to determine the level of support that could be guaranteed from communities.

The following table outlines a draft consultation programme which will involve the respective community groups if the Council requests the Director Resources to progress this option;

| Action | 2017 Aug | Sept | Oct | Nov | Dec | 2018 Jan | Feb | Mar |
|-----------------------------------|-------------|------|-----|-----|-----|-------------|-----|-----|
| Council decision [This Report] | | | | | | | | |
| Plan Christmas events for 2017 | | | | | | | | |
| 2017 Christmas events take place | | | | | | | | |
| Remove equipment | | | | | | | | |
| Communities Consultation exercise | | | | | | | | |
| Collate responses to consultation | | | | | | | | |
| Report to Council | | | | | | | | |

4.8 Ensuring Equalities

There are no equality issues arising from this report.

4.9 Supporting Sustainable Development

The proposals in this report provide options to continue to provide Christmas lights which are specifically aimed at increasing community involvement levels as identified in 2.1 above.

4.10 Digital Issues

There are no digital issues arising from this report.

5 Recommendations

It is recommended that Council consider the following recommendations:-

- a) If it wishes to continue to fund the supply, erection, maintenance and removing of Christmas Lights at the various towns across Midlothian as follows;
 - 1) Erect, maintain and remove lights at £66,800
 - 2) Hire a shed for the storage and repair of lights at £10,500 per annum
 - 3) Provide a sum to replace lights of £10,000, **[OPTION A]**
- b) Wishes to continue to fund the supply, erection, maintenance and removing of Christmas lights and to reduce this funding over a period (i.e. one to five years) as outlined in 3.2 subject to local communities bridging the funding gap, **[OPTION B]**
- c) If option B was adopted consider the option to provide infrastructure to make it simpler for communities to take on the responsibility for Christmas lights at a cost of;
 - 1) Suitable for qualified personnel at a capital cost of £66,00 resulting in recurring revenue charges of £4,500 **[OPTION C1]**
 - 2) Suitable for competent personnel at a capital cost of £135,000 resulting in recurring revenue charges of £9,100 **[OPTION C2]**
 - 3) Hire a shed for the storage and repair of lights at £10,500 per annum.
- d) Cease the supply, erection and maintenance of Christmas lights **[OPTION D]**
- e) In the event of the preferred option of the Council being other than cessation, then the capital costs be reflected in the General Services Capital Plan in 2017/18;
- f) Note that continuing to fund Christmas lights will add to the Councils Significant budget gap and will require further reductions across services to reduce the budget gap in 2017/18 and future years.

10 August 2017

Report Contact:

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Background Papers:

Midlothian Council Tenant Satisfaction Survey & Tenant Participation and Customer Engagement Strategy

Report by Eibhlin McHugh, Joint Director, Health and Social Care

1. Purpose of the Report

This Report conveys the key findings of the Tenant Satisfaction Survey which was undertaken during 2016/17. The Survey data forms part of the submission requirements for the Annual Return of the Charter, which is provided to the Scottish Housing Regulator and made available for all tenants. A sample of council tenants were interviewed to obtain their views on the housing service they receive.

These survey results are also compared with that of previous years and benchmarked against other local authority landlord results. The survey results also assist in the identification of areas where the Housing Service could be further improved.

This Report also recommends the Consultative Draft of Midlothian Council's Tenant Participation Strategy 2017 – 2020 for publication and consultation. This Strategy identifies outcomes which will improve the way the Housing Service engages with tenants and other service users.

2. Background

Tenant Satisfaction Survey 2016/17

2.1 Methodology:

All Registered Social Landlords in Scotland need to ask tenants some specific questions the results of which are reported on an annual basis as part of the Annual Return on the Social Housing Charter. This enables comparison between Registered Social Landlords on a range of indicators of performance. The survey was carried out by Knowledge Partnership - an experienced research company who have undertaken Tenant Satisfaction Surveys for a significant number of Scottish Councils and Registered Social Landlords. In previous years the Survey method used was a postal/online survey form which was sent to all Midlothian Council tenants. However, recent research undertaken on behalf of the Scottish Housing Regulator suggests that face to face surveys are the most appropriate method of obtaining information about tenant satisfaction. In total 617 interviews were conducted; approximately a 10% sample of Midlothian Council tenants. The sample was drawn to be representative of the number of council properties in each area.

2.2 About the household

Of the 617 respondents, 257 (42%) indicated that they had a disability or health condition which limited their daily activities or the work they could do. Older people were more likely to have a disability or health condition. Most households (71%) indicated that they did not have any children aged 16 or less compared to 29% of households with children. Overall, 56% of all respondents stated that no household member received any Housing Benefit. In terms of the economic status of tenants, 36% of tenants were employed either full or part time and 35% of tenants were retired.

2.3 Home and neighbourhood

Respondents were asked of how satisfied or dissatisfied they were with the quality of their home. Most respondents (85%) said they were satisfied compared to 9% who were dissatisfied. All respondents were asked if they could easily afford to heat their home: (78%) of the respondents stated they could easily afford to heat their home while 135 (22%) said they could not. In addition, 86% of those surveyed said they were satisfied with their neighbourhood as a place to live.

A similar proportion (83%) was satisfied with the Council's management of the neighbourhood. Respondents were asked if they thought the rent they paid provided good value for money. A total of 82% of respondents thought their rent provided good value for money. 10% of respondents felt that the rent they paid was not good value for money.

2.4 Repairs and Maintenance

Around half of total respondents (52%) said they had a repair or maintenance carried out in the last 12 months prior to the survey. The majority of respondents (81%) were satisfied with the repair or maintenance service they had received. The highest satisfaction with an element of the repairs service was the attitude of the workers, with 91%.

The lowest level of satisfaction with an element of the repairs service was with the speed of the completion of work (83%), although it is still a relatively high level of satisfaction. In general, older people expressed a higher level of satisfaction with the repairs service and satisfaction levels varied by area – for example it was high in the Mayfield area (89%) and low in the Penicuik area (65%). However, geographical variances should be treated with caution due to the low number of respondents interviewed in each area which may affect the results.

2.5 Getting in touch with the Council

Most tenants contacted the housing service by telephone, with smaller numbers visiting the housing office or contact by letter/email. Those surveyed were asked if they felt they were given opportunities to participate in the decision-making process of the Housing Service – 80% of respondents were

satisfied they were given opportunities to participate. Also, 83% of tenants surveyed were happy that they were kept informed about the housing service through things like the Tenant Newsletter and the Council website.

2.6 Housing Priorities and overall Satisfaction with the Housing Service

Tenants were asked what they considered as the most important housing priorities for the Council. The three highest priorities were: Maintain affordable rents, build more affordable housing and improve the existing housing stock. In terms of the overall satisfaction with the Housing Service provided by Midlothian Council, a total of 83% expressed satisfaction with these services.

The previous Survey in 2014/15 showed satisfaction levels at 79%. The Table below also shows that satisfaction levels with some of the key questions asked have also increased. For example it shows an 18% increase in satisfaction with management of the neighbourhood and opportunities to participate.

Table 1: Satisfaction Levels for Key Questions, 2012, 2014/15 and 2016/17

| Measure | MLC 2012 | MLC 2014/15 | MLC 2016/17 | Difference between 2014/15 & 2016/17 |
|--|----------|-------------|-------------|--------------------------------------|
| Satisfaction with Management of Neighbourhood | 79% | 67% | 85% | 18% |
| Satisfaction with Rent providing Value for Money | N/A | 73% | 82% | 9% |
| Satisfaction with Repairs Service | 74% | 79% | 81% | 2% |
| Satisfaction with Quality of Home | 85% | 85% | 85% | 0% |
| Satisfaction with Keeping Tenants Informed | 75% | 82% | 84% | 2% |
| Satisfaction with Opportunities to Participate | 67% | 62% | 80% | 18% |

2.7 Comparison with other Councils

Table 2, below, compares Midlothian satisfaction levels with other local authority landlords in Scotland. It also shows the satisfaction results for the highest and lowest satisfaction levels in each category available for comparison. It shows that respondents in Midlothian had similar levels of overall satisfaction with the Housing Service to that of tenants of other local authority landlords in Scotland – 83% of respondents stated they were satisfied which was the average level of satisfaction for Scottish local authority landlords.

This is an improvement since the 2014 Survey when the satisfaction level with the overall service in Midlothian was slightly lower than for other local authority landlords.

Table 2: Benchmarking Satisfaction Scores with Other Landlords in Scotland¹

| Measure | MLC 2016/17 | Council Average 2015/16 | Difference between MLC & Council Average | Highest Council | Lowest Council |
|--|----------------|-------------------------------|--|--------------------|-------------------|
| Satisfaction with Management of Neighbourhood | 85% | 81% | 4% | 93% | 67% |
| Satisfaction with Rent providing Value for Money | 82% | 79% | 3% | 89% | 67% |
| Satisfaction with Repairs Service | 81% | 88% | -7% | 97% | 79% |
| Satisfaction with Quality of Home | 85% | 84% | 1% | 90% | 69% |
| Satisfaction with Keeping Tenants Informed | 84% | 82% | 2% | 91% | 63% |
| Satisfaction with Opportunities to Participate | 80% | 71% | 9% | 87% | 46% |
| Satisfaction with the Housing Service Overall | 83% | 83% | 0% | 91% | 74% |

In addition, specific service areas in Midlothian had higher than local authority average satisfaction levels, such as satisfaction with tenants being given the opportunity participate (80% compared to 71%) and satisfaction with management of the neighbourhood (85% compared to 81%). Satisfaction with the repairs service was the only service area with a lower level of satisfaction in Midlothian compared with other local authorities (81% compared to 88%).

Tenant Participation and Customer Engagement Strategy 2017 – 2020

2.8 The Housing (Scotland) Act 2001 requires local authorities to have a Tenant Participation Strategy for promoting the participation of their tenants in the development of proposals relating to housing management and services. Tenant Participation is about tenants taking part in decision-making processes and influencing decisions. Tenant participation requires a culture of mutual trust, respect and partnership between tenants, councillors and housing officers working towards a common goal of better housing conditions and housing services.

2.9 It is also recognised that it is important to involve all service users in the way we engage and consult on our services. Who we should consider as part of our plans includes:

- People who are already tenants.
- Applicants on our Housing List.
- Homeless People.
- People who use the housing service such as gypsy/travellers.

The Scottish Government introduced the Scottish Social Housing Charter which sets standards and outcomes that all social landlords (including Councils) should aim to achieve when performing housing activities. The Charter states that:

¹ Information on 26 out of 32 local authorities was available for this comparison. One housing association, Glasgow Housing Association, was included in the comparison.

“Social landlords manage their businesses so that tenants and other customers find it easy to participate in and influence their landlord’s decisions at a level they feel comfortable with.”

2.10 The three proposed outcomes that the Strategy aims to deliver are:

- Information on the housing service and ways to get involved with the Housing Service have been **promoted** to tenants and service users.
- The Housing Service has ensured the **participation** of Tenants and Service Users in the decision making and operation of the Service.
- The Housing Service listens to the views of tenants and service users to improve the **performance** of the services being provided.

We have considered activities which will enable us to achieve these key aims:

- Providing a range of different options for tenants to get involved.
- Involving tenants at all levels of decision making.
- Working with tenant groups.
- Involving individual tenants.
- Involving under-represented service users.
- Providing good information and feedback to tenants.
- Removing barriers to participation.
- Providing support and resources for tenant scrutiny.

2.11 Prior to finalising the Tenant Participation and Customer Engagement Strategy the Housing Service intends to consult with tenants and service users to ensure their views are being taken into account when considering how best to involve them in the decision-making process of the Housing Service. Once implemented it is anticipated that the Strategy will further support the continued improvement in tenant satisfaction among Midlothian Council tenants.

3 Report Implications

3.1 Resource

There are no resource implications within this Report.

3.2 Risk

It is a statutory requirement that Midlothian Council undertake Tenant Satisfaction Surveys to monitor the level of satisfaction with Services. It is also a requirement that a Strategy to foster Tenant Participation is in place.

3.3 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 learning outcomes
- Reducing the gap in health outcomes
- Reducing the gap in economic circumstances

The themes addressed in this report impact on the delivery of the Single Midlothian Plan outcome measures in homelessness and stable and balanced communities. Early intervention and tackling inequalities are key priorities for Midlothian Council and the Community Planning Partnership and these proposals meet those objectives.

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

3.4 Impact on Performance and Outcomes

This Report has a positive impact as it demonstrates improved satisfaction levels among Midlothian Council tenants and identifies potential for further improvements to the Housing Service.

3.5 Adopting a Preventative Approach

High levels of tenant satisfaction will ensure that the Council's estates are sustainable communities and will assist in reducing complaints to the Housing Service.

3.6 Involving Communities and Other Stakeholders

Face to face interviews were carried out with 10% of Midlothian Council tenants and the Housing Service intends to publicise the findings of the Tenant Satisfaction Survey in a range of formats. Consultation regarding the format of the Survey was discussed with Midlothian Tenant Panel. In terms of the Tenant Participation and Customer Engagement Strategy, the consultative document sets out various methods to ensure tenants and service users are participating in the decision-making process of the Housing Service.

3.7 Ensuring Equalities

The Tenant Satisfaction Survey provides useful information in relation to equality groups in order to assist in the development of future policies and procedures. The Consultative Draft Tenant Participation and Customer Engagement Strategy is subject to Equality Impact Assessment in accordance with the Council's Equalities Schemes to ensure equality of opportunity.

3.8 Supporting Sustainable Development

Not Applicable

3.9 IT Issues

Not Applicable

4 Recommendation

It is recommended that Council:

- a) Note the contents and recommendations of the Tenant Satisfaction Survey Report.
- b) Agree for the Consultative Draft Tenant Participation and Customer Engagement Strategy to be published for consultation with tenants and service users.

Date: 8 August 2017

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Background Papers:

Tenant Satisfaction Survey 2016/17 Report

**Consultative Draft Tenant Participation and Customer Engagement Strategy
2017 - 2020**



Midlothian Council Tenant Satisfaction Survey 2016/17

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Introduction

As part of Midlothian Council's Tenant Participation and Customer Engagement Strategy, Midlothian Council undertake periodic surveys to determine the level of tenant satisfaction with Housing Services provided by the Council. In September 2016, Midlothian Council's Housing Services carried out a face-to-face tenant satisfaction survey.

The overall objectives of the survey were to:

- Gain an understanding of the level of customer satisfaction with the housing service.
- Identify areas of strength and weakness in relation to specific service areas.
- Provide evidence on performance to the Scottish Housing Regulator.
- Undertake comparative analysis with previous surveys and other local authority landlords.

This report contains key information derived from the Survey, including:

- Information about Council tenants and their tenancies.
- Satisfaction levels with the quality of homes and neighbourhoods.
- Satisfaction with the repairs service.
- How tenants communicate with the Council.
- Overall level of satisfaction with service provided.

Methodology

All Registered Social Landlords in Scotland need to ask tenants some specific questions the results of which are reported on an annual basis as part of the Annual Return on the Social Housing Charter. This enables comparison between Registered Social Landlords on a range of indicators of performance. In addition to this, further questions were asked which were judged to be useful in finding out more about our tenants and their priorities. Council Officers consulted Midlothian Tenants Panel and tenants groups to consider their views about the questions being asked in the Survey prior to the final questions being agreed.

The survey was carried out by Knowledge Partnership - an experienced research company who have undertaken Tenant Satisfaction Surveys for a significant number of Scottish Councils and Registered Social Landlords.

In previous years the Survey method used was a postal/online Survey Form which was sent to all Midlothian Council tenants. However, recent research undertaken on behalf of the Scottish Housing Regulator suggests that face to face surveys are the most appropriate method of obtaining information about tenant satisfaction:

*"Face-to-face surveys are considered best at obtaining representative samples and have the fewest constraints in relation to the length and complexity of the questionnaire."*¹

In total 617 interviews were conducted; approximately a 10% sample of Midlothian Council tenants. To increase participation the incentive of a prize draw of a £50 shopping voucher was used. In order to assess how accurate the results are in

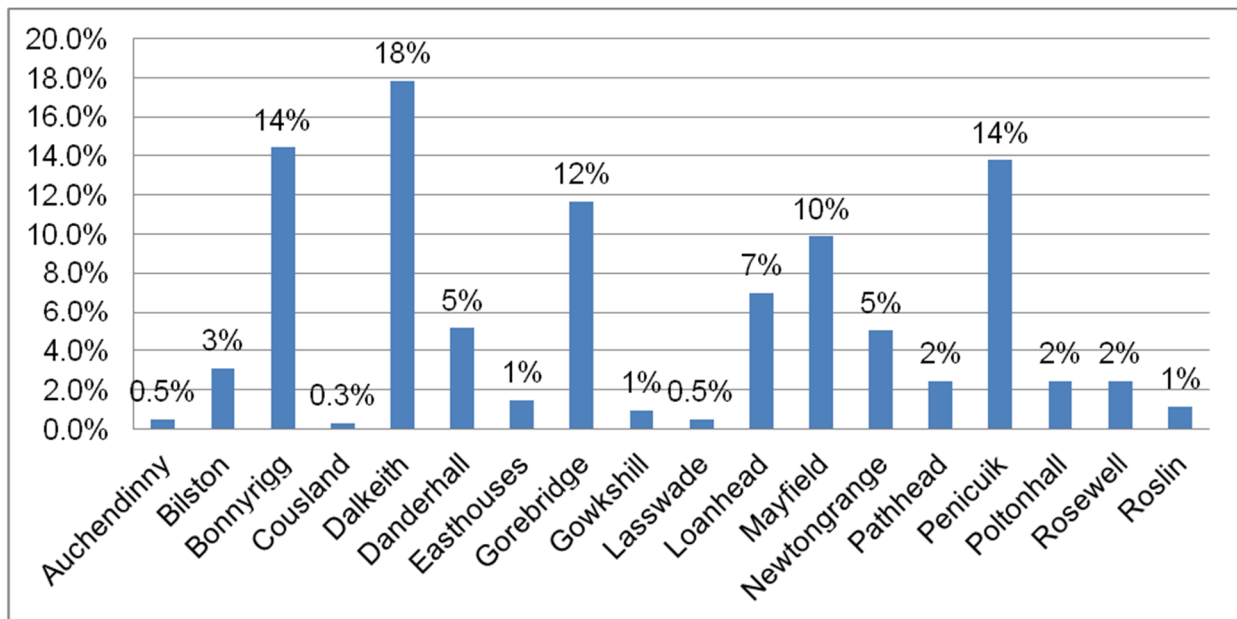
¹ Conducting Surveys of Tenants and Service Users – A Guide, Scottish Housing Regulator, May 2016

representing the views of all tenants, statistical analysis is used. An example of the need for this can be explained as: if all tenants returned their surveys you would be completely sure that the results obtained reflected that of your tenants. On the other hand, if only 100 replied out of 6,662 tenants there would be little certainty.

From the Survey returns received we are able to say that we are confident that our results have a margin of error no greater than +/-3.7%.

The Chart below shows the percentage of respondents by each area. The sample was drawn to be representative of the number of council properties in each area whilst also ensuring that the views of tenants in some of the smaller settlements were also represented.

Chart 1: Survey Respondents by Area



Some settlements incorporate survey responses from nearby smaller settlements to make results more useful for comparison between areas, these are:

- Bonnyrigg includes Bonnyrigg, Lasswade, Poltonhall and Loanhead
- Dalkeith includes Danderhall and Cousland
- Gorebridge includes Gowkshill, Pathhead and Rosewell
- Mayfield includes Newtongrange and Easthouses

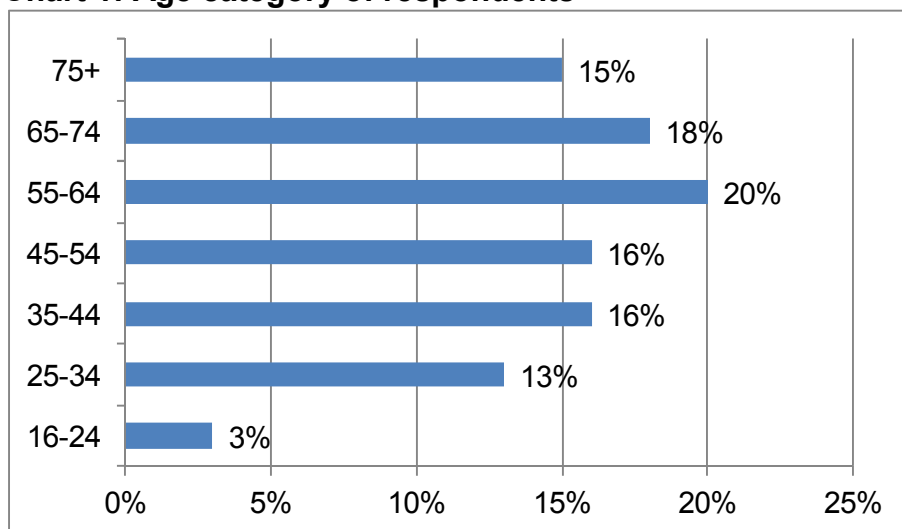
There are instances where respondents have chosen not to answer a specific question – these ‘non responses’ have not been included in the analysis of the Survey.

Section 1: Respondent profile

Age category

Chart 1 below shows the age category of the respondents. Overall, 52% of older tenants aged 55+ years were surveyed compared to 48% of those aged under 55. The largest age group of respondents were aged 55-64 (20%), followed by those aged 65-74 with 18% of respondents. Only 3% of respondents were aged 16-24 and 13% were aged 25-34 indicating that a lower proportion of younger people participated in the survey - although this reflects the fact that fewer younger people are council tenants.

Chart 1: Age category of respondents



Ethnicity

The vast majority of tenants responding to the survey were White Scottish (95%). The next most common ethnic groups were 'Other White British' (3.4%), followed by 'Other White Ethnic Group' (0.6%) and Irish (0.2%). Consequently 99% of respondents were of white ethnicity. Responses from non white ethnic groups accounted for less than 1% of respondents. This is similar to the 2011 Census² which showed that fewer than 2% of the Midlothian population were from a non white ethnic group. There were no respondents from other ethnic groups such as Black, Chinese and Gypsy/Traveller.

Table 3: Survey response by ethnic breakdown

| Ethnicity | Number of Responses | Percentage of Responses |
|--|---------------------|-------------------------|
| White Scottish | 585 | 95% |
| Other White British | 21 | 3.4% |
| Other White Ethnic Group | 4 | 0.6% |
| Polish | 3 | 0.5% |
| Irish | 1 | 0.2% |
| Pakistani, Pakistani Scottish or Pakistani British | 1 | 0.2% |
| Arab, Arab Scottish or Arab British | 1 | 0.2% |
| Indian, Indian Scottish or Indian British | 1 | 0.2% |

² Scotland's Census 2011: <http://www.scotlandscensus.gov.uk/ods-analyser/jsf/tableView/tableView.xhtml>

Total number of people in household

Households with two persons (35%) were the most common household size among respondents followed by single person households (31%).

Table 4: Total number of people in household

| | 1 Person | 2 Persons | 3 Persons | 4 Persons | 5 Persons | 6 Persons | 7+ | Total |
|----|----------|-----------|-----------|-----------|-----------|-----------|------|-------|
| No | 192 | 213 | 100 | 68 | 31 | 10 | 3 | 617 |
| % | 31.1% | 34.5% | 16.2% | 11.0% | 5.0% | 1.6% | 0.5% | 100% |

Tenants with Children under the age of 16

Analysis of households with children shows that most households (71%) indicated that they did not have any children aged 16 or less compared to 29% of households with children.

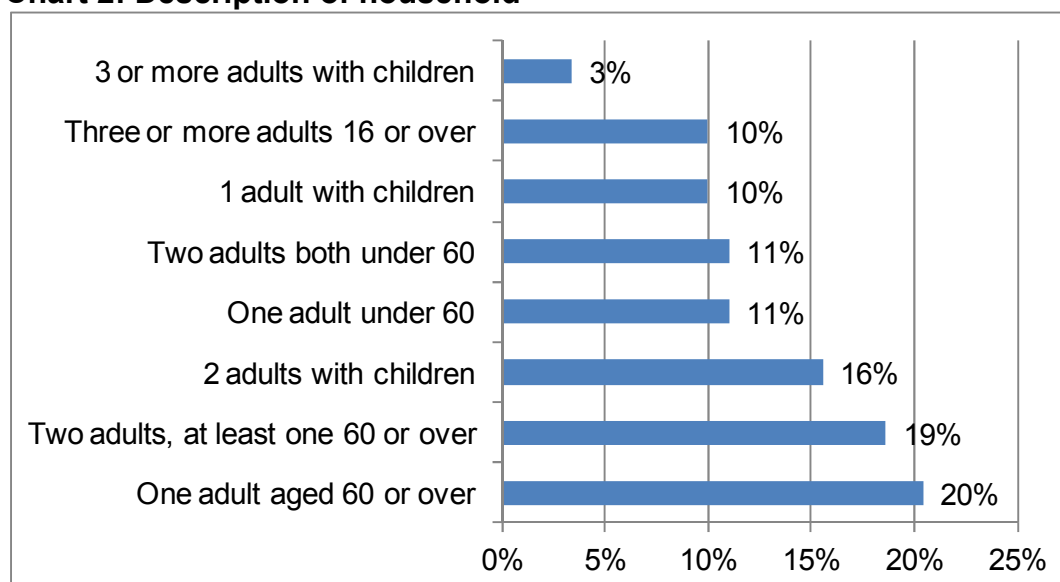
Table 5: Tenants with children

| | No Child | 1 Child | 2 Children | 3 Children | 4 Children | 5 Children | Total |
|----|----------|---------|------------|------------|------------|------------|-------|
| No | 436 | 73 | 67 | 31 | 7 | 3 | 617 |
| % | 71% | 12% | 11% | 5% | 1% | >1% | 100% |

Household Characteristics

Chart 2 is a breakdown of respondents by household size and composition. The most common households were 'one adult aged 60 or over' with 20% and 'two adults, at least one 60 or over' with 19%. Larger households with children were among the lowest proportion of respondents.

Chart 2: Description of household

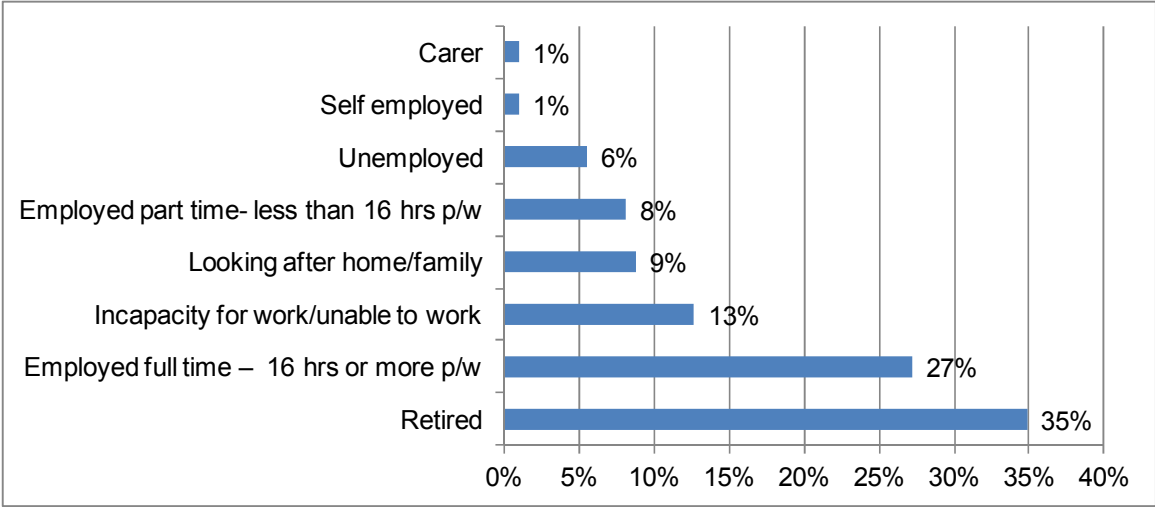


Economic status

Chart 3 sets out the economic status of respondents. Most common were respondents who were retired (35%) or in full time employment, working 16 or more hours per week (27%). Carers and the self employed had the lowest representation among the respondents. Overall, 56% of all respondents stated that no household member received any Housing Benefit. Of those tenants who received Housing Benefit, 33%

said all housing costs were covered through Housing Benefit while 11% said part of housing costs were covered through Housing Benefit.

Chart 3: Respondents' economic status

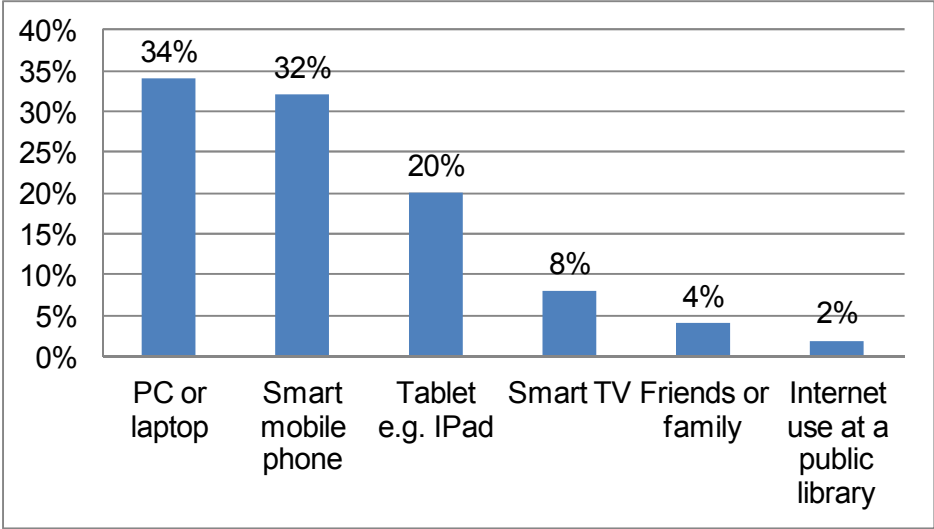


Access to the internet

Respondents were asked if they had access to the internet for personal use. A total of 67% of respondents indicated they had access to the internet while 31% said they did not and 2% planned to get access to the internet within the next 12 months.

A further analysis of access to the internet shows that 34% access was through PC or laptop followed by 32% through smart mobile phone. Access through a public library had the lowest rate with 2%.

Chart 4: Access to the Internet by Method

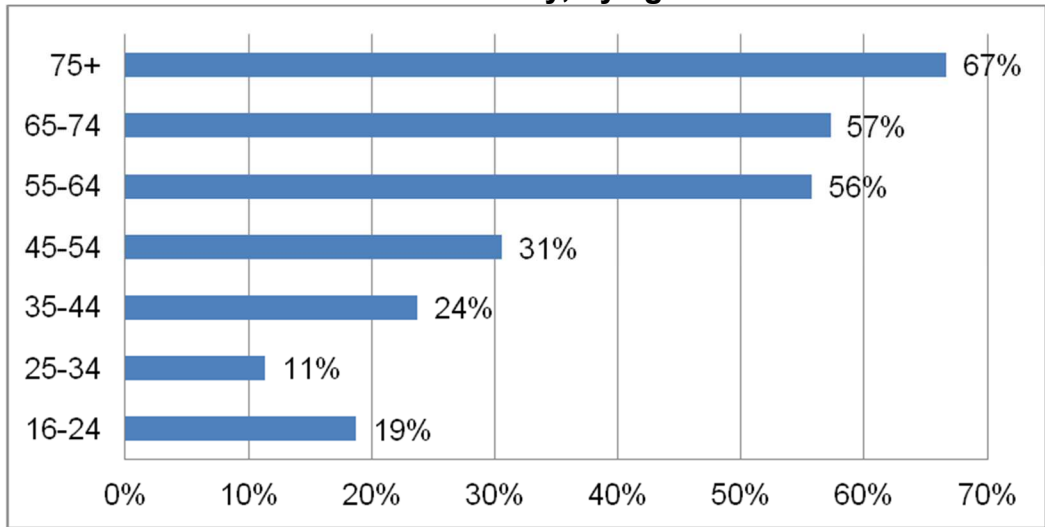


Disability

Overall, of the 617 respondents, 257 (42%) indicated that they had a disability or health condition which limited their daily activities or the work they could do. In addition, Chart 5 illustrates that disability in households was higher for older tenants. Those aged 75 or more recorded the highest level of disability or health condition

(67%) followed by those aged 65-74 with 57%. Younger households had the lower levels of households stating that they had a disability or health condition.

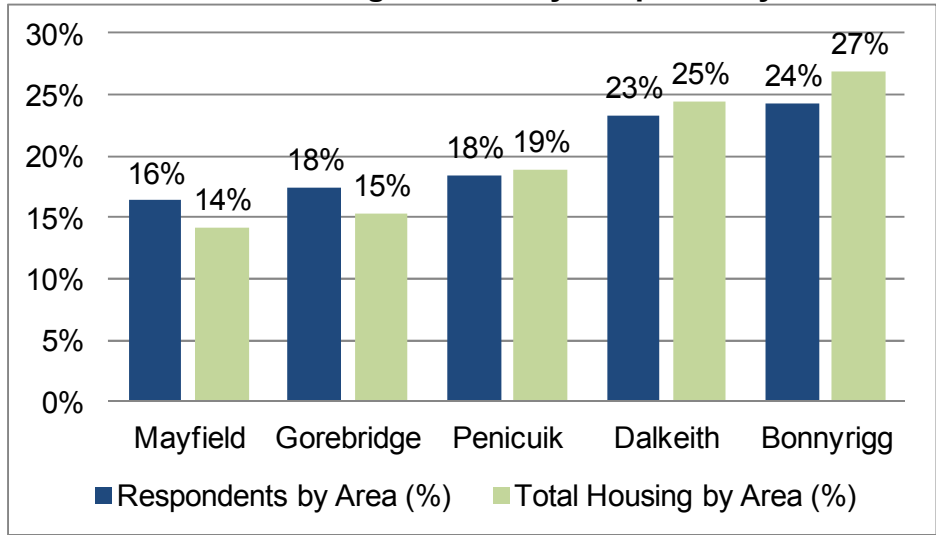
Chart 5: Households with a disability, by age



Housing and respondents distribution by Letting Area

Chart 6 below shows the distribution of housing and respondents across major areas in Midlothian (see Page 5 for a breakdown on areas). The Bonnyrigg area with approximately 27% of total Council housing had the highest proportion of Survey respondents at 24%. This was followed by Dalkeith with 25% of total Council housing and 23% of respondents. The lowest response rate (16%) was from Mayfield with 14% of total Council housing.

Chart 6: Council Housing and Survey Response by Areas

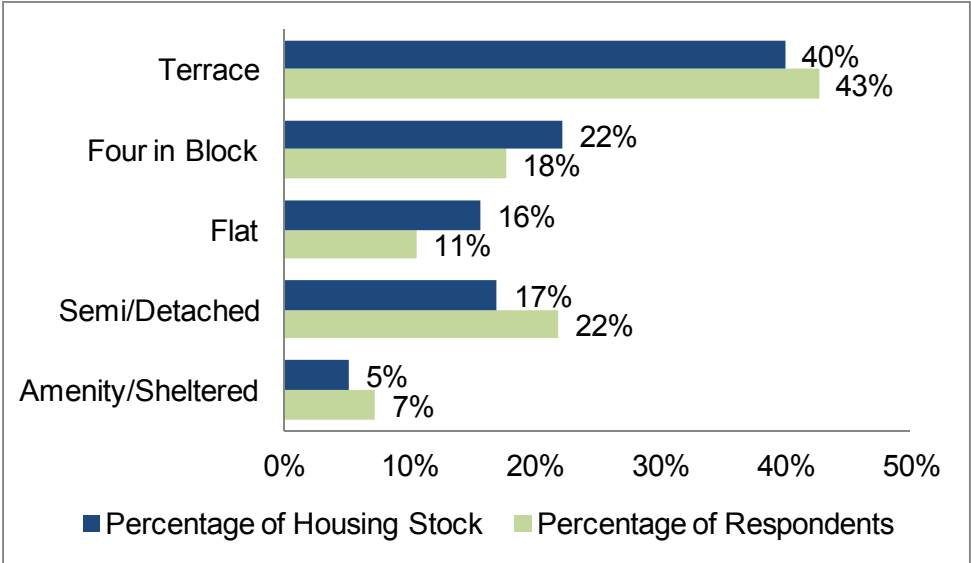


House types

Survey results indicate that 18% of surveyed tenants lived in new build housing. In terms of the type of housing, the highest response rate was from tenants living in terraced housing (43%). This was unsurprising because terraced housing was the

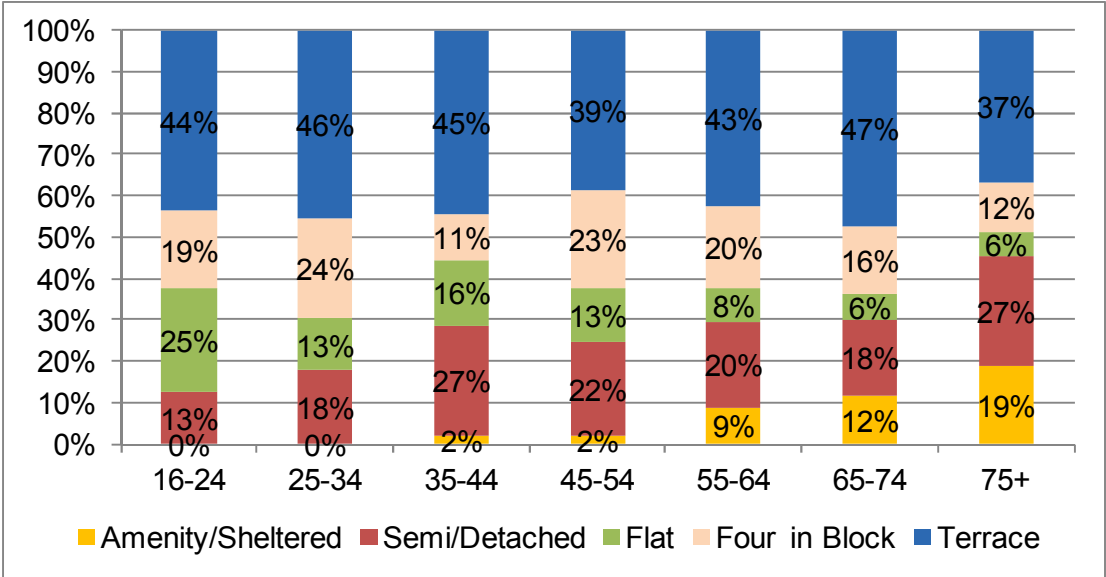
most common housing type representing 40% of the total Council housing stock. The next most common were 'Four in a Block' flats with 18%.

Chart 7: Respondents by house types



Analysis of the age of respondents by house type in Chart 8 shows most age groups lived in terraced housing (46% of 25-34 year olds; 44% of 16-24 year olds and 37% of 75+ year olds). It is evident that, younger tenants were more likely to live in flatted properties. For example, 44% of those aged 16-24 years lived in flats (including four in a block flats) followed by 37% of those aged 25-34 years.

Chart 8: Age of Respondent by House Types

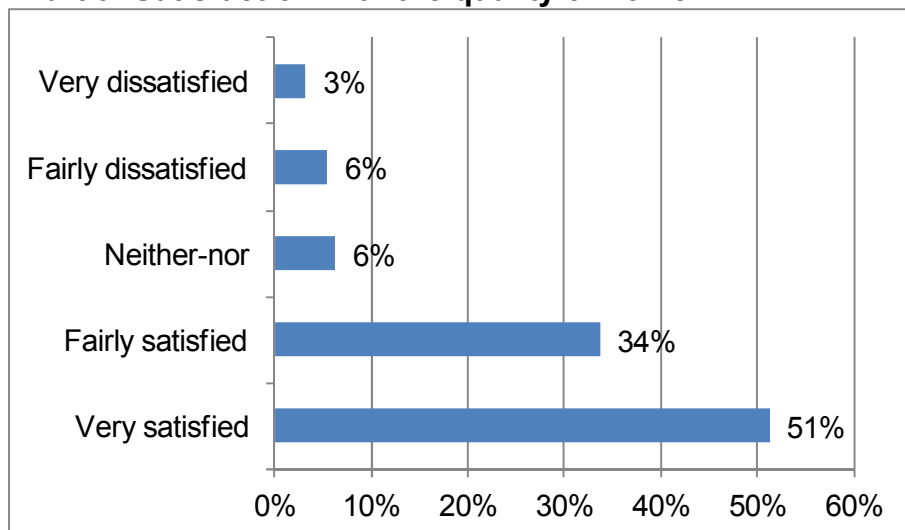


Section 2: Home and neighbourhood

Quality of home

Respondents were asked of how satisfied or dissatisfied they were with the quality of their home. Chart 9 indicates that most respondents (85%) said they were satisfied compared to 9% who were dissatisfied.

Chart 9: Satisfaction with the quality of home



Further analysis shows that the level of satisfaction varied according to age, house type and location:

- Those aged 75+ were the most satisfied with the quality of their home with a 94% satisfaction rate, followed by those aged 55-64 with 92% and those aged 65-74 with 89%.
- Those aged 25-34 were the least satisfied with the quality of their home with a 69% satisfaction rate.
- Respondents in amenity/sheltered/wheelchair and semi/detached properties were the most satisfied with the quality of their homes (91% and 90% respectively) followed by respondents in terraced properties (86%).
- Those in flats were the least satisfied with the quality of their homes with a 77% satisfaction rate.
- Respondents in Bonnyrigg were most likely to be satisfied with the quality of their homes (89%) while those in Penicuik recorded a lower level of satisfaction with quality of their home (77%).
- 79% of respondents living in homes built in the last 10 years were satisfied with the quality of compared to 86% living in older homes. It is surprising to see lower levels of satisfaction recorded with recently built properties. This may be due to 'snagging' required in new properties or may reflect the number of flatted properties built which tenants tend to be less satisfied with.

For tenants who moved into their property within the last year, 79% were satisfied with the standard of their home when they moved in compared to 12% who were dissatisfied.

Respondents were asked if their current home met their needs. While 87% felt their current home met their needs, 13% felt otherwise. Some of the main reasons given for their home not meeting their needs included:

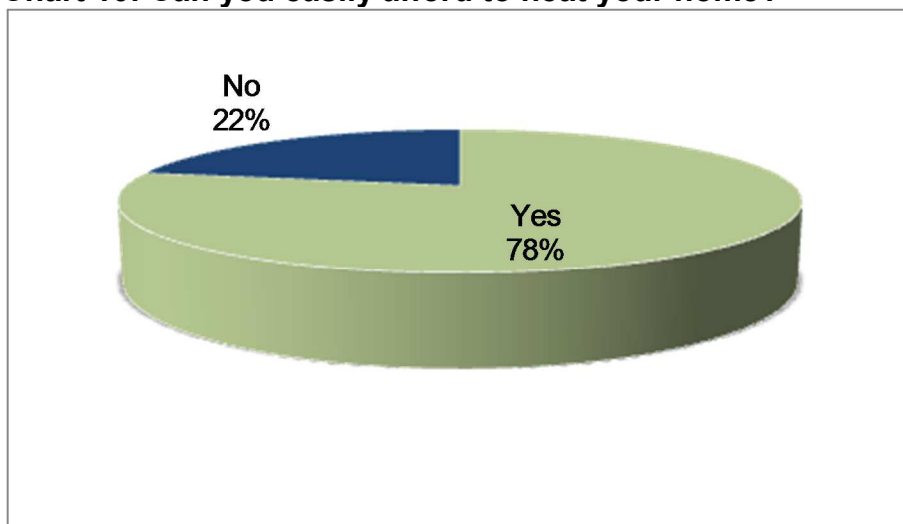
- Energy Efficiency/Fuel Poverty e.g. “House is freezing.”
- Disability e.g. “Apart from the shower being in the bath - both disabled and find this difficult.”
- Quality of House e.g. “It's damp and cold and the boiler needs servicing a lot.”
- Overcrowding/Undercrowding e.g. “Not enough bedrooms for us” and “Too big, only two in a three bed house”

Heat and Fuel Costs

Respondents were asked if they felt their home was easy to heat. 74% of respondents felt that their home was easy to heat compared to 26% who disagreed.

All respondents were asked if they could easily afford to heat their home (Chart 10) 482 (78%) of the respondents stated they could easily afford to heat their home while 135 (22%) said ‘No’.

Chart 10: Can you easily afford to heat your home?



Further analysis of ability to heat home shows that:

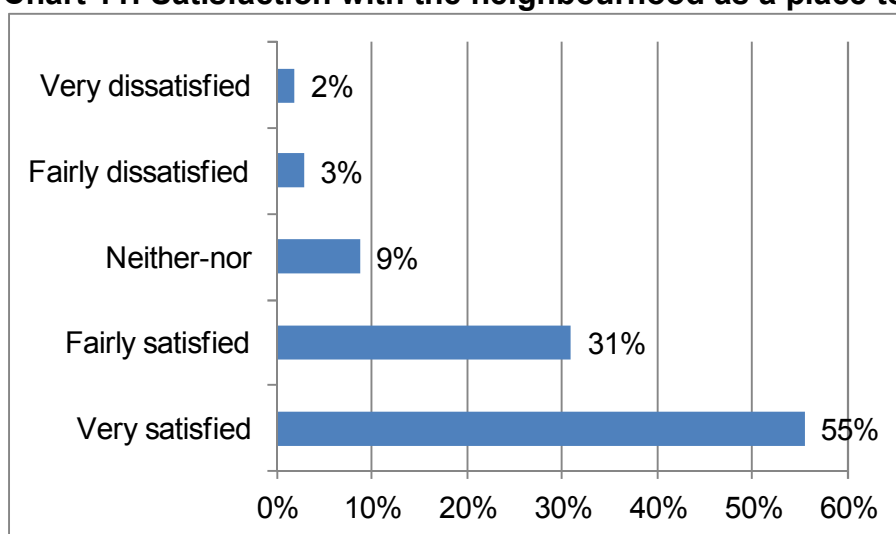
- Respondents from Gorebridge and Mayfield had the highest levels of respondents saying they could easily afford to heat their home, each with 81%. This was followed by respondents from Bonnyrigg with 80%.
- Respondents from Penicuik (31%) had the highest levels of respondents saying they could not easily afford to heat their home.
- 23% of respondents with a disability said they could not afford to heat their home compared to 21% without a disability.
- Households living in a Semi-detached or Detached property (83%) had the highest rate of respondents who stated they could easily afford to heat their property (83%).
- Respondents in new build properties did not have a significantly improved likelihood of being able to afford heating bills despite their property being more energy efficient than an older property.

- The ability to afford the cost of heating their home tends to affect the level of overall satisfaction with the overall service provided by the Council's Housing Service. Of the 482 respondents who said they could easily afford to heat their home, 87% were satisfied with the overall service provided by Midlothian Council's Housing Service compared to 7% who were not satisfied. Of the 135 respondents who said they could not easily afford to heat their home, a lower proportion (70%) were satisfied with the overall service provided by the Council's Housing Service compared to 24% who were not satisfied.

Satisfaction with neighbourhood as a place to live

Chart 11 shows that the majority of respondents were satisfied with their neighbourhood as a place to live (86%) compared to 5% who expressed dissatisfaction.

Chart 11: Satisfaction with the neighbourhood as a place to live



Respondents aged 25-34 recorded the highest level (94%) of satisfaction with neighbourhood as a place to live followed by those aged 75+ (93%), while those aged 35-44 had the lowest level of satisfaction with neighbourhood (74%). Respondents living in amenity/sheltered/wheelchair and semi/detached properties were the most satisfied with their neighbourhood (96% and 89% respectively) followed by those in terraced properties (87%). Those in flats (four-in-a-block) were the least satisfied with their neighbourhood (78%).

Respondents in Bonnyrigg (89%) and Dalkeith (88%) were more likely to be satisfied with their neighbourhood as a place to live than respondents in other areas. Respondents in Penicuik (77%) recorded the lowest level of satisfaction with their neighbourhood as a place to live.

Tenants were asked if they felt their neighbourhood had improved or declined in the past three years. Chart 12 shows that 66% of respondents felt their neighbourhood had remained unchanged in the last three years. A slightly larger proportion of respondents (19%) felt that their neighbourhood had declined in the last three years compared to 14% that stated that their neighbourhood had improved.

Chart 12: Has neighbourhood improved or declined in the last three years?

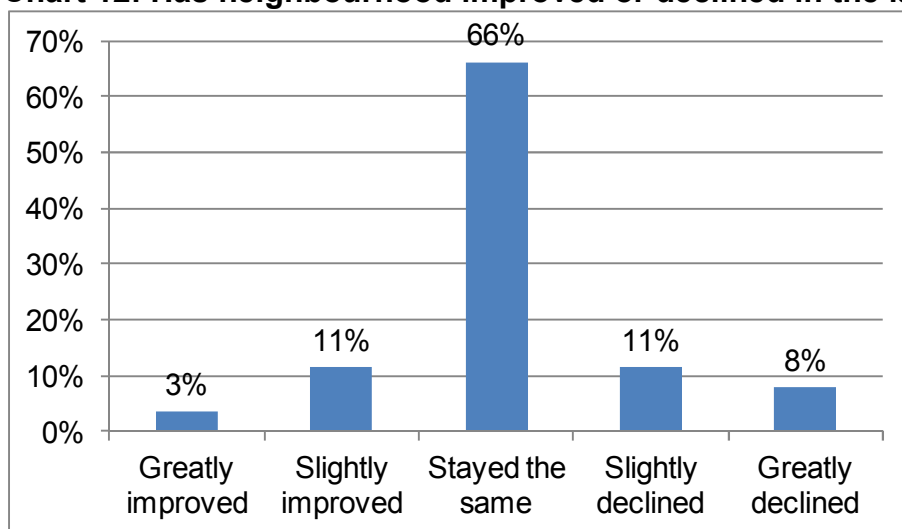
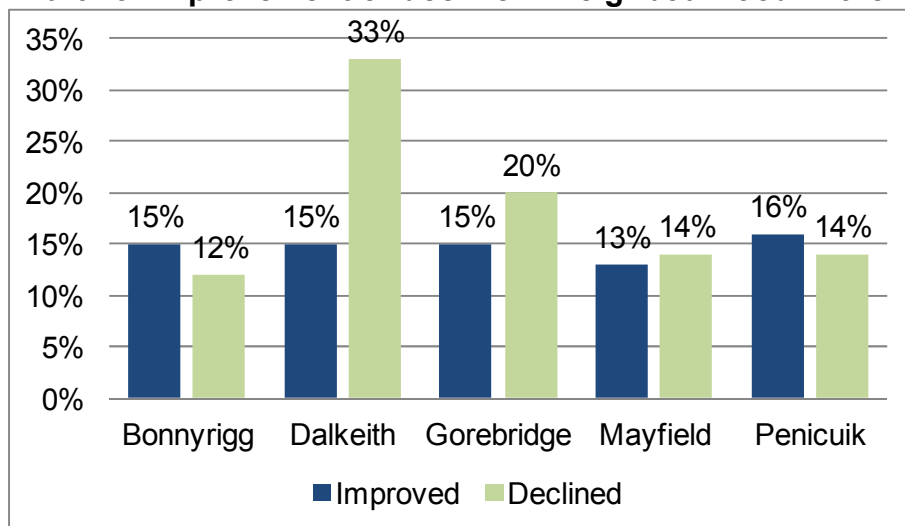


Chart 13 shows the percentage of respondents who stated their neighbourhood had either improved or declined in the last three years. Dalkeith, with 33%, had the highest percentage of respondents who stated that their neighbourhood had declined in the last three years. This was followed by Gorebridge with 20%.

In general, the percentages of respondents who felt their neighbourhoods had improved over the past three years were similar across all areas, ranging from 13% in Mayfield to 16% in Penicuik.

Chart 13: Improvement or decline in neighbourhood in the last three years



Improvement within neighbourhood

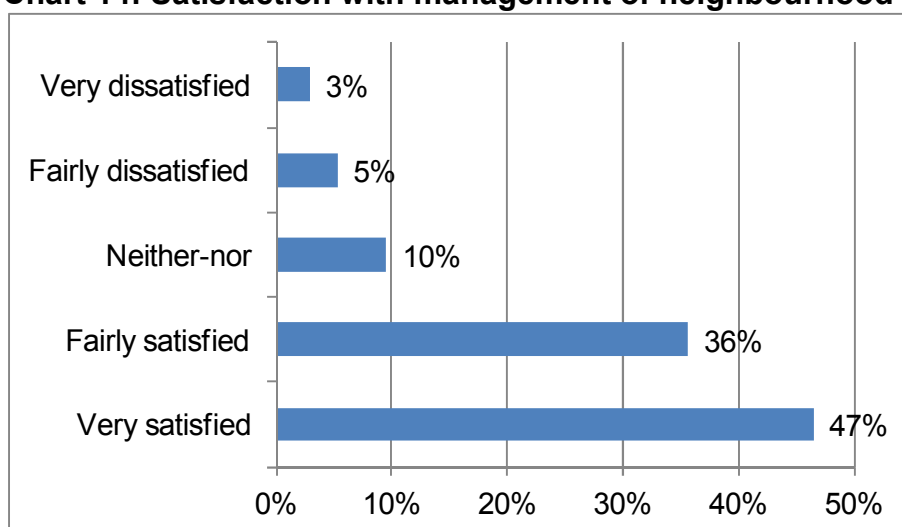
Respondents were asked if there was anything that they would like to see improved within their neighbourhood. The improvements respondents would like to see in their neighbourhood included:

- Car Parking: "Parking insufficient - more marked bays needed."
- Street Lighting: "More street lighting required."
- Drug/Alcohol Abuse: "Remove drug users from flats."
- Dog Fouling: "Dog dirt to be cleaned-up or owners taught how to do it; have lots of bins."
- Who We Allocate Housing to: "Stop dumping bad people in area."
- Address Crime: "Need more safety / Police presence."
- Housing Quality: "provide better housing."
- Better Facilities: "Playground area needed for young children."

Satisfaction with the Council's management of neighbourhood

Respondents were asked how satisfied or dissatisfied they were with Midlothian Council's management of the neighbourhood they live in. The majority (83%) of respondents were satisfied with Council's management of their neighbourhood. A smaller proportion (8%) of respondents expressed dissatisfaction while 10% were neither satisfied nor dissatisfied with the Council's management of the local area.

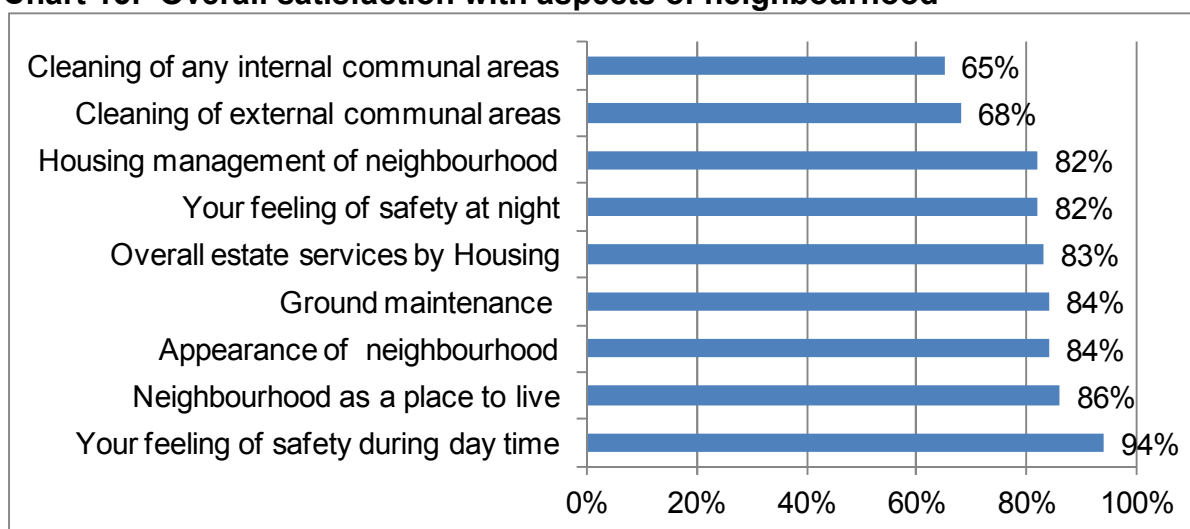
Chart 14: Satisfaction with management of neighbourhood



Satisfaction with aspects of the neighbourhood

Respondents were asked about their satisfaction or dissatisfaction with certain aspects of their neighbourhood (Chart 15). The aspects of neighbourhood with the most satisfaction levels were 'feeling safe during day time' (94%) and satisfaction with 'neighbourhood as a place to live' with 86%. Lower satisfaction levels were recorded for 'cleaning of internal communal areas' (65%) and 'cleaning of external communal areas' (68%). It should be pointed out that cleaning of communal areas is mainly applicable to flatted properties and further evidence indicates that these were less of an issue to most tenants in other house types.

Chart 15: Overall satisfaction with aspects of neighbourhood



Dissatisfaction with aspects of neighbourhood by area

Table 8 shows a breakdown of the varying levels of dissatisfaction with aspects of neighbourhood by areas in Midlothian.

- In Bonnyrigg, dissatisfaction levels across all aspects of the neighbourhood were generally low. For instance, dissatisfaction levels with management of neighbourhood' was 6% and 5% for the 'appearance of neighbourhood'.
- In Dalkeith and Mayfield dissatisfaction levels were higher. For instance, 21% of respondents in Dalkeith and 18% of respondents in Mayfield did not feel safe at night.

Table 8: Dissatisfaction with aspects of neighbourhood by area

| | Appearance of your neighbourhood | Ground maintenance | Cleaning of any internal communal areas | Cleaning of external communal areas | Overall estate services provided by Housing Service | Your feeling of safety during day time | Your feeling of safety at night | Housing Service's management of your neighbourhood | Neighbourhood as a place to live? |
|------------|----------------------------------|--------------------|---|-------------------------------------|---|--|---------------------------------|--|-----------------------------------|
| Bonnyrigg | 5% | 5% | 3% | 4% | 1% | 1% | 1% | 6% | 2% |
| Dalkeith | 20% | 15% | 7% | 6% | 13% | 5% | 21% | 15% | 10% |
| Gorebridge | 11% | 7% | 4% | 5% | 7% | 6% | 9% | 13% | 9% |
| Mayfield | 16% | 5% | 4% | 8% | 6% | 5% | 18% | 7% | 2% |
| Penicuik | 4% | 5% | 8% | 8% | 4% | 1% | 11% | 0% | 0% |

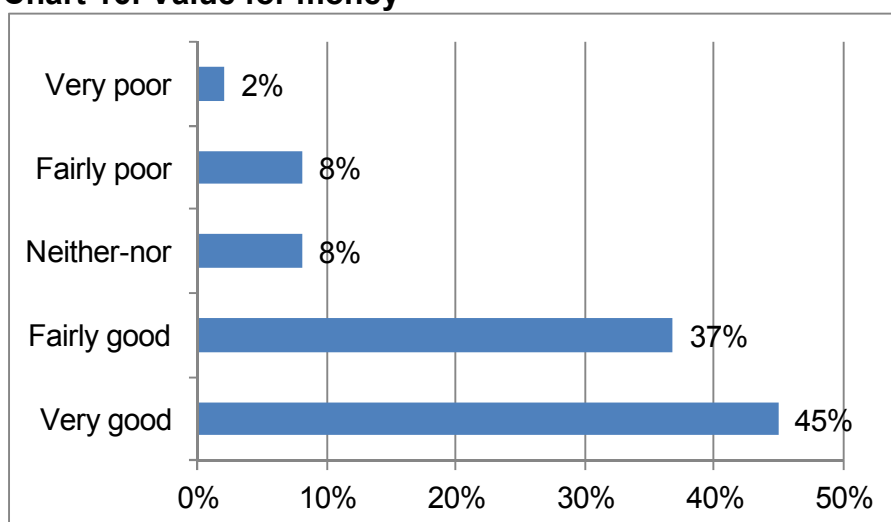
Satisfaction that rent provides value for money

Respondents were asked whether they considered that the rent they paid was lower, about the same, or higher than other Council or housing association landlords. 45% said rent was 'about the same' and 7% indicated their rent was higher while 19% said rent was lower. A significant proportion (29%) said they did not know.

In addition, Chart 16 below shows the majority of respondents (82%) thought their rent provided good value for money. 10% of respondents felt that the rent they paid was not good value for money.

Respondents living in Semi detached or detached (88%) and Terraced housing (84%) were more likely to feel their rent provided good value for money while those in flats were less likely to state a positive response (69%). Additionally, older respondents were more likely to feel their rent provided good value for money than younger respondents. For example, 92% of those aged 75+ thought their rent provided good value for money compared to 71% of those aged 35-44.

Chart 16: Value for money



Respondents who felt they did not receive value for money were asked what they thought would have to happen for them to say rent represented good value for money. Table 9 shows that the most common responses indicated they wanted 'Rent levels reduced or smaller rent increases' (35%), followed by 32% who wanted 'Houses improved' (Table 9).

Table 9: Things to happen for rent to be good value for money

| Rent levels reduced/smaller increases | Houses improved | Improve the repair service | Improve customer service overall | Better neighbours/ neighbourhood | Total |
|---------------------------------------|-----------------|----------------------------|----------------------------------|----------------------------------|-------|
| 35% | 32% | 15% | 11% | 7% | 100% |

Section 3: Repairs and maintenance service

Around half of total respondents (52%) said they had a repair or maintenance carried out in the last 12 months prior to the survey.

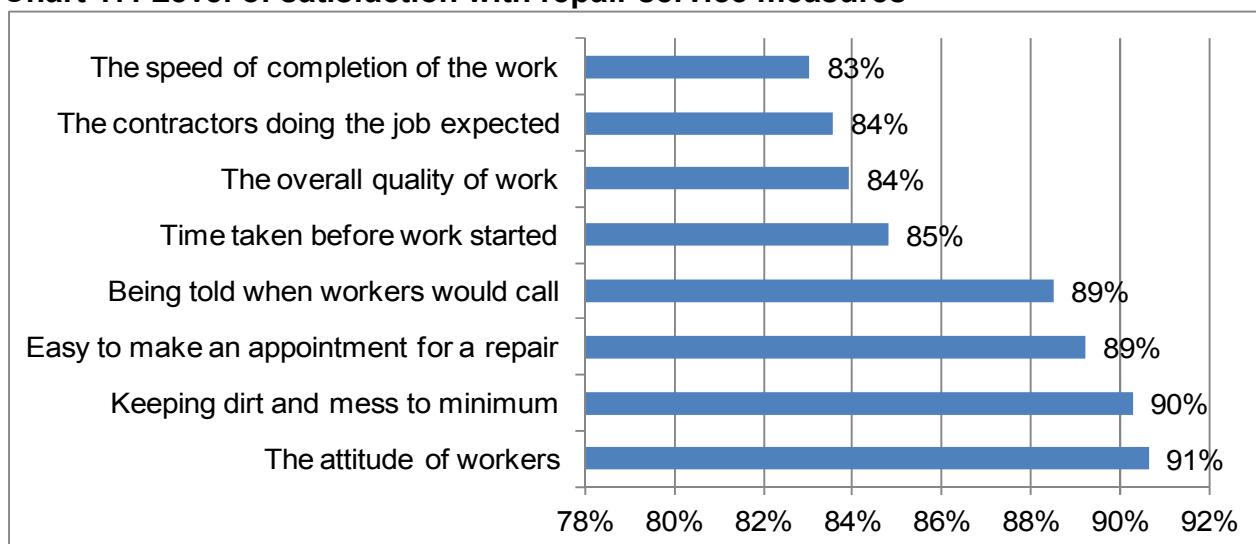
Respondents were asked how satisfied or dissatisfied they were with the repairs and maintenance service provided by the Housing Service. The majority of respondents (81%) were satisfied with the repairs and maintenance service provided by the Council.

Repair service measures

Chart 17, below, shows the level of satisfaction with specific elements of the repairs service by those who said they had a repair in the last 12 months.

- 'The attitude of workers' had the highest satisfaction level (91%), followed by 'Keeping dirt and mess to minimum' (90%) then "Easy to make an appointment for a repair" (89%)
- The element with the lowest level of satisfaction was 'the speed of completion of the work' with 83% - although this is still a high level of satisfaction overall.

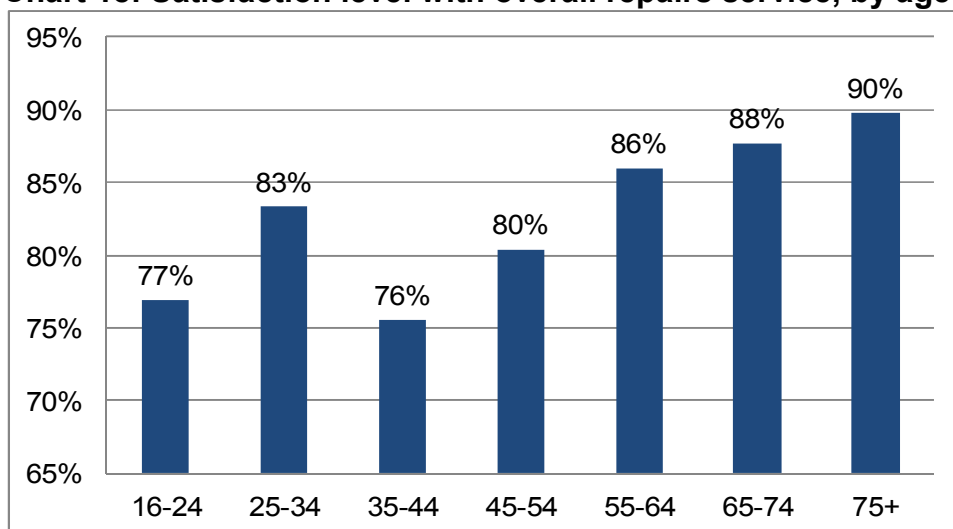
Chart 17: Level of satisfaction with repair service measures



Overall repairs service by age group

Chart 18, below, shows the level of satisfaction generally increased with the age group of the tenant. Older tenants were generally more satisfied with the overall repair service than younger tenants. On average, 90% of respondents aged 75+ expressed satisfaction with the repairs service followed by respondents aged 65-74 with 88%. Those aged 35-44 years were the least satisfied age group with an average score of 76%.

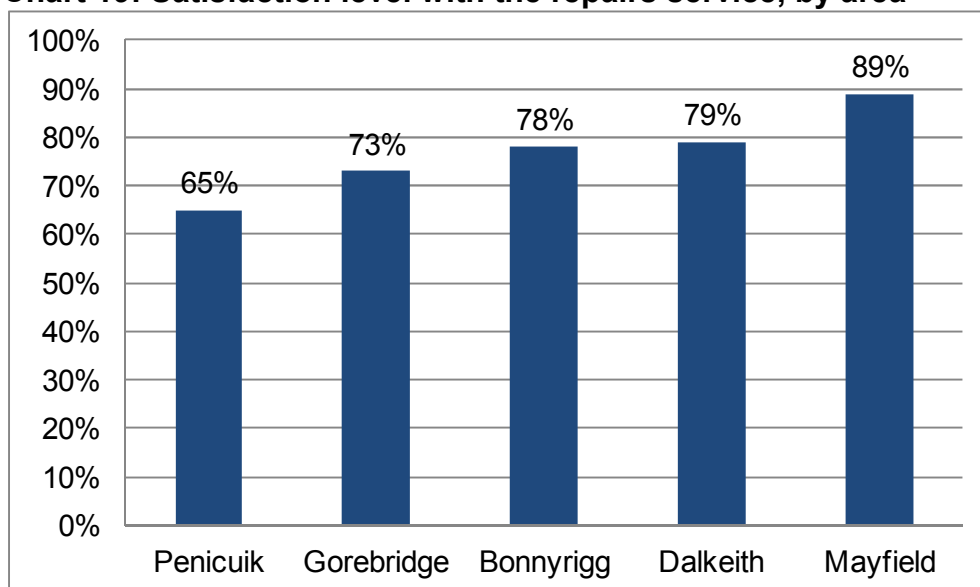
Chart 18: Satisfaction level with overall repairs service, by age group



Overall repairs service by area

Chart 19 shows the overall satisfaction levels for the repairs service across all areas in Midlothian, indicating a variation in satisfaction from one area to the other. The most satisfied tenants with repairs were in Mayfield (89%), Dalkeith (79%), Bonnyrigg (78%) and Gorebridge (73%). Penicuik had the lowest level of satisfaction of with repairs (65%). However, it should be recognised that a small sample of tenants were interviewed in each area and, as a result, there is less statistical certainty in results broken down into smaller areas as they can be influenced by a small number of respondents.

Chart 19: Satisfaction level with the repairs service, by area



Repair rating

Respondents who stated they were dissatisfied with the service they received were asked to explain the reason for this. Reasons given included:

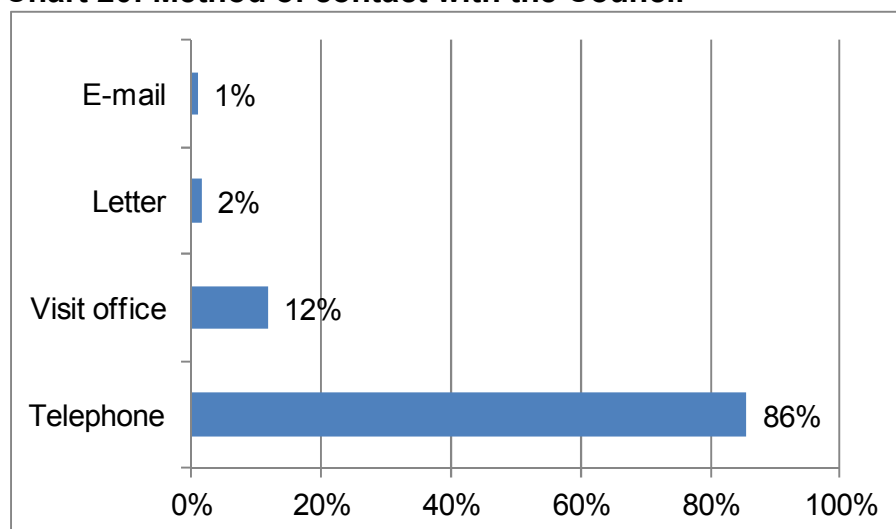
- Quality of work e.g. "Repairs longevity poor - work requires repeated action."
- Time taken to complete work e.g. "Repairs service poor/slow/unresponsive."
- Repairs not done e.g. "They did not do it at all."

Section 4: Getting in touch with the Council

Almost half of all respondents (304) representing 49%, had been in contact with the Council in the last 12 months, compared to 307 respondents (50%) who had not.

Chart 20 shows that the most popular method of contacting the Council was by the telephone (86%), whilst, a far lower proportion contacted the Council through a visit to the Council's housing office (12%), letter (2%) and by e-mail (1%). The only area which had a significant variation in the method of contact was Dalkeith, where 33% of respondents had visited the office, possibly due to the convenience of the Housing Office being close to their home. A total of 82% of respondents stated that they felt it was easy getting hold of the right person to deal with their enquiry.

Chart 20: Method of contact with the Council



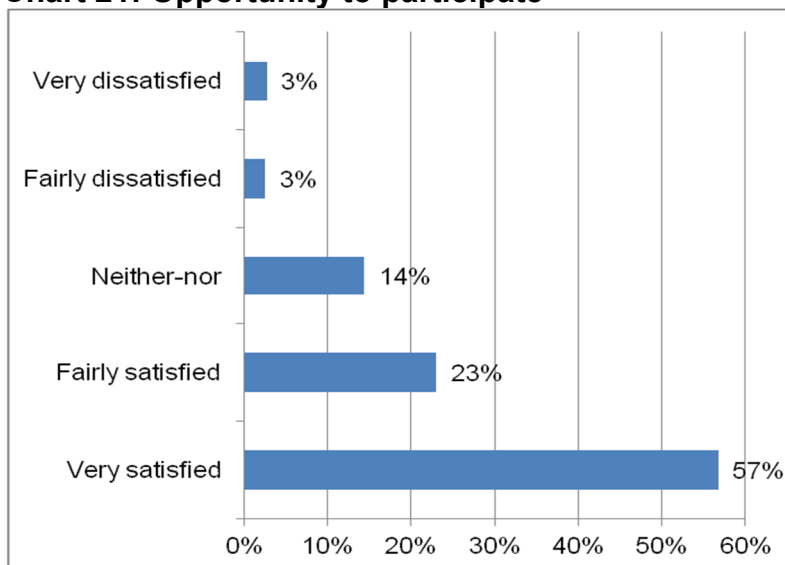
Those contacting the Council by telephone (83%) and office visits (81%) said they were able to get hold of the right person while those contacting via email (67%) and letter (20%) recorded the least satisfaction with getting hold of the right person. Additionally, older people found it was easier to get hold of the right person than younger people with 89% of those aged 75+ and 87% of those aged 65-74 saying they found it easy to get hold of the right person compared to 60% of 16-24 year olds.

- Helpfulness of staff: Respondents were asked if the staff they dealt with were helpful or unhelpful when contacting the Council. 86% of respondents found staff to be helpful, compared to 6% who found them unhelpful.
- Query answered in acceptable time frame: Overall, 80% of respondents said their query was answered in a time frame that was acceptable to them compared to 18% who indicated otherwise.

Opportunity to participate

Chart 21 shows that 80% of respondents were satisfied that the Council gave them the opportunity to participate in the Housing Services decision-making process while 6% said they were dissatisfied. 14% of respondents said they were neither satisfied nor dissatisfied with opportunities to participate. Younger respondents were less likely to express satisfaction. For instance, while 86% of 75+ year olds said they were satisfied with the opportunities to participate, a lower proportion of 16-24 year olds (69%) said they were satisfied.

Chart 21: Opportunity to participate



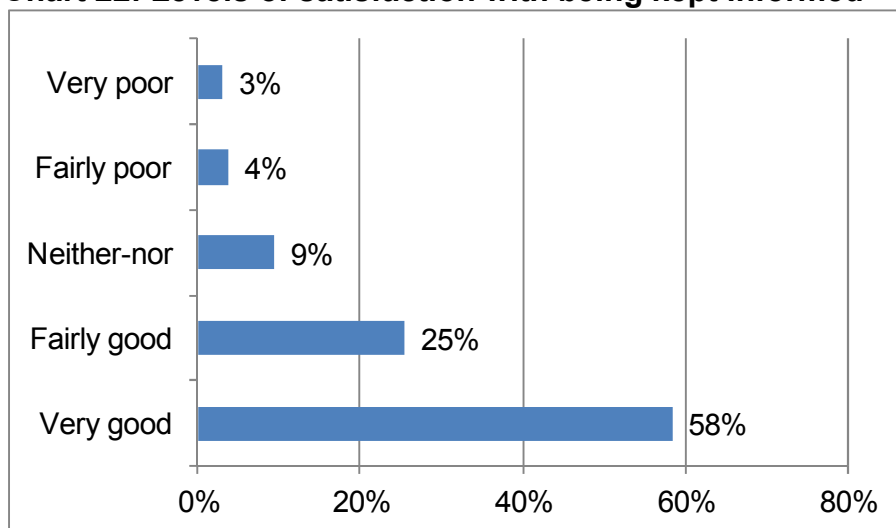
Furthermore, satisfaction with the 'opportunity to participate' in the decision making process was quite high across Midlothian with Mayfield (87%) and Dalkeith (85%) having the highest levels of respondents who said they were given the opportunity to participate. Penicuik had the lowest level of satisfaction with 71%.

Also, a higher percentage of respondents who indicated their ethnic origin as 'Scottish' were more satisfied with being given the opportunity by the Council to participate in the decision making process. This is in comparison to 62% of 'White Other' and 67% of 'Other' ethnic backgrounds. However, response for the other ethnic groups could be skewed because tenants from these backgrounds represent a very small number of total Council tenants.

Keeping tenants informed

Chart 22 shows the vast majority of tenants (83%) felt satisfied the Council kept them informed about services and decisions while 7% expressed dissatisfaction. Older respondents were more likely to be satisfied the Council kept them informed: 89% of 75+ year olds, followed by 87% of 65-74 year olds.

Chart 22: Levels of satisfaction with being kept informed



Tenants Views on housing priorities

Respondents were given a list of topical issues and were asked to identify three items from the list which they thought were the most important to them in relation to housing provision in Midlothian, as shown in the table below. The three most important issues to respondents were:

- Maintain affordable rents (56% of all tenants stated this as one of their three priorities).
- Build more affordable homes (48% of respondents stated this as a priority)
- Improve the condition of existing housing (36% of respondents stated this as a priority)

Table 1: Tenants views on housing priorities in Midlothian

| Housing Priorities | % Of Respondents who indicated this was a priority for them |
|---|---|
| Maintaining affordable rents | 56% |
| Build more affordable homes | 48% |
| Improve the condition of existing housing | 36% |
| Supporting older people to live independently | 31% |
| Increasing housing options for older people | 30% |
| Making homes more accessible for people with disabilities | 29% |
| Bringing empty homes back into use | 27% |
| Tackling homelessness | 22% |
| Improving town centres | 10% |
| Improving housing information and advice | 10% |

Most important areas of housing service

Respondents were presented with a list of services undertaken by the Council's housing service and were asked to pick the three services of which they considered as most important to them (Table 2). The most important areas to respondents were 'Keeping tenants informed' (with 48% of respondents stating this as important to them) and 'Taking tenants' views into account' (46%) followed by; 'Providing an effective repairs and maintenance service' and 'Dealing with anti-social behaviour' (both 45%).

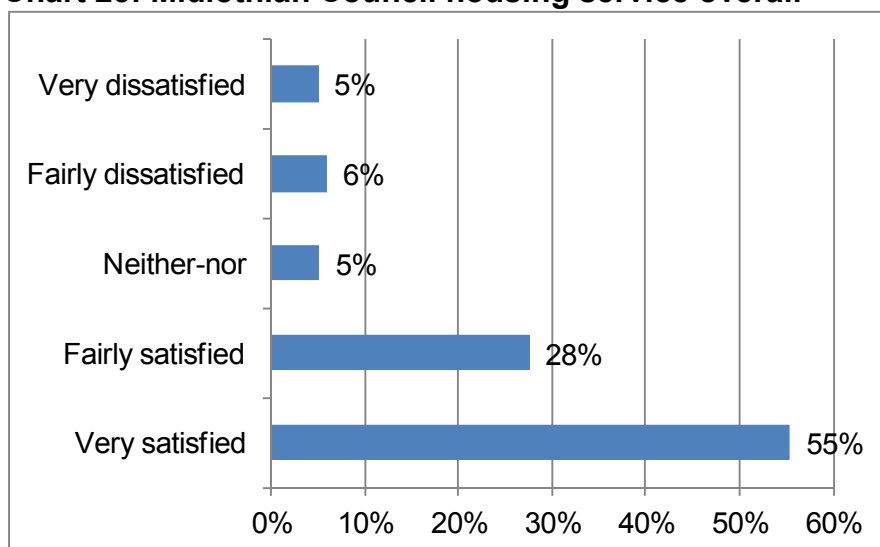
Table 2: Housing services by importance

| Housing Services | % Of Respondents who indicated this was a priority for them |
|--|---|
| Keeping tenants informed | 48% |
| Taking tenants' views into account | 46% |
| Providing an effective repairs and maintenance service | 45% |
| Dealing with anti-social behaviour | 45% |
| Dealing with complaints effectively | 36% |
| Providing good customer service | 35% |
| Providing more opportunities to move home | 21% |
| Providing accurate housing information and advice | 12% |
| Enforcing tenancy conditions | 11% |

Section 5: Overall Satisfaction with housing service

Chart 23 illustrates that 83% of respondents were satisfied with the overall housing service provided by the Council. A low proportion of respondents expressed dissatisfaction with the housing service provided (11%) by the Council. In addition, 5% of respondents stated that they were neither satisfied nor dissatisfied with the housing service provided by the Council.

Chart 23: Midlothian Council housing service overall



Satisfaction with overall housing service by area

Table 3, below, shows the level of satisfaction with the housing service by areas of Midlothian. The highest level of satisfaction was in Bonnyrigg (93%) followed by Mayfield (86%) while the area with the lowest satisfaction rate was Penicuik (68%).

Table 3: Overall satisfaction with Council service

| Area | Very/Fairly Satisfied | |
|------------|-----------------------|-----|
| | No | % |
| Bonnyrigg | 140 | 93% |
| Dalkeith | 118 | 82% |
| Gorebridge | 90 | 83% |
| Mayfield | 87 | 86% |
| Penicuik | 77 | 68% |

*Some areas have been merged due to the small number of respondents.

Among other factors, the house type that a tenant lives in may contribute to their level of satisfaction. For instance, Table 4, below, shows respondents living in flats were more likely to have lower levels of satisfaction than those in other house types. This is because most tenants tend to prefer houses to flats and as such tend to be less satisfied with living in flats. Consequently, areas with a higher proportion of respondents living in flats were more likely to record a higher level of dissatisfaction with the housing service.

Table 4: Satisfaction levels by house type

| | Satisfaction with overall service | Overall satisfaction with quality of home | Satisfaction with neighbourhood as a place to live |
|-------------------|-----------------------------------|---|--|
| Amenity/Sheltered | 89% | 91% | 96% |
| Semi/Detached | 89% | 90% | 89% |
| Flat | 72% | 77% | 86% |
| Four in Block | 83% | 79% | 78% |
| Terrace | 81% | 86% | 87% |

Satisfaction with the overall housing service by age

Older people were more satisfied with the overall housing service with 89% of those aged 75+ saying they were satisfied, followed by 85% of 65-74 year olds (Table 5). On the other hand, younger people (16-24) recorded the lowest level of satisfaction with overall service (69%) – although only small number of young people were surveyed. Also a higher proportion of younger tenants lived in flatted properties which may have affected their level of satisfaction.

Table 5: Midlothian Council overall service by age group

| Age | Very/Fairly Satisfied |
|---------|-----------------------|
| 16-24 | 69% |
| 25-34 | 86% |
| 35-44 | 76% |
| 45-54 | 82% |
| 55-64 | 84% |
| 65-74 | 85% |
| 75 plus | 89% |

Households with a disability

Survey analysis illustrates that the views of households living with a disability and those without a disability on key aspects of housing service were similar with little variation (Table 6). 80% of respondents with disability and 85% of respondents without any disability were satisfied with the overall Council service

Table 6: Overall satisfaction with Council service by disability

| | Satisfaction with overall service | Overall satisfaction with quality of home | Satisfaction with neighbourhood as a place to live |
|---------------|-----------------------------------|---|--|
| Disabled- Yes | 80% | 87% | 85% |
| Disabled- No | 85% | 84% | 87% |

Satisfaction based on ethnicity

Respondents from all ethnic groups expressed high levels of satisfaction with the overall service by the Council's Housing Service (Table 7). For instance, all households who identified their ethnic origin as Scottish reported 83% satisfaction level with the overall service. Although other households also recorded significant levels of satisfaction, it should be noted that minority ethnic groups represent very small proportion of Midlothian tenants.

Table 7: Overall satisfaction with Council service by ethnicity

| | Very/Fairly Satisfied |
|-------------|-----------------------|
| Scottish | 83% |
| White Other | 72% |
| Other | 100% |

Comments from respondents

Tenants were also given the opportunity to comment on the housing service. Respondents provided both positive and negative comments, including:

Positive comments

"I've always been satisfied."

"Very happy with them."

"Officers are very efficient and helpful."

"They are good and keep us informed."

"They're very helpful and do try to resolve issues."

"Thankful for a good Council; they're amazing."

"Always very helpful and accommodating."

Negative comments

"Undesirable people get houses before decent people."

"Take more notice of tenants about repairs."

"Build more Council houses - not enough."

"Communication poor between individual repair workers & between tenants."

"Would like repair service to listen to us."

"Poor at handling anti-social neighbours."

Section 6: Comparative analysis

The purpose of this section is to compare the 2016/17 survey responses with those of previous surveys and other landlords. This will not only provide the Council with the evidence regarding performance, but also will help the Council in making important decisions on future service priorities.

Chart 24 shows that there has been an increasing level of overall satisfaction with the Housing Service since 2012 – satisfaction in 2016/17 was 6% higher than in 2012 and 4% higher than in 2016/17.

Chart 24: Overall Satisfaction with the Housing Service, 2012, 2014/15 and 2016/17

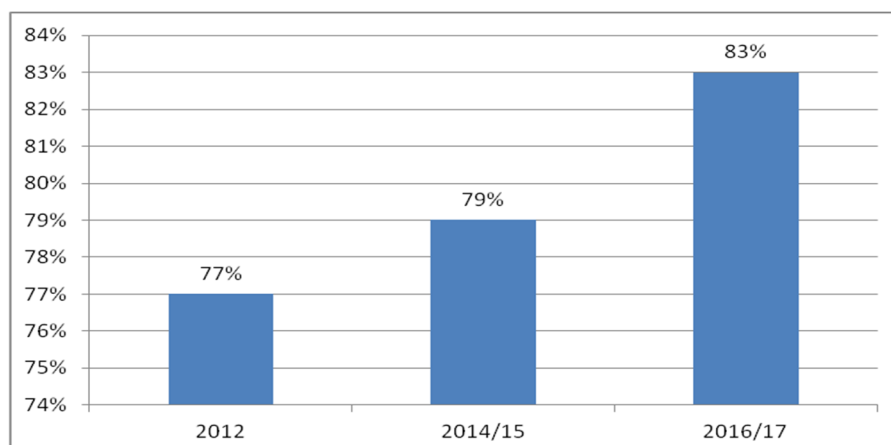


Table 8, shown below, compares the level of satisfaction for key areas of tenant satisfaction for the previous three tenant satisfaction surveys. It shows that the most recent satisfaction survey shows increased satisfaction levels for 5 out of the 6 indicators (with the other indicator showing the same level of satisfaction as the previous survey). Satisfaction levels have significantly increased for three areas since the previous survey – providing opportunities to participate in decision-making and satisfaction with management of the neighbourhood (both 18% increases) and satisfaction with the rent charge providing value for money (9% increase).

Table 8: Satisfaction levels for key questions 2012, 2014/15 & 2016/17

| Measure | MLC 2012 | MLC 2014/15 | MLC 2016/17 | Difference between 2014/15 & 2016/17 |
|--|----------|-------------|-------------|--------------------------------------|
| Satisfaction with Management of Neighbourhood | 79% | 67% | 85% | 18% |
| Satisfaction with Rent providing Value for Money | N/A | 73% | 82% | 9% |
| Satisfaction with Repairs Service | 74% | 79% | 81% | 2% |
| Satisfaction with Quality of Home | 85% | 85% | 85% | 0% |
| Satisfaction with Keeping Tenants Informed | 75% | 82% | 84% | 2% |
| Satisfaction with Opportunities to Participate | 67% | 62% | 80% | 18% |

Benchmarking with other landlords in Scotland

Table 9, below, compares Midlothian satisfaction levels with other local authority landlords in Scotland. It also shows the satisfaction results for the highest and lowest satisfaction levels in each category available for comparison.

It shows that respondents in Midlothian had similar levels of overall satisfaction with the Housing Service to that of tenants of other local authority landlords in Scotland – 83% of respondents stated they were satisfied which was the average level of satisfaction for Scottish local authority landlords. This is an improvement since the 2014 Survey when the satisfaction level with the overall service in Midlothian was slightly lower than for other local authority landlords.

In addition, specific service areas in Midlothian had higher than the local authority average satisfaction levels, such as satisfaction with tenants being given the opportunity participate (80% compared to 71%) and satisfaction with management of the neighbourhood (85% compared to 81%). Satisfaction with the repairs service was the only service area with a lower level of satisfaction in Midlothian compared with other local authorities (81% compared to 88%).

Table 9: Benchmarking satisfaction scores with other landlords in Scotland³

| Measure | MLC 2016/17 | Council Average 2015/16 | Difference between MLC & Council Average | Highest Council | Lowest Council |
|--|----------------|-------------------------------|---|--------------------|-------------------|
| Satisfaction with Management of Neighbourhood | 85% | 81% | 4% | 93% | 67% |
| Satisfaction with Rent providing Value for Money | 82% | 79% | 3% | 89% | 67% |
| Satisfaction with Repairs Service | 81% | 88% | -7% | 97% | 79% |
| Satisfaction with Quality of Home | 85% | 84% | 1% | 90% | 69% |
| Satisfaction with Keeping Tenants Informed | 84% | 82% | 2% | 91% | 63% |
| Satisfaction with Opportunities to Participate | 80% | 71% | 9% | 87% | 46% |
| Satisfaction with the Housing Service Overall | 83% | 83% | 0% | 91% | 74% |

Conclusion and recommendations

The results of the 2016/17 Tenant Satisfaction Survey provides the Housing Service with detailed information about council tenants and their views on the services provided. The Survey showed an improvement in the level of tenants' satisfaction with the Housing Service since the previous Survey in 2014. There were also significant increases in satisfaction levels relating to tenants being given opportunities to participate in decision-making in relation to the service and the management of neighbourhoods. The Housing Service provided by Midlothian Council has a similar level of satisfaction to that of other local authority landlords in Scotland.

In terms of tenants who were reporting lower levels of satisfaction, it was notable that younger tenants and tenants who live in flats were less likely to be satisfied with the Council's Housing Service. It was also evident that satisfaction levels were lower for tenants in the Penicuik area – although this information should be treated with caution as only a small proportion of tenants in this area were surveyed.

Comparing Midlothian Council's results with that of other local authority landlords shows similar satisfaction levels in most areas.

As a result of this Survey it is recommended that the following recommendations will help to bring about further improvements in the level of tenant satisfaction with Midlothian Council's Housing Service:

1. Publish the results of the Tenant Satisfaction Survey in a range of formats and make tenants and service users aware of the results.

³ Information on 26 out of 32 local authorities was available for this comparison. One housing association, Glasgow Housing Association, was included in the comparison. Data for other Council's for 2016/17 is not yet available so 2015/16 data was used.

2. Share the results with all staff involved in supporting Housing Services and identify key areas for improvement with staff.
3. Organise Tenant Scrutiny Projects for members of Midlothian Tenant Panel for key service areas.
4. Identify good practice examples from other Council landlords with high levels of satisfaction which could be implemented in Midlothian.
5. Undertake a Satisfaction Survey for households living in recently built housing in order that feedback can be taken into account for future housing developments.

Appendix 1: Focus Group Feedback

As part of the Tenant Satisfaction Survey research work carried out by Knowledge Partnership, a series of three follow up focus groups were carried out during March 2017.

Scope

The three focus groups (with a total of 20 tenants) discussed the same set of topics during a meeting lasting 60 minutes. The topics discussed by the two groups were as follows:

- What the Council's Housing Service does well
- The repairs service – areas for improvement
- Neighbourhood issues
- Value for money
- What should be the Service's main priorities?

Summary of Key Issues

- In terms of considering if the rent charged was providing value for money, tenants felt that seeing their property being upgraded was important in justifying rent increases. Some tenants were concerned about high rents being a disincentive to working for some people.
- Mixed views about the repairs service, with some tenants being positive about the service they have received while some tenants expressed dissatisfaction.
- In terms of how tenants consider the attractiveness of their neighbourhood the following issues were important in considering their level of satisfaction:
 - Dog fouling
 - Anti-social behaviour
 - Fly tipping
 - Car parking

Priorities

Tenants were asked what should be the Housing Service's priority areas of service going forward. This list comprised:

- Improving the repairs service, including responsiveness.
- Improving the way in which property improvement is carried out i.e. better quality works, done right first time.
- Improving the approach to dealing with anti-social behaviour
- Heating costs (new build).
- Improving sound insulation.
- A consideration of how decisions around services impact tenants' children. This is a specific point raised by one tenant who requested a garden fence for the safety of her children but was told this was not a priority.
- Tackling drug dealing and anti-social behaviour.
- How properties are allocated. Some tenants in Gorebridge and Penicuik thought that the points based system resulted in 'undesirables' being allocated to schemes which led to the deterioration of an area:
- Continue to have a focus on improving old stock.

- Building more smaller properties.
- Improving parking arrangements.

Midlothian Council
Tenant Participation and Customer
Engagement Strategy
2017 – 2020



Communicating Loud and Clear

We are happy to translate on request and provide information and publications in other formats, including Braille, tape or large print.

如有需要我們樂意提供翻譯本，和其他版本的資訊與刊物，包括盲人點字、錄音帶或大字體。

Zapewnimy tłumaczenie na żądanie oraz dostarczymy informacje i publikacje w innych formatach, w tym Braillem, na kasecie magnetofonowej lub dużym drukiem.

ਅਸੀਂ ਮੰਗ ਕਰਨ ਤੇ ਖੁਸ਼ੀ ਨਾਲ ਅਨੁਵਾਦ ਅਤੇ ਜਾਣਕਾਰੀ ਤੇ ਹੋਰ ਰੂਪਾਂ ਵਿੱਚ ਪ੍ਰਕਾਸ਼ਨ ਪ੍ਰਦਾਨ ਕਰਾਂਗੇ, ਜਿਨ੍ਹਾਂ ਵਿੱਚ ਬਰੇਲ, ਟੇਪ ਜਾਂ ਵੱਡੀ ਛਪਾਈ ਸ਼ਾਮਲ ਹਨ।

Körler için kabartma yazılar, kaset ve büyük nüshalar da dahil olmak üzere, istenilen bilgileri sağlamak ve tercüme etmekten memnuniyet duyarız.

اگر آپ چاہیں تو ہم خوشی سے آپ کو ترجمہ فراہم کر سکتے ہیں اور معلومات اور دستاویزات دیگر شکلوں میں مثلاً بریل (ناہینا افراد کے لیے ابھرے ہوئے حروف کی لکھائی) میں، ٹیپ پر یا بڑے حروف کی لکھائی میں فراہم کر سکتے ہیں۔

Contact 0131 270 7500 or
email: enquiries@midlothian.gov.uk

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1. Introduction

The Housing (Scotland) Act 2001 requires local authorities to have a Tenant Participation Strategy for promoting the participation of their tenants in the development of proposals relating to housing management and services.

Tenant Participation is about tenants taking part in decision making processes and influencing decisions. Tenant participation requires a culture of mutual trust, respect and partnership between tenants, councillors and housing officers working towards a common goal of better housing conditions and housing services.

All participants require to have all the information needed to consider the issues properly; that information requires to be clear, timely and accessible and to take account of equal opportunities concerns.

It is also recognised that it is important to involve all service users in the way we engage and consult on our services. Who we should consider as part of our plans includes:

- People who are already tenants.
- Applicants on our Housing List.
- Homeless People.
- People who use the housing service such as gypsy/travellers.

Tenants and other service users should be involved in:

- Housing policies which have an impact on tenants.
- Housing conditions
- How housing and related services are delivered to tenants.
- Sharing of information, ideas and decisions.

The Scottish Social Housing Charter

The Scottish Government introduced the Scottish Social Housing Charter which sets standards and outcomes that all social landlords (including Councils) should aim to achieve when performing housing activities. The Charter states that:

“Social landlords manage their businesses so that tenants and other customers find it easy to participate in and influence their landlord’s decisions at a level they feel comfortable with.”

The Scottish Housing Regulator monitors the performance of landlords against the Charter Outcomes and has set indicators that will be used to monitor that performance.

2. Outcomes of the Strategy

There are three key outcomes that we want this Strategy to have achieved by 2020:

Promotion, Participation and Performance.

- Information on the housing service and ways to get involved with the Housing Service has been **promoted** to tenants and service users.
- The Housing Service has ensured the **participation** of Tenants and Service Users in the decision making and operation of the Service.
- The Housing Service listens to the views of tenants and service users to improve the **performance** of the services being provided.

We have considered activities which will enable us to achieve these key aims:

- Providing a range of different options for tenants to get involved.
- Involving tenants at all levels of decision making.
- Working with tenant groups.
- Involving individual tenants.
- Involving under-represented service users.
- Providing good information and feedback to tenants.
- Removing barriers to participation.
- Providing support and resources for tenant scrutiny.

We intend to work with our tenants and service users so that the new Tenant Participation and Customer Engagement Strategy continues to build on the successes of the previous strategy.

3. Midlothian Customer Service Charter

We care about our customers and endeavour to get things right first time. We have standards in place which set the level of service customers can expect to receive, as we want to make contact with us a positive experience.

We will keep tenants informed about day to day services. This information will be provided using leaflets, posters, newsletters, the council's web page, information packs and tenant's handbooks issued to new tenants at tenancy agreement signings. We treat our customers with respect and expect to be treated the same way in return.

If you contact us by phone we will:

- Endeavour to answer your call within 5 rings.
- Identify ourselves by name and the service we work in.
- Help you with your enquiry there and then if we can.
- If we can't help you we will direct you to someone that can or arrange for the relevant staff member to call you back.
- Support you with form filling and/or navigation of the Midlothian Council website for online applications etc

If you contact us by email/letter we will:

- Use plain English in responses and avoid the use of jargon. If requested we will respond in your preferred language, large print or Braille.
- Respond to you within 10 working days.

Sometimes we will need longer than 10 working days to gather information. If this is the case we will contact you and keep you updated.

If you visit our offices we will:

- Provide welcoming offices with clean and tidy reception areas.
- Wear identity badges.
- Have clear signs on buildings that provide customer service, including opening times.
- Make our offices accessible for everyone.

- Provide areas where private conversations can take place.
- Help you fill in forms or use our self service options.

Keeping Tenants Informed:

We will ensure that tenants have the opportunity to have a say in how the housing service should be delivered. We will also ensure tenants are kept updated on service changes and on how their views have been taken on board.

We have set ourselves standards of service delivery for the provision of information to tenants groups. Our performance against these standards will be measured through our customer satisfaction surveys.

We have also made a number of commitments to ensure that tenants are kept fully informed about proposals or projects which may directly affect their home or local environment.

Should you wish to complain, compliment or comment about any of the services you receive, you can do so by:

- phone 0131 561 5444
- e-mail feedback@midlothian.gov.uk
- online via our Website www.midlothian.gov.uk
- visiting one of our public offices and feedback verbally to a member of staff or request a paper form to complete your feedback.

If you are complaining we will try and resolve your complaint immediately.

If this is not possible we will respond within 5 working days.

More information about the Council's complaints policy is available at www.midlothian.gov.uk

4. How we consult with you and keep you informed

Midlothian Council's regularly consults with tenants in a variety of ways to involve tenants and service users in the decisions taken by the Housing Service and ensure that we know more about what is important to them in order to improve the level of customer satisfaction with our services.

Tenant Satisfaction Surveys

The Council has been undertaking regular tenant satisfaction surveys for all tenants since 2009, with subsequent surveys carried out in 2012, 2014/15 and 2016/17. These Surveys are useful for the following reasons:

- Surveys help us to understand the level of satisfaction with the housing service.
- Identify areas of strength and weakness in relation to specific service areas.
- Provide evidence on performance to the Scottish Housing Regulator.
- Undertake comparative analysis with previous surveys and other local authority landlords.

What do the Surveys tell us?

The most recent Tenant Satisfaction Survey was undertaken during 2016/17, and a sample of 10% of tenants were interviewed for their views on the Housing Service.

Some of the main findings from the Survey included:

- 85% of respondents were satisfied with the overall quality of their home.
- 85% were satisfied with the management of their neighbourhood.
- 82% of respondents were satisfied their rent provided good value for money.
- 81% of respondents were satisfied with the repairs service they receive.
- 80% of respondents were satisfied with the opportunity to participate in the housing services decision-making process.
- 83% of respondents were satisfied with the overall housing service provided.

These results show an increased level of satisfaction with the Housing Service since the Survey last took place in 2014. In addition, the overall level of satisfaction for council landlords in Scotland was exactly the same, at 83%. One element of this

Strategy is to focus on improvements to the Service to increase the level of satisfaction in future years.

Ongoing Service User Surveys

Tenants and other service users are given the opportunity to rate the standard of service they receive for services being provided. This enables staff to have a greater understanding of any weaknesses with the service being provided and ensures our customers can influence the service being provided. Ongoing surveys include:

- Surveys of with tenants recently moved into their new home.
- Surveys of temporary accommodation users.
- Surveys of homeless service users.

Methods of consultation on important issues

In 2015, Midlothian Council needed to consult with tenants and housing applicants on the future rent setting strategy and also to changes to the housing allocation policy. It is really important that the Council considers the views of as many service users as possible when making decisions on both of these important policies.

To do this, the Housing Service encouraged engagement and participation by using the following methods:

- Sending a newsletter to all tenants and housing applicants with detailed information on the rent setting strategy and allocation policy.
- Providing a survey to all tenants and housing applicants asking their opinion on possible changes to the allocation policy.
- Providing a survey to all tenants and housing applicants asking their opinion on options for future rent increases from 2016 to 2019.
- Ensuring respondents could easily submit their views via freepost, the internet, or by text message.
- Hosting 6 drop in events across Midlothian to enable tenants and housing applicants to come and ask questions and find out more.
- Taking into account the views of the tenant panel and tenants and residents groups.
- Publishing a report of the outcome of consultations for both topics.

In future when we have important topics that we want to ensure a high proportion of engagement we will use these methods and look at other ways of increasing tenant scrutiny on the Council's decision making.

How can tenants find out more about how we perform as a Landlord?

All tenants and service users are able to scrutinise the housing service in a variety of ways. Midlothian Council, like all other Registered Social Landlords in Scotland, must publish information on how they perform on an annual basis. This includes a whole range of measures such as customer satisfaction, time taken to relet housing and information on repairs targets. Midlothian Council publishes this information on an annual basis and you can also compare our performance with other Registered Social Landlords in Scotland.

You can request more information on this from us or view information on our website or at www.scottishhousingregulator.gov.uk

We also publish information about the decisions we take on managing our service and make it easy to find out more about this as all reports we make to the Council's elected members are published on line. Get in touch if you want more information on a specific topic. Members of Tenants Groups and the Tenant Panel regularly discuss issues relating to the management of the housing service.

Newsletters

The Council produces a number of newsletters including our tenant newsletter (Tenants Today), our temporary accommodation newsletter (Temporary Times) and our annual performance newsletter (Annual Return on the Charter - ARC report). One off special editions of Tenants Today are produced for specific consultation issues e.g. rent levels and allocation policy in September 2015. Local newsletters are also produced for tenant and resident groups for particular projects. We also provide a newsletter for households on our Housing List which gives them more information about Council policies and how the allocation policy operates.



Education in Schools

Midlothian Council has worked with all the High Schools to develop a 'Leaving Home' education programme to raise awareness of the issues that young people will face with their housing options and to make them aware of the pitfalls of homelessness and the impact of anti social behaviour. It is intended that including this information on the curriculum for schools will increase young people's ability to consider their housing choices when they leave home and help them to understand what skills they will need to develop in order to live independently.

5. How you can get involved?

Midlothian Council's Tenant Participation Officers works with our tenants and residents in a variety of ways. In the last five years the way we involve tenants and service users with has changed dramatically. We've improved the way we engage and consult with our tenants and are constantly looking for new ways to encourage our customers to get involved with the Housing Service.

To find out more about any of the topics please get in touch:

Telephone: 0131 271 3611

Email: tenantparticipation@midlothian.gov.uk

Post: Tenant Participation
Freepost RLUR-SKBA-EZEC
Midlothian Council
PO BOX 28974
Dalkeith
EH22 1WX

What method of involvement works best for you?

Tenants and residents groups

Midlothian Council supports a number of tenants and residents groups; some are for tenants only, some are for tenants and residents, some are informal and some are more formal with an elected committee. Groups are welcomed by the Council and a member of staff from the Housing Service would be happy to attend, providing advice and support to your Group. Currently the following groups are supported by Midlothian Council:

| Name | Area(s) covered | Tenants (T) or Tenants and Residents (T&R) | Frequency of meetings |
|-----------------|--|--|--------------------------|
| Bonnyrigg North | Eldindean, Pendreich and Rae's Gardens | T&R | Every two months |
| Poltonhall | Area surrounding Hawthornden Primary | T&R | Every two months |
| Cowan Court | Cowan Court | T | Every two months |
| Dalkeith | Dalkeith | T | Every two months |
| Esk Place | Esk Place | T | Every six months |

Registered Tenants Organisations

Whilst some of our groups are informal, some have chosen to become Registered Tenants Organisations which means that the Council has a legal obligation to consult with them on housing matters. However a group decides to operate, the council will provide support and new members will receive a warm welcome.

You may feel you would like to form your own tenants group. This may be because you want to deal with specific issues that are important to you and you may feel that other tenants would also be interested in participating. For example, you may want to form a tenants group that represents different areas or people or shared interest, such as:

- Tenants in a specific village or town
- Young Tenants
- Elderly Tenants
- Tenants living in new build housing
- Tenants living in Temporary Accommodation
- Tenants from an Ethnic Minority background

Tenants groups have the right to register with the Council and may receive an annual grant to cover the cost of administration costs such as posting letters to their members. The advantage of registering is that that we have a legal duty to consult with Registered Tenant Organisations over proposed changes to housing services. Registered Tenant Organisations are independent of the Council but we are happy to support arranging meetings and promoting your new group to others.

Midlothian Tenant Panel

An alternative option in Midlothian Council's Tenant Participation opportunities is joining the Midlothian Tenant Panel which gives Council tenants more of a say in the running of the Housing Service.

Some tenants are interested in having their views heard and helping to come up with new ideas but might not enjoy speaking in public meetings, or not live near to a tenant group, or be able to regularly give up their time to attend meetings.

Midlothian Council has established a Tenant Panel which encourages individuals to meet on a one to one basis with council staff to offer their opinions on policies, procedures and ideas. Recent activity has included being invited to compare our performance as a landlord with other councils, and being consulted on future rent setting and the housing allocation policy. We want to increase the number of tenants on our Panel and we would be interested in taking account of Panel member's interests in order that you can talk to us about the issues that are important to you as a tenant. As a Tenant Panel member you could choose to meet in our office or your home, or communicate by email or over the phone – whatever works best for you!

Estate Walkabouts

Estate walkabouts are carried out once a month in a different part of Midlothian and involve local residents and housing staff inspecting an area for issues which are then reported to the appropriate department for action.

Who is involved?

The Tenant Participation Officer and Housing Officers for the area attend and are joined by local residents who can suggest areas which require inspection. Local councillors are also invited.

What happens on an Estate Walkabout?

- before the walkabout, posters are displayed in the area we plan to visit. The posters ask local residents to inform us of any particular issues which require inspection and/or attend the walkabout.
- a tour of the area and specifically the issues reported to us by local residents - residents and officers will walk the estate together looking for anything which may make the estate look unsightly such as untidy gardens, vandalism, dog fouling and fly tipping.
- during the walkabout the Housing Officer and Tenant Participation Officer will make a record of all the issues identified by residents. Once the issues have been reported/resolved, a completed estate walkabout report is published on the

council's website: <http://www.midlothian.gov.uk>. Reports are also sent to the residents who took part in the walkabout.

The Estate Walkabouts have proven to be useful in a variety of ways including helping us to note when a property has been abandoned, when a tenant's garden is not being cared for satisfactorily and when non-housing matters need to be reported to other departments e.g. when roads or pavements need repaired.

The estate walkabout schedule is available online at www.midlothian.gov.uk or you can phone Midlothian Council on 0131 271 3611 if you want to come along or raise issues you want looked at as part of a walkabout in your neighbourhood.

Why get involved in an Estate Walkabout?

During a walkabout in Loanhead, the group was alerted to serious issues of flytipping, vandalism and poor conditions of common areas in McNeill Terrace. Council Officers met with tenants in this street over a period of several months to form an Estate Action Group with residents to talk about what they felt could be done to improve the area. The Council Officers then came up with improvement plans which have now been undertaken which are resulting in a more attractive estate, with tidier gardens and reduction in vandalism and improved safety with new door entry systems and better lighting.

Before and After Pictures, McNeill Terrace, Loanhead



Midlothian Tenants Day and other Events

Every year we host this annual fun event which welcomes all tenants and their families to meet housing staff, take part in consultations and learn more about the housing service. In recent years we have included a one act play, a choir performance, face painting, prize bingo and a choice group of discussions concerning the issues which matter to you. All tenants are warmly invited to come along and join in the fun and to talk to Housing staff about what you think of the service we provide.

Midlothian Tenants Day Poster and Photo



Midlothian Garden Competition

Is our annual garden competition for Midlothian Council tenants. It's a fun and very informal competition with prizes in various categories which we hope encourages all tenants to keep their gardens well maintained.

Tenants can self nominate or nominate other tenants and can enter as few or as many categories as they wish. Judging is carried out by fellow Midlothian Council tenants and takes place in August each year.



Register of Interested Tenants/Register of Interested Prospective Tenants

Not all tenants are interested in coming to public meetings but want to be kept informed and be directly consulted in relation to Council policies, procedures and events that are of interest to them. The Council holds a Register of Interested Tenants who are happy for the council to send them information. We also hold a Register of Interested Prospective Tenants for waiting list applicants. Recent examples of items sent to our registers include our Annual Return on the Scottish Charter (ARC – our performance report), our rent consultation and our allocation policy consultation. If you are currently a Council tenant or a waiting list applicant and would like to join either of these lists then please contact the Council's Tenant Participation Officer on 0131 271 3611 or email: tenantparticipation@midlothian.gov.uk

Please note that we email or text those that we have email addresses and mobile numbers for as this saves postage costs.

Events in your area

The Housing Service regularly attends community events to talk to residents about the services we provide.

6. Links to other Strategies and Plans

The Tenant Participation and Customer Engagement Strategy is one strand of important strategies and plans that the Council are involved in development and implementation. The strategies listed below are of key importance to improving the quality of the lives for tenants in Midlothian.

Local Housing Strategy

All Councils in Scotland are required to develop a Local Housing Strategy which considers housing needs and issues and sets out an action plan to deal with these over a period of time. Key areas of activity include objectives related to:

- Development of Affordable Housing
- Access to Housing
- Assisting Homeless Households and Preventing Homelessness
- Improving Stock Condition
- Ensuring those with particular needs are provided with support

Customer Service and Housing Safety Service Plan

Service improvement planning is a key element in how the Council's Customer Service and Housing Service prioritise activity. Through service planning, the department is able to set objectives and improvement targets over the coming years in order that the Council delivers on its goals.

Single Midlothian Plan

The Single Midlothian Plan is an agreement between partners in Midlothian, including the Council, NHS and Police and sets out outcomes for improving the quality of life for people in Midlothian.

If you would like a copy of any of these documents they can be downloaded from the Councils website www.midlothian.gov.uk or contact the Council's Tenant Participation Officer on 0131 271 3611 or via email at tenantparticipation@midlothian.gov.uk

13. Outcomes and Action Plan

| Tenant participation and Customer Engagement Strategy Outcome | | Information on the housing service and ways to get involved with the Housing Service has been promoted to tenants and service users. | | |
|--|--|---|-------------------|------------------|
| Relevant Indicators | Data Frequency/Type/Source | Baseline | Targets | Timescale |
| Number of Newsletters Published | Annually/Paper or Electronically/Midlothian Council | 3 | 3 | Annually |
| Performance Information | Annually/Paper or Electronically/Midlothian Council | N/A | Increase feedback | Annually |
| Number of housing service website hits | Annually/ Database/ Midlothian Council | N/A | N/A | Annually |
| Number of Registered Interested Tenants | Annually/ Database/ Midlothian Council | 908 | 1,000 | By 2019 |
| Number of Registered Interested Prospective Tenants | Annually/ Database/ Midlothian Council | 612 | 750 | By 2019 |
| Number of estate walkabouts | Annually/ Database/ Midlothian Council | 12 | 12 | Ongoing |
| Key actions and commitment by local partners for this outcome | Key Actions: <ol style="list-style-type: none"> 1. Agree an annual schedule of consultation topics to ensure well planned consultation with tenants and service users. 2. Produce an annual newsletter for all permanent tenants. 3. Produce an annual newsletter for all Housing List applicants. 4. Produce an annual newsletter for all tenants living in temporary accommodation. 5. Produce an annual return on the social housing charter and publicise performance information on the housing service in a variety of formats. 6. Provide up to date information on the Housing Service on the Council website. 7. Publish Tenant Participation Strategy and produce easy read and summary versions. 8. Make use of alternative communication methods such as social networking websites. 9. Publish an annual programme of Estate Walkabouts and publish the reports online. 10. Publicise tenant groups and tenant events in a variety of formats to increase membership. 11. Produce documents and newsletters in plain English, accessible formats and other languages as requested. 12. Produce an annual report on the activities of tenant and resident groups and Midlothian Tenant Panel. 13. Produce a welcome letter to all new tenants giving them information on how they can get involved in tenant participation and scrutiny activity. 14. Engage with tenants on new build estates to foster local tenant groups in these areas. 15. Signpost tenants and service users to opportunities to contribute to national and regional tenants organisations. | | | |

| Tenant participation and Customer Engagement Strategy Outcome | | The Housing Service has ensured the participation of Tenants and Service Users in the decision making and operation of the Service. | | |
|---|--|--|----------------|------------------|
| Relevant Indicators | Data Frequency/Type/Source | Baseline | Targets | Timescale |
| Number of Registered Tenants Organisations in Midlothian | Annually/Midlothian Council | 1 (2017) | 2 | By 2019 |
| Number of tenant and residents groups in Midlothian | Annually/Midlothian Council | 5 (2017) | 6 | By 2019 |
| Number of tenants and service users who are members of Midlothian Tenant Panel. | Annually/Midlothian Council | 6 (2017) | 15 | By 2019 |
| Number attending the annual tenants day. | Annually/Midlothian Council | 30 (2016) | 45 | By 2019 |
| Number of scrutiny activities/projects undertaken | Annually/Midlothian Council | 2 (2015) | 3 per annum | By 2018 |
| Key actions and commitment by local partners for this outcome | Key Actions: <ol style="list-style-type: none"> 1. Agree an annual schedule of consultation topics to ensure well planned consultation with tenants and service users. Key topics during the period is expected to include: <ul style="list-style-type: none"> - Local Housing Strategy - repairs and maintenance service - investment in new and existing housing - housing allocation policy - estate management - homelessness and housing support - performance 2. Produce an annual newsletter for all permanent tenants. 3. Produce an annual newsletter for all Housing List applicants. 4. Involve tenants and service users in the development and monitoring of the Local Housing Strategy. 5. Undertake consultation on the Allocation Policy and letting analysis every two years and provide feedback to tenants and service users of decisions taken. 6. Undertake consultation when developing a rent strategy every 3 years and provide feedback to tenants and service users of decisions taken. 7. Provide opportunities for tenants and service users to engage in decisions being made in the investment in new affordable housing in Midlothian. 8. Ensure there are opportunities for all equalities groups and hard to reach groups to participate in tenant participation activity. 9. Facilitate training and development opportunities for members of Midlothian Tenant Panel, Registered Tenants Organisations and Tenant and Residents Groups. 10. Assess the ability of tenants to participate and scrutinise the Housing Service through self assessment, benchmarking and/or accreditation opportunities. 11. Develop online tenant group options. 12. Organise informal social events to attract tenants to find out more about the Housing Service and tenant participation opportunities. | | | |

| Tenant participation and Customer Engagement Strategy Outcome | | The Housing Service listens to the views of tenants and service users to improve the performance of the services being provided. | | |
|---|---|---|----------------|------------------|
| Relevant Indicators | Data Frequency/Type/Source | Baseline | Targets | Timescale |
| Proportion of tenants satisfied with the quality of their home | Every two years/ Survey/ Midlothian Council | 85% 2016/17 | Increase | By 2020 |
| Proportion of tenants satisfied with the management of their neighbourhood | Every two years/ Survey/ Midlothian Council | 85% 2016/17 | Increase | By 2020 |
| Proportion of tenants satisfied that their rent provides value for money | Every two years/ Survey/ Midlothian Council | 82% 2016/17 | Increase | By 2020 |
| Proportion of tenants satisfied with the repairs and maintenance service provided | Every two years/ Survey/ Midlothian Council | 81% 2016/17 | Increase | By 2020 |
| Proportion of tenants satisfied that the Council is good at keeping them informed about decisions | Every two years/ Survey/ Midlothian Council | 84% 2016/17 | Increase | By 2020 |
| Proportion of tenants satisfied with opportunities to participate in Midlothian Council's decision making process | Every two years/ Survey/ Midlothian Council | 80% 2016/17 | Increase | By 2020 |
| Overall satisfaction with housing services provided by Midlothian Council. | Every two years/ Survey/ Midlothian Council | 83% 2016/17 | Increase | By 2020 |
| Proportion of tenants dissatisfied with the housing services provided by Midlothian Council. | Every two years/ Survey/ Midlothian Council | 11% 2016/17 | Reduce | By 2020 |
| Overall satisfaction with the quality of temporary or emergency accommodation. | Annually/ Survey/ Midlothian Council | 79% 2014/15 | Increase | By 2020 |
| Overall satisfaction with the management of the Gypsy/ Traveller Site | Every two years/ Survey/ East and Midlothian Council | 71% 2015/16 | Increase | By 2020 |
| Number of Complaints Investigated annually | Annually/ Monitoring/ Midlothian Council | 64 2015/16 | Reduce | By 2020 |
| Key actions and commitment by local partners for this outcome | Key Actions: <ol style="list-style-type: none"> 1. Undertake further tenant satisfaction surveys to ensure ongoing monitoring and reporting of tenant satisfaction indicators. 2. Undertake benchmarking of tenant satisfaction with that of other Councils to consider performance. 3. Publicise tenant satisfaction results and provide opportunities for tenants and other service users to provide feedback. 4. Share satisfaction results widely with staff and other services, organisations and groups to consider strengths and weaknesses and identify ways of making improvements. 5. Publish reports on consultation exercises undertaken with tenants and service users. 6. Consider alternative approaches to undertaking satisfaction surveys, such as text surveys and mystery shopping. 7. Ensure survey methods provide an accurate reflection of the households and equalities groups who use the Housing Service. 8. Investigate ways to address tenant satisfaction for specific groups, including younger people and areas where there was a lower than average level of tenant satisfaction. | | | |

General Services Capital Plan : A701 Relief Road and A702 Spur Road**Report by Ian Johnson, Head of Communities and Economy****1 Purpose of Report**

- 1.1** This report seeks confirmation from Council for the expenditure of developer contributions on preparatory works towards implementation of proposals for the new A701 Relief Road and A702 Spur Road.

2 Background

- 2.1** The Midlothian Local Development Plan (MLDP) includes proposals for a new road to relieve traffic congestion on the existing A701, and to provide a new link road between the A703 and the A702 roads. Integral to these proposals is the upgrading of the existing A701 to be a primary route for public transport, walking and cycling. The new A702 spur road will also provide an essentially needed access from the strategic road network into the Easter Bush campus of major science based academic, research, and manufacturing premises.
- 2.2** The MLDP has recently been subject to its statutory public examination process following which the Scottish Government Reporters published their report in July 2017. That report endorses the A701 and A702 road proposals in the Plan. This confirmation enables the Council to instigate preparatory works towards implementation of the scheme.
- 2.3** There has been recognition since 2008 of the need for improvements to the A701 and, as a consequence, major developments in that corridor have been required to contribute to such improvements. The relevant clauses in the legal agreements are specific in identifying the reason for the contribution; and it is considered that the extent of the secured contributions is approximately £1,425,500. As further developments take place within the A701 corridor, they will be subject to similar requirements to contribute to the improvements.
- 2.4** In July 2017 the Scottish and UK Governments signed heads of terms with the six constituent Councils for the implementation of an Edinburgh and South East Scotland Region City Deal. Whilst the detailed proposals and levels of funding for individual projects have yet to be prepared and confirmed, it is confidently expected that the A701/A702 scheme will be one of the projects to benefit from the City Deal, through a certain level of financial contribution.

3 Current Considerations

- 3.1** There is an urgent need to seek early implementation of the A701 Relief Road and A702 Spur Road, to ensure that MLDP development allocations can come forward, to ease the congestion on the existing A701, to encourage greater use of public transport and to improve safety for pedestrians and cyclists along the existing A701, and to secure unconstrained access from the Easter Bush complex to both the local and strategy roads network.

3.2 The Council previously commissioned some initial work on ground conditions and traffic projections to be sufficiently confident of the viability of the scheme in principle so that it could be included in the MLDP. Moving forward towards implementation of the scheme requires a comprehensive invasive ground conditions survey, and a package of other technical work. Of particular importance will be early engagement with Transport Scotland as trunk roads authority as the scheme links into a trunk road at each end (A720 bypass, and A702 road). All of this work would be essential to inform the subsequent detailed design and construction stages.

3.3 As some of the developer contributions are time-bound, such that if they are not spent or committed for spend by a certain date they are required to be returned to the developer, some initial expenditure of around £75k has already been committed for consultancy services to inform the main contracts.

4 Report Implications

4.1 Resource

There are no costs to the Council arising from this report, as it seeks confirmation of the placement of collected developer financial contributions into the Capital Plan for expenditure in accordance with the terms on which such contributions have been agreed. The total sum is £1,425,500. The costs of the contracts identified in part 3 above will be less than this sum.

4.2 Risk

If these developer contributions are not spent or legally committed for spending by certain trigger dates as set out in the respective legal planning agreements, they will have to be returned to the developers.

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

Provision of the new roads will promote economic development, assist in meeting housing need, and improving public safety.

4.5 Impact on Performance and Outcomes

The new roads will provide for positive outcomes in local employment, housing, transport, and environmental sustainability.

4.6 Adopting a Preventative Approach

The road proposals are an essential element of medium and long term planning of the Midlothian economy and environment.

4.7 Involving Communities and Other Stakeholders

The road proposals have been the subject of extensive consultation with the public and other stakeholders through the statutory procedures for preparation of the MLDP.

4.8 Ensuring Equalities

This report is not proposing any new policies, strategies or proposals. The MLDP has been subject to a full Equalities Impact Assessment.

4.9 Supporting Sustainable Development

The roads proposals are a part of the MLDP strategy, which has been prepared in accordance with the principle of promoting and securing sustainable development.

4.10 IT Issues

None.

5 Summary

- 5.1** Having now received endorsement by Scottish Government Reporters of the A701/A702 roads proposals in its Midlothian Local Development Plan, the Council can now make progress towards implementation of that scheme. The commissioning of the first major contracts can be funded from developer contributions held by the Council and which can be transferred into the Capital Plan.

6 Recommendations

- 6.1** It is recommended that Council approves a provision for expenditure of £1,425,500, fully funded from collected developer contributions, into the General Services Capital Plan in 2017/18 and 2018/19 to cover costs associated with the Council's approved proposals for the A701 Relief Road and A702 Spur Road.

Date 15 August 2017

Report Contact:

Ian Johnson, Head of Communities and Economy Telephone 0131 271 3460
ian.johnson@midlothian.gov.uk

Background Papers: None

Proposed Restricted Roads (20mph Limit) (Scotland) Bill
Report by Ricky Moffat, Head of Commercial Operations**1 Purpose of Report**

The purpose of this report is to consider a Midlothian Council response to the 'Proposed Restricted Roads (20mph Limit) (Scotland)' Bill. The consultation paper can be found at;

http://www.parliament.scot/S5MembersBills/20170622_FINAL_VERSION_NG_BU.pdf

The deadline for responses is 15 September 2017.

2 Background

- 2.1 In recent years 20mph speed limits have become common place around schools and in residential areas across Scotland and the UK. Current policies allow Councils to make decisions on where they are appropriate, with and without traffic calming features, within their own local authority area.
- 2.2 Recently some Councils including City of Edinburgh Council have introduced blanket 20mph areas that include main roads as well as residential areas and schools. However, Councils such as Manchester City Council have recently halted the roll out of blanket 20mph zones because the desired changes e.g. a reduction in accidents has not been evidenced.
- 2.3 The urban speed limit in Scotland, and the UK, is 30mph. This means that where there are street lights, houses, shops etc, the standard speed limit is 30mph. The proposed Bill is seeking to change this standard speed limit to 20mph.
- 2.4 If enacted this would still allow individual Councils to promote non standard speed limits as they do currently. Therefore traffic regulation orders could be promoted for 30mph, 40mph or 50mph speed limits within areas that would automatically become 20mph due to a legislative change.
- 2.5 The advantages and disadvantages are discussed both in the consultation paper itself and in the proposed Midlothian Council response as contained in Appendix A.

3 Report Implications

3.1 Resource

Should the Bill be approved by parliament the cost of changing existing 30mph signs to 20mph signs would not be significant. Depending on how the legislation was introduced, it is assumed that existing 20mph signage would have to be removed. Further to this the Council may wish to promote non standard limits, for example to keep a commuter through road 30mph. This cost would have to be balanced with the savings associated with providing and maintaining existing 20mph speed limits. Given the size of the road network and uncertainty as to how the legislation may be written, the actual costs are not currently quantifiable.

3.2 Risk

There is a risk that the Bill could require additional Council funding to make the changes to signs etc.

3.3 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

3.4 Key Priorities within the Single Midlothian Plan

The proposed Bill if introduced could lead to an increase in walking and cycling. In addition there may be a perception that areas are safer. However, there may not be a significant reduction in accidents, albeit the number of accidents within urban areas is relatively low in any case.

3.5 Impact on Performance and Outcomes

The proposed Bill may increase walking and cycling and reduce injury accidents. This would have an effect on climate change targets, local air pollution, injury accident targets and active travel targets.

3.6 Adopting a Preventative Approach

Reducing traffic speeds, if successful, should help reduce the possibility of road accidents, traffic congestion and pollution.

3.7 Involving Communities and Other Stakeholders

As this is a consultation exercise, communities and stakeholders will be involved in responding separately.

3.8 Ensuring Equalities

No change of Council policy or service is proposed.

3.9 Supporting Sustainable Development

Encouraging more use of walking and cycling, and discouraging use of motor vehicles will contribute to sustainable travel habits.

3.10 IT Issues

There are no IT issues arising from this report.

5 Recommendations

5.1 Council is invited to:

- (a) Consider the consultation paper and proposed response detailed in Appendix 1;
- (b) following such consideration, authorise Director Resources to submit the response on behalf of the Council.

17 August 2017

Report Contact: Lindsay Haddow
Tel No: 0131 271 3501
E-mail: lindsay.haddow@midlothian.gov.uk

Appendices:

- 1 Midlothian Response - Proposed Restricted Roads (20mph Limit) (Scotland) Bill

Midlothian Response - Proposed Restricted Roads (20mph Limit) (Scotland) Bill

QUESTIONS

SECTION 1 - ABOUT YOU

1. Are you responding as:

- ☐ an individual – in which case go to Q2A
- ☒ on behalf of an organisation? – in which case go to Q2B

2A. Which of the following best describes you? (If you are a professional or academic whose experience or expertise is not relevant to the proposal, please choose “Member of the public”)

- ☐ Politician (MSP/MP/Peer/MEP/Councillor)
- ☐ Professional with experience in a relevant subject
- ☐ Academic with expertise in a relevant subject
- ☐ Member of the public

2B. Please select the category which best describes your organisation:

- ☒ Public sector body (Scottish/UK Government/Government agency, local authority, NDPB)
- ☐ Commercial organisation (company, business)
- ☐ Representative organisation (trade union, professional association)
- ☐ Third sector (charitable, campaigning, social enterprise, voluntary, non-profit)
- ☐ Other (e.g. club, local group, group of individuals, etc.)

3. Please choose one of the following; if you choose the first option, please provide your name or the name of your organisation as you wish it to be published.

- ☒ I am content for this response to be attributed to me or my organisation
- ☐ I would like this response to be anonymous (the response may be published, but no name)
- ☐ I would like this response to be confidential (no part of the response to be published)

Please insert your name or the name of your organisation. If you choose the first option above, this should be the name as you wish it to be published. If you choose the second or third option, a name is still required, but it will not be published.

Name/organisation: Midlothian Council

4. Please provide details of a way in which we can contact you if there are queries regarding your response. (Email is preferred but you can also provide a postal address or phone number. We will not publish these details.)

Contact details:

Lindsay.Haddow@midlothian.gov.uk

SECTION 2 - YOUR VIEWS ON THE PROPOSAL

Aim and approach

1. Which of the following best expresses your view of the proposal to replace the current 30mph default speed limit on restricted roads with a 20mph limit?

- ☐ Fully supportive
- ☒ Partially supportive
- ☐ Neutral (neither support nor oppose)
- ☐ Partially opposed
- ☐ Fully opposed
- ☐ Unsure

Please explain the reasons for your response.

2. Could the aims of this proposal be better delivered in another way (without a Bill in the Scottish Parliament)?

- ☐ Yes (if so, please explain below)
- ☒ No
- ☐ Unsure

Please explain the reasons for your response.

3. What do you think would be the main advantages, if any, of the proposal?

- Reduced sign clutter (the whole urban environment would be 20mph) and there would be less signage into schools / town centre and residential areas.
- Culture change - drivers may adhere to a new urban speed limit as there would be less confusion about advisory, part time or how enforceable a limit was. Especially if there was a Scotland wide, and sustained publicity campaign.
- Reduced cost in the long term, maintaining existing 20mph signage and road markings and setting up new ones.
- Reduced road accidents (although this is based on relatively small areas and small numbers of accidents)
- Increased walking and cycling due to a safer feeling environment
- Potentially increased enforcement if the urban speed limit were to be accepted by Police Scotland.
- Potentially unlock some sites for development as reduced speed limits will reduce visibility requirements for accesses.

4. What do you think would be the main disadvantages, if any, of the proposal?

- There would be an initial cost of changing existing 30mph signs to 20mph, but more costly, removing existing 20mph signage and road markings. Albeit that in the long run this would provide a saving.

- Whilst there does seem to be evidence from the smaller areas that accidents are reduced, these are very small numbers and changes in actual speeds appear to be 2/3mph average i.e. still in excess of 20mph.
- Anecdotal evidence shows that members of the public, particularly pedestrians and cyclists feel safer. This however could be a false sense of security depending on compliance.
- There will be increased pressure from the public to ensure compliance by enforcement, traffic calming and education.
- Whilst a 20mph urban speed limit may change cultural behaviour, it could just as easily reduce the impact of 20mph limits, as there are less signs and high risk areas such as schools could end up less protected.
- Businesses and travel providers e.g. taxis and bus companies may site the lowered speed limits as having a detrimental impact

5. What measures do you think would be needed to maximise compliance with the new national 20mph speed limit on restricted roads? (Examples might include advertising, signage or police enforcement.)

- There will definitely be pressure to provide enforcement, publicity / advertising and traffic calming features.
- If implemented enforcement with publicity/ education are likely to be most effective as this will be the catalyst to a change in culture.
- Safety (speed) cameras may be the most effective way to achieve this (this would require a policy change in the current evaluation criteria).
- There is a real danger that Councils will be pressurised to provide additional infrastructure that could be costly to build and maintain and cause issues, particularly for HGVs and residential noise.

Financial implications

6. Taking account of both costs and potential savings, what financial impact would you expect the proposed Bill to have on:

(a) the Scottish Government

- ☐ Significant increase in cost
- ☐ Some increase in cost
- ☒ Broadly cost-neutral
- ☐ Some reduction in cost
- ☐ Significant reduction in cost
- ☐ Unsure

(b) Local authorities

- ☐ Significant increase in cost
- ☒ Some increase in cost
- ☐ Broadly cost-neutral
- ☐ Some reduction in cost
- ☐ Significant reduction in cost
- ☐ Unsure

(c) Motorists

- ☐ Significant increase in cost
- ☐ Some increase in cost
- ✓ ☒ Broadly cost-neutral
- ☐ Some reduction in cost
- ☐ Significant reduction in cost
- ☐ Unsure

(d) Other road users and members of the public

- ☐ Significant increase in cost
- ☐ Some increase in cost
- ✓ ☒ Broadly cost-neutral
- ☐ Some reduction in cost
- ☐ Significant reduction in cost
- ☐ Unsure

(e) Other public services (e.g. NHS, Fire and Rescue Services etc)

- ☐ Significant increase in cost
- ✓ ☒ Some increase in cost
- ☐ Broadly cost-neutral
- ☐ Some reduction in cost
- ☐ Significant reduction in cost
- ☐ Unsure

Please explain the reasons for your response.

This all depends on how the change is implemented. Councils are likely to bear the initial costs and these require to be quantified. This could balance with reduced maintenance but this depends on what is required for compliance and what is required to meet aspirations of the general public.

7. Do you believe there will be any other benefits to reducing the speed limit from 30mph to 20mph?

If people were to comply with the limit children, pedestrians and cyclists could be safer.

Equalities**8. What overall impact is the proposed Bill likely to have on equality, taking account of the following protected characteristics (under the Equality Act 2010): age, disability, gender re-assignment, marriage and civilpartnership, pregnancy and maternity, race, religion and belief, sex, sexual orientation?**

- ☐ Positive
- ✓ ☒ Slightly positive
- ☐ Neutral (neither positive nor negative)
- ☐ Slightly negative
- ☐ Negative
- ☐ Unsure

Please explain the reasons for your response.

There could be benefits for children, elderly (age) and the disabled with regards road safety and crossing roads.

9. Could any negative impact of the Bill on equality be minimised or avoided?

Appropriate additional funding to ensure that the measures are implemented consistently across the country and there is a significant effort to ensure compliance particularly on the part of Police Scotland/cameras and this would have to continue for an extended period to bring about the required culture shift.

Sustainability of the proposal

10. Do you consider that the proposed bill can be delivered sustainably, i.e. without having likely future disproportionate economic, social and/or environmental impacts?

- ☐ Yes
- ☐ No
- ☒ Unsure

Please explain the reasons for your response.

This depends on whether measures can be put in place to ensure compliance.

General

11. Do you have any other comments or suggestions on the proposal to establish a 20mph default speed limit on restricted roads?

Consultation on the Relocation of St Mary's Roman Catholic Primary School**Report by Dr Mary Smith, Director, Education, Communities and Economy****1 Purpose of Report**

- 1.1 The purpose of this report is to seek the Council's approval to relocate St Mary's Roman Catholic Primary School to a new school campus on the former Hopefield Primary School site on Rosewell Road in Bonnyrigg. A copy of the consultation report is attached as Appendix 1 to this report. A copy of Education Scotland's report on the consultation is included in the consultation report. A file with copies of the representations made during the consultation has been placed in the Members' Library.

2 Background

- 2.1 In February 2017, Council approved the construction of a shared schools' campus on the former Hopefield Primary School site on Rosewell Road with one stream as capacity for Burnbrae Primary School and one stream as the replacement St Mary's Roman Catholic Primary School.
- 2.2 Officers were authorised to undertake statutory consultation on the proposal to relocate St Mary's Roman Catholic Primary School from its current location on Polton Street to the new campus on Rosewell Road. That consultation concluded in June 2017 and the consultation report was published on 7 August 2017 and is attached as Appendix 1 to this report.
- 2.3 There has been a period of 3 weeks for further consideration since the publication of the consultation report and no relevant additional representations have been received to date. The Director will provide a verbal update to Council should further representations be received before the date of this meeting of Council.
- 2.4 Overall the consultation was received positively by pupils, parents, school staff and the community. The relatively low turnout at the public consultation sessions and the small number of written responses reflects the broad acceptance of the proposals as a result of a significant pre-consultation exercise.
- 2.5 Education Scotland has carried out an independent and impartial consideration of the Council's consultation proposal and published its report on 7 August 2017, which is included in the consultation report attached.
- 2.6 The Education Scotland report summary states that the Council's proposals have clear educational benefits and the potential to enhance children's learning, including when outdoors. Children would have better access to digital technology and increased opportunities to enhance their experiences for example in health and wellbeing and in science. Staff would have much improved learning and teaching spaces and modern purpose built resources and facilities. All stakeholders who

spoke with HM Inspectors supported the proposal. It identifies areas where the Council should provide further detail to parents and children. These areas are addressed in the final proposals presented to Council in this report.

- 2.7** A common topic raised during the consultation was the sharing of facilities and resources. Education Scotland also requested that the Council address how staff from both schools would work together should there be any shared resources and /or facilities. The headteachers of both schools will work with their School Group Managers to formalise a clear plan covering collaborative professional practice, shared events and agreement on the use of shared facilities with a clear aim to be inclusive and maximise the educational benefit for all children on the campus. There will be an opportunity to fully consult on this with stakeholders through their respective Parent Councils and the relevant plan will be fully communicated to all stakeholders by both schools if the proposal is taken forward.
- 2.8** During the consultation, representations were made about safe routes to schools and this was noted by Education Scotland. When the Council undertakes the detailed planning work for this new school building it will consider the access routes using all modes of transport from the housing areas in the catchment. The Policy and Road Safety Team will then create a School Travel Plan with safer routes to school. Walking routes, cycle paths, roads, bus routes and parking will be revised where appropriate, with lowered speed limits, additional crossings and improved lighting. The detailed planning work will also include provision for adequate parking spaces in the school grounds.
- 2.9** Throughout the consultation pupils and staff expressed a keen interest in being involved in the design of the new school building. As part of the detailed planning and design of the new school campus, all stakeholders will be involved in the design and layout of the internal and external spaces. In consultation with both schools, consideration will be given to the spaces required to ensure all the facilities will provide a high quality learning experience for all the pupils on the campus and for those who will attend in future years.

3 Report Implications

3.1 Resource

The capital and revenue costs of the new school on Rosewell Road were set out in the May 2016 report to Council and allocated in the General Service Capital Plan. The construction contract for the school has not yet been tendered and the changes in the school's specification as a result of the joint campus will be incorporated into the tender.

3.2 Risk

This report addresses the risk of requiring to refurbish and revise the existing building to align with modern education delivery.

3.3 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

3.4 Impact on Performance and Outcomes

This work is a part of the programme to provide modern fit for purpose school buildings to present every child with the opportunity to attend an enhanced learning environment with high quality education facilities which serves their community, and supports improvement in pupil attainment and achievement.

3.5 Adopting a Preventative Approach

The proposals adopt a preventative approach through providing an enhanced learning environment with high quality education facilities thus improving achievement and attainment of pupils and increasing their prospects of progressing on to positive destinations.

3.6 Involving Communities and Other Stakeholders

The consultation process has included consultation with parents, staff and pupils of the schools affected as well as trade union, community representatives and the Catholic Church.

3.7 Ensuring Equalities

This paper proposes to Council the provision of additional primary school capacity in the Bonnyrigg and Lasswade area and replacement of the St Mary's Primary School building. An Equality Impact Assessment has been carried out and is available in the Members' Library.

3.8 Supporting Sustainable Development

The proposal supports sustainable development by taking advantage of the opportunity to provide new educational facilities at a reduced cost to the Council. This paper takes into account the need to deliver fit for purpose schools across Midlothian which are sustainable while anticipating and acknowledging the needs and views of stakeholders.

3.9 IT Issues

The IT requirements of the new campus will be developed as part of the projects' specifications.

4 Recommendations

It is recommended that Council approve:

- The relocation of St Mary's Roman Catholic Primary school from its current location on Polton Street to the new campus on Rosewell Road, with effect from completion of the new school building, planned for August 2019.
- The maintenance of strong communication links between the staff of both St Mary's and Burnbrae Primary Schools and Council officers to ensure a smooth transition into the new campus, including the formalisation of a clear plan on shared campus working.
- The review of school travel plans and parking arrangements so that appropriate enhancements are in place for the opening of the new school campus.
- The commitment to involve pupils and staff in the design and layout of internal and external spaces at the new school campus.

8 August 2017

Report Contact:

Sandra Banks, Resource Manager, Education Tel No 0131 271 3727

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Relocation of St Mary's Roman Catholic Primary School

Consultation Report

07 August 2017

Consultation Report

Proposed relocation of St Mary's Roman Catholic Primary School to a new school campus on Rosewell Road in Bonnyrigg.

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1. Summary of the Proposal

1.1 Proposal

Midlothian Council has consulted on the proposal to relocate St Mary's Roman Catholic Primary School from its current location on Polton Street to the new school campus on Rosewell Road in Bonnyrigg.

1.2 Background

The Bonnyrigg/Lasswade area has 7,300 homes which are served by four non denominational primary schools, Burnbrae, Bonnyrigg, Hawthornden and Lasswade Primary Schools, and one denominational school, St Mary's Roman Catholic Primary School.

The Local Development Plan proposes a further allocation of 1,090 houses for Bonnyrigg/Lasswade spread across the town; 660 units in the catchment of Bonnyrigg, 375 in the catchment of Burnbrae and 55 in the catchment of Lasswade. This will lead to an increase in the pre-school and school age population in the area and requires the Council to expand and increase school capacity for the whole area.

St Mary's Primary School has a nursery class as well as 7 primary classes with 142 pupils. Overall 8% of pupils from the Bonnyrigg and Lasswade area currently choose to attend St Mary's compared with 10% of Midlothian's population who identify themselves as Roman Catholic (RC). Assuming the current rate choosing to attend St Mary's continues, the roll is forecast to rise to 208 pupils. If the proportion of pupils choosing to attend St Mary's increases to 10% then the forecast would rise to 277 pupils.

Housing Growth and Projected Pupil Numbers for St Mary's

| | Projected Catchment Properties | Roll Forecasts | St Mary's Projected Pupil Roll | |
|--------------------|--------------------------------|--------------------------------|--------------------------------|---------------------|
| | | Peak Projected Catchment Rolls | At current % of catchment | At 10% of catchment |
| Bonnyrigg | 2,133 | 670 | 53 | 73 |
| Burnbrae(inc Hs12) | 2,592 | 1,041 | 75 | 112 |
| Hawthornden | 2,152 | 420 | 49 | 47 |
| Lasswade | 2,247 | 420 | 31 | 45 |
| Total | 9,124 | 2,551 | 208 | 277 |

The current St Mary's Primary School building was built in the 1930's and is located at 62A Polton Street, Bonnyrigg, alongside the existing Council offices

at Dundas Buildings which has been vacated. St Mary's is built on two floors with a slate roof; it has a nursery class as well as 9 primary classes with capacity for 263 primary pupils. The school's playground offers no soft landscaping and does not include playing fields. The school site measures 5,500 square metres whereas to be in line with the School Premises (Scotland) Regulations 1967 a school for 263 primary pupils and a nursery should have a school site of no less than 10,280 square metres.

The current St Mary's Roman Catholic Primary School building is rated as Condition B (Good) and Suitability B (Good). However, the cost of bringing all maintenance up to date, refurbishing and revising the existing building to align it with modern education delivery would be significant and would create considerable disruption to pupils.

In May 2016 elected members decided in principle to replace St Mary's Primary School and instructed officers to identify a suitable site. A pre-consultation was carried out to gather feedback and ideas from parents, carers and the community on the use to be made of the former Hopefield Primary School site on Rosewell Road. It covered a range of options and four of these options favoured a replacement St Mary's on that site. Elected members made the decision in February 2017 to make the new school on Rosewell Road a joint campus to provide a replacement St Mary's Roman Catholic Primary School and to provide additional capacity for Burnbrae Primary School.

1.3 Educational Benefits of the proposal

The move to the new campus will offer an enhanced learning environment to improve the quality of education for all children. The facilities will be purpose built and up-to-date. They will provide improved access to spacious well-equipped classrooms and breakout areas that will support the delivery of high quality teaching and learning for all learners.

The replacement school will be built on the Rosewell Road site that will include playing fields and attractive outdoor areas supplied with modern equipment. In addition to providing open areas for outdoor learning they will also allow for extra-curricular and out of school activities which will contribute to the development of the wider talents of young people, better enabling them to develop the skills for life, learning and work they will need in the future. Building the school on this site has the advantage of keeping the school in its current locality, central to the population of its catchment area and close to its church. It will also avoid any disruption to children's learning during the construction period.

The replacement St Mary's is planned to be a single stream school with 8 classrooms and capacity for 242 pupils along with a 40 place nursery. This will provide sufficient capacity to accommodate children presently attending the school and any increase in the school roll that results from housing development that is currently committed in the catchment area. This is based on the current uptake of 8% for places at St Mary's from the Bonnyrigg and

Lasswade area. The projected roll based on a 10% uptake would require further capacity for St Mary's, however we estimate that this is not likely to be required until 2025. By that time we anticipate that the total number of pupils in the Burnbrae catchment will have started to drop back to the projected established roll of 400 pupils and that Burnbrae Early will require less space on the school campus. It is therefore anticipated that more space on the school campus can be made available to accommodate further growth at St Mary's. .

1.4 Consultation

Midlothian Council has undertaken the consultation on this proposal with reference to the *Schools (Consultation) (Scotland) Act 2010* and the amendments in the *Children and Young People (Scotland) Act 2014*. The statutory consultation period ran from 8 May until 19 June 2017. Copies of the proposal document were made available to stakeholders and other interested individuals. One public meeting was held at St Mary's Roman Catholic Primary School on 24 May 2017. A staff consultation meeting was held on 22 May 2017 and the pupil council attended a pupil consultation meeting on 2 June 2017.

The council consulted formally with the Parent Council, parents, including those of any children expected to attend within two years and pupils and staff from St Mary's Roman Catholic Primary School. The council also consulted the Community Councils of Bonnyrigg and Lasswade, Poltonhall and District and Midlothian Community Planning Partnership. There has been formal consultation with the Roman Catholic Church through the diocesan representative. The Headteacher, has also been involved in discussions about the consultation with the local church and its parishioners.

1.5 Correction to proposal document

At the time of publishing the consultation documents it was planned to complete the new school building during 2018/19 and the published document states 'It is planned to complete the new building during the 2018/19 school session'.

Since then, to allow time for the planning of the new school building to take into account representations made during the consultation, the planned completion date has been put back to Summer 2019. The revised plan is therefore that the proposal should take effect from August 2019.

1.6 Proposal to be recommended to Council

Upon completion of the new school campus building, planned for August 2019, all nursery and primary school pupils attending St Mary's Roman Catholic Primary School, and those who will attend in future, will move from the current location at Polton Street to the replacement school at the joint school campus on Rosewell Road, Bonnyrigg.

2. Consultation Findings

2.1 Representations made on the proposals during the consultation period

2.1.1 Summary of written representations

In total 4 written representations and 9 responses to an online survey were made on the proposals. 11 respondents made clear statements supporting the proposal, 2 did not comment on the proposal. In summary the written representations were supportive of the proposal; they found it to be a positive move and long needed for the school. Respondents stated that the current building was not fit to facilitate the education of children, did not support modern teaching methods and was in a poor state of repair. Some concerns were raised around the construction of the new school and a small number asked for assurances on the safety of the buildings. 2 respondents objected to the joint campus and a number asked questions around the use of shared spaces.

2.1.2 Summary of oral representations made at the public meeting held on 24th May 2017

In total 10 members of the public attended, including one child. The representations in summary were largely supportive and discussions were centred on the design and layout of the new building and the outdoor space that would be provided. Parents of St Mary's pupils were positive about the move however some raised the question on whether the nursery at St Mary's would be separate from Burnbrae Early. One attendee asked if there would be community facilities on the joint campus and another asked if there would be increased car parking and drop off provision given the campus was accommodating two schools.

2.1.3 Summary of oral representations made at the pupil consultation held on 2nd June 2017

In total 20 pupils aged P1-P7 attended along with the Head Teacher. The pupils were happy about the proposed location as it is in the middle of the St Mary's catchment area. They were excited about being involved in the design of the new building, providing lots of ideas about what they would like in their new school. These included size of classrooms, furniture, thinking pods, technology provision, PE facilities, outdoor space and playground equipment. They said that having a garden is important to them as well as having areas of the playground designated for younger children.

They had a number of questions about the changes to the school buildings which included asking about what would happen to the old St Mary's building, would the St Mary's school name change and when would the new school building be finished. The pupils showed some interest in the shared campus arrangements, asking about the age of the children who will attend Burnbrae Early and whether the nursery space will be used for classrooms.

2.1.4 Summary of oral representations made at the staff consultation held in St Mary's Primary School on 22nd May 2017

20 school staff attended, including office and janitorial staff. The staff were positive about a move to a new school and had a number of questions regarding the practicalities and design of the new building. They questioned the reflection of growth in the projections and the allowance for the increase in nursery hours when looking at the size of the school. They expressed a keen interest in being involved in the design and layout of the new school with questions around storage, medical rooms, kitchen facilities and provision of ICT equipment.

Staff asked if there would be two administrative teams and two janitors given that it was a joint campus. They expressed concern about the impact on the nursery at St Mary's with the proposal that Burnbrae Early Learning and Childcare was to be part of the campus.

2.2 Education Scotland Report Summary

In their report HM Inspectors stated that the proposal has clear educational benefits. These include the potential to enhance children's learning, including when outdoors. They felt that children would have better access to digital technology and increased opportunities to enhance their experiences, for example, in science and in health and wellbeing. They also felt that staff would have much improved learning and teaching spaces and modern purpose-built resources and facilities. However, HM Inspectors also noted that it would be important for the Council to provide clarification on how staff from both schools on the new shared campus and the early learning and childcare provision would work together should there be any shared resources and/or facilities. HM Inspectors also noted that the council would need to provide a clear, communication strategy to keep stakeholders informed about the implementation of the proposal.

2.2.1 Midlothian Council's response to representations made during the consultation period and to Education Scotland's report.

Shared facilities and resources

Concerns have been raised regarding the sharing of resources and facilities on the new campus. This was also noted by Education Scotland, who requested that this report address how staff from both schools would work together should there be any shared resources and/or facilities.

As part of the detailed planning process for the new building, the Council will work closely with all stakeholders to ensure strong communication links are established and all views are taken into account. In consultation with both schools, consideration will be given to the spaces required to ensure that the facilities will provide a high quality learning experience for all the pupils on the campus. As part of the detailed design process all stakeholders will be consulted on the design and layout of the new school campus.

St Mary's will have dedicated nursery space, independent of Burnbrae Early, designed to meet the needs of its Early Level children. Each school will have its full complement of staff, in line with the Scheme of Devolved School Management including administrative staff.

Midlothian Council has experience of managing establishments which are shared campus sites between non denominational and denominational schools. At the heart of this type of shared campus has been the fostering of high quality relationships between both schools through strong leadership and good communication. There is good evidence that staff there are working collaboratively to enhance professional learning and practice. Further there have been no major issues around any shared facilities with clear agreement on operational use with any problems being dealt with through negotiation and flexibility. A key part of the joint working is that Parent councils of both schools are encouraged to work together for the benefit of all children.

We will be working to ensure this situation is duplicated within the new shared campus site on Rosewell Road. The headteachers of both schools will work with their School Group Managers to formalise a clear plan covering; collaborative professional practice, shared events and agreement on the use of shared facilities with a clear aim to be inclusive and maximise the educational benefit for all children on the campus. There will be an opportunity to fully consult on this with stakeholders through their respective Parent Councils and the relevant plan will be fully communicated to all stakeholders by both schools.

Safer Routes to School and Traffic Management

A common topic raised during the consultation was safer routes to schools, traffic management and the provision of additional parking and drop off points.

When the Council undertakes detailed planning work for a new school it always considers the access routes using all modes of transport from the housing areas in the catchment. The Policy and Road Safety Team creates a School Travel Plan with safer routes to school. In taking forward this proposal the Council will take into account the traffic flow and road design. The Council is committed to working with the police, pupils, parents and the local community to ensure that healthy and safe routes to school are established to encourage walking, cycling, scooting to school and "park and stride" for all those for whom it is an option, to minimise the potential for congestion at drop off and pick up times. Walking routes, cycle paths, roads, bus routes and parking will be revised, where appropriate, with lowered speed limits, additional crossings and improved lighting.

The detailed planning work will also include provision for adequate parking spaces in the school grounds.

Community Use

During the public meetings the question was raised as to whether the new campus would have community facilities.

The new campus will be in close proximity to the Lasswade Centre and Bonnyrigg Primary School, both of which provide community facilities for this area.

It is not the intention for this school campus to enhance the community facilities already provided in the Bonnyrigg area, but arrangements will be considered in discussion with all stakeholders where a requirement is identified, for example for the provision of after school care.

School Design

Both the pupils and staff of St Mary's expressed an interest in being involved in the design of the new school building. The pupils commented on the size of classrooms, choice of furniture, thinking pods, technology provision, PE facilities, outdoor space, garden, designated playground areas and playground equipment. Staff expressed concern about the size of the school questioning whether sufficient allowance had been made for growth projections and the forthcoming increase in nursery hours. They also commented on storage, medical rooms, kitchen facilities and the provision of ICT equipment.

As part of the detailed planning and design of the new school campus, all stakeholders will be consulted on the design and layout of the internal and external spaces. In consultation with both schools, consideration will be given to the spaces required to ensure that the facilities will provide a high quality learning experience for all the pupils on the campus and those who will attend in future years.

2.3 Statement of how Midlothian Council has reviewed the proposals having regard to any relevant representations made during the consultation period and to Education Scotland's report

The proposal to Council on 29th August 2017 will be to relocate St Mary's Roman Catholic Primary School from its current location on Polton Street to the new campus on Rosewell Road, with effect for primary pupil intake from August 2019.

In consideration of the representations made during the consultation and in Education Scotland's report, the proposals have been reviewed. As a consequence, in implementing the proposal, the Council is committed to:

- Working closely with all stakeholders to ensure that the strong communication links that are already established between the early learning and childcare teams, both schools and Council officers are maintained to ensure a smooth transition into the new campus.
- Ensuring the headteacher and School Group Manager from both schools work together to formalise a clear plan and agreement on shared campus working and the sharing of facilities with a clear aim to be inclusive and maximise the educational benefit for all children on the campus.
- Ensuring the Council's Policy and Road Safety Team reviews School Travel Plans and parking requirements when planning the new school and making appropriate enhancements.
- Considering the needs of stakeholders when designing the school spaces and facilities in the new school campus, and
- involving and consulting with pupils and staff in the design and layout of internal and external spaces at the new school campus.

If this proposal and the proposal to use the additional non-denominational capacity for Burnbrae Primary School on a new school campus on Rosewell Road in Bonnyrigg as Burnbrae Early Level education are approved, the council will engage with staff, parents, children and the wider community to ensure that the benefits of the proposals are maximised and that the shared campus operates to the benefit of all.

2.4 Time for further consideration

There will be a period of 3 weeks from the date of publication of this report for further consideration before the next meeting of Midlothian Council on 29th August 2017, when the Council will make a decision on whether to progress with the proposal, either in whole or in part.

Any further representations in respect of this report should be emailed to joni.connell@midlothian.gov.uk before 28th August 2017 so that the Council can take them into consideration.

3. Report by Education Scotland addressing educational aspects of the proposal by Midlothian Council to relocate St Mary's Roman Catholic Primary School, including the nursery, to a new school campus on the former Hopefield Primary School site in Bonnyrigg

1. Introduction

1.1 This report from Education Scotland has been prepared by HM Inspectors in accordance with the terms of the *Schools (Consultation) (Scotland) Act 2010* and the amendments contained in the *Children and Young People (Scotland) Act 2014*. The purpose of the report is to provide an independent and impartial consideration of Midlothian Council's proposal to relocate St Mary's Roman Catholic Primary School, including the nursery, to a new school campus on the former Hopefield Primary School site in Bonnyrigg. Section 2 of the report sets out brief details of the consultation process. Section 3 of the report sets out HM Inspectors' consideration of the educational aspects of the proposal, including significant views expressed by consultees. Section 4 summarises HM Inspectors' overall view of the proposal. Upon receipt of this report, the Act requires the council to consider it and then prepare its final consultation report. The council's final consultation report should include a copy of this report and must contain an explanation of how, in finalising the proposal, it has reviewed the initial proposal, including a summary of points raised during the consultation process and the council's response to them. The council has to publish its final consultation report three weeks before it takes its final decision. Where a council is proposing to close a school, it needs to follow all legislative obligations set out in the 2010 Act, including notifying Ministers within six working days of making its final decision and explaining to consultees the opportunity they have to make representations to Ministers.

1.2 HM Inspectors considered:

- The likely effects of the proposal for children of the school and any other users; children likely to become pupils within two years of the date of publication of the proposal paper; and other children in the council area.
- Any other likely effects of the proposal;
- How the council intends to minimise or avoid any adverse effects that may arise from the proposal, and
- the educational benefits the council believes will result from implementation of the proposal, and the council's reasons for coming to these beliefs.

1.3 In preparing this report, HM Inspectors undertook the following activities:

- consideration of all relevant documentation provided by the council in relation to the proposal, specifically the educational benefits statement and related consultation documents, written and oral submissions from parents and others, and
- visits to the sites of the current St Mary's Roman Catholic Primary School and the proposed new site of the former Hopefield Primary School site, including discussion with school staff, children, parent council representatives and parents.

2. Consultation Process

Midlothian Council undertook the consultation on its proposal with reference to the *Schools (Consultation) (Scotland) Act 2010* and the amendments in the *Children and Young People (Scotland) Act 2014*. The statutory consultation period ran from 8 May until 19 June 2017. Copies of the proposal document were made available to stakeholders and other interested individuals. The council consulted formally with the Parent Council, parents, including those of any children expected to attend within two years and pupils and staff from St Mary's Roman Catholic Primary School. The council also consulted the Community Councils of Bonnyrigg and Lasswade, Poltonhall and District and Midlothian Community Planning Partnership. The council held one public meeting at St Mary's Roman Catholic Primary School on 24 May 2017. Ten members of the public came along, including the local church representative. A staff consultation meeting was held on 22 May 2017 attended by 17 staff. Twenty pupils from P1-P7, including the pupil council attended a consultation meeting on 2 June 2017. The council received four written responses and nine responses to an online survey about the proposal. Overall, across these meetings and surveys, almost all stakeholders reported that they were supportive of the proposal and saw positive benefits for the children's education. They also raised several, similar points where they wanted further clarity should the proposal go forward. There has been formal consultation with the Roman Catholic Church through the diocesan representative. The headteacher, has also been involved in discussions about the consultation with the local church and its parishioners.

3. Educational Aspects of Proposal

- 3.1 The proposal has clear educational benefits, including lower maintenance as the current school building is likely to need a significant amount of maintenance work to maintain current standards. The move to the new campus has the potential to enhance children's learning experiences in modern, purpose-built facilities. Staff would have improved access to additional space in classes and breakout areas to develop further children's learning and achievement. The proposal also indicates that the new school would have increased outdoor spaces with modern resources including playing fields and areas to enhance children's learning when outside. There is scope for these areas to potentially support children's broader achievements, including developing their skills as 'Midlothian learners' when outdoors, including in science throughout the year. There are clear benefits

for maintaining the school in its current locality, including its population within the catchment area and the proximity and links to the church. There is unlikely to be any disruption to children's learning during the building period. Improved facilities and resources for early learning and childcare would allow children to access indoors and outdoors as one learning environment. Parents with younger children might also be able to access better facilities, for example, places to shelter in inclement weather and park buggies and prams.

- 3.2 All parents, children and staff who spoke with HM Inspectors during the visit to St Mary's Roman Catholic Primary School supported the proposal. Staff and parents reported that they had waited a long time for a new school and were confident that the proposal offered their children a much improved learning environment. The Roman Catholic Church is in favour of the proposal. All consultees saw clear advantages to the proposal, including better access to modern purpose-built facilities and resources, such as digital technology and quality outdoor spaces for children's learning and enjoyment. Staff and children are keen to be involved in influencing the design and making decisions when appropriate when choosing some resources, including furniture. Children are looking forward to taking forward their travel plan subject to the proposal going ahead. All staff and parents who met with HM Inspectors commented on the importance of maintaining the school's Catholic identity and values on a shared campus. Points on which consultees are seeking further clarification relate to traffic management, school capacity, community use of and any plans for shared facilities with Burnbrae Primary School on the new campus. Staff and parents are also unclear about the links between the early learning and childcare provision on the new campus. Parents want assurance that the building itself would reflect the highest possible safety standards. Written responses from consultees reflected the views noted in this section.

4. Summary

Overall, there are clear educational benefits to the proposal. Relocating St Mary's Roman Catholic Primary School, including the nursery, to a new campus on the former Hopefield Primary School site in Bonnyrigg has the potential to enhance children's learning, including when outdoors. Children would have better access to digital technology and increased opportunities to enhance their experiences, for example, in science and in health and wellbeing. Staff would have much improved learning and teaching spaces and modern purpose-built resources and facilities. However, an important consideration has been raised on how staff from both schools and from the early learning and childcare provision would work together should there be any shared resources and/or facilities. In taking its proposal forward, the council needs to provide clarification about this, including a communication strategy to keep stakeholders informed providing greater detail in its final report.

**HM Inspectors
Education Scotland
June 2017**

Consultation on the relocation of Nursery and Primary 1 of Burnbrae Primary School to a new school campus on Rosewell Road in Bonnyrigg**Report by Dr Mary Smith, Director, Education, Communities and Economy****1 Purpose of Report**

- 1.1** The purpose of this report is to seek the Council's approval to relocate the Nursery and Primary 1 of Burnbrae Primary School to the new school campus to be built on Rosewell Road in Bonnyrigg. A copy of the consultation report is attached as Appendix 1 to this report. A copy of Education Scotland's report on the consultation is included in the consultation report. A file with copies of the representations made during the consultation has been placed in the Members' Library.

2 Background

- 2.1** In February 2017, Council approved the construction of a shared schools' campus on the former Hopefield Primary School site on Rosewell Road with one stream as non-denominational and one stream as the replacement of St Mary's Roman Catholic Primary School.
- 2.2** Officers subsequently undertook extensive pre-consultation on the use of the additional capacity for Burnbrae Primary School, which resulted in the preferred option of relocating the Nursery and Primary 1 pupils, to be known as Burnbrae Early. Statutory consultation followed and concluded in June 2017 and the consultation report was published on 7 August 2017 and is attached as Appendix 1 to this report.
- 2.3** There has been a period of 3 weeks for further consideration since the publication of the consultation report and no relevant additional representations has been received to date. The Director will provide a verbal update to Council should further representations be received before the date of this meeting of Council.
- 2.4** The significant pre-consultation undertaken prior to the statutory consultation resulted in a low turnout at the public consultation sessions and only a small number of written responses. This is taken to reflect broad acceptance of the proposals.
- 2.5** Education Scotland has carried out an independent and impartial consideration of the Council's consultation proposal and published its report on 7 August 2017, which is included in the consultation report attached.
- 2.6** The Education Scotland report summary states that the Council's proposals has potential educational benefits for children aged 3-5 years stating that a new model of early level education which extends opportunities for experimentation and play from early learning and childcare through to the end of P1 could provide a strong platform for children's further learning and development. It identifies areas where the Council should provide further detail to parents and children. These areas are addressed in the final proposals presented to Council in this report.

- 2.7** Stakeholders shared a concern that Burnbrae Primary School would lose its identity and become two separate educational establishments. In taking forward this proposal the Council will be committed to ensuring significant collaboration between all stakeholders to ensure that Burnbrae Primary School maintains its identity as one educational establishment under the leadership of one headteacher with the skills and drive to take the school forward across the two sites.
- 2.8** During the consultation representations were made about safe routes to schools and this was noted by Education Scotland. When the Council undertakes the detailed planning work for this new school building it will consider the access routes using all modes of transport from the housing areas in the catchment. The Policy and Road Safety Team will then create a School Travel Plan with safer routes to school. Walking routes, cycle paths, roads, bus routes and parking will be revised, where appropriate, with lowered speed limits, additional crossings and improved lighting. The detailed planning work will also include provision for adequate parking spaces in the school grounds.
- 2.9** Concerns were expressed throughout the consultation about the delay in delivering the new school building, with pressure on the existing school's capacity and the ability to accommodate intake for the next couple of years.
The delay in delivering the new school building until August 2019 will allow the detailed design to take into account representations made during the consultation. The Council will invest in bespoke modular units that can be used at Burnbrae Primary to ensure that there is adequate capacity for all pupils until the new school building is ready for occupation.
- 2.10** A common topic raised during the consultation was the sharing of facilities and resources, Education Scotland also requested that the Council address how staff from both schools would work together should there be any shared resources and /or facilities. The headteachers of both schools will work with their School Group Managers to formalise a clear plan covering; collaborative professional practice, shared events and agreement on the use of shared facilities with a clear aim to be inclusive and maximise the educational benefit for all children on the campus. There will be an opportunity to fully consult on this with stakeholders through their respective Parent Councils and the relevant plan will be fully communicated to all stakeholders by both schools if the proposal is taken forward.
- 2.11** Throughout the consultation pupils and staff expressed a keen interest in being involved in the design of the new custom built Early Years provision and the re-design of the existing building to accommodate the Primary 2 to Primary 7 pupils. As part of the detailed planning and design of both the new and existing buildings, all stakeholders will be involved in the design and layout of the internal and external spaces. In consultation with both schools, consideration will be given to the spaces required to ensure all the facilities will provide a high quality learning experience for all the pupils and for those who will attend in future years.

3 Report Implications

3.1 Resource

The capital and revenue costs of the new school on Rosewell Road were set out in the May 2016 report to Council and allocated in the General Service Capital Plan. The construction contract for the school has not yet been tendered and the changes in the school's specification as a result of the joint campus will be incorporated into the tender.

3.2 Risk

This report addresses the risk of Burnbrae primary school having insufficient capacity to provide places for all catchment pupils as a result of the expansion of settlements as set out in the Local Development Plan. The new campus on Rosewell Road will provide additional space for the demand in spaces and ensure sufficient capacity for pupils in the catchment of Burnbrae Primary School.

3.3 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

3.4 Impact on Performance and Outcomes

This work is a part of the programme to provide sufficient capacity at catchment schools to present every child with the opportunity to attend the school which serves their community, and supports improvement in pupil attainment and achievement.

3.5 Adopting a Preventative Approach

The proposals adopt a preventative approach through creating long term sustainable primary school provision for the Bonnyrigg and Lasswade area. The recommendation regarding the use of the new school building aligns with the overall strategy for primary school provision for this area. It further supports the preventative approach by improving the early years facilities for Burnbrae Primary School, thus providing the setting for improvement in the achievement and attainment of pupils and increasing their prospects of progressing on to positive destinations.

3.6 Involving Communities and Other Stakeholders

The consultation process has included consultation with parents, staff and pupils of the schools affected as well as trade union and community representatives.

3.7 Ensuring Equalities

This paper proposes to Council the provision of additional primary school capacity in the Bonnyrigg and Lasswade area and replacement of the St Mary's Primary School building. An Equality Impact Assessment has been carried out and is available in the Members' Library.

3.8 Supporting Sustainable Development

The proposal supports sustainable development by taking advantage of the opportunity to provide new educational facilities at a reduced cost to the Council. This paper takes into account the need to deliver fit for purpose schools across Midlothian which are sustainable while anticipating and acknowledging the needs and views of stakeholders.

3.9 IT Issues

The IT requirements of the new school will be developed as part of the projects' specifications.

4 Recommendations

It is recommended that Council approve:

- The operation of Burnbrae Primary School over two sites under the management of one headteacher, accommodating all nursery and Primary 1 pupils at the new Rosewell Road campus site and accommodating all Primary 2 to Primary 7 pupils on the existing school site on Burnbrae Road, with effect from completion of the new school campus, planned for August 2019.
- The significant collaboration between all stakeholders to ensure that Burnbrae Primary School maintains its identity as one educational establishment under the leadership of one Headteacher.
- The maintenance of strong communication links between the early learning and childcare teams, the staff of both Burnbrae and St Mary's Primary Schools and Council officers to ensure a smooth transition into the new campus, including the formalisation of a clear plan on shared campus working.
- The review of school travel plans and parking arrangements so that appropriate enhancements are in place for the opening of the new school campus.
- The use of bespoke modular units at Burnbrae Primary to ensure that there is adequate capacity for all pupils until the new school building is ready for occupation.
- The commitment to involve pupils and staff in the design and layout of internal and external spaces at the new school campus.

8 August 2017

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Burnbrae Primary School
Relocation of
Nursery and Primary 1
Consultation Report
07 August 2017

Consultation Report

Proposal to relocate Nursery and Primary 1 of Burnbrae Primary School to a new school campus on Rosewell Road in Bonnyrigg.

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1. Summary of the proposal

1.1 Proposal

Midlothian Council has consulted on the use of additional non-denominational capacity for Burnbrae Primary School being designated as Burnbrae Early, accommodating all nursery and P1 pupils. This additional capacity will be at a new school campus on the former Hopefield Primary School site on Rosewell Road in Bonnyrigg.

1.2 Background

The Bonnyrigg/Lasswade area has over 7,300 homes that are served by four non-denominational primary schools, Burnbrae, Bonnyrigg, Hawthornden and Lasswade Primary Schools, one denominational school, St Mary's Roman Catholic Primary School, and one secondary school, Lasswade High School.

| | Total Catchment Properties 2016 | Catchment Primary Pupils 2016 | Projected Catchment Properties | Peak Projected Catchment Rolls (with decline) | School Capacity 2016 |
|--------------------|--|--|---|--|-------------------------------------|
| Bonnyrigg | 1,463 | 396 | 2,133 | 670 | 459 |
| Burnbrae | 1,586 | 449 | 2,592 | 1,040 | 459 |
| Hawthornden | 2,110 | 422 | 2,152 | 420 | 434 |
| Lasswade | 2,160 | 288 | 2,247 | 420 | 367 |
| St Mary's | | | | | 263 |
| Total | 7,319 | 1,555 | 9,124 | 2,551 | 1,982 |

By 2016 945 houses had been completed on the Hopefield Farm development in the catchment of Burnbrae Primary School with a further 200 houses to be built. The Midlothian Local Development Plan proposes a further allocation of 375 houses in the catchment of Burnbrae Primary School, at housing development site Hs12, with an additional 375 houses expected in the longer term.

The Hopefield Farm development sits across the catchment areas of Burnbrae and Bonnyrigg Primary Schools. By May 2016 1,100 houses had been completed on the development with a further 220 or more houses to be built. The numbers of pupils from these new houses attending a Midlothian school was 50% more than originally predicted and resulted in a surge in the primary intake particularly for Burnbrae Primary School. In August 2016 there were 80 Primary 1 pupils in the Burnbrae catchment, 20 pupils more than the school is designed to accommodate.

Table: Hopefield Farm – Primary Pupil Product based on Pupil Census Data

| | Units | Pupil Product | Pupils |
|-----------------------|--------------|----------------------|---------------|
| Original Assumption | 1,100 | 0.308 | 339 |
| Additional units | 200 | 0.308 | 62 |
| | <u>1,300</u> | | <u>401</u> |
| Current pupil product | 1,300 | 0.47 | 611 |

(The pupil product is the average number of children coming forward from each house who attend a Midlothian school. Of these, 7% of the pupils residing in the Burnbrae catchment currently attend a denominational primary school).

The expectation is that the total number of pupils from the Hopefield Farm development will reduce by as much as 50% over time as the development matures and many families continue to live in these houses once their children are beyond school age. It is our prediction this will occur over a twenty-year period following completion of new housing. This will result in the pupil roll of Burnbrae Primary School, excluding the impact of any further housing development, settling back to approximately 400 pupils.

Over the next ten years however, assuming the current proportion of pupils from Burnbrae's catchment area choosing to attend St Mary's remains the same, the primary pupil numbers at Burnbrae are projected to rise over 700 pupils.

| 2017 | 2018 | 2019 | 2020 | 2021 | 2022 | 2023 | 2024 | 2025 | 2026 | 2027 |
|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|
| 386 | 440 | 489 | 533 | 576 | 621 | 659 | 689 | 702 | 710 | 714 |

Meeting the demand for primary school places from these sites will require additional capacity to be provided. The proposed Local Development Plan envisages that this will be provided for this area of Bonnyrigg by way of an additional primary school on housing development site Hs12 combined with a review of school catchment areas. However it will be some years before that school is delivered and the pressure on capacity at Burnbrae Primary School requires a more immediate solution.

On 7th February 2017 Council decided to provide additional capacity for Burnbrae Primary School at the new school campus to be built on the former site of Hopefield Primary School on Rosewell Road and that this site would also provide for the relocation of St Mary's Roman Catholic Primary School.

In February and March 2017 a number of informal pre-statutory consultation activities were undertaken with parents, staff, elected members and the community on how the additional capacity at Hopefield campus should be used by Burnbrae Primary School. Different models for the use of the additional capacity were evaluated and three emerged as viable: Early Level, Second Level and nursery to P7. Broadly, the Early Level stage of the Curriculum for Excellence is at nursery and Primary 1, the First Level is at Primary 2 to Primary 4 and the Second Level is at Primary 5 to Primary 7.

The pre-consultation discussed the educational benefits and adverse effects of all three models. During the pre-consultation, surveys of Burnbrae Primary School staff and

parents were carried out and in all three the Burnbrae Early model was the preferred option, getting the support of 79% of staff, 82% of parents in a ballot and over half of parents in an online survey. As a consequence of these activities, and the balance of the educational benefits we concluded that the Burnbrae Early model delivers the greatest educational benefit and is the most viable, reasonable and sustainable option available to the Council. It is also the option that has the overall support of staff and parents who took part in the pre-consultation activities. It is for these reasons that the Council is proposing to use the additional capacity for Burnbrae to provide Early Level education for all children at nursery and Primary 1 through Burnbrae Early.

1.3 Educational Benefits of the Proposal

The Council set out the educational benefits of providing Early Level education for children in nursery and Primary 1 at Burnbrae Early on the new Rosewell Road campus in its initial consultation report. These benefits are:

- The new campus will have excellent facilities to meet the needs of the Burnbrae Early model with spacious, purpose-designed early years teaching spaces, breakout areas and attractive outdoor areas. These spaces will all contain modern equipment and technology, designed to support the delivery of high quality teaching and learning of the Early Level of the Curriculum for Excellence. The facilities will vitally allow learning through experimentation and play taking into account the latest research and best practice for the early years of children's lives. Further, the purpose built facility will be designed with the increase to 1,140 hours early learning and childcare by 2020 in mind, reducing disruption to staff and children.
- It presents an opportunity to be creative and innovative in how the children and staff in the nursery and Primary 1 years can work together to share spaces, good practice in teaching and learning and intelligence about learners progress for the benefit of all children.
- As a dedicated early years site for Burnbrae there is an opportunity to develop the family learning approach in place elsewhere in Midlothian specifically for the Bonnyrigg and Lasswade area. The family learning approach will enable the centre to focus on early intervention strategies through an open and welcoming ethos that engages families, putting support in place for children and their families early in their education, thus reducing any longer term impact and improving longer-term educational outcomes.
- Close working between nursery and Primary 1 will enable excellent transition from nursery to Primary 1 for children, continuing the play based learning environment. Burnbrae Early will also offer focussed and appropriate opportunities to support children with additional support needs in their transition from nursery to Primary 1.
- None of the children who attended Hopefield Primary School and moved to Burnbrae Primary School in 2012 would move back to the Hopefield campus.

In addition to the educational benefits outlined above, there are a number of additional benefits that this proposal will bring. There is significant house building underway in the Bonnyrigg and Lasswade area and this proposal provides additional capacity for children who wish to attend their local school. This will maintain the opportunity for the social groups and friendships which form at the weekends, evenings and holidays that aid social cohesion and learning, positive learning environments and a community ethos.

The new campus is on the former site of Hopefield Primary School on Rosewell Road in Bonnyrigg and is within the Burnbrae Primary School catchment area so no changes to the catchment areas of any of the schools in Bonnyrigg and Lasswade will be required at this time.

The proposal will relieve the pressure on capacity at Burnbrae Primary School and its nursery so that it will be able to provide places for pupils coming forward from the Hopefield Farm housing development.

The Hopefield Farm development includes a network of safe walking and cycling routes which will facilitate those walking from home to both school sites. For the majority of houses in the Burnbrae Primary School catchment area that distance will be less than half a mile and only a very small number will be over a mile from home to the campus site on Rosewell Road.

1.4 Consultation

Midlothian Council has undertaken the consultation on this proposal with reference to the *Schools (Consultation) (Scotland) Act 2010* and the amendments in the *Children and Young People (Scotland) Act 2014*. The statutory consultation period ran from 8 May until 20 June 2017. Copies of the proposal document were made available to stakeholders and other interested individuals. One public meeting was held at Burnbrae Primary School on 31 May 2017. Separate consultation meetings with staff and pupils were held on 29 May 2017.

The council consulted formally with the Parent Council, parents, including those of any children expected to attend within two years and pupils and staff from Burnbrae Primary School. The council also consulted the Community Councils of Bonnyrigg and Lasswade, Poltonhall and District and Midlothian Community Planning Partnership.

1.5 Correction to proposal document

At the time of publishing the consultation documents it was planned to complete the new school building during 2018/19 and the published document states 'It is planned to complete the new building during the 2018/19 school session'.

Since then, to allow time for the planning of the new school building to take into account representations made during the consultation, the planned completion date has been put back to Summer 2019. The revised plan is therefore that the proposal should take effect from August 2019.

1.6 Proposal to be recommended to Council

Upon completion of the new school campus building, planned for August 2019, Burnbrae Primary School will operate over two sites, Burnbrae Road and Rosewell Road, under the management of one headteacher. All nursery and primary 1 pupils will attend Burnbrae Early on the Rosewell Road campus and all Primary 2 to Primary 7 pupils will attend the existing school building on Burnbrae Road.

2. Consultation Findings

2.1 Representations made on the proposals during the consultation period

2.1.1 Summary of written representations

Forty-four individual responses to the consultation were received either by email, in writing or through the online questionnaire. Twenty respondents opposed the proposal, eight supported the proposal and the remainder sought clarification on a range of points within the proposal. Consultees raised a number of questions and concerns in their written responses, and at the public meeting. Their main concerns were that the proposal would lead to significant drop off and pick up challenges for families who have children attending both sites; this was cited by the majority of the respondents. A number also had concerns that splitting the school over two sites would be detrimental to the ethos of the school as a single community with staff and pupils not being able to participate in the day to day information sharing that a wider school can offer. Respondents also noted that time would be wasted by travelling between the two sites and that the walking route is currently not safe and in need of upgrading. A number of consultees who agreed with the proposal stated that they saw this as an opportunity for a innovative and bespoke approach to early level for children aged 3 to 5 years. Others believed this was the best option but still had some concerns about the impact on families with children who will be attending both sites.

2.1.2 Summary of oral representations made at the public meeting held on 31st May 2017

In total 22 members of the public attended.

A few attendees expressed concern that the proposed building would now not be open until August 2019, which was not what had been indicated in the consultation document. The delay in building the new campus will create pressure on the current school to accommodate the number of pupils projected to attend over the next two years. One respondent stated this would affect the whole school at present as we would need to composite classes throughout the school and atria spaces would be utilised. A few respondents questioned the decision to split the schools and were not fully clear as to why other options had not been explored or decisions not fully explained on why other alternatives were not suitable.

The issue around families with children attending both sites was also a concern for the majority of the attendees, with some suggesting staggered school starts and finishes, to accommodate the needs of parents with pupils at both campuses.

2.1.3 Summary of oral representations made at the pupil consultation held on 29th May 2017

In total 10 pupils aged P1-P6 attended along with the Principal Teacher.

The pupils were generally positive but articulated some concerns for children that will be affected by this proposal. They thought the new campus was not far away and could be walked, but did discuss how it could be difficult for some families dropping off and picking up children from two different sites. The children expressed concern over the state of the footpath between the current school and the proposed new site, it would require some work to make it a safe and pleasant route. They understood the requirement for more space in the current building. They discussed the transition

of the P1 pupils and felt it would be an exciting opportunity for them to move on to the 'big school'.

2.1.4 Summary of oral representations made at the staff consultation held at Burnbrae Primary School on 29th May 2017

In total 17 staff attended.

The majority of the staff are in agreement with the proposal and stressed the importance of being involved in planning the design and layout of the new building. They felt it was an exciting opportunity to custom build Early Years provision. However they did raise a number of issues that would need to be addressed if the proposal goes ahead.

There were some concerns over the size of the current school and the ability to accommodate intake over the next couple of years, it was stated by one member of staff that this would increase pressure on staff and resources. The question was also raised about making the current school fit for a P2 -7 school building.

A few members of staff thought it would be challenging to work across two sites and questioned the practicalities of whole staff meetings, whole school events and assemblies.

The staff also highlighted the issue of drop off and pick up times for families with children across both sites and the state of the paths between the sites for safe walking.

2.2 Education Scotland Report Summary

In their report HM Inspectors stated that the proposal has potential educational benefits for children aged 3-5 years. They felt that a new model of early level education that extends opportunities for experimentation and play from early learning and childcare through to the end of P1 could provide a strong platform for children's further learning and development. They felt that a purpose built facility would enable planning for partnership working, family learning and early intervention strategies to be embedded from the outset. They believed that children and families could benefit greatly from a strengthened team approach if the educational benefits outlined in the proposal are realised. However, HM Inspectors also felt there was the risk of losing the overall identity of Burnbrae Early Learning and Childcare and Primary School and that, over time, there was potential for the two sites to become two separate educational establishments with increased transition points for many children. To avoid this, HM Inspectors indicated the need for the Council to ensure significant collaboration between all staff and partners and highly-effective leadership of learning at all levels.

HM Inspectors also noted a number of concerns raised by consultees arising from the fact that Burnbrae Early Learning and Childcare and Primary School will operate on two separate sites. They noted that many consultees were concerned about this and the potential significant adverse impact on family arrangements for getting children to and from school, this is particularly problematic for families with children attending both sites. HM Inspectors noted that some parents, staff and children had raised concerns about children moving between the two sites during the school day and the potential for significant loss of learning time. They also noted parents concerns about the state of the main walking route between the sites and the limited access to the new site for those travelling by car or public transport. HM Inspectors acknowledged that the Council had indicated how it might seek to resolve these

issues in the consultation proposal paper and at the public meeting. HM Inspectors indicated that the Council needed to address these concerns further in taking forward the proposal. HM Inspectors felt that the Council had given too little consideration to the educational benefits and any issues that might result from a shared campus site with St Mary's Roman Catholic Primary School. Finally, HM Inspectors set out the need for the Council to engage further with all stakeholders to address the range of issues raised by consultees during the consultation.

2.3 Midlothian Council's response to representations made during the consultation period and to Education Scotland's report.

Split Campus Working

A common concern amongst all stakeholders was the risk of Burnbrae Early Learning and Childcare and Primary School losing its overall identity and becoming two separate educational establishments.

In order to alleviate these concerns Midlothian Council will ensure there is significant collaboration between all staff and partners. The school will be under the management of one headteacher who will lead and manage the transition of pupils and staff effectively and positively. The headteacher will help maintain a strong platform for children's further learning and development and will seek to develop further partnership working and a strong team approach. There will be a deputy headteacher on each site to assist the headteacher in developing strong links between the early years and primary school.

While the transition from nursery to Primary 1 will be eased, the model will create a transition between Primary 1 to Primary 2. The staff of Burnbrae Primary School will ensure that this transition is carefully and sensitively managed to ensure that children's social and educational needs are met. For example, links with Primary 3 classes learning within the same level along with maintaining the buddy system with P7 pupils would help ease this transition and offer good peer learning opportunities. The excellent transition from nursery to Primary 1 continuing the play based environment allows for a more flexible approach in preparing children for the next level of Curriculum for Excellence in Primary 2. The nurturing and play emphasis for nursery to Primary 1 can be tailored specifically to the needs of Early Level children.

The school will hold regular combined campus events to ensure that children at nursery and Primary 1 are engaged and included in activities of the whole school. All significant school events, such as the sports day and Christmas events will be whole school events with all pupils brought together on one site. Where events such as parents' evenings would be over the two sites for parents with more than one sibling at the school, the school will be flexible to accommodate this in order to maintain parents' involvement in their children's education.

Opportunities for peer learning such as the Primary 7 buddy system and having older role model pupils for the nursery and Primary 1 pupils will be maintained through planning and scheduling by the school as is currently the case. As the sites are not far apart travelling between them would not be an impediment to this, and would link in with encouraging physical activity.

Support staff will have the flexibility to support children across the site at which they are based, i.e. nursery and Primary 1 or Primary 2 to 7, and could move between sites in different years to maintain continuity for children.

Safer Routes to School and Traffic Management

Consultees also highlighted the need for adequate access to the new site for those travelling by car or public transport and for the walking route between the sites to be upgraded. Reinstating a school on the former Hopefield Primary School site will increase pedestrian and vehicular traffic in the surrounding area at drop off and pick up times.

When the Council undertakes detailed planning work for a new school it always considers the access routes using all modes of transport from the housing areas in the catchment. The Policy and Road Safety Team will then create a School Travel Plan with safer routes to school. The Council will work with the police, pupils, parents and the local community to ensure that healthy and safer routes to school are established to encourage walking, cycling, scooting to school and “park and stride” for all those for whom it is an option, to minimise the potential for congestion at drop off and pick up times. Walking routes, cycle paths, roads, bus routes and parking will be revised, where appropriate, with lowered speed limits, additional crossings and improved lighting. The detailed planning work will also include provision for adequate parking spaces in the school grounds.

Drop off and pick up Times

Many consultees raised the problem of arrangements for getting children to school, particularly for those families with children attending both sites. Siblings who are at different sites would have to travel further to get to school if they accompany their sibling(s) to one site then travel to their own. We are committed to working with parents and carers in exploring potential solutions to this to include walking busses or staggered start and finish times. Final arrangements will be devised and agreed by the school with input from parents as to the most suitable and workable options if the proposal is adopted.

Capacity

Concerns were expressed about the delay in delivering the new school building, with pressure on the existing school's capacity and the ability to accommodate intake for the next couple of years.

The delay in delivering the new school building until August 2019 will allow the detailed design to take into account representations made during the consultation. The Council will invest in bespoke modular units that can be used at Burnbrae Primary to ensure that there is adequate capacity for all pupils until the new school building is ready for occupation.

School Design

Both the pupils and staff of Burnbrae expressed an interest in being involved in the design of the new school building. The pupils understood the requirement for more space in the current building and that the space would need to be adapted to suit the needs of Primary 2 to 7 pupils. Staff highlighted the importance of being involved in the design of both the new and existing buildings. They felt it was an exciting opportunity to custom build Early Years provision.

As part of the detailed planning and design of the Early Years provision on the new school campus, all stakeholders will be consulted on the design and layout of the internal and external spaces. In consultation with both schools, consideration will be

given to the spaces required to ensure that the facilities will provide a high quality learning experience for all the pupils on the campus and those who will attend in future years.

Pupils and staff will also be consulted on the design and layout of the existing Burnbrae Primary School to make it fit for Primary 2 to 7 pupils.

Shared Campus

During the consultation a number of concerns were raised on potential issues that may arise from a shared campus site with St Mary's Roman Catholic Primary School.

Midlothian Council has experience of managing establishments which are a shared campus site between non denominational and denominational schools. At the heart of this type of shared campus is the fostering of high quality relationships between both schools through strong leadership and good communication. There is good evidence that staff there are working collaboratively to enhance professional learning and practice. Further there have been no major issues around any shared facilities with clear agreement on operational use with any problems being dealt with through negotiation and flexibility. A key part of the joint working is that Parent Councils of both schools are encouraged to work together for the benefit of all children.

We will be working to ensure this situation is duplicated within the new shared campus site on Rosewell Road. The headteachers of both schools will work with their School Group Managers to formalise a clear plan covering; collaborative professional practice, shared events and agreement on the use of shared facilities with a clear aim to be inclusive and maximise the educational benefit for all children on the campus. There will be an opportunity to fully consult on this with stakeholders through their respective Parent Councils and the relevant plan will be fully communicated to all stakeholders by both schools.

2.4 Statement of how Midlothian Council has reviewed the proposals having regard to any relevant representations made during the consultation period and to Education Scotland's report

The proposal to Council on 29th August 2017 will be to implement the following proposals, with effect for primary pupil intake from August 2019:

- Operate Burnbrae Primary School over two sites under the management of one Headteacher.
- Accommodate all nursery and Primary 1 pupils at the new Rosewell Road campus site, and
- accommodate all Primary 2 to Primary 7 pupils on the existing school site on Burnbrae Road.

In consideration of the representations made during the consultation and in Education Scotland's report, the proposals have been reviewed. As a consequence, in implementing the proposal, the Council is committed to:

- Ensuring significant collaboration between all stakeholders to ensure that Burnbrae Primary School maintains its identity as one educational establishment under the leadership of one headteacher with the skills and drive to take the school forward across the two sites.

- Reviewing School Travel Plans and parking requirements through the Council's Policy and Road Safety Team when planning the new school.
- Upgrading walking routes to schools to enable a safe and pleasant journey between the two sites.
- Ensuring consultations with parents and carers through the school and the education department are ongoing and that strong communication links are maintained in devising a suitable plan for drop off and pick up arrangements.
- Investing in bespoke modular units to ensure that adequate capacity is provided for all pupils on the current site until the new school building is ready for occupation.
- Involving and consulting with pupils and staff in the design and layout of internal and external spaces at the new school campus ensuring purpose designed early years' spaces.
- Involving pupils and staff in re-designing the existing Burnbrae Primary School to ensure a fit for purpose Primary 2 to 7 learning environment, and
- Ensuring the headteacher and School Group Manager from both schools work together to formalise a clear plan and agreement on shared campus working and the sharing of facilities with a clear aim to be inclusive and maximise the educational benefit for all children on the campus.

If this proposal and the proposal to relocate St Mary's Roman Catholic Primary School to a new school campus on Rosewell Road in Bonnyrigg are approved, the council will engage with staff, parents, children and the wider community to ensure that the benefits of the proposals are maximised and that the shared campus operates to the benefit of all.

2.5 Time for further consideration

There will be a period of 3 weeks from the date of publication of this report for further consideration before the next meeting of Midlothian Council on 29th August 2017, when the Council will make a decision on whether to progress with the proposal, either in whole or in part.

Any further representations in respect of this report should be emailed to joni.connell@midlothian.gov.uk before 28th August 2017 so that the Council can take them into consideration.

3. Report by Education Scotland addressing educational aspects of the proposal by Midlothian Council to provide non-denominational capacity for Burnbrae Early Learning and Childcare and Primary School at a new campus on the site of the former Hopefield Primary School in Bonnyrigg and use this additional capacity to provide early level education for all children at nursery and P1 through a new provision to be known as *Burnbrae Early*.

3.1 Introduction

3.1.1 This report from Education Scotland has been prepared by HM Inspectors in accordance with the terms of the *Schools (Consultation) (Scotland) Act 2010* and the amendments contained in the *Children and Young People (Scotland) Act 2014*. The purpose of the report is to provide an independent and impartial consideration of Midlothian Council's proposal to relocate the Early Learning and Childcare and P1 classes at Burnbrae Early Learning and Childcare and Primary School to a new campus on the site of the former Hopefield Primary School. This new provision is referred to as *Burnbrae Early*. Section 2 of the report sets out brief details of the

consultation process. Section 3 of the report sets out HM Inspectors' consideration of the educational aspects of the proposal, including significant views expressed by consultees. Section 4 summarises HM Inspectors' overall view of the proposal. Upon receipt of this report, the Act requires the council to consider it and then prepare its final consultation report. The council's final consultation report should include a copy of this report and must contain an explanation of how, in finalising the proposal, it has reviewed the initial proposal, including a summary of points raised during the consultation process and the council's response to them. The council has to publish its final consultation report three weeks before it takes its final decision. Where a council is proposing to close a school, it needs to follow all legislative obligations set out in the 2010 Act, including notifying Ministers within six working days of making its final decision and explaining to consultees the opportunity they have to make representations to Ministers.

3.2 HM Inspectors considered:

- The likely effects of the proposal for children and young people of the Burnbrae Early Learning and Childcare and Primary School; any other users; children likely to become pupils within two years of the date of publication of the proposal paper; and other children and young people in the council area.
- Any other likely effects of the proposal.
- How the council intends to minimise or avoid any adverse effects that may arise from the proposal, and
- the educational benefits the council believes will result from implementation of the proposal, and the council's reasons for coming to these beliefs.

3.3 In preparing this report, HM Inspectors undertook the following activities:

- Consideration of all relevant documentation provided by the council in relation to the proposal, specifically the educational benefits statement and related consultation documents, written and oral submissions from parents and others, and
- visits to the site of Burnbrae Early Learning and Childcare and Primary School and the site of the proposed new campus, including discussion with relevant consultees.

2. Consultation Process

- 2.1 Following an extensive pre-consultation through which a number of options were explored, Midlothian Council agreed to consult formally on this proposal as the option which found most favour with stakeholders during the pre-consultation. Midlothian Council undertook the consultation on its proposal with reference to the *Schools (Consultation) (Scotland) Act 2010* and the amendments in the *Children and Young People (Scotland) Act 2014*.
- 2.2 Midlothian Council formally consulted stakeholders between 8 May and 20 June 2017. A public meeting was held at Burnbrae Primary School on 31 May 2017 and was attended by 22 members of the public. Copies of the consultation document were sent to all parents of children attending Burnbrae Early Learning and Childcare and Primary School. Information about the consultation was distributed to other early learning and childcare providers in the surrounding area for distribution to all parents and staff. Separate meetings were held with staff and pupils at Burnbrae Early Learning and Childcare and Primary School. All stakeholders were offered the opportunity to share their views through an online survey.

2.3 Forty-four individual responses to the consultation were received either by email, in writing or through the online questionnaire. Twenty respondents opposed the proposal, eight supported the proposal and the remainder sought clarification on a range of points within the proposal. Consultees raised a number of questions and concerns in their written responses, and at the public meeting. Their main concerns were that:

- The proposal impacts on children who will attend Burnbrae Early Learning and Childcare and Primary School in the future more than on those attending at present and that Midlothian Council had not taken sufficient cognisance of this during the consultation.
- Other options had not been sufficiently explored and the reasons for this had not been explained clearly.
- Plans for the new school campus have been delayed and this places a significant burden on the current Burnbrae Early Learning and Childcare and Primary School where there is insufficient space for the number of children who attend at present and the number projected to attend over the next two years.
- The proposal would lead to significant drop-off and pick-up challenges for families who would have children attending the proposed *Burnbrae Early* and also children attending Burnbrae Primary School P2-P7.
- Splitting the school over two sites some distance apart will be detrimental to the ethos, life and work of the school as single community, and
- time for learning will be lost as a result of the time required for children to travel from one site to another for joint learning experiences.

A few consultees who noted agreement with the proposal stated that they saw this as an opportunity for an innovative and bespoke approach to early level learning for children aged 3 to 5 years. Others expressed that, whilst they believed this to be the best option from the three recently explored, they still had concerns about the impact on families with children who would be attending the two different sites.

3. Educational Aspects of Proposal

3.1.1 The proposal to relocate the Early Learning and Childcare and P1 classes at Burnbrae Primary School to a new campus on the site of the former Hopefield Primary School creating a new provision called *Burnbrae Early*, includes potential educational benefits. There is potential for children who attend *Burnbrae Early* to benefit from an innovative approach which delivers learning across the early level of Curriculum for Excellence from nursery to the end of P1. A new, purpose-designed building could impact positively on children's learning through, for example, improved access to outdoor play, increased use of digital technology and well-planned classroom spaces designed to meet the needs of all children. In particular, the increased space is necessary to accommodate the increasing number of children being enrolled at Burnbrae Primary School and Nursery. The council has not yet developed plans of what the new building might look like so it is difficult for consultees to envisage the extent of this potential benefit. However, this provides an opportunity for stakeholders to be involved at an early stage of the design process. The council has stated that it would like to develop further staff's approaches to planning learning through experimentation and play and increase collaboration between practitioners working across the early level. Whilst a new building is not essential to this, it is clear that the design and space of the current Burnbrae Primary School and Nursery makes it difficult to plan joint learning experiences for nursery and P1.

- 3.1 For children attending Burnbrae Primary School Nursery, the proposal should provide a seamless transition from nursery to primary education. However, children who enter P1 at Burnbrae Primary School from other early learning and childcare centres will still require support in their transition from nursery to P1. All children will then require support to make the transition from P1 to P2 at the P2 to P7 site. A few consultees have raised this as a concern which the council has not yet responded to sufficiently well. The council has stated that there is an opportunity to further develop family learning and partnership approaches to supporting children and families within the new purpose-built facility. This has the potential to improve early intervention strategies and impact positively on outcomes for children and families in the Bonnyrigg area.
- 3.2 Co-locating the new early level provision on a joint campus with a new St Mary's Roman Catholic Primary School has potential for significant partnership working between the two staff teams which could impact positively on the quality of education all children on the campus receive. However, this aspect of the proposal has not yet been fully explored by staff, parents and children at Burnbrae Early Learning and Childcare and Primary School. Any plans for shared facilities will need to be agreed with all stakeholders.
- 3.3 Children currently attending Burnbrae Early Learning and Childcare and Primary School will not be affected by this proposal. However, during the consultation and when HM Inspectors visited, children from P1 to P6 were able to articulate some positive aspects of the proposal and some concerns that they had for children who might be affected by this in the future. They understood the need to create more space for their growing school population. Children expressed concern over the poor state of the footpath between the current site and the proposed additional site for their school. It would require some work to make it a safe and pleasant walking route. Children talked at length about the difficulties some families would have dropping-off and picking up children from two different sites. The council will require to engage further with children and families to address these concerns should the proposal be carried forward.
- 3.4 Parents of children currently attending Burnbrae Early Learning and Childcare and Primary School expressed that their children would not be significantly affected by the proposal. The proposal is of more concern to parents whose children will attend the early learning and childcare and/or primary school in the future. The greatest level of concern is amongst parents who will have children attending both sites. They are concerned about being able to get children to both nursery and school on time and within a reasonable travelling time. The council has stated that it will look to address their concerns through further engagement with parents to ensure appropriate timings for the nursery/school day at each site to allow for drop-off and pick-up. There is a need for the council to work with parents to explore more fully the travel issues which they have raised and find mutually agreeable solutions. If these matters are not sufficiently well addressed, there is potential for increased lateness and therefore lost learning time for children. A significant number of those who rejected the proposal have raised concerns about splitting the school over two sites which are less than one kilometre walking distance apart. The council has stated that regular, combined activities will ensure that all children maintain a sense of belonging to the school community. Moving forward, parents, staff and children will require to be involved in further dialogue about how this will be achieved. The council will need to ensure that time spent moving children between the two sites does not become a regular reduction in time for meaningful learning. The council states that this walk sits well with the desire to encourage physical activity. Whilst such a walk may be

part of the school's wider promotion of health and wellbeing, it should not be considered a substitute for high-quality physical education.

- 3.6 Almost all staff at Burnbrae Early Learning and Childcare and Primary School are in agreement with the proposal. They value the opportunity to be involved in planning the design of the new provision. They see increased opportunities for early intervention and family learning through the bespoke facilities which the council states it aims to create. They also spoke of opportunities to enhance the early level curriculum through partnerships with local businesses and amenities that are closer to the proposed new site than to the current school building. They are very concerned about the proposed timeline for making this happen and would like further clarification on this. Parents also indicated that this was a concern. In the meantime, there is a need to find appropriate solutions to accommodate the increasing number of children who will enter the Early Learning and Childcare and Primary School classes from August 2017. In particular, the current early learning and childcare space is insufficient for the projected roll for session 2017-18.
- 3.7 During the consultation period, a few consultees identified a perceived contradiction in the proposal. The proposal consultation document suggests the new building might be open during session 2018-19. However, the note of the public consultation meeting indicates that Midlothian Council expressed that this is unlikely. The council will need to ensure that it takes the necessary steps to investigate this contradiction. In its final consultation report, the council will need to provide clarity on the timeline.

4. Summary

- 4.1 For children aged 3-5 years, there are some potential educational benefits to this proposal. A new model of early level which extends opportunities for experimentation and play from early learning and childcare through to the end of P1 could provide a strong platform for children's further learning and development. A purpose built facility will enable planning for partnership working, family learning and early intervention strategies to be embedded from the outset. Children and families could benefit greatly from a strengthened team approach if the educational benefits outlined by Midlothian Council were to be realised. Almost all stakeholders agree that this is the case. However, there is also the risk of losing the overall identity of Burnbrae Early Learning and Childcare and Primary School and that, over time, the two sites become two separate educational establishments with increased transition points for many children. To avoid this, Midlothian Council will need to ensure significant collaboration between all staff and partners and highly-effective leadership of learning at all levels.
- 4.2 If the proposal is taken forward, Burnbrae Early Learning and Childcare and Primary School would operate on two separate sites. Many consultees raised concerns about this aspect of the proposal, which they feel will impact significantly on family arrangements for getting children to and from school. This is particularly problematic for families with children attending both sites. Some parents, staff and children also raised concerns about children moving between the two sites during the school day and the potential for significant loss of learning time. They also raised the poor state of the main walking route between the sites and limited access to the new site for those travelling by car or public transport. In the consultation proposal paper and at the public meeting, the council indicated how it might seek to resolve these issues but some consultees still have concerns that need to be addressed. Very little consideration has yet been given to the educational benefits and any issues that might result from a shared campus site with St Mary's Roman Catholic Primary School. In taking its proposal forward, the council should engage further with all

stakeholders to seek appropriate resolution on the range of issues which consultees have raised.

**HM Inspectors
Education Scotland
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