



MINUTES OF THE MEETING OF THE CABINET

TUESDAY 14 NOVEMBER 2017
COUNCIL CHAMBER, TOWN HOUSE, HADDINGTON

1

Committee Members Present:

Councillor S Akhtar
Councillor J Goodfellow
Councillor N Hampshire (Convener)
Councillor J McMillan
Councillor F O'Donnell

Other Councillors Present:

Councillor L Bruce
Councillor S Currie
Councillor A Forrest-
Councillor J Henderson
Councillor K McLeod
Councillor B Small

Council Officials Present:

Mrs A Leitch, Chief Executive
Ms M Patterson, Depute Chief Executive – Partnerships and Community Services
Mr A McCrorie, Depute Chief Executive – Resources and People Services
Mr D Small, Director, Health and Social Care Partnership
Mr J Lamond, Head of Council Resources
Mr T Shearer, Head of Communities and Partnerships
Mr R Montgomery, Head of Infrastructure
Mr D Proudfoot, Head of Development
Mr C Grilli, Service Manager – Legal and Procurement
Mr J Coutts, Service Development and Support Manager
Ms S Fortune, Service Manager – Business Finance
Ms L Shaw, Corporate Finance Manager
Mr I Patterson, Homelessness Manager
Mr P Ritchie, HR Business Partner
Ms S Morris, Procurement Team Leader (Item 6)
Mr S Cooper, Team Manager – Communications
Mr M Derwan, Student Placement (Communications Team)

Clerk:

Ms A Smith

Apologies:

Councillor W Innes

Declarations of Interest:

None

1. MINUTES FOR APPROVAL – CABINET 12 SEPTEMBER 2017

The minutes of the meeting of the Cabinet of 12 September 2017 were approved.

2. FINANCIAL REVIEW 2017/18 QUARTER 2

A report was submitted by the Depute Chief Executive (Resources and People Services) recording the financial position at the end of the second quarter of the financial year 2017/18.

The Head of Council Resources, Jim Lamond, provided an overview of the Quarter 2 position. In respect of General Services Revenue, he drew attention to the key component elements summarised by key service clusters. He then reported on the Housing Revenue Account and General Services Capital Budgets. The report highlighted mixed financial performance across Council Services with a number of compensating balances masking the non-delivery of planned efficiencies within Adult Wellbeing and significant expenditure pressures on Children's Wellbeing. The overall position was very finely balanced and consequently, one that remained extremely challenging. Taken within the context of his recent Financial Prospects report to Council, there were considerable financial and operational challenges associated with significant reductions in public sector spending that would continue through until at least 2021.

Councillor Small, referring to Children's Wellbeing and Adult Wellbeing, asked what specific steps were being taken; he also queried efficiencies and how these were being managed. David Small, Director of the Health and Social Care Partnership, advised, in relation to Children's Wellbeing, that there were external placements for the most vulnerable children, driven by external bodies, for example the Children's Reporter. There were some staffing underspends. In relation to Adult Wellbeing the position was more complicated. He referred to external care home placements and income collection, cost pressures, changes to night time support and complex care packages. He reported that existing efficiency programmes were being revisited to see if any acceleration was possible. With regard to being able to improve by the end of the financial year he remarked that for Adult Wellbeing he was reasonably confident, for Children's Wellbeing less so because of the external factors.

Councillor Currie queried the second report recommendation remarking that this was surely an operational matter. Mr Lamond stated that he was reporting on a factual position, there was a situation where some people were operating outwith these levels so he was looking for support from Cabinet for direction to these budget holders. Responding to questions about Adult Wellbeing, Mr Lamond reminded Members of his comments last year regarding an additional £1million from reserves; the 2016/17 performance was largely to compensate for non-delivery of an efficiency programme. Regarding the rate of planned savings, he advised that there had still been a belief then that these savings could be made in time. The single key factor now was the continued legacy of that lag at delivery of non-efficiencies. Mr Lamond, responding to Councillor Currie's query about lack of ability to go to reserves in this financial year, stated that it was particularly challenging; examination of achievement of efficiency savings was now an ongoing matter. Mr Small and his management team had been issued with a cost recovery plan requesting other control measures; this was a work in progress. Councillor Currie then raised questions concerning General Services Capital Budgets. Mr Lamond replied that efforts were aligned to try to deliver the capital projects. Regarding queries about the number of capital projects being re-profiled he stressed that many variables underpinned these capital projects.

In response to questions from Councillor O'Donnell, Mr Small, referring to the recent successful recruitment campaign for foster carers, stated that nine extra carers had now been recruited. In relation to Adult Wellbeing and the collection of fees from external care providers, he indicated there were technical issues around getting the information and also with financial systems. Regarding the improvements to delayed discharge figures, he clarified that there was some link with residential care placement costs.

Responding to Councillor McLeod's questions, Mr Lamond advised that Knox Academy and Preston Lodge High were the two secondary schools showing indications of pressure. Regarding delays to Wallyford Primary and the Ross High extension capital projects, Mr Lamond stated these were only categorised as such, because they had been brought in early to the Capital Plan.

Councillor Small stated it was clear that anything in relation to transfers and efficiencies was very difficult. It was also clear that both Adult Wellbeing and Children's Wellbeing were extremely hard environments, which needed close observation; real action was required.

Councillor Currie expressed concerns specifically in relation to Adult and Children's services. He referred to projects within the Capital Plan and the impact if there was a slippage in this programme. The Council faced huge challenges and needed to manage expectations.

Councillor McMillan remarked that the culture of the organisation was changing; the challenge was to transform delivery of services and attitudes.

Councillor Akhtar expressed disappointment at the level of funding from central government. She stated that controls were operating effectively and the external auditors had validated the Council's financial position. She highlighted the high profile campaign for foster carers.

Councillor O'Donnell referred to the population growth in East Lothian specifically in relation to the increased demands on Adult Wellbeing and Children's Wellbeing services. She also made comments regarding funding from the Scottish Government.

Councillor Goodfellow, referring to the affordable housing programme, welcomed delivery of the sites at Pinkie Phase 3 and Russell Walk, North Berwick.

The Convener stated that a high quality service continued to be provided to East Lothian residents. There were real pressures on both Adult Wellbeing and Children's Wellbeing service areas. He, along with his colleagues, expressed thanks to officers acknowledging that staff were working under very difficult circumstances.

Decision

The Cabinet agreed to note the financial performance of services at the end of September 2017.

3. HOMELESSNESS UPDATE AND ACTION PLAN

A report was submitted by the Depute Chief Executive (Partnerships and Community Services) updating Cabinet on the performance of the Council in delivering its objectives in relation to the prevention of homelessness and its statutory obligations in relation to homeless applicants. The report also sought approval of the action required to ensure that the Council continued to meet its legal obligations towards homeless clients and within that to mitigate against the possible impact of the recent amendment to the Homeless Persons (Unsuitable Accommodation) (Scotland) Order 2014 on the Council's housing allocations.

The Head of Development, Douglas Proudfoot, presented the report. He highlighted some of the background successes in Homelessness Prevention and Response services but stated that despite these achievements the Council faced further significant challenges, particularly in respect of increasing homelessness presentations. He drew attention to the change in the Unsuitable Accommodation Order (UAO). The Action Plan to address the challenges was attached in full and structured around six main themes. Referring to the resource implications he underlined that the Homelessness Service was funded from general services and whilst under significant pressure was also being further challenged by the impacts of Universal Credit. He also drew attention to Scottish Government funding and development of plans by officers to maximise best use of this.

In response to questions from Councillor Currie, Mr Proudfoot stated that the change in the UAO from 14 to 7 days was an increasing pressure, so the risk of breaching the AUO was also increased. He stressed that in respect of any statutory order the Council would do all it could to adhere to targets. Ian Patterson, Homelessness Manager, advised that there was concern regarding the change to the UAO, there were no powers in the UAO to take account of the dynamic of a homeless situation. There were considerable pressures; the Council had to position itself to significantly reduce the use of bed and breakfast accommodation and react positively to emergencies.

Responding to Councillor McLeod, Mr Patterson clarified that there were not more people presenting as homelessness from outwith the county, the percentage figures remained as before with 85% presenting from an East Lothian postcode.

Councillor Small queried quantification of financial risk. Mr Patterson advised that further validity of the numbers was required. He reported that 10-15% of cases left bed and breakfast without making a claim. Councillor Small remarked that it would be useful to get a further report providing some financial clarity; Mr Patterson confirmed this would be done.

Councillor Goodfellow stated that officers faced significant challenges and he welcomed the various actions taken to improve the service provided to homelessness clients. The provision of temporary accommodation had been increased but despite this, there were still huge challenges and the number of applications continued to rise. He also referred to the impact of Universal Credit. The Homelessness Action Plan had a number of themes, which would go some way to addressing this situation.

Councillor Currie understood the pressure staff were working under and asked Mr Patterson to convey Members' thanks for their professional and consistent approach. Reducing the time a family could spend in bed and breakfast from 14 to 7 days would bring additional pressures. There were undoubtedly significant challenges; this was a long-term project.

Councillor O'Donnell proposed an amendment – pages 32 and 43, theme 4: *The proportion of allocations to Homeless applicants will be reviewed to ensure targets appropriately reflect demand while ensuring balanced communities* – amend wording to *The proportion of allocations will be reviewed to ensure targets recognise a wide range of demands including homelessness, while ensuring balanced communities*. Councillor Akhtar seconded this amendment.

The Convener agreed with the amendment and asked Cabinet Members if they agreed the report recommendation, with the amendment as outlined; Members agreed unanimously.

Decision

The Cabinet agreed:

- i. to contents of the report; and

- ii. to approve the Homelessness Action Plan and its associated actions, as amended.

4. HOUSING ALLOCATIONS POLICY REVIEW – INTERIM AMENDMENTS

A report was submitted by the Depute Chief Executive (Partnerships and Community Services) updating Cabinet on Housing Allocation Policy review arrangements and seeking approval for an interim action required to mitigate against the impact of the recent further amendment to the Homeless Persons (Unsuitable Accommodation) (Scotland) Order 2004 (amended 2014) on the Council's housing allocations. The report also sought approval for a further small change in respect of low priority medical cases (Category C).

Mr Proudfoot presented the report. The first interim amendment concerned changing the wording of the allocations policy to respond to the changes to the UAO and to address temporary accommodation pressure points. The new wording was more definite and reduced the timescale of review; it also extended the requirement to widen areas of choice and property types. The second interim amendment related to suitable ground floor properties no longer being ring fenced for Category C medicals. The importance of a full review could not be overstated however, these interim amendments were crucially important to allow officers to mitigate homelessness pressures.

Responding to questions from Councillor Currie, James Coutts, Community Housing Service Development and Support Manager, clarified that people in Categories A or B would still have priority for suitable ground floor accommodation; the proposal was only to remove those in Category C.

Councillor Small asked how the success of this policy was measured. Mr Proudfoot, referring to the connection with the previous report, stated that officers were looking to see a flow forward from temporary accommodation into offers of permanent housing, to displace the bottleneck, which would have a real impact on homelessness applications. This was about long term planning, this was an opportunity but success was hard to measure. He added that a report would be coming forward to the PPRC.

Councillor Goodfellow referred to the current Allocations Policy and the need for a review, which had been held up due to final guidance of the Housing (Scotland) Act 2014 being published by the Scottish Government, this was expected in February 2018.

Councillor O'Donnell proposed an amendment – page 47, under the new wording paragraph, changing *3 months* to *6 months* and adding after *...areas of choice, to include the main town*. Councillor Akhtar seconded this amendment.

Councillor Currie supported what had been put forward, stating that his only concern was that if someone's search area was too limited and the prospect of a house in that area improbable then surely reviewing that application as early as possible would be beneficial.

Councillor Akhtar proposed an amendment – the removal of recommendation 2.1.3 regarding Category C medicals; this aspect should be looked at as part of the full review not at this interim stage. Councillor O'Donnell seconded this amendment.

The Convener agreed with the proposals put forward by Councillors O'Donnell and Akhtar. He asked Members of Cabinet if they agreed the report recommendations, with the amendments; Members agreed unanimously.

Decision

The Cabinet agreed:

- i. to note the arrangements for a full review of the Council's Allocations Policy and that a further report detailing the timescales and scope of the review, along with proposed allocations targets for 2018/19, would be reported to Cabinet for approval in January 2018; and
- ii. to approve the revised wording, as amended, to be contained within the Council's Housing Allocations Policy in relation to detailed elements affecting all applicants accepted for rehousing under current homelessness legislation. Specifically that a mandatory review would take place of both the applicant's property types and areas of choice after a reasonable period of time – with the aim of achieving an offer of settled housing for the applicant and in turn allowing the Council to fulfil its statutory obligations (para 3.9).

5. ANNUAL PENSIONS REPORT 2016/17

A report was submitted by the Depute Chief Executive (Resources and People Services) summarising the early retirement activity within the financial year 2016/17 in accordance with External Audit requirements and Council Policy.

Mr Lamond presented the report, drawing attention to the various types of pensionable retirements and the actual activity experienced during the 2016/17 financial year. He provided some additional detail on pension related historical liabilities that fell due in that year and could be expected in future years.

Councillor Currie, referring to the compulsory severance category, asked if there was a different way of recording this to avoid identifying service areas. Mr Lamond advised that officers were mindful of data protection issues but felt the right approach was being taken.

Responding to questions from Councillor Small, Mr Lamond indicated that the stability mechanism had been in place for at least 3 years. It had been successful but had a relatively short life span left; an update was expected in the next few weeks. He anticipated that the stability mechanism would continue in respect of the new budget.

Decision

The Cabinet agreed to note the content of the report with regard to the pension activity in the financial year 2016/17.

6. PROCUREMENT STRATEGY

A report was submitted by the Depute Chief Executive (Resources and People Services) seeking approval for the Procurement Strategy.

The Legal and Procurement Service Manager, Carlo Grilli, presented the report. He outlined the background, referring to legislative changes and requirements for contracting authorities. In complying with the legislation, the current Procurement Strategy had been reviewed and the need for a fresh strategy identified. The new draft Procurement Strategy was attached; this would replace the current Procurement Strategy and set out the high-level approach the Council now took towards procurement.

Councillor O'Donnell asked if any analysis had been done as to why some other local authorities performed better; she asked if there was a connection with the £250,000 threshold. Mr Grilli stated there was no direct analysis in relation to the Council's performance figure. Regarding queries about the Quick Quote process, he indicated that at

least four suppliers were approached; this may not always include local firms as it may depend on what was being promoted at the time.

Councillor Currie, referring to the appointment of non-local sub-contractors, asked what the options were to try to address this. Mr Grilli stated that a jointly funded Procurement Officer post had been created with the Economic Development service; this post holder would liaise with the local community. Councillor Currie asked if the Quick Quote up to £250,000 still had to satisfy best value; Mr Grilli confirmed that all contracts were assessed on best value. Responding to questions about awarding social care contracts, Mr Grilli referred to new procurement directives, which would allow the process for these contracts for a larger threshold. Mr Proudfoot added, from an economic development perspective, that the joint post had an important community role however contractors could not be compelled to sub-contract to local companies. A number of supplier events were taking place and the post holder was looking at ways to provide other support.

Councillor Akhtar asked about maximising the spend on local businesses. Mr Grilli indicated this formed part of the role of the new jointly funded post in liaising with the local community. He added that the Contracts Register allowed suppliers to see what tenders were forthcoming.

Angela Leitch, Chief Executive, informed Members that the Council was working with Scotland Excel, an overarching centre of excellence body, who were providing support regarding the review of the Procurement Strategy. She stressed that where there were innovative ways of working these would be taken on board.

Councillor Currie stated this was a very important report and he welcomed the efforts to try to engage local firms. He suggested it would be helpful to be able to track the number of contracts awarded to local firms on an annual or six monthly basis.

Councillor McMillan remarked that he had a couple of changes he would like incorporated – page 64, first bullet point: change *following* to *during* and add *and full consideration is given to local economic and environmental issues* at the end of that bullet point and third bullet point: change *improve* to *maximise*. The Convener stated that the Head of Council Resources could accommodate these changes as the report recommendation gave him delegated authority to make presentational modifications. Mr Lamond indicated these would be taken on board but stressed this would be in accordance with legislative constraints.

Decision

The Cabinet agreed:

- i. to approve the draft Procurement Strategy 2017-2022;
- ii. to delegate authority to the Head of Council Resources to make further presentational modifications to the draft Procurement Strategy prior to finalisation and formal publication; and
- iii. to delegate authority to Head of Council Resources to update the strategy as may be required following its regular annual review within the period of 2017 to 2022 and to report such changes through the Members Library.

Signed

Councillor Norman Hampshire
Depute Council Leader and Convener of the Cabinet

REPORT TO: Cabinet

MEETING DATE: 16 January 2018

BY: Depute Chief Executive (Resources and People Services)

SUBJECT: Summary of Contracts Awarded by East Lothian Council,
1 September 2017 – 7 January 2018

2

1 PURPOSE

- 1.1 To advise Members of all contracts awarded by the Council from 1 September 2017 to 7 January 2018 with a value of over £150,000.

2 RECOMMENDATIONS

- 2.1 To note the award of contracts with a value of over £150,000 from 1 September 2017 to 7 January 2018, as listed in Appendix 1 to this report.

3 BACKGROUND

- 3.1 Details of all contracts awarded by the Council are lodged in the Members' Library Service. Appendix 1 to this report contains details of all contracts with a value of £150,000 and above which have been awarded since the last meeting of the Cabinet.

- 3.2 Members are asked to note that reports relating to contracts can be accessed via the following link to the Members' Library Service on the Council's eGov system:

http://www.eastlothian.gov.uk/site/scripts/meetings_committees.php?headerID=102

4 POLICY IMPLICATIONS

- 4.1 None

5 INTEGRATED IMPACT ASSESSMENT

- 5.1 The subject of this report does not affect the wellbeing of the community or have a significant impact on equality, the environment or economy.

6 RESOURCE IMPLICATIONS

- 6.1 Financial - None.
6.2 Personnel - None
6.3 Other - None

7 BACKGROUND PAPERS

- 7.1 None

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DESIGNATION	Team Manager – Democratic& Licensing
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DATE	8 January 2018



**SUMMARY OF CONTRACTS AWARDED WITH A VALUE OF £150,000 AND ABOVE
FOR THE PERIOD 1 SEPTEMBER 2017 – 7 JANUARY 2018**

Originator	Report Title/Project Summary	Contract Awarded To	Contract Value	Members' Library Reference
Depute Chief Executive (Partnerships & Community Services)	Consultancy Service for the Design of Musselburgh Flood Protection Scheme	CH2M Hill UK	£974,505.60 (note: 80% of this contract is funded by the Scottish Government)	141/17 (Dec 17 Bulletin)

8 January 2018

REPORT TO: Cabinet

MEETING DATE: 16 January 2018

BY: Depute Chief Executive (Partnerships and Community Services)

SUBJECT: Review of Housing Allocations Policy

3

1 PURPOSE

- 1.1 To seek Cabinet approval for a review of the existing Housing Allocations policy.
- 1.2 To explain the context, drivers, scope and approximate timescale for the review.

2 RECOMMENDATIONS

- 2.1 That Cabinet approves the review of the existing Housing Allocations policy.
- 2.2 That Cabinet notes the context, drivers, scope and approximate timescale for the review.

3 BACKGROUND

- 3.1 The Council operates a Group and Points Allocations Policy, which has been operational since its introduction in July 2007 following a major review of the previous policy. Some small changes have been made to the policy over the last few years. The most recent ones are referred to in the report to East Lothian Council (25 February 2014).
- 3.2 The main objective of the Allocations Policy is to meet the Council's legal obligations specified in the Allocations and Homelessness legislation. The policy also assists the Council to achieve, along with other complementary actions, balanced and sustainable communities through local lettings plans.
- 3.3 The current policy continues to deliver positive outcomes for many on the housing list, gives applicant choice, supports high tenancy sustainment

levels and at the same time has reduced refusal rates, which in turn helps with the quicker turnaround of empty houses.

- 3.4 In spite of these positive outcomes the level of homelessness generally and the demand for temporary accommodation remains high and waiting times for homeless applicants for rehousing continues to increase significantly with a concomitant increase in the length of time homeless applicants are spending in temporary accommodation. The extent of this challenge was reported to Cabinet in November 2017.
- 3.5 This demand has resulted in breaches of the Homeless Persons (Unsuitable Accommodation) (Scotland) Order 2014, which states that persons who are pregnant or who have dependent children and those who might reasonably be expected to reside with them cannot occupy unsuitable temporary accommodation i.e. bed and breakfast for longer than seven days (prior to October 2017 this was 14 days).
- 3.6 Furthermore, the Scottish Housing Regulator as part of the Local Area Network scrutiny activity has noted ongoing concerns over the high numbers of people in bed and breakfast and temporary accommodation generally with increasing lengths of stays in such accommodation.
- 3.7 In addition, there are other aspects of the existing allocations policy that require review such as overcrowding points, which could be more nuanced, the use of temporary accommodation points and other aspects that could bring about improvements.
- 3.8 The Health and Housing Framework used to determine medical priority also requires review and will be brought within scope of this project. This review will look at both the administration and assessment criteria used in the current framework.
- 3.9 Beyond the local drivers described above, the Scottish Government are now looking to issue commencement orders for the Housing (Scotland) Act 2014, which will require the Council and all social landlords to review their allocations policy in light of these new requirements. It is expected these commencement orders along with more detailed guidance will be issued in Spring 2018 to be implemented by Spring 2019.
- 3.10 The legislative changes will create a new framework for the review of allocations policies. There are changes around the reasonable preference groups with an additional unmet need requirement, the ability to take home ownership into account, successions, assignments and the model Scottish Secure Tenancy, which the policy review group will have to work through in light of the detailed guidance expected in the Spring of 2018.
- 3.11 A policy review team is to be established comprising Community Housing & Homelessness staff, Adult and Children's Wellbeing staff and East Lothian Tenants and Residents Panel to develop the new policy to address both the local context and legislative change. Other staff groups will be co-opted to the group as and when appropriate.

- 3.12 The policy review team will report to a cross-party Programme Board who will oversee the process and consider recommendations prior to any formal approval by elected members. The Programme Board will also include the Head of Development and representation from East Lothian Tenants and Residents Panel.
- 3.13 The new draft policy will be the subject of full tenant, housing applicant and stakeholder consultation prior to Cabinet approval and implementation.
- 3.14 Given the above, it is expected that the full review will take up to one year, although it may be possible to fast-track certain elements that will allow the Council to address some of the more critical pressures it faces.

4 POLICY IMPLICATIONS

- 4.1 The policy review will allow the Council to satisfy itself that the new Housing Allocations policy is compliant with legal requirements and is delivering good outcomes for housing applicants most in need and those experiencing homelessness.

5 INTEGRATED IMPACT ASSESSMENT

- 5.1 A full integrated impact assessment will be undertaken as part of the Allocations Policy Review.

6 RESOURCE IMPLICATIONS

- 6.1 Financial – The costs of developing the new policy are within the Service Development Team budget. Once approved the new policy will need to be implemented and appropriately costed and resourced.
- 6.2 Personnel – None.
- 6.3 Other – None.

7 BACKGROUND PAPERS

- 7.1 East Lothian Council Report – Housing Allocations Policy Review – February 2014
- 7.2 Cabinet Report – Homelessness Update and Action Plan – November 2017

AUTHOR'S NAME	Douglas Proudfoot
DESIGNATION	Head of Development
CONTACT INFO	James Coutts x7483
DATE	December 2017

REPORT TO: Cabinet

MEETING DATE: 16 January 2018

BY: Depute Chief Executive (Partnerships and Community Services)

SUBJECT: Council House Allocation Targets for 2018/19

4

1 PURPOSE

- 1.1 To seek Cabinet approval for Council House Allocation Targets for the period 1 April 2018 to 31 March 2019.
- 1.2 To explain the context, legal position and rationale for the proposed targets.

2 RECOMMENDATIONS

- 2.1 That Cabinet approves the recommended targets detailed in Section 3.22 of this report.
- 2.2 That Cabinet notes that performance against these targets is reviewed on a weekly basis and that such review forms part of the analysis in setting future targets in 2018/19 and beyond.
- 2.3 That Cabinet notes that ongoing regular monitoring of performance has been embedded within the Community Housing Performance Management Framework.

3 BACKGROUND

- 3.1 The Council operates a Group and Points Allocations Policy, which has been operational since its introduction in July 2007 following a major review of the previous Policy. Some small changes have been made to the policy over the last few years. The most recent ones are referred to in the report to East Lothian Council (25 February 2014). A further review is now underway and is the subject of an accompanying report.
- 3.2 The main objective of the Allocations Policy is to meet the Council's legal obligations specified in the Allocations and Homelessness legislation.

The policy, along with other associated actions will also help the Council make best use of Council housing stock. In addition, the policy also assists the Council to achieve, along with other complementary actions, balanced and sustainable communities through local lettings plans.

Legal Obligations

- 3.3 In setting any targets against each group the Council must give reasonable preference to certain statutory groups when allocating Council houses. These include applicants living in overcrowded or unsatisfactory housing conditions and those applicants who are homeless or threatened with homelessness.
- 3.4 Most of the statutory groups are found in the General Needs Group, although some applicants may fall into the Transfer Group, such as those who need re-housing because of overcrowding or whose health is being negatively impacted upon in their current accommodation.
- 3.5 The Homelessness etc. (Scotland) Act, which took effect from 1 January 2013 has abolished the “priority need” test and now places a duty on local authorities to provide settled accommodation to anyone found to be unintentionally homeless.
- 3.6 The Homeless Persons (Unsuitable Accommodation) (Scotland) Order 2014 states that persons who are pregnant or who have dependent children and those who might reasonably be expected to reside with them cannot occupy unsuitable temporary accommodation i.e. bed and breakfast for longer than seven days (prior to October 2017 this was 14 days). This in turn places further demands on the Council’s housing list.
- 3.7 The Children and Young People (Scotland) Act 2014 specifically impacts on the provision of accommodation to young people leaving the care system. The Council “Starter Flat” approach, which allocates these tenancies within the General Needs Group has already helped the Council deliver its corporate parenting objectives.

Target Principles

- 3.8 Scottish Government Allocations Guidance (2011) states that all targets should contain sufficient flexibilities to allow the landlord to continue to meet significant need when a target has been reached. The functionality to review targets against changing housing demand forms part of a responsive allocations policy.
- 3.9 With this in mind, the allocations targets will be reviewed within six months to ensure that they continue to reflect the greatest housing demand. If, after analysis, a change to the targets is deemed necessary, a paper outlining the change will be submitted to Cabinet for approval.

Making best use of stock

- 3.10 Significant effort has been made in the last few years to encourage transfer activity in order to make best use of stock i.e. by creating

vacancy chains, which free up additional houses to those initially let to transfer applicants.

- 3.11 To help facilitate this, the Council has also 'incentivised' transfers for existing tenants in larger family-sized properties to move to smaller and more appropriately sized accommodation by awarding downsizing grants.
- 3.12 Housing benefit changes with effect from April 2013 affected those who have a "spare" bedroom deemed to be underoccupying. This has led to some tenants wanting to downsize, in turn creating greater demand for smaller sized accommodation.
- 3.13 Full mitigation of the Housing Benefit under-occupancy reduction through Discretionary Housing Payments has helped ease this pressure but this may not continue to be a long-term solution and is the subject of various committee reports.
- 3.14 Cabinet most recently approved revised allocations targets in June 2016 (Cabinet report dated 14 June 2016). This action reduced the transfer target and had a corresponding increase to the General Needs target where most of the reasonable preference groups' applicants can be found, not least those who are homeless. Homelessness pressure continues to be extreme as outlined in this report and other recent reports to Cabinet.
- 3.15 As at the end of November 2017, 69.78% of all allocations for 2017/18 have gone to the General Needs group against a target of 70% and 28.66% of allocations have gone to the Transfer group (against a target of 25%).

Sustainable Communities

- 3.16 Good practice states that landlords should not exclude any prospective tenants from accessing housing.
- 3.17 Good practice also dictates that Local Lettings Plans can only be used where there is demonstrably good reason to do so e.g. high turnover, anti-social behaviour etc. and to promote and enable balanced and sustainable communities.
- 3.18 The Council must set appropriate targets for those with low housing need at such a level that make sufficient material and positive impact to Local Lettings Plans, but at the same time continue to allow the Council to meet its overriding legal obligations to the reasonable preference groups as defined in housing legislation. As such, this flexibility within the lettings targets to positively and materially impact on housing allocations should be retained.
- 3.19 Each local housing team has been asked to consider potential local lettings plans to help achieve balanced and sustainable communities. These plans will then be taken to their respective Local Housing Partnerships (LHP) for further consideration and support.

- 3.20 On support from their respective LHPs, Local Lettings Plans will be submitted to the Members Library. It is anticipated that the total target for Sustainable Communities will not exceed 5% but again will be subject to strict monitoring.

2017/18 Allocations against reported groups (as at end of Nov 2017)

- 3.21 There were a total of 321 allocations from 1 April 2017 to 30 November 2017. The following table shows the numbers and percentages of allocations for the following groups for this period.

Type	Number	Percentage	Targets 2017/18
General Needs	224	69.78%	70%
Transfers	92	28.66%	25%
Sustainable Communities	5	1.56%	5%
Total	321	100%	100%

- 3.22 Taking account of the 2017/18 data, legal obligations such as the recent change to the Homeless Persons (Unsuitable Accommodation) (Scotland) Order 2014, increasing pressure on the provision of temporary accommodation, optimum stock utilisation and sustainability objectives, senior management within Housing propose the following percentage targets for 2018/19.

Group	Proposed Targets
General Needs	70%
Transfers	25%
Sustainable Communities	5%

- 3.23 The introduction of these targets should be seen in the context of a range of measures required by the Council and its partners to increase the supply of affordable housing, temporary accommodation and to address homelessness, the detail of which can be found in the report to Cabinet dated 14 November 2017.

4 POLICY IMPLICATIONS

- 4.1 The proposed allocations targets will assist the Council to meet its legal obligations under the Housing (Scotland) Act 2001, the Homeless Persons (Unsuitable Accommodation) (Scotland) Order 2014 (as amended) and the Homelessness etc. (Scotland) Act 2003.

5 INTEGRATED IMPACT ASSESSMENT

- 5.1 A full integrated impact assessment will be undertaken as part of the Allocations Policy Review (see accompanying report).

6 RESOURCE IMPLICATIONS

- 6.1 Financial – This change to targets will help reduce the overall financial strains on the provision of temporary accommodation by assisting throughput of all forms of temporary accommodation to settled accommodation.
- 6.2 Personnel – None.
- 6.3 Other – None.

7 BACKGROUND PAPERS

- 7.1 East Lothian Council Report – Housing Allocations Policy Review – February 2014
- 7.2 Cabinet Report – Council House Allocation Targets for 2016/17 – June 2016
- 7.3 Cabinet Report – Homelessness Update and Action Plan – November 2017

AUTHOR'S NAME	Douglas Proudfoot
DESIGNATION	Head of Development
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DATE	December 2017

REPORT TO: Cabinet

MEETING DATE: 16 January 2018

BY: Deputy Chief Executive (Partnerships and Community Services)

SUBJECT: Consultative Draft Local Housing Strategy 2018-2023

5

1 PURPOSE

- 1.1 The purpose of this report is to outline the key elements of the Consultative Draft Local Housing Strategy 2018 – 2023 and seek Cabinet approval of the consultation exercise.

2 RECOMMENDATIONS

- 2.1 It is recommended that Cabinet approve the consultation of the Draft Local Housing Strategy 2018 – 2023.

3 BACKGROUND

- 3.1 The Housing (Scotland) Act 2001 requires local authorities to prepare a Local Housing Strategy (LHS) for their area, supported by an assessment of housing need and demand. The Act also states that the LHS must be supported by an assessment of housing provision and related services, that it must be submitted to Scottish Ministers, and that local authorities must keep their LHS under review.

This LHS sets out the strategy, priorities and plans for the delivery of housing and related services across East Lothian from 2018-23. The LHS is the sole strategic document for housing in East Lothian, bringing together a wide range of housing related priorities into one place and enabling a co-ordinated response in terms of action. The LHS plays a number of important roles, including:

- Setting out the strategic direction of the Council and its partners to delivering high quality housing and related services, to meet identified need across the county.

- Outlining the Council’s approach to meeting its statutory housing responsibilities i.e. in relation to fuel poverty, house condition and homelessness.
 - Summarising the response to national housing priorities i.e. the Scottish Housing Quality Standard (SHQS); town centre living; reduction in carbon emissions and supporting the development of sustainable communities, while also reflecting the needs and priorities of the local area.
 - Demonstrating how housing can contribute to improvements in health and wellbeing and influencing the effective integration of health and social care.
- 3.2 The Consultative Draft LHS has been developed in line with Scottish Government Guidance - *‘Guidance for local authorities to assist in the preparation of Local Housing Strategies’* (August 2014).
- 3.3 The Housing (Scotland) Act 2001 requires local authorities to consult on their proposed LHS. To inform preparation of this Consultative Draft LHS, a number of opportunities for consultation and engagement have been put in place from an early stage, to facilitate a co-production approach where possible, using the ‘People’s Voice’ framework. This process commenced mid-2014 and a range of views have been captured and considered. The proposed strategic vision and corresponding priority outcomes were developed through early consultation. An options appraisal process subsequently enabled people to consider proposed actions to deliver priority outcomes and ensure the strategic vision is met. A comprehensive explanation of the engagement process is set out at Appendix 2: ‘You Said, We Did’ of the Consultative Draft LHS 2018-23.
- 3.4 The Consultative Draft LHS sets out key housing issues and challenges in themed chapters as follows:
- Sustainable and Vibrant Communities – Focuses on the concept of ‘place-making’, creating sustainable, well-designed places and homes which meet people’s needs and support well-being. In accordance with Guidance, there is specific emphasis on town centres and rural areas.
 - Supply of Housing and Access to Housing – Focusses on increasing the supply of housing, particularly the delivery of affordable housing¹ and improving access to housing across all tenures.
 - Homelessness – Focusses on preventing and alleviating homelessness and the provision of support where appropriate.
 - Specialist Provision and Independent Living – Supports the integration of health, social care and housing, to enable people to remain in their own

¹ Significant numbers of affordable housing units will be developed in response to the LHS, of which social rented housing will be the priority.

homes where appropriate and sets out plans to support the delivery of specialist provision.

- Stock Condition, Energy Efficiency and Housing Management – Focusses on improving stock condition and energy efficiency across all tenures, in accordance with national targets.
- Fuel Poverty and Climate Change – Focusses on the housing contribution to climate change and reducing fuel poverty in accordance with national targets.

3.5 Taking account of the key housing issues identified; changing strategic planning framework; local context and feedback from local people and communities, the proposed strategic vision for housing is that by 2023, East Lothian will have:

‘Healthy, sustainable homes in vibrant communities, that meet increasing levels of need, reduce inequalities and improve wellbeing across all stages of people’s lives’.

3.6 To underpin this vision, six priority outcomes have been identified to guide activity:

Priority Outcome 1: Sustainable and vibrant communities are created and maintained.

Priority Outcome 2: The supply of housing is increased and access to housing improved across all tenures.

Priority Outcome 3: A wider range of specialist housing is provided to enable independent living where appropriate.

Priority Outcome 4: The condition, energy efficiency and where appropriate the management of existing stock is improved.

Priority Outcome 5: Homelessness is prevented as far as possible, with appropriate support in place to promote positive health outcomes and tenancy sustainment.

Priority Outcome 6: Fuel poverty is reduced and climate targets exceeded.

3.7 An action plan underpins these priorities, which will direct and target resource and activity over the period of the LHS. The proposed draft priority outcomes, key issues and challenges and corresponding actions are set out at Appendix 1 to this report. A full copy of the Consultative Draft LHS has been lodged in the Members’ Library.

3.8 Following approval from Cabinet, the proposed consultative Draft LHS will be formally consulted on for a six week period from 22 January to 2 March 2018.

3.9 The LHS is subject to a peer review process led by the Scottish Government. The Consultative Draft LHS will be submitted to the Scottish Government to trigger this process.

4 POLICY IMPLICATIONS

4.1 None

5 INTEGRATED IMPACT ASSESSMENT

5.1 The subject of this report has been through the Integrated Impact Assessment process and where negative impacts have been identified, mitigating actions have been put in place.

6 RESOURCE IMPLICATIONS

6.1 Financial - None

6.2 Personnel - None

6.3 Other - None

7 BACKGROUND PAPERS

7.1 Integrated Impact Assessment Form

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DATE	04 December 2017

Appendix 1: LHS Priority Outcomes; Key Issues and Challenges and Actions

<p>Priority Outcome 1: Sustainable and vibrant communities are created and maintained</p>
<p>Key Issues and Challenges</p>
<ul style="list-style-type: none"> • Town centres present broadly similar issues i.e. mainly disrepair in private housing; poor stock condition; poor energy efficiency and high levels of fuel poverty, particularly in private rented housing and tenements in multiple ownership. • Most of the town centres contain empty buildings which pose potential opportunities for residential use, although in contrast North Berwick town centre has a relatively high proportion of second homes, with buildings generally in use. • The historic character of town centres means there are limited opportunities for new housing. • Building local capacity to regenerate areas is key. • Rural areas are characterised by high house prices, high demand for housing and higher levels of household expenditure on essentials. • Supporting sustainable and vibrant communities will be critical to enabling independent living for a range of groups i.e. older people, people with a learning disability and people with a mental health condition
<p>Actions</p>
<p>Theme 1: Strategic Approach to Sustainable and Vibrant Communities</p> <ul style="list-style-type: none"> - Encourage town centre growth, by supporting local economic development activity - Continue to support the town centre first principle - Ensure housing has a key role to play in regenerating town centres - Improve knowledge and understanding of town centre data, i.e. stock condition, energy efficiency, fuel poverty, empty homes etc. - Ensure housing plays a key role in relation to major proposed flood prevention work i.e. in the Musselburgh area to maximise opportunities for town centre living
<p>Theme 2: Delivery of Quality Sustainable Housing in Town Centres / Rural Areas</p> <ul style="list-style-type: none"> - Invest in affordable housing development in town centres via the Affordable Housing Supply Programme (AHSP) - Bring empty town centre properties back into use for affordable housing - Increase the supply of affordable housing in rural areas. - Bring empty rural properties back into use for affordable housing - Explore opportunities in relation to community land ownership and community led housing including custom build and self-build housing - Ensure housing plays a key role in the planned regeneration of Civic Square, Tranent in the Fa'side area, to maximise opportunities for town centre living

- Maximise opportunities to restore historic buildings including residential homes i.e. through Town Heritage Initiative funding

Theme 3: Supporting People and Communities

- Support community led activity that seeks to improve town centres / rural areas
- Improve digital infrastructure to support independent living for vulnerable groups via telecare / telehealth

Priority Outcome 2: The supply of housing is increased and access to housing improved across all tenures

Key Issues and challenges

- There are significant levels of need for housing of all tenures
- The HNDA is carried out at a regional level, however more detailed intelligence is required at a local level to ensure local need and demand is met and to promote sustainable and balanced communities
- Private housing is expensive and combined with limitations on borrowing, can make it difficult to access owner occupation, particularly for first-time buyers
- Legislative change in relation to homeless households and temporary accommodation puts increased pressure on affordable housing
- Rural areas face particular difficulties in relation to the delivery of affordable housing provision
- Infrastructure constraints exist around education and transportation
- The availability of land within the control of those delivering affordable housing, is a significant constraint in relation to increasing the supply of affordable housing
- House prices in rural areas can be higher than in the main settlements, exacerbated by households typically spending more on everyday requirements.
- House prices in the North Berwick Coastal area are significantly higher than other parts of the county. This impacts upon ability to purchase on the open market
- Legislative change, resulting in an increasingly regulated private rented sector may put pressure on the supply of private rented housing stock
- There are currently only a small number of mid-market rent properties in East Lothian, with increasing demand for this type of housing
- Supplementary Planning Guidance on Affordable Housing has yet to be adopted as part of the Local Development Plan. This will provide more clarity for developers to enable the delivery of affordable housing

Actions

Theme 1: Clear strategic direction for housing investment

- Prepare a revised Housing Need & Demand Assessment (SESplan HNDA3) for the South-East Scotland (SESplan) area
- Agree Housing Supply Targets for SESplan HNDA3
- Develop a Local Investment Framework to improve knowledge and understanding of local areas.
- Complete Supplementary Planning Guidance for Affordable Housing
- Improve knowledge of housing need & demand in rural areas

Theme 2: Increase Housing Supply

- Deliver 189 units of affordable housing per annum as per Housing Supply Target
- Maximise opportunities to accelerate affordable housing
- Work with RSL partners to deliver affordable housing
- Develop a construction framework to help accelerate delivery on secured sites
- Explore alternative / innovative financial models
- Maximise Scottish Government subsidy in affordable housing in East Lothian
- Deliver the Councils own new build programme
- Take a strategic approach to bringing empty properties back into use including consideration of CPOs
- Explore opportunities for the effective support of community-led housing / self-build / custom build
- Ensure mainstream accommodation is future proofed as far as possible, built to a standard to accommodate wheelchair users & capable of being adapted to suit a range of needs

Theme 3: Improve access to housing

- Consider applying to Scottish Ministers for the designation of a 'rent pressure zone'
- Explore opportunities for increasing mid-market rent and other intermediate tenures
- Review existing allocations policy

Priority Outcome 3: Homelessness is prevented as far as possible, with appropriate support in place to promote positive health outcomes and tenancy sustainment

Key Issues and Challenges

- The decline in homeless presentations from 2010 has levelled off and appears to be moving into a position where applications are increasing.
- The level of demand for temporary accommodation is such that the Council remains dependent on B&B for temporary accommodation, with increasing use of such accommodation and households staying in B&B for longer periods.
- Despite high levels of housing allocations to homeless households, waiting times for re-housing are increasing significantly and as a result, the length of time spent in temporary accommodation is increasing.
- The Scottish Government's Unsuitable Accommodation Order is being amended to reduce the time that households subject to the Order (households with children or a pregnant family member) can remain in B&B accommodation from 14 to 7 days. This places greater pressure on the Council to ensure that families are moved on quickly from B&B accommodation
- The turnover in temporary accommodation has slowed down as homeless households await an offer of permanent housing
- The impact of the roll out of full service Universal Credit has significantly reduced housing opportunities for homeless households.

Actions

Theme 1 – Homelessness Prevention

- Deliver housing options training toolkit
- Create a media campaign around the benefits of Housing Options
- Increase prevention work, ensuring homeless households are targeted through joint working
- Conduct a scoping exercise to consider effective use of the private rented sector in preventing and alleviating homelessness, to include a review of rent deposit scheme and private sector leasing
- Continue monitoring the effects of Welfare Reform and Universal Credit, introducing mitigating measures where possible to ensure no-one becomes homeless as a result.
- Review protocol arrangements for young people leaving care
- Implement a homelessness awareness / training programme

Theme 2 – Support for Homeless Households

- Provide pre-tenancy checks to identify where applicants require additional support
- Maximise support available to homeless households living in temporary accommodation including assistance for Universal Credit claimants.
- Explore opportunities to link with local churches i.e. development of starter pack scheme
- Strengthen links between education and employability services for homeless people
- Explore opportunities for collaborative working with public health / East Lothian Health & Social Care Partnership

Theme 3 – Temporary Accommodation

- Carry out a whole systems review of temporary accommodation (to include the efficiency and effectiveness of temporary accommodation useage and processes), exploring innovative / alternative forms of accommodation (including hostel provision) and prepare a temporary accommodation strategy
- Re-designate additional units of mainstream housing to be used as temporary accommodation via a combination of re-designation and open market acquisitions
- Explore opportunities for increasing temporary accommodation stock with RSL's
- Increase supply of larger family sized temporary accommodation units
- Closely monitor & evaluate demand & supply of temporary accommodation to avoid beaches of the Unsuitable Accommodation Order

Theme 4 – Permanent Accommodation / Tenancy Sustainment

- Explore 'Housing First' model to ensure appropriate specialist support is available for homeless people with complex needs
- Explore flat-share opportunities for young single people living in temporary accommodation
- Focus the allocations review on homelessness pressures i.e. removal of temporary accommodation points, review choice options (areas, house

types) & review the proportion of allocations to homeless applicants to ensure targets appropriately reflect demand and support balanced communities

Priority Outcome 4: A wider range of specialist housing is provided to enable independent living where appropriate

Key Issues and challenges – Older People

- There is a lack of consistent data collection which needs to be improved for strategic planning purposes
- The population of older people (pensionable age and over) is projected to increase by 41.9% by 2039
- The North Berwick Coastal area is projected to have significantly higher levels of older people aged 85+ relative to other areas
- For those older people for whom it is not appropriate to remain living in their own homes, it is evident that current levels of specialist accommodation are inadequate to meet existing needs
- There is a shift towards higher, more complex needs in sheltered housing, with some very frail older people with higher needs in sheltered developments
- A significant proportion of older people live in owner-occupied housing, which is often not future proofed, not built to a standard to accommodate wheelchair users and not always capable of being adapted to suit a range of needs
- Providing care to older people living in remote rural areas particularly in the East of the county poses issues in enabling people to live independently in the community (care force predominantly resides in the west with transport being an added complication)
- There is a growing need for adaptations for older people across all tenures. In 2015/16, £1.2 million was spent on council and private sector adaptations and with an ageing population, the demand is likely to continue to increase.
- Circa 2,000 older people aged 65+ are living in smaller rural villages across the county
- There are currently no specialist housing advice services targeted specifically at older people.
- It is recognised there is a need to reduce reliance on acute hospital provision, prevent unplanned hospital admissions and reduce delayed discharge.

Actions

- Develop 300 units of specialist accommodation for older people over a five-year period to 2023 (60 units per annum). This could include care homes, extra care housing or sheltered housing, which could be purpose built or remodelled from existing provision & developed by the public or private sector.
- Carry out a comprehensive review of sheltered housing
- Explore potential models of rural care provision to enable more effective delivery of care
- Investigate the implications of significant projected numbers of older couple households for specialist housing
- Ensure mainstream accommodation is future proofed as far as possible, built to a standard to accommodate wheelchair users & capable of being adapted to suit a range of needs

<ul style="list-style-type: none"> - Embed a culture change in relation to a more proactive, preventative approach to adaptations i.e. early identification of aids required to prevent delayed discharge. - Target the provision of housing information and advice at younger older people, with housing health checks carried out from age 55 across all tenures - Target resources more effectively in relation to the provision of practical assistance & low-level interventions / support - Increase capacity building within communities to support older people to remain in their own homes for longer & live independently i.e. community health; day activities; befriending services; respite care & support for carers.
<p style="text-align: center;">Key Issues and Challenges – People with a Physical Disability</p> <ul style="list-style-type: none"> • Existing levels of adaptations are insufficient to meet need and demand • Behaviour change in relation to early consideration of health and housing requirements can be challenging
<p style="text-align: center;">Actions</p> <p>-Ensure mainstream accommodation is future proofed as far as possible, built to a standard to accommodate wheelchair users & capable of being adapted to suit a range of needs Increase levels of adaptations across all tenures -Improve information and advice in relation to early consideration of aids and adaptations among homeowners -Review existing adaptations processes to ensure they are efficient and effective</p>
<p style="text-align: center;">Key Issues and Challenges – People with a Mental Health Condition</p> <ul style="list-style-type: none"> • A lack of one-bedroom affordable housing is impacting upon people with a mental health condition, causing blockages in supported accommodation • Difficulties are evident in encouraging people to engage with care packages • A very small number of challenging & complex hospital discharges present challenges for community living • Circa 10 units are required over a 5-year period to meet existing need & projected demand in the form of small-scale core & cluster accommodation
<p style="text-align: center;">Actions</p> <p>-Develop 8 units of core & cluster housing per annum primarily for people with a learning disability, to also accommodate people with a physical disability, mental health condition / people with autism where appropriate -Link core & cluster housing to place-making on a small scale i.e. promoting health & well-being, resilience & employability</p>
<p style="text-align: center;">Key Issues and Challenges – People with Autism</p> <ul style="list-style-type: none"> • Anxiety exists around young adults with autism being able to live independently • Place-making and the environment is critical to positive housing outcomes • Small-scale core & cluster accommodation is required to meet high level needs
<p style="text-align: center;">Actions</p> <p>-Develop a practical guide to housing needs of people with autism for housing providers</p>

-Establish a flagging system within the Council's Housing unit to alert staff to people with autism, to link to the health impact assessment and enable reasonable adjustments to be made

Key Issues and Challenges – People with a Learning Disability

- Numbers of adults with a learning disability are increasing at a faster rate than the population overall
- Increasing numbers of older adults with a learning disability & a marked increase in young people with a learning disability & very complex needs are evident
- A very small number of challenging & complex hospital discharges present significant challenges for community living
- Anxiety exists around adults with a learning disability being cared for at home by ageing parents & their inability to cope as they become increasingly old & frail
- Limited housing choices & difficulties navigating the housing system can be intensified for people with a learning disability
- Considering a move out of the parental home can be stressful without the facility to initially trial independent living
- There is an ageing generation of carers & lack of strategic planning around this area
- Circa 40 units are required over a 5-year period to meet existing need & projected demand in the form of small-scale core & cluster accommodation

Actions

- Establish a strategic approach to planning for housing for people with a learning disability to include developing procedures & protocols
- Prepare a housing information & advice handbook covering all tenures for people with a learning disability and / or autism
- Carry out a detailed health impact assessment on existing housing policies where appropriate
- Investigate the feasibility of developing short-stay accommodation to enable people with a learning disability to gain independent living skills
- Develop 8 units of core & cluster housing per annum for people with a learning disability (to also cover people with a physical disability, autism & mental health conditions where appropriate)
- Link core & cluster housing to place-making on a small scale i.e. promoting health & well-being, resilience & employability

Key Issues and Challenges – Women at risk of Domestic Violence

- Refuge accommodation is insufficient to meet need and demand

Actions

- Increase current levels of refuge accommodation by an additional 8 units

Key Issues and Challenges – People with a Conviction

- Unstable accommodation following release, can contribute to chaotic lifestyles, which may lead to an individual committing further offences
- There is a lack of temporary accommodation provision across the county
- Accommodating people with a conviction can present challenges with regard to meeting the needs of other client groups
- The current protocol for an individual leaving custody to present as homeless on release presents a lack of continuity & potential route into repeat homelessness

<ul style="list-style-type: none"> • Where there is a lack of household furniture & material possessions, this can make a tenancy inhospitable, affecting long-term tenancy sustainment
<p style="text-align: center;">Actions</p> <ul style="list-style-type: none"> -Establish formal joint working arrangements & develop a housing protocol with the Scottish Prison Service (SPS) to ensure smooth transitions from custody to release -Inform a review of MAPPA processes where appropriate -Extend the Tenancy Support Service to temporary accommodation for people with a conviction
<p style="text-align: center;">Key Issues and Challenges – Looked After Children</p> <ul style="list-style-type: none"> • Knowledge and understanding of scale of the housing needs of looked after children requires to be improved
<p style="text-align: center;">Actions</p> <ul style="list-style-type: none"> -Carry out a housing needs assessment of looked after young people -Review existing housing protocols for looked after young people -Ensure appropriate accommodation is available for looked after young people
<p style="text-align: center;">Key Issues and Challenges - Refugees</p> <ul style="list-style-type: none"> • Ensuring housing, education, health & social care, befriending etc. is co-ordinated effectively to enable positive experiences and outcomes for refugees
<p style="text-align: center;">Actions</p> <ul style="list-style-type: none"> - Explore options around the third sector assisting with the integration and support of refugees
<p style="text-align: center;">Key Issues and Challenges – Gypsy Travellers</p> <ul style="list-style-type: none"> • There is no full-time staff presence at the Gypsy / Traveller site & security is minimal, with residents expressing safety concerns • The site is in need of physical improvement i.e. amenity blocks, which should meet an energy efficiency rating of band E or higher & fly tipping is common • There is no protocol for unauthorised encampments • Information & advice handbooks require updating
<p style="text-align: center;">Actions</p> <ul style="list-style-type: none"> - Carry out agreed physical improvements to the existing Gypsy Traveller site to meet minimum standards -Review the provision of information and advice and make recommended changes -Develop a protocol for unauthorised encampments, which reflects Scottish Government Guidance for Local Authorities
<p>Priority Outcome 5: The condition, energy efficiency and where appropriate the management of existing stock is improved.</p>
<p style="text-align: center;">Key Issues and Challenges</p> <ul style="list-style-type: none"> • A lack of information about the condition of properties, makes it difficult to proactively identify properties in disrepair in the private sector • A Council Housing Asset Strategy is required to provide strategic direction to decision-making • Continuing to meet the Scottish Housing Quality Standard while also meeting ESSH is a priority for all social landlords

- Poor stock condition and low levels of energy efficiency are particular issues for the private rented sector, owner occupiers living in rural areas and in some town centres
- A private household that has a low income or is headed by someone aged over 65 is more likely to live in a property which is below tolerable standard (BTS)² in need of extensive repair or has low energy efficiency. These households are least likely to be able to afford to repair or improve their property
- Homeowners and private landlords do not always recognise the need to improve property conditions and energy efficiency. Encouraging owners to recognise this can be particularly challenging
- Further investment is required to improve energy efficiency in existing stock

Actions

Theme 1 – Strategic Approach

- Carry out full stock condition surveys of existing Council stock by 2020 to inform capital and investment programmes
- Improve knowledge and understanding of stock condition in the private sector, with a focus on town centres and rural areas
- Develop a Housing Asset Strategy
- Review the East Lothian Scheme of Assistance
- Review Policy on Housing Renewal Areas

Theme 2 – Stock Condition

- Continue to invest in improvement programmes for existing stock
- Provide suitable adaptations to support independent living for people with specific housing needs
- Ongoing compliance with Scottish Housing Quality Standard (SHQS)
- Review the East Lothian Strategy for Below Tolerable Standard (BTS) dwellings

Theme 3 – Energy Efficiency

- Meet Energy Efficiency Standard for Social Housing (EESH) by December 2020
- Maximise funding opportunities for energy efficiency measures across all tenures

Priority Outcome 6: Fuel poverty is reduced and climate change targets exceeded

Key Issues and Challenges

- The number of households is projected to increase, with average household size reducing. A combination of this together with ambitious housing supply targets, means it is likely that there will be significantly more homes across the county by 2023. More households will mean more energy use.
- It will be critical to change behaviour in relation to the use of energy across all tenures although tacking behaviour change is challenging
- The rate of improvement of energy efficiency in the private sector requires to be accelerated while at the same time, maintaining rates of improvement in social housing, to improve both climate change and levels of fuel poverty

² The tolerable standard is the minimum standard for housing to be considered habitable.

- National climate change targets and fuel poverty targets are becoming more ambitious and increasingly challenging to meet
- Vulnerable older people tend to be more at risk of fuel poverty relative to other household groups
- Households living in rural areas and town centres (particularly those living in the private rented sector and in tenements with multiple owners) have a high correlation with fuel poverty

Actions

Theme 1 – Exceeding Climate Change Targets

- Prepare a Climate Change Mitigation and Adaptation Strategy including local targets, to ensure national targets can be met
- Embed a culture of behaviour change across the county with regard to climate change, i.e. via training and awareness raising

Theme 2 – Reducing Fuel Poverty

- Improve knowledge of the levels, extent and nature of fuel poverty and energy efficiency of housing, with a focus on town centres, rural areas and hard to treat stock
- Continue to provide / facilitate services to maximise household income / reduce household debt
- Continue to target energy efficiency advice at households most at risk of fuel poverty
- Reduce the cost of fuel to households and communities where practical via a range of measures

Theme 3 – Energy Infrastructure

- Develop an integrated energy management framework
- Investigate the feasibility of district heating systems, biomass and PV

REPORT TO: Cabinet

MEETING DATE: 16 January 2018

BY: Depute Chief Executive (Resources and People Services)

SUBJECT: Amendments to Disciplinary Procedures (Teaching and Associated SNCT posts)

6

1 PURPOSE

- 1.1 To seek approval from Cabinet for proposed amendments to the Disciplinary Procedure covering all teaching staff, and other posts whose terms and conditions are regulated by the Scottish Negotiating Committee for Teachers (SNCT). These amendments have been agreed with the Teachers' Trades Unions through the Local Negotiating Committee for Teachers (LNCT), but still require to be formally approved at Cabinet.

2 RECOMMENDATIONS

That Cabinet approve the proposed changes to the Disciplinary Procedure covering Teachers and associated SNCT posts.

3 BACKGROUND

- 3.1 The Council has two Disciplinary Procedures. One covers teaching staff and all other posts regulated by the SNCT such as music instructors, educational psychologists, education support officers, quality improvement officers and the quality improvement manager. The other procedure covers all other employee groups i.e. local government employees, chief officials and craft operatives. Both procedures are collective agreements and any changes have to be agreed with the relevant Trades Unions.
- 3.2 There have been meetings with the Joint Trades Unions Side Secretary and LNCT Side Secretary for over a year and a half to discuss proposed changes to both Disciplinary Procedures. Whilst the Procedures are separate and different they are also similar in structure and the proposed changes were applicable to both. The proposed changes were to clarify issues that had been raised by both employees and from managers and related to the role of witnesses at hearings and covert recording.

- 3.3 The opportunity was also taken to update post titles, improve some wording, and reflect updated standing orders regarding the composition of the Appeals Sub Committee.
- 3.4 It was also agreed at the Trades Union Side request that Investigating Officers will not normally be present when the outcome of a disciplinary hearing is shared with the employee.
- 3.5 Whilst the Teachers Trades Unions have now agreed the proposed changes, the Joint Trades Union Side Secretary has been unable to confirm agreement from his constituent Trades Unions and discussions will continue in the New Year.

4 POLICY IMPLICATIONS

- 4.1 Providing the amendments are approved by Cabinet, the updated Procedure will be put on Elnet and appropriate communication re the changes issued through both HR and the Corporate Communication Team. The changes would be effective from 29th January 2018.

5 INTEGRATED IMPACT ASSESSMENT

- 5.1 The subject of this report does not affect the wellbeing of the community or have a significant impact on equality, the environment or economy.

6 RESOURCE IMPLICATIONS

- 6.1 Financial - no immediate associated costs.
- 6.2 Personnel - no immediate impact.
- 6.3 Other – None

7 BACKGROUND PAPERS

- 7.1 Revised Disciplinary Procedure attached with proposed amendments highlighted as track changes.

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DATE	8 th January 2018

DISCIPLINARY PROCEDURE

[COVERING ALL TEACHING STAFF [AND OTHER STAFF WHOSE TERMS AND CONDITIONS ARE REGULATED BY THE SNCT](#)]

SECTION

- 1 INTRODUCTION
- 2 SUPPORT
- 3 DISCIPLINARY PROCEDURE – GENERAL
- 4 VERBAL WARNINGS
- 5 WRITTEN WARNINGS
- 6 FINAL WRITTEN WARNINGS
- 7 PUNITIVE SANCTIONS
- 8 GROSS MISCONDUCT
- 9 FINANCIAL IRREGULARITIES
- 10 CRIMINAL OFFENCES
- 11 APPEALS AGAINST DISCIPLINARY ACTION
- 12 EXPIRY OF WARNINGS
- 13 TRADE UNION OFFICIALS
- 14 REFERRAL TO THE GENERAL TEACHING COUNCIL
(GTC) FOR SCOTLAND
- 15 REFERRAL TO DISQUALIFIED FROM WORKING WITH
CHILDREN LIST
- 16 TIME LIMITS

Disciplinary Procedure

APPENDIX A APPEALS COMMITTEE PROCEDURE FOR
CONSIDERATION OF APPEALS AGAINST
DISCIPLINARY ACTION
APPENDIX B GTCS CODE OF PRACTICE ON COMPETENCE

Oct 2011
Revised
xxx2017

TEACHING STAFF

1. INTRODUCTION

- 1.1 Disciplinary rules and procedures are necessary for promoting orderly employment relations as well as fairness and consistency in the treatment of individuals and in the conduct of good employment relations. They enable organisations to influence the conduct of employees and deal with problems of poor performance and attendance thereby assisting organisations to operate effectively. Rules set standards of conduct and performance at work; procedures help to ensure that the standards are adhered to and also provide a fair method of dealing with alleged failures to observe them. The aim of the disciplinary process is to encourage improved performance and conduct.
- 1.2 Where a teacher's performance or conduct is such as to give rise to serious concern, the Council has agreed the following disciplinary procedures with the relevant Trade Unions.
- 1.3 This procedure takes full account of the provisions contained within the Scottish Negotiating Committee for Teachers Disciplinary Framework as contained in the SNCT Handbook of Conditions of Service. The procedure also reflects best employment practice, observes employment legislation requirements and complies with the ACAS Code of Practice 1: Disciplinary and Grievance Procedures.
- 1.4 Whenever formal disciplinary action is being contemplated, the points of procedure set down in this document will be followed to. Any reference to "teacher" within the context of this procedure includes all employees whose terms and conditions of employment are regulated by the SNCT.
- 1.5 All teachers should be made aware of the standards of conduct and performance expected of them. In particular teachers should be made aware of what constitutes gross misconduct, for example sexual offences, assault or dishonesty. In recognition of its responsibility as an employer to determine standards of conduct required by all its employees the Council has drawn up a Disciplinary Code which details the types of misconduct which are considered to be in breach of this Code and will normally result in disciplinary action as indicated. All employees should be familiar with the Disciplinary Code applying to their employment which is available on ELNet, from Human Resources or from your Trade Union.

1.6 Principles of Application

- 1.6.1 This procedure will operate in accordance with the following principals:
 - a) The initiation of disciplinary actions/sanctions should be accompanied by appropriate support mechanisms.
 - b) No disciplinary action will be taken until the matter has been fully investigated and any decision to impose a disciplinary sanction must not be taken by the person who conducted the initial investigation. In addition any appeal should not be heard by the same person who issued the disciplinary sanction.

- c) Apart from gross misconduct, no teacher will be dismissed for the first breach of discipline.
- d) There will be a right of appeal against all disciplinary sanctions.
- e) No disciplinary action will be initiated against a trade union representative until the matter has been discussed with a full-time official of the union concerned.
- f) A teacher will have the right to be represented at all stages of the disciplinary process, including the investigatory meetings.
- g) In cases involving all performance issues [of teachers](#) the GTCS Code of Practice on Competence should be followed at all times. Where the concern relates to the performance of an administrative or managerial function of a promoted [teaching](#) post, similar principals and processes as contained in the GTCS Code of Practice on Competence (Appendix B) should be followed. Before taking action for dismissal, the [Head of Education](#), must ensure that the Code has been followed.

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2. SUPPORT

- 2.1 Minor misconduct and poor performance should be dealt with, at least in the early stages, through the use of informal advice, guidance and support. It is essential that all problems of this nature are fully discussed and that support is provided with the objective of encouraging and helping teachers to improve. It is essential also that teachers are aware that support is available at all times even when it has been necessary to take disciplinary action under the procedures. If an improvement is required in a teacher's performance, the Informal Stage and the Support Stage of the GTCS Code (Appendix B) will replace the Support stage of this procedure.
- 2.2 Advice and guidance should be given in a one-to-one discussion between a teacher and their line manager. No record of such interviews will be kept on the teacher's personal file. The appropriate manager will however keep brief notes of any informal advice or support for reference purposes, including details of any agreed action or improvement required. The teacher will be informed accordingly and given a copy of the notes. A reasonable review period must be set with the teacher and the consequences of failing to meet the appropriate improvements explained.
- 2.3 If following the review period the required improvement or standards have been met, no further action will be taken. The teacher must be notified of this in writing. Following a further period of 6 months from the date of the review, all notes associated with the Support meeting(s) must be destroyed.
- 2.4 If following the review period the required improvement or standards are not fully met, the appropriate manager has the discretion to extend the review period.
- 2.5 If following the review period, [support](#) does not result in the required improvement or if the alleged failure is considered to be of a more serious nature, the formal disciplinary procedure should be followed.

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3.0 DISCIPLINARY PROCEDURE – GENERAL

Responsibility For Conducting Disciplinary Procedures

- 3.1 Within the limitation of powers delegated by the Council, the head teachers will be responsible for the management and discipline of the school and have the power to issue verbal and written warnings. Head teachers must take reasonable steps to ensure that all teachers are made aware of the standards of conduct, safety and job performance required of them and of any disciplinary rules applying to them. The Head of Education will have the power to apply all forms of disciplinary sanction, including the dismissal of a teacher subject to the correct application of these procedures. Head teachers and the Head of Education may delegate authority within the terms of this procedure to other Nominated Officers who may issue the appropriate level of warning or take disciplinary action as defined in paragraph 7.2 of this procedure.
- 3.2 Whenever formal disciplinary action is being contemplated the points of procedure set down in paragraphs 3.3 – 3.20 will be followed.

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Investigation

- 3.3 A disciplinary hearing will not be convened until the circumstances of the case have been fully investigated. All investigations must be completed as quickly as possible and should, in most cases, take no longer than 15 working days. When the investigation has been completed the teacher will be advised accordingly.
- 3.4 The Head of Education (or nominee), in consultation with the Service Manager – HR & Payroll, may suspend a teacher on full pay as a precautionary measure where it is considered necessary to enable a full investigation to take place (see also section 8.3)
- 3.5 The teacher involved must be advised at an early stage that a complaint or concern has been lodged, of the nature of the complaint and of the process which will be followed
- 3.6 The teacher must be advised of the right to be represented at all stages of the disciplinary process, including at investigatory meetings.
- 3.7 In situations where either a complaint has been received or where a teacher's conduct or performance has given cause for concern, the Council should appoint an investigating officer. The investigating officer should, if possible, interview all of the parties involved (including the teacher in question) and, prepare signed and dated statements from all witnesses.
- 3.8 The Investigating Officer should then produce a report which will enable another representative of the employer (Nominated Officer) to decide whether the matter should be progressed further through the formal disciplinary process. This decision is not taken by the Investigating Officer. The investigating officer has no further role at a future disciplinary hearing other than presenting the facts of the investigation to that hearing, and will not normally be present for the outcome.
- 3.9 If following an investigation, a disciplinary hearing is deemed to be unjustified, any written statements obtained and other documents relating to the investigation will, subject to 3.10 below, be destroyed.

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3.10 If a disciplinary investigation, involving matters likely to put at risk the safety and wellbeing of young and / or vulnerable people in receipt of Council Services, does not lead to a hearing, consideration will be given by the [Head of Education](#), (or their designated representative) to retaining the investigatory documentation and associated appendices. They could review this evidence in the event of any alleged repetition of the conduct by Investigating Officers. In these circumstances the following will apply:

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a) This documentation would only be retained in instances where the evidence did not fully allay the concerns about the alleged conduct of the individual/s involved and there was potentially, a continuing risk to young and/or vulnerable people in receipt of Council Services.

b) A decision by the [Head of Education](#), (or their designated representative) to retain the evidence gathered will be confirmed to the individual/s in writing, along with an explanation of the circumstances in which that documentation may be used in the future.

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c) The documentation would always be available to the individual who could add a personal note to the record of the investigation.

d) The documentation would be held confidentially in the teacher's personal file by the [Service Manager – HR & Payroll](#), with access limited to the [Head of Education](#), (or their designated representative) and the [Service Manager – HR & Payroll](#), (or representative).

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e) A separate right of appeal to a more senior officer will be available to the individual/s concerned should they wish to challenge the decision to retain the investigation documentation.

f) The individual/s concerned would have the right to object to the inclusion of the retained documentation being used inappropriately to supplement any subsequent Investigatory Report.

3.11 If there is a new disciplinary investigation relating to the teacher, the documents referred to in paragraph 3.10 above will be examined by the [Head of Education](#), (or their designated representative) if relevant, and may be taken into account according to the circumstances of the case.

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Convening a Disciplinary Hearing

3.12 If, following consideration of the investigation report, a disciplinary hearing is deemed necessary, the teacher concerned will be given at least five working days notice in writing of the hearing and will also be informed in the same letter of:-

a) the fact that it will be a formal disciplinary hearing including; the date, time and venue and the procedures which will be followed at the hearing;

b) the nature of the complaint(s) with copies of all of the documentation to be presented at the hearing;

c) the name(s) of any witness(es) who will present evidence at the hearing;

- d) the right to call witnesses or submit statements or other documentation subject to the names of any such witnesses and / or any written submissions being provided in advance to the Nominated Officer conducting the hearing; and
 - e) the right to be accompanied / represented at the hearing by a trade union official or other person of their choice.
- 3.13 Documentation not submitted in accordance with 3.12 above may only be presented at the hearing with the agreement of the teacher and the Head Teacher / Officer conducting the hearing otherwise the hearing will be adjourned and reconvened at later date.

Conducting a Disciplinary Hearing

- 3.14 The Investigating Officer who conducted the investigation will not conduct the disciplinary hearing.
- 3.15 The Nominated Officer conducting the hearing will ensure that the facts gathered during the investigation are presented to the teacher. These facts may be presented by the Investigating Officer who will remain in attendance at the hearing until the presentation of evidence is completed. A Human Resource representative (or other appropriate officer) may advise the Nominated Officer conducting the hearing.
- 3.16 Witnesses, if any, will be called to give their evidence and, after questioning by both parties, will withdraw but will be subject to re-call.

~~Attending a hearing as a witness for the appellant is voluntary. Attending the hearing as a witness for the Nominated or Investigating Officer is mandatory.~~

~~Time off to act as a witness will not be unreasonably refused but service provision must not be compromised.~~

~~Where there is an issue relating to a witness's participation at the hearing, the appellant/Trades Union representative should discuss this with the Nominated Officer to find a resolution.~~

- 3.17 The teacher (and/or representative) must be given every opportunity to present their case, to provide additional documents in advance of the hearing, to call witnesses and to sum up their case.

- 3.18 The Nominated Officer, will consider all the evidence presented with a view to arriving at a decision which is reasonable in all the circumstances.

~~Recording of the hearing which is done covertly, or without the consent of all other parties is not permitted and will not be admitted as evidence at any subsequent hearing or appeal.~~

Action following a Disciplinary Hearing

- 3.19 All disciplinary sanctions will be notified or confirmed in writing within five working days of the hearing and remain in the employee's personal file during the period of

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the warning. The letter notifying or confirming such action will be posted to the teacher's home address.

- 3.20 A copy of this letter will be sent to the teacher's representative.
- 3.21 If the Nominated Officer decides that no disciplinary action is to be taken, all references to the case will be removed from the teacher's personal file and will be destroyed subject to 3.10 above.

4.0 VERBAL WARNINGS

- 4.1 In the case of a minor breach of standards relating to a teacher's conduct or performance the appropriate Nominated Officer will give a verbal warning to the teacher.
- 4.2 A letter indicating a verbal warning will be issued in the name of the Nominated Officer who conducted the disciplinary hearing and will state:-
 - a) that a verbal warning has been given;
 - b) the nature of the unsatisfactory matter(s) dealt with at the hearing;
 - c) the date of any previous warning;
 - d) the action required by the teacher to remedy the matter;
 - e) that subsequent failure(s) in conduct or performance will normally result in more serious disciplinary action;
 - f) the appropriate support to allow them to achieve and maintain improvement;
 - g) that a copy of the warning letter will be placed on the teacher's personal file;
 - h) the date from which the warning will normally be disregarded for disciplinary purposes (see section 12);
 - i) the teacher's right of appeal (see section 11).

5.0 WRITTEN WARNING

- 5.1 A written warning may be issued when:-
 - a) a teacher who has been issued with a verbal warning fails to achieve and maintain the required improvement in conduct or performance or where a further act or omission warranting disciplinary action occurs, or
 - b) the misconduct or failure in performance is considered to be sufficiently serious to warrant this form of disciplinary action.

5.2 A letter of written warning will be issued in the name of the Nominated Officer who conducted the disciplinary hearing. The letter will contain all the appropriate information as described in paragraph 4.2.

6.0 FINAL WRITTEN WARNING

6.1 A final written warning may be issued when:-

- a teacher who has been issued with a written warning fails to achieve and maintain the required improvement in conduct or performance or where a further act or omission warranting disciplinary action occurs; or
- the misconduct or failure in performance is of a serious nature warranting this form of disciplinary action.

6.2 A letter of final written warning will be issued in the name of the Nominated Officer who conducted the disciplinary hearing. The letter will contain all the information described in paragraph 4.2 and in particular will state that any subsequent failure in conduct or performance will normally result in dismissal.

7.0 PUNITIVE SANCTIONS

7.1 Punitive sanctions may be taken in conjunction with a final written warning as an alternative to dismissal when:-

- a) following a final warning, the employee fails to achieve and maintain the required improvement in conduct or performance or a further act or omission warranting disciplinary action occurs; or
- b) a failure in conduct or performance occurs of a sufficiently serious nature to justify such disciplinary action without prior warning(s).

7.2 Disciplinary action refers to any of the following sanctions:-

- a) suspension of an increment in conjunction with a final written warning;
- b) demotion and/or transfer to another job at the appropriate salary level or place of work, in conjunction with a final written warning;

7.3 When the teacher does not agree to the application of the sanction, the Council will have no alternative but to dismiss the teacher.

7.4 Where the possibility of disciplinary action arises, the [Head of Education](#) (or nominee) will hold a disciplinary hearing with the employee concerned. The hearing will be convened and conducted in accordance with the procedure set down in paragraphs 3.3 – 3.21 following consultation with the [Service Manager – HR & Payroll](#). The [Service Manager – HR & Payroll](#) will attend (or be represented) at the hearing in an advisory capacity.

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7.5 Where punitive disciplinary action is taken the decision of the Nominated Officer who conducted the disciplinary hearing will be notified or confirmed to the teacher in writing and the letter will:-

- a) refer to previous warnings;
- b) state clearly the disciplinary action taken and the effective date;
- c) specify the reason(s) for this action;
- d) refer to the teacher's right to appeal to the Appeals Sub-Committee of the Cabinet and indicate the date by which notice of appeal should be received; and
- e) where appropriate, refer to the teacher's right to submit a claim of unfair dismissal to an employment tribunal and indicate the time limit for submission of such a claim.

7.6 The teacher may be dismissed for serious, repeated misconduct or poor performance during the currency of a final written warning or for gross misconduct for which no previous warning exists. The Convenor of the Council Committee on Education and Children's Services will be informed when this action is taken.

8.0 GROSS MISCONDUCT

8.1 Under this disciplinary procedure, a teacher will normally be given a final written warning regarding their conduct or performance before dismissal is contemplated. It is recognised however that a teacher may be dismissed without previous warning when gross misconduct is deemed to have occurred.

8.2 For the purpose of this procedure, gross misconduct is behaviour of such a nature that the Council is entitled to conclude that it is unable to tolerate the continued employment of the individual concerned.

Precautionary Suspension

8.3 Where gross misconduct is alleged, the [Head of Education](#), or nominee, in consultation with the [Service Manager – HR & Payroll](#), (or nominee), may suspend the teacher:-

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- (a) pending further investigations into the circumstances of the case, and /or
- (b) when it is considered to be undesirable for the teacher to remain at work prior to the disciplinary hearing. In these circumstances consideration could be given to a temporary transfer pending the conclusion of the investigation and any subsequent disciplinary process.

8.4 Precautionary suspension will be on full pay and will not be regarded as a form of disciplinary action and must not be associated with any assumption of guilt. (Full pay will consist of a teacher's normal salary including all contractual payments and entitlements).

8.5 Written confirmation of the suspension will be forwarded to the teacher by recorded delivery within five working days and will state the reason(s) for the suspension.

8.6 All precautionary suspensions should be reviewed at intervals of 10 working days.

9.0 FINANCIAL IRREGULARITIES

9.1 Senior Officers are responsible for dealing promptly with any financial irregularities, through normal disciplinary processes when employees are involved. In cases of exceptional complexity, Internal Audit may be able to assist in the investigation. A financial irregularity is something a Council employee has done in their work which either leads to a financial loss for the Council which should have been avoided and/or a gain for the employee which they should not have taken.

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9.2 Following an investigation, the Head of Education (or their designated representative) may consider that the available evidence is sufficient to justify consideration under the Disciplinary Procedure.

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10 CRIMINAL OFFENCES

10.1 A teacher will not be disciplined solely because they have been charged with or convicted of a criminal offence. In all such cases, consideration will be given to whether the alleged or proven offence is of a serious nature and the relevance of the offence to the employment relationship between the Council and the teacher.

11 APPEALS AGAINST DISCIPLINARY ACTION

Appeals Against Verbal or Written Warnings

11.1 Appeals against verbal or written warnings, may be made to the Head of Education, within ten working days of the employee receiving confirmation of the warning and will be submitted in writing, indicating the specific grounds of the appeal. The letter of appeal should be copied to the HT/line manager who made the decision being appealed in order that they can prepare a written statement of case in response to the appeal.

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11.2 A teacher will have the separate right of appeal against a decision that a warning is held on a teacher's personal file for a longer period of time than defined in 12.1 where the imposed sanction is in relation to a breach of the Council's child protection policies.

11.3 Appeals against disciplinary sanctions will normally be held within fifteen working days (or as soon as possible thereafter) of receiving the written notice of appeal. The teacher will be given in writing at least five working days notice of the appeal hearing and will be informed of their right to be accompanied at the hearing by a Trade Union official or person of their choice. The written statement of case, along with the names any witnesses being called by the Management Side will be forwarded to the teacher at least five days in advance of the Hearing. Any further documentation that the teacher wishes to have considered at the Hearing, along with the names of their witnesses (if any) must be notified to the Head of Education (or nominee) at least one working day in advance of the Hearing.

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The appeal hearing will be conducted in accordance with the procedural rules governing the operation of the Appeals Sub-Committee, appropriately adapted for the purpose, contained in paragraphs 6.1 – 6.15 of the Appendix A to this procedure.

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11.4 The Head of Education (or nominee) may confirm, amend or withdraw the disciplinary action but may not substitute it for disciplinary action of a more severe nature.

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11.5 The decision will normally be made known to the teacher at the end of the appeal hearing. The decision will also be confirmed in writing within five working days. There will be no further right of appeal.

Appeals Against Final Written Warning, Punitive Sanctions or Dismissal

11.6 Appeals against final written warnings, punitive sanctions administered in conjunction with a final written warning, or dismissal may be made to the Appeals Sub-Committee, and will be submitted in writing, indicating the specific grounds of the appeal. This appeal should be submitted within ten working days of the teacher receiving written notification of the disciplinary action.

11.7 The Head of Council Resources will arrange for the appeal to be considered by the Appeals Sub-Committee within twenty working days, or as soon as possible thereafter, of receipt of the letter of appeal. The appeal will be heard in accordance with the procedure set out in Appendix A to this procedure.

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11.8 The Appeals Sub-Committee may confirm, amend or withdraw the disciplinary action but may not substitute it for disciplinary action of a more severe nature.

Effect of Appeals on Disciplinary Record

11.9 If as a result of an appeal, any disciplinary action is withdrawn or modified, any written reference on the teacher's personal file will be expunged or appropriately amended and the teacher and their representative, notified accordingly.

11.10 Teachers have a right of access to their personal file to ensure the written reference has been removed or appropriately amended.

12 EXPIRY OF WARNINGS

12.1 Warnings and other formal disciplinary action short of dismissal will normally be disregarded for disciplinary purposes after a period of satisfactory employment. The relevant periods will be as follows:-

- Verbal warnings - to be disregarded after six months
- Written warnings - to be disregarded after nine months
- Final written warnings - to be disregarded after twelve months
- Punitive sanction in conjunction with a final warning - to be disregarded after eighteen months

12.2 Any warning relating to the safety and well being of young and /or vulnerable people in receipt of Council Services will never be disregarded should there be any similar allegation in the future.

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A "live" warning is one which has not yet expired.¶

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13 TRADE UNION OFFICIALS

13.1 A disciplinary hearing involving a teacher who is a trade union representative will not be convened until the circumstances have been discussed with a full-time official of the Trade Union concerned. Where the possibility of disciplinary action against a Trade Union representative arises, the Service Manager – HR & Payroll (or nominee) will be consulted at the earliest opportunity.

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13.2 Where gross misconduct is alleged of a Trade Union representative, the employee may be suspended on full pay after consultation with the [Service Manager – HR & Payroll](#) (or nominee). A full-time official of the Trade Union concerned will be informed of this action as soon as possible and written confirmation of the suspension will be sent to the Trade Union within five working days. A copy of this letter will be forwarded to the [Service Manager – HR & Payroll](#).

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14 REFERRAL TO THE GENERAL TEACHING COUNCIL (GTC) FOR SCOTLAND

- (a) A case is referred to the GTC under the terms of Section 9B of the Teaching Council (Scotland) Act 1965 as amended, i.e. where a case culminates in:
- the dismissal of the teacher;
 - the resignation of the teacher in the context of a possible dismissal.
- (b) Relevant information from the Disciplinary procedure will be sent to the GTC.
- (c) Information relating to the GTC's procedures for dealing with such cases can be found in the GTC's Code of Practice on the Exercise of its Disciplinary Functions and in the Conduct, Competence and Disciplinary Rules.

15 REFERRAL TO DISQUALIFIED FROM WORKING WITH CHILDREN LIST

- 15.1 The Protection of Children (Scotland) Act 2003 places a legal obligation on the Council to make a referral to Scottish Ministers of any individual working in a child care position following disciplinary action, (either paid or unpaid) who:
- a) was dismissed on the ground that the individual harmed a child or placed a child at risk of harm;
- b) has been transferred to a position which is not a child care position or,
- c) would have dismissed the individual or considered dismissing the individual if they had not resigned, retired, been made redundant or left at the end of a fixed term temporary contract

16 TIME LIMITS

- 16.1 The time limits contained within this procedure may be varied after consultation with all parties involved.

APPENDIX A

EAST LoTHIAN COUNCIL APPEALS SUB-COMMITTEE

PROCEDURE FOR CONSIDERATION OF APPEALS AGAINST DISCIPLINARY ACTION

1 TERMS OF REFERENCE

- 1.1 The Appeals Sub-Committee shall be convened to hear an appeal against a decision to issue a final written warning, or to dismiss or take other forms of punitive disciplinary action as defined in paragraph 7.2 of the disciplinary procedure.
- 1.2 The Appeals Sub-Committee shall have delegated power from the Cabinet to decide appeals and shall be the Council's final arbiter on such matters.

2 CONDITIONS RELATING TO AN APPEAL

- 2.1 For the Appeals Sub-Committee to be convened notice of appeal against disciplinary action must be lodged with the Head of [Council Resources](#), within ten working days of the appellant receiving written notification of the decision arising out of the disciplinary hearing.
- 2.2 The notice of appeal, which must be in writing, may be lodged by the appellant or his / her trade union or by some other person of the appellant's choice acting as a representative.
- 2.3 The appellant and his / her representative, if any, will be given a minimum of ten working days notice in writing of the date, time and place of the appeal hearing.

3 MEMBERSHIP OF THE APPEALS SUB-COMMITTEE

The membership of the Appeals Sub-Committee shall include a Convener and, if desired, a Depute Convener. The Council shall determine the membership of the Employee Appeals Sub-Committee.

- 3.1 Members of the Appeals Sub-Committee shall be entitled to nominate substitute members to attend any meetings of the Appeals Sub-Committee.
- 3.2 Where a meeting of the Appeals Sub-Committee is adjourned for any reason, the provision in paragraph 3.2 above concerning substitutes shall not apply and only those members in attendance at the original hearing shall be eligible to attend the reconvened hearing.
- 3.3 Three members shall form a quorum at meetings of the Appeals Sub-Committee.

4 REPRESENTATION AND ATTENDANCE OF OFFICERS

- 4.1 The [Head of Education](#), or other appropriate Senior Officer (s) shall act as the Council representative(s) at the appeal hearing.

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<#>The Convener of Council Committee on Education and Children's Services (Convener of Appeals Sub-Committee)¶
<#>Opposition Group member¶

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4.2 The appellant shall have the right to be represented at the appeal hearing by a Trade Union official or officials or by some other person(s) of their choice.

4.3 The Chief Executive or representative may act as advisor to the Appeals Sub-Committee.

4.4 The [Service Manager – Legal and Procurement Services](#) or representative shall act as clerk to the Appeals Sub-Committee.

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4.5 The [Service Manager – HR & Payroll Services](#) or representative shall act as advisor to the Appeals Sub-Committee.

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4.6 If an appeal hearing is adjourned, all parties involved shall ensure that, other than in exceptional circumstances, the original representatives attend the reconvened hearing for continuity purposes.

5 PROCEDURE PRIOR TO APPEAL HEARING

5.1 Following submission of a written notice of appeal, the appellant or their representative shall submit to the Head of [Council Resources](#):-

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- (a) a written statement indicating the grounds of the appeal;
- (b) copies of any written statements made by witnesses for the appellant which were considered at the original disciplinary hearing;
- (c) a copy of any other document(s) to be placed before the Appeals Sub-Committee; and
- (d) the name(s) of any witness(es) to be called to give evidence on behalf of the appellant.

5.2 The [Head of Education](#) or other nominated senior officer shall submit to the Head of [Council Resources](#):-

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- (a) a written statement of case against the appellant;
- (b) copies of any written statements made by witnesses for the Council which were considered at the original disciplinary hearing;
- (c) a copy of any other document(s) to be placed before the Appeals Sub-Committee; and
- (d) the name(s) of any witness(es) to be called to give evidence on behalf of the Council.

5.3 The Head of [Council Resources](#) shall issue the agenda for the meeting of the Appeals Sub-Committee, which shall contain all the documents submitted under paragraphs 5.1, 5.2, not less than five working days in advance of the appeal hearing.

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5.4 The Appeals Sub-Committee may order such other reference information and /or documents for clarification to be submitted as it may consider appropriate.

6 PROCEDURE TO BE FOLLOWED AT APPEAL HEARING

- 6.1 Witnesses shall be excluded until called unless it is agreed by all parties that they should be present from the start of the hearing.
- 6.2 The Council's representative(s) shall put the case, in the presence of the appellant and their representative(s), and may call witnesses.
- 6.3 The appellant or their representative(s) shall have the opportunity to ask questions of the Council's representative(s) and witnesses.
- 6.4 The members of the Appeals Sub-Committee shall have the opportunity to ask questions of the Council's representative(s) and witnesses.
- 6.5 The Council's representative(s) shall have the opportunity to re-examine witnesses on any matter referred to in their questioning by members of the Appeals Sub-Committee, the appellant or their representative(s).
- 6.6 The appellant or his/her representative(s) shall put the case in the presence of the Council's representative(s) and may call witnesses.
- 6.7 The Council's representative(s) shall have the opportunity to ask questions of the appellant, their representative(s) and witnesses.
- 6.8 The members of the Appeals Sub-Committee shall have the opportunity to ask questions of the appellant, their representative(s) and witnesses.
- 6.9 The appellant or their representative(s) shall have the opportunity to re-examine witnesses on any matters referred to in their questioning by the members of the Appeals Sub-Committee or the Council's representative(s).
- 6.10 Firstly, the Council's representative(s) and then the appellant or their representative(s) shall have the opportunity to sum up their cases if they so wish. The summing up shall not introduce any new matter.
- 6.11 If at any stage new facts are alleged or new evidence produced, the Appeals Sub-Committee, either at the request of one or both parties or of its own volition, may adjourn the hearing for such period as it may deem reasonable.
- 6.12 At the conclusion of the evidence the Council's representative(s), the appellant and their representative(s) and any witnesses shall withdraw.
- 6.13 The Appeals Sub-Committee, together with the Officers appointed to assist the Sub-Committee, shall deliberate in private, only recalling the Council's representative(s) and the appellant and their representative(s) to clarify points of uncertainty on evidence already given. If recall is necessary both parties are to return, notwithstanding only one is concerned with the point giving rise to doubt.
- 6.14 The Appeals Sub-Committee shall, if practicable, announce its decision to the parties at the conclusion of the hearing. In any event, the decision shall be notified, in writing, to the appellant and their representative(s) by the [Service Manager – Legal & Procurement](#) within five working days of the date of the hearing.

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6.15 The Appeals Sub-Committee shall record reasons for their decision. These reasons shall be notified to the appellant and their representative(s) at the same time as written notification is given of the decision of the Appeals Sub-Committee. The reasons and the written notification shall be copied to the Head of Education,

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7 POWERS OF THE APPEALS SUB-COMMITTEE IN DISCIPLINARY CASES

7.1 The form of the decision of the Appeals Sub-Committee shall be announced and confirmed in one of the following, as appropriate:-

- “that the grounds of the appeal have been substantiated and the appeal be upheld”
- “that the grounds of the appeal have been substantiated in part and the appeal be upheld to the extent that
- “that the grounds of the appeal have not been substantiated and the appeal be not upheld”.

7.2 If the appeal is upheld, the disciplinary action shall be withdrawn and any monies due to the appellant shall be payable in full. All documentation relating to the investigation and disciplinary process shall be destroyed. Where the appeal was against a decision to dismiss, the appellant shall be reinstated to their former post or, exceptionally, if this is not practicable, to another similar post on terms and conditions no less favourable than those applying to the post formerly held by the appellant.

7.3 If the appeal is substantiated in part, the disciplinary action shall be withdrawn and an alternative, less serious form of disciplinary action substituted. Where the appeal was against a decision to dismiss, the appellant shall be either:-

- (a) reinstated to their former post or a similar post on no less favourable terms except that a lesser disciplinary penalty shall apply; or
- (b) re-engaged in some other post on terms and conditions which may be determined by the Appeals Sub-Committee.

7.4 If the appeal is not upheld, the disciplinary action shall stand and be regarded as confirmed or some other form of disciplinary action taken as decided by the Appeals Sub-Committee, but may not substitute it for disciplinary action of a more serious nature.

7.5 Where the appeal is against a dismissal and that appeal is not upheld, the Appeals Sub-Committee may decide that the appellant shall be offered re-employment with the Council on such terms and conditions as the Appeals Sub-Committee may determine.

7.6 For the purpose of paragraphs 7.2 – 7.5 above the terms “reinstatement”, “re-engagement” and “offer of re-employment” shall be defined as follows:-

- (a) “reinstatement” is the restoration of the contract of employment between the appellant and the Council as if the dismissal had never taken place. Thus, the outstanding salary for the period the contract ceased to operate shall be payable in full unless the Council impose an alternative disciplinary penalty of

a financial nature i.e. a period of suspension without pay or the withholding of an annual increment. In addition, all rights arising out of continuous employment shall be restored as necessary to ensure reinstatement is without detriment;

- (b) "re-engagement" is the engagement of the appellant to another post and /or in another location with effect from the date of dismissal on terms and conditions which may be less favourable than those of the appellant's former post e.g. demotion to a lower graded post. Thus, salary /wages for the period since the dismissal took effect may be payable in accordance with the terms and conditions of re-engagement determined by the Appeals Sub-Committee. In addition, all rights arising out of continuous employment shall be restored; and
- (c) "an offer of re-employment" is an offer to employ the appellant under a new contract of employment from a future date which may be determined by the Appeals Sub-Committee. The post, its grade, location and other terms and conditions of employment may also be determined by the Appeals Sub-Committee. If an offer of re-employment on the specified terms is accepted, the appellant's continuity of service shall be regarded as broken and continuous employment shall be calculated for future purposes from the date re-employment takes effect.

8 REPORTING TO THE CABINET

- 8.1 The decision of the Appeals Sub-Committee shall be reported to the Cabinet Committee at the earliest opportunity.

9 TIME LIMITS

- 9.1 The time limits in this procedure may be varied by mutual agreement.

APPENDIX B

GENERAL TEACHING COUNCIL FOR SCOTLAND - CODE OF PRACTICE ON COMPETENCE

The General Teaching Council for Scotland (“the Council”) was set up under the Teaching Council (Scotland) Act 1965. It was the first such body for teachers in the United Kingdom and, indeed, one of the first teaching councils in the world. One of the fundamental principles underlying the work of the Council is that of professional self-government.

The public interest is represented on the Council. Its membership of 50 consists of 26 elected registered teacher members; 18 appointed members representing local authorities, directors of education, directors of social work, further and higher education institutions, the churches and the Scottish Council of Independent Schools; and 6 members nominated by Scottish Ministers.

The Council is an advisory non-departmental public body (NDPB), but differs from other NDPBs in that it is funded from the annual registration fees paid by registered teachers and not from the public purse. With regard to the public interest, policy statements and general advice issued by the Council are made available to the public and Minutes of meetings of the Council are made available to the press and on the Internet, subject to confidentiality in the Council’s case work.

The Standards in Scotland’s Schools etc Act 2000 made a number of important changes to the functions of the Council. In the light of these changes this Code of Practice on Teacher Competence is intended to illustrate how the Council defines teacher competence and the proposed procedures for dealing with cases of under-performance.

The principal aims of the General Teaching Council for Scotland are to contribute to improving the quality of teaching and learning, to maintain and to enhance professional standards in schools and colleges in collaboration with partners including teachers, employing authorities, teacher education institutions, parents and the Scottish Executive Education Department, and in so doing to contribute to the development of a world-class educational system in Scotland.

The Council’s key functions are:

To maintain and enhance the quality of teaching in Scotland;

- To maintain standards of professional conduct and competence in teaching;*
- To provide advice on the entry requirements for initial teacher education and the supply of teachers;*
- To enhance the status and standing of teaching and the teaching profession;*
- To develop the strengths of Council staff;*
- To run an effective and cost-efficient organisation.*

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1 Introduction

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The Code of Practice on Teacher Competence provides the definition of competence in terms of the Standard for Full Registration (SFR) and explains the steps in the process for dealing with cases of short-lived under-performance and long-running under-performance. This Code is part of the Council's procedures for maintaining standards of professional conduct and competence in teaching.

It is important to note that this Code will be kept under continuous review and will be updated regularly.

It should be noted that where the alleged under-performance relates to administrative/managerial duties of a promoted teacher, similar procedures may be applied, but in the knowledge that the power of the Council, at the end of the day, to remove the name of a teacher from the register for long-running under-performance relates to teaching competence not administrative/managerial competence.

Definition of Teacher Competence

Teacher competence is described in terms of the SFR and applies to teachers who have gained full registration with the General Teaching Council for Scotland.

The Standard describes the:

- professional knowledge and understanding
- professional skills and abilities
- professional values and personal commitment

which all fully registered teachers should be able to demonstrate in their professional activities.

Professional Knowledge and Understanding

Registered teachers:

- (a) have detailed knowledge and understanding of the relevant areas of the pre-school, primary or secondary school curriculum;
- (b) have sufficient knowledge and understanding to fulfil their responsibilities for literacy and numeracy; personal, social and health education; and ICT. (As appropriate to the sector and stage of development.);
- (c) understand the nature of the curriculum and its development;
- (d) have sufficient knowledge and understanding to meet their responsibilities to teach cross-curricular aspects;
- (e) have a broad, critical understanding of the principal features of the education system, educational policy and practice, and of their part in it;
- (f) have detailed working knowledge of their sector, of the school(s) in which they teach, and of their professional responsibilities within them;

Page 20

- (g) can articulate their professional values and practices and relate them to theoretical principles and perspectives;
- (h) have research-based knowledge relating to learning and teaching and a critical appreciation of the contribution of research to education in general.

Professional Skills and Abilities

Registered teachers:

- (a) are able to plan coherent and progressive teaching programmes which match their pupils' needs and abilities, and they can justify what they teach;
- (b) communicate clearly, making skilful use of a variety of media, and interact productively with pupils, individually and collectively;
- (c) use a range of teaching strategies and resources which they can evaluate and justify in terms of curriculum requirements and of the needs and abilities of their pupils;
- (d) set and maintain expectations and pace of work for all pupils;
- (e) work co-operatively with other professionals and adults;
- (f) organise and manage classes and resources to achieve safe, orderly and purposeful activity;
- (g) manage pupil behaviour and classroom incidents fairly, sensitively and consistently, making sensible use of rewards and sanctions, and seeking and using the advice of colleagues when necessary;
- (h) understand and apply the principles of assessment, recording and reporting;
- (i) use the results of assessment to evaluate and improve their teaching, and the learning and attainment of the children they teach.

Professional Values and Personal Commitment

Registered teachers:

- (a) learn from their experience of practice and from critical evaluation of relevant literature in their professional development;
- (b) convey an understanding of practice and general educational matters in their professional dialogue and communication;
- (c) reflect on and act to improve their own professional practice, contribute to their own professional development, and engage in the process of curriculum development;
- (d) should show in their day-to-day practice a commitment to social justice and inclusion;

- (e) take responsibility for their professional learning and development;
- (f) value, respect and are active partners in the communities in which they work.

2 Procedures for Dealing with Under-Performance

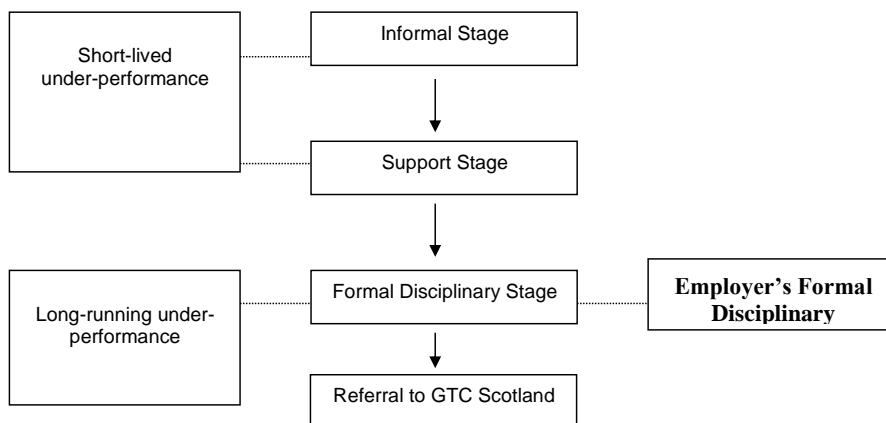
The procedures assume that the teacher has been performing at a competent level up to the point at which temporary under-performance is first identified.

Short-lived under-performance may be caused by many different factors such as illness, personal circumstances, lack of understanding of current methodology, loss of confidence or external factors beyond the control of the teacher. In stages 1 and 2 of the following procedures it is assumed that the teacher's problem is one of short-lived under-performance.

Long-running under-performance is the term used to describe the problem when stage 3 of the procedures is implemented. By this stage, although support and guidance and professional development opportunities have been offered to the teacher, this has not resulted in the teacher maintaining the level defined in the Standard for Full Registration.

(Note: This advice is in line with relevant provisions of the ACAS Code of Practice on Disciplinary and Grievance Procedures as revised in September 2000, ref: para 8, para 22.)

There are four stages in the procedures:



Stage 1 : Informal

- (a) The informal stage does not form part of the employer's formal disciplinary procedures.
- (b) It is assumed, at this stage, that the problem is one of short-lived under-performance.

- (c) Teachers are encouraged to invite a colleague or a representative from their Professional Association to accompany them to any meetings.
- (d) Informal discussions should be held between the teacher and senior colleagues to discuss identified areas of under-performance. During these informal discussions the teacher should be encouraged to participate fully in identifying the causes of the under-performance and suggesting possible remedies. Advice and guidance should be offered from senior colleagues to support improvement.
- (e) At the conclusion of the first informal discussion a date should be agreed by the teacher and senior colleagues to review performance. Depending on the context of the situation a reasonable length of time should be given for the teacher to reach the required standard.
- (f) At the conclusion of the meeting to review performance, ie whether or not the required standard has been achieved, an oral report should be given to the teacher indicating the outcome. Two outcomes are possible:

Outcome 1:

Where improvements have been made to the required standard, no further action will be taken. The teacher should be informed of this decision in writing.

Outcome 2:

Where improvements have not been achieved to the required standard, the teacher should be informed that the matter will be referred to the head teacher who will consider whether the second stage of the procedures should be implemented. The teacher will be informed of the head teacher's decision and the underpinning reasons in writing.

Stage 2 : Support

- (a) The support stage does not form part of the employer's formal disciplinary procedures.
- (b) It is assumed, at this stage, that the problem is still one of short-lived under-performance.
- (c) Teachers are encouraged to invite a colleague or a representative from their Professional Association to accompany them to any meetings.
- (d) The teacher should be informed by the head teacher of:
 - the specific aspects of the SFR which are to be addressed;
 - the proposed mechanisms which will be put in place to support the teacher;
 - appropriate professional development opportunities which can be accessed.
- (e) Discussions should be held between the teacher and head teacher to agree the way ahead. During these discussions the teacher should be encouraged to address the issues openly in order to:
 - clarify the areas of under-performance;

- suggest forms of support which he/she would find helpful;
- agree appropriate professional development opportunities.

Sympathetic consideration should be given to all reasonable requests made by the teacher.

At the conclusion of these discussions the head teacher should give a broad indication of the support mechanisms and professional development opportunities which will be made available. Dates for an Interim Review meeting and a Final Review meeting will be confirmed.

As soon as possible after the discussion the head teacher should confirm in writing:

- the improvements to be made;
- the support mechanisms and professional development package to be provided;
- confirmation of the review dates.

Depending on the context of the situation a reasonable length of time should be given for the teacher to reach the required standard.

(f) At the conclusion of the Final Review meeting the teacher should be informed of the outcome.

Two outcomes are possible:

Outcome 1:

Where improvements have been achieved to the required standard, no further action will be taken. The proceedings will be deemed to be complete. The teacher should be informed of this discussion in writing.

Outcome 2:

Where improvements have not been achieved to the required standard, the teacher should be informed that formal disciplinary procedures will be implemented. This decision and the underpinning reasons should be communicated to the teacher in writing.

The teacher should be advised of their statutory and contractual rights to be accompanied at stages 3 and 4.

Stage 3 : Disciplinary

- (a) This stage comprises the employer's formal disciplinary procedures.
- (b) The problem is now considered to be one of long-running under-performance.
- (c) The teacher should be advised of their statutory and contractual rights to be accompanied.
- (d) A comprehensive statement should be produced by the head teacher indicating:
 - details of the teacher's alleged failure to maintain the standards described in the SFR with clear identification of which aspects are alleged not to be of the required standard;

- details of the support mechanisms and professional development opportunities offered to the teacher;
 - the duration of stages 1 and 2;
 - the teacher's performance at the start of the support stage;
 - the teacher's performance at the end of the support stage.
- (e) The above information will be considered:
- at subsequent stages in the employer's formal disciplinary proceedings;
 - if the case is referred to GTC Scotland.

Stage 4 : Referral to the General Teaching Council for Scotland

- (a) A case is referred to the Council under the terms of Section 9B of the Teaching Council (Scotland) Act 1965 as amended, ie where a case culminates in:
- the dismissal of the teacher;
 - the resignation of the teacher in the context of a possible dismissal.
- (b) Relevant information from the Disciplinary stage will be sent to the Council.
- (c) Information relating to the Council's procedures for dealing with such cases can be found in the Council's Code of Practice on the Exercise of its Disciplinary Functions and in the Conduct, Competence and Disciplinary Rules.

REPORT TO: Cabinet

MEETING DATE: 16 January 2018

BY: Chief Executive

SUBJECT: The East Lothian Corporate Parenting Plan 2017-2020 **7**

1 PURPOSE

- 1.1 The purpose of this report is to share and seek Council endorsement of the East Lothian Corporate Parenting Plan 2017-2020. The plan has been approved by the multi-agency Children's Strategic Partnership on 29 November 2017.
- 1.2 The East Lothian Corporate Parenting Plan 2017-2020 has been informed by the East Lothian Champions Board in partnership with a wide range of organisations including East Lothian Council, NHS Lothian, Police Scotland, Who Cares? Scotland and Queen Margaret University.
- 1.3 Corporate Parenting duties and responsibilities were expanded within Part 9 of the Children and Young People's (Scotland) Act 2014 and includes those children in foster care, residential care, secure care, looked after at home on compulsory supervision orders and those in formal kinship care.

2 RECOMMENDATIONS

- 2.1 The Cabinet is asked to endorse the East Lothian Corporate Parenting Plan 2017-2020 and note the new responsibilities in the Children and Young People (Scotland) Act 2014 to prepare, publish and review its Corporate Parenting Plan every three years.

3 BACKGROUND

- 3.1 Section 59 of the Children and Young People's (Scotland) Act 2014 Act requires a corporate parent to:
 - Prepare a corporate parenting plan for how it proposes to exercise its corporate parenting responsibilities.
 - Keep its plan under review.

- Before preparing or revising a plan, a corporate parent must consult such other corporate parents, and such other persons, as it considers appropriate.
 - Publish its plan, and any revised plan, in such manner as it considers appropriate (and, in particular, plans may be published together with, or as part of, any other plan or document).
- 3.2 Corporate Parents have a legal duty to promote the interests of children who are care experienced. They must seek to provide them with opportunities to participate in activities which are designed to promote their wellbeing, and take any action they consider appropriate to help them access these opportunities or make use of services, which they provide. Corporate Parents also need to be alert to matters which might adversely affect the wellbeing of children, young people and young adults who are care experienced.
- 3.3 The multi-agency Corporate Parenting Planning and Delivery Group is responsible for monitoring and reporting on the implementation of the Corporate Parenting Plan 2017-2020 to the Children's Strategic Partnership.
- 3.4 The Draft Plan has existed for some time and work has already progressed with some actions having been completed within 2017.
- 3.5 An all Members Briefing on Corporate Parenting duties and responsibilities will be offered in due course.

4 POLICY IMPLICATIONS

- 4.1 The Corporate Parenting Plan has implications for care experienced young people who are looked after and receiving continuing care up until their 21st birthday and those in receipt of aftercare up until their 26th birthday.

5 INTEGRATED IMPACT ASSESSMENT

- 5.1 An Integrated Impact Assessment was completed. The implementation of the action plan will continue to advance equality of opportunity for care experienced children and young people.
- 5.2 The subject of this report has been through the Integrated Impact Assessment process and no negative impacts have been identified.

6 RESOURCE IMPLICATIONS

- 6.1 Financial - Partner agencies and individual Council services contribute to delivery of the Corporate Parenting Plan from within their existing resources.

6.2 Personnel - None

6.3 Other - None

7 BACKGROUND PAPERS

7.1 The East Lothian Corporate Parenting Plan 2017-2020

7.2 Appendix 1 - List of Corporate Parents as detailed in Children and Young People (Scotland) Act 2014 Schedule 4

7.3 [Statutory Guidance on Part 9 of Children and Young People \(Scotland\) Act 2014](#)

AUTHOR'S NAME	Sharon Saunders /Celia Borland
DESIGNATION	Head of Children's and Adult Services/Group Service Manager Longterm Care & Support
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DATE	04 January 2018

APPENDIX A SCHEDULE 4

CORPORATE PARENTS

(introduced by section 56)

- 1 The Scottish Ministers
- 2 A local authority
- 3 The National Convener of Children’s Hearings Scotland
- 4 Children’s Hearings Scotland
- 5 The Principal Reporter
- 6 The Scottish Children’s Reporter Administration
- 7 A health board
- 8 A board constituted under section 2(1)(b) of the National Health Service (Scotland) Act 1978
- 9 Healthcare Improvement Scotland
- 10 The Scottish Qualifications Authority
- 11 Skills Development Scotland Co. Ltd (registered number SC 202659)
- 12 Social Care and Social Work Improvement Scotland
- 13 The Scottish Social Services Council
- 14 The Scottish Sports Council
- 15 The Chief Constable of the Police Service of Scotland
- 16 The Scottish Police Authority
- 17 The Scottish Fire and Rescue Service
- 18 The Scottish Legal Aid Board
- 19 The Commissioner for Children and Young People in Scotland
- 20 The Mental Welfare Commission for Scotland
- 21 The Scottish Housing Regulator
- 22 Bòrd na Gàidhlig
- 23 Creative Scotland
- 24 A body which is a “post-16 education body” for the purposes of the Further and Higher Education (Scotland) Act 200



East Lothian
Council

Corporate Parenting Plan

2017 to 20

**getting
it right**
for every child

It takes a whole community to raise a child

CONTENTS

	Page
About the East Lothian Corporate Parenting Plan 2017-20	3
What is Corporate Parenting?	4
What are Corporate Parenting duties?	5
Who are Corporate Parents?	5
How many children are looked after in East Lothian?	6
Why do we need a Corporate Parenting Plan?	7
How has the Corporate Parenting Plan been developed?	8
How we will know that things are improving?	8
Looking forward — our plan	9
Contact details	18

About the East Lothian Corporate Parenting Plan 2017-2020



The East Lothian Corporate Parenting Plan has been informed by the East Lothian Champions Board in partnership with a wide range of organisations including East Lothian Council, NHS Lothian, Police Scotland, Who Cares? Scotland and Queen Margaret University.

The East Lothian Champions Board is a group of care experienced young people that come together to speak up about their experiences of care and what improvements need to be made to make the care system better for everyone. The Champions Board want a Corporate Parenting Plan that is easy to understand and has clear improvement actions that will be acted upon.

Everyone involved in putting this plan into action should sign up to the Champions Board Commitment statement "We will unite together to look at the priorities for change. We will invest time and resources to produce results and deliver on promises. We will listen to each other when things go wrong and except no excuses for lack of progression towards our goals."

The following sections will provide you with a clearer understanding of why we need a Corporate Parenting Plan in East Lothian and how will we know that things are improving for care experienced young people.



What is Corporate Parenting?

A corporate parent is an organisation or individual who has special responsibilities for care-experienced young people. Corporate parenting responsibilities' extend to all care experienced children and young people aged from birth to when they cease to be looked after. This includes children and young people:

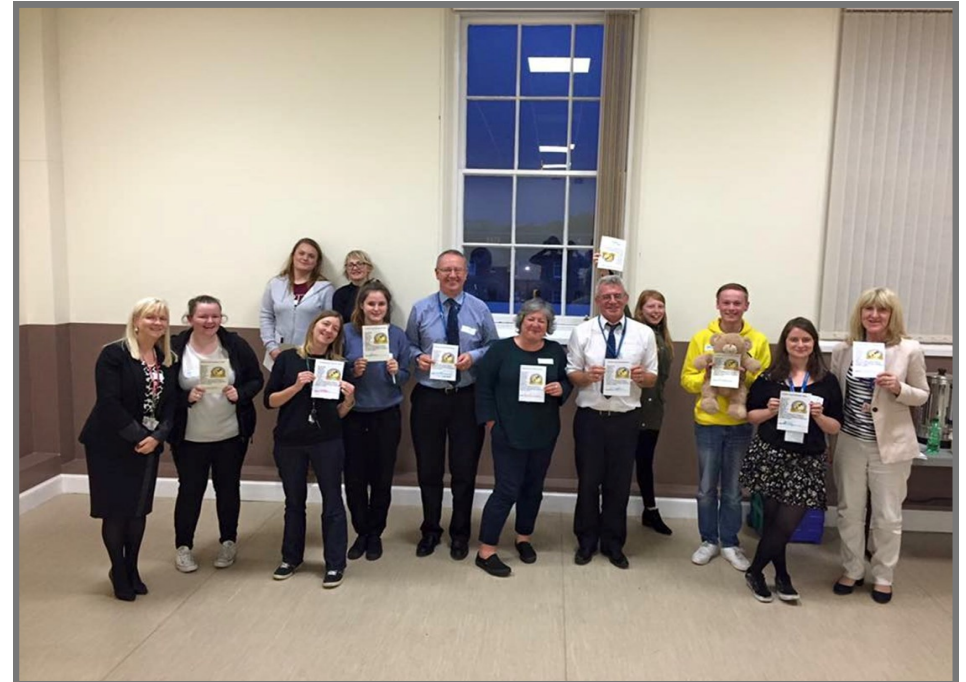
- in residential care
- in foster care
- in kinship care
- in secure care
- who are looked after at home with social work involvement
- care leavers who were looked after on their 16th birthday (or subsequently) (the responsibilities continue to apply until the care leaver reaches their 26th birthday.)

Corporate parents have many of the same roles as parents do. Corporate parents should do as much as they can to make sure children and young people feel in control of their lives and able to overcome the barriers they face. The Champions Board want all corporate parents to invest in relationships with care experienced young people and ensure that all care experienced children and young people have the same access and opportunities as other children and young people.

What are corporate parenting duties?

Corporate parents have a legal duty to promote the interests of children who are care experienced. They must seek to provide opportunities to participate in activities which are designed to promote their wellbeing and take any action we consider appropriate to help them access these opportunities or makes use of services which we provide. We also need to be alert to matters which might adversely affect their wellbeing.

All corporate parents have a duty to prepare and publish a corporate parenting plan which outlines their approach to fulfilling their corporate parenting duties. Corporate parenting plans must be **regularly reviewed** and progress **reported** to the Scottish Ministers. Every three years, Scottish Ministers must report to parliament on how corporate parenting responsibilities have been exercised throughout Scotland.



Who are Corporate Parents?

The new Children and Young People (Scotland) Act 2014 places corporate parenting duties and responsibilities on a wide range of other agencies including all Council Departments, Health Boards, the Scottish Sports Council, Skills Development Scotland, the Scottish Qualifications Authority, Creative Scotland, Police Scotland, and the Fire and Rescue Service among others.

How many children and young people are looked after in East Lothian?

In March 2017, there were 222 looked after children in East Lothian. This includes:

- 65 children and young people are in residential care
- 91 children and young people are in foster care
- 46 children and young people are in kinship care
- 65 children and young people who are looked after at home with social work involvement
- Approximately 80 young people are receiving aftercare support



Why do we need a Corporate Parenting Plan?

We know that some looked after young people do achieve positive outcomes. Unfortunately, for most care-experienced young people, the outcomes are much less positive, and can result in lower educational attainment, significant under achievement and life chances are largely reduced. Children and young people who are care experienced or who are looked after have the poorest outcomes of all children and young people in Scotland.

- Almost half of 5-17 year olds in care were diagnosed with a mental health disorder (Office of National Statistics, 2004)
- 33% of young people in prison and 31% of adult prisoners self-reported as having previously been in care. (Scottish Prison Service, 2016)
- 73% of care experienced young people leave school aged 16 or under (Scottish Government, 2016)
- 35% of care experienced young people received 1 or more qualifications at SCQF level 5 compared to 85% of the rest of the school population (Scottish Government, 2016)
- Care experienced young people are eight times more likely to be excluded from school (Scottish Government, 2016)

‘A Corporate Parenting Plan should clearly show what it is going to do to improve these outcomes for care experienced children and young people.’

How has the Corporate Parenting plan been developed?

The Corporate Parenting Plan has been informed by the East Lothian Champions Board. The Champions Board identified seven priorities for Change. These priorities for change are informed by the Champions own personal experience of the care system, evidence through Viewpoint as well as local and national research findings and statistics. The Corporate Parenting Planning and Delivery Group is made up of representatives from the East Lothian Champion's Board, Who Cares? Scotland, Housing, Health, Education, Police, Community Learning and Development, Social Work, East Lothian Works, Universities and Colleges. The Corporate Parenting Planning and Delivery Group was presented with the Champions Board priorities for change and worked together with the Champions to create an improvement plan that would address these priorities . The plan also includes improvement actions relating to the participation of care experienced children and young people in all areas of their life.

How we will we know that things are improving?

The Corporate Parenting Plan makes promises and commitments to all care experienced children and young people. The Corporate Parenting Planning and Delivery Group meets every two months. This group is responsible for making sure the plan is put into action. The group will also use self evaluation as a way of finding out what further improvements need to be included in the plan. The group will also report on progress in making improvements once a year to the East Lothian Children's Strategic Partnership. A report on progress will also be submitted to the Scottish Government.

Links to other plans and documents that are relevant:

- http://www.eastlothian.gov.uk/downloads/file/12177/childrens_services_plan_2017-2020
- <https://www.cypcs.org.uk/education/golden-rules>
- <http://www.gov.scot/Publications/2015/08/5260>

Looking forward—our Plan

Theme	Action	Who	When	Measure
Health and wellbeing	Undertake a mapping exercise of all therapeutic mental health resources available to care experienced young people in East Lothian.	Linda Irvine (Health)	July 2017	Report on the existing services and gaps to the Corporate Parenting Planning Group and agree on the next steps.
Health and wellbeing	Ensure the health of children and young people who are LAC is monitored by the LAC nurse. Any worries about health identified through Viewpoint or through conversations with others should be discussed at the young person's planning meeting (with the young person's consent).	Fiona Stenhouse (Health) Carol Lesenger (Children's Services)	December 2018	Numbers of care experienced children and young people with an up to date health assessment and number of young people that report more positively about their health via Viewpoint survey.

Theme	Action	Who	When	Measure
Health and wellbeing	Create a list of mental health resources and services that are available to care experienced young people? Signpost care experienced young people and professionals to these.	Linda Irvine (Health)	December 2017	Numbers of young people that take up of the wide range of mental health supports not just CAMH's service.
Health and wellbeing	Pilot a personal budget approach to support care leavers with their mental health and wellbeing.	Lisa Shine (Children's Services) Linda Irvine (Health)	September 2018	Share this information with Health and Children Services and agree on next steps e.g. if it needs reviewed.
Health and Wellbeing	Ensure every care experienced young person who is pregnant and expecting their first baby is offered information about the Family Nurse Partnership Programme.	Family Nurse Partnership	December 2018	The number of care experienced young people enrolled with FNP. The number who have had a healthy outcome of their pregnancy (baby born at term with a healthy birth weight).
Health and Wellbeing	Increase the number of care experienced children and young people participating in sport & physical activity programmes across East Lothian.	Ed Hendrikson (Sports Development)	September 2018	Numbers of care experienced children and young people accessing active school and sports development programmes.

Theme	Action	Who	When	Measure
Health and wellbeing	Increase the number of care experienced children and young people that have and use an Access to Leisure Card.	Celia Borland (Children's Services)	Sept 2018	Numbers of care experienced children and young people with a valid access to leisure card.
Keeping Loved Ones Together	Ensure the subject of 'contact with friends and families' gets discussed at all young people's LAC Review Meetings and agreed actions are reflected in the young person's plan.	Carole Lesenger (Children's Services)	June 2017	Number of young people that report positively about contact with friends and family via the Viewpoint survey.

Theme	Action	Who	When	Measure
Keeping loved Ones Together	Include information about contact with friends and family in the pack that young people get when moving into care.	Laura Graham (Who Cares? Scotland)	May 2017	Young people report they have clear information about contact.
Keeping Loved Ones Together	Implement the 'Next steps from the 'Doing Things Differently' pilot.	Lisa Shine (Children's Services)	April 2018	Evidence of personal budgets being used to support young people at risk of moving into care or to support young people to return home from care.
Keeping loved Ones Together	Recruitment of more foster carers able to look after groups of brothers and sisters.	Norma Godek (Children's Services)	April 2018	Numbers of foster carers approved to care for sibling groups and older young people.
Housing and accommodation	Create a short film about care leavers' experience of housing and homelessness.	East Lothian Champions Board	November 2017	Young people reporting that they have better relationships with housing staff.

Theme	Action	Who	When	Measure
Housing and accommodation	Invest multi-agency resources to create more specialist housing provision and emergency housing provision for care leavers.	Tom Shearer (Ambassador for Champion's Board housing priority) Sharon Saunders (Head of Children's Services)	September 2017	Reduction in the numbers of young people using emergency B&B and hotel accommodation.
Housing and accommodation	Produce a user friendly information pack for care experienced young people about their housing options and how to manage their tenancy.	Ian Patterson (Housing)	March 2018	Young people reporting via the Champions Board that they are finding this information helpful (via focus group).
Housing and accommodation	Provide care leavers with a range of learning opportunities to develop the practical skills they need to live independently.	Ian Patterson (Housing) Celia Borland (Children's Services)	April 2018	Numbers of care leavers managing their tenancy.
Youth and Criminal Justice	Allocate a Police Officer as a link person to care experienced young people.	Alun Williams (Police Scotland)	April 2018	Young people reporting that they have more positive relationships with police (via focus group).

Theme	Action	Who	When	Measure
Youth and Criminal Justice	Equip police officers with an understanding of corporate parenting through briefings and learning opportunities.	Alun Williams (Police Scotland)	May 2017	Young people reporting that they have more positive relationships with police.
Youth and Criminal Justice	Ensure Police Scotland Corporate Parenting Plan is aligned to the East Lothian Corporate Parenting Plan and is informed by the views of care experienced young people.	Alun Williams (Police Scotland)	December 2017	Annual reports on progress.

Theme	Action	Who	When	Measure
Rights and participation	Set up a Viewpoint user group made up of children and young people that are currently care experienced, care leavers and social workers.	Lisa Shine (Children's Services)	January 2018	Numbers of Viewpoint surveys completed.
Rights and participation	Promote activities including youth groups and Champions Board for care experienced young people on the 'Get Connected' web page.	Lauren Ritchie (Get Connected graduate intern)	November 2017	Numbers of young people joining the Champions Board.
Rights and participation	Promote the 'Get Connected' Webpage to all corporate parents including foster carers, social workers, colleagues at East Lothian Works, Community Learning and Development etc.	Ed Hendrikson (Sports Development)	December 2017	Numbers of young people joining the Champions Board.

Theme	Action	Who	When	Measure
Rights and participation	Include information about the rights and responsibilities of care experienced young people in the 'Moving into Care' packs.	Champions Board	June 2017	Young people reporting via Viewpoint that they have a 'Moving into Care' pack.
Rights and participation	Establish a programme of ongoing networking and engagement opportunities with Elected Members and community planning partners.	Champions Board	April 2018	Numbers of elected members that engage with the Champions Board.
Finance	Set up a working group that will look at all the allowances that care experienced young people should get.	Celia Borland (Children Services) Jim Lamond (Finance Department)	December 2017	Young people reporting they are have clear understanding of the allowances they receive.

Theme	Action	Who	When	Measure
Finance	Ensure care experienced young people get an opportunity to have conversations with their social worker and foster carer about pocket money and allowances and raise any matters at their review meeting if they wish to.	Sean Rafferty/Celia Borland (Children Services)	June 2017	Young people reporting they are have clear understanding of the allowances they receive.
Education and training	Deliver a training programme for teachers and staff in all East Lothian schools about how best to support care experienced young people and the importance of relationship based practice.	East Lothian Champions Board)	April 2018	Care experienced young people reporting that they have a more positive experience of education (Viewpoint).
Education and training	Develop and deliver awareness raising sessions for pupils in East Lothian about care.	East Lothian Champions Board)	April 2018	Incidents of bullying recorded by care experienced young people.

Theme	Action	Who	When	Measure
Education and training	Promote the achievement of a positive destination for all looked after children and young people on leaving school.	Lynne Binnie (Education)	Ongoing	Numbers of care experienced young people in a positive destination on leaving school.
Education and training	Continue to work with our further and higher education partners to ensure that the specific needs of our looked after young people are identified and supported.	Dee Bird (Edinburgh University) Callum McGuire (Queen Margaret University)	April 2018	Numbers of care experienced young people that access and sustain places at further and higher education.
Training and employment	Care Experienced young people remain a priority for receiving services from East Lothian Works, whilst at school and after leaving school.	Alison Hood (East Lothian Works)	Ongoing	Numbers of Care Experienced young people receiving a service from East Lothian Works.
Systems and Data	Implement a multi agency programme of self evaluation using the Care Inspectorate Performance Framework.	Lisa Shine (Children Services)	April 2018	Improvement actions identified through self evaluation are included within the Corporate Parenting Plan.



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REPORT TO: Cabinet

MEETING DATE: 16 January 2018

BY: Depute Chief Executive (Resources and People Services)

SUBJECT: Budget Development 2018

8

1. PURPOSE

- 1.1 To present to Cabinet an update on matters affecting development of budgets including the draft budget proposals prepared on behalf of the Administration.

2. RECOMMENDATIONS

- 2.1 Cabinet is asked to approve the draft budget proposals as contained within the report appendices noting the intention of the Acting Council Leader to invite further discussion with other political groups via Group Leaders between now and the formal budget setting meeting of Council on 13 February.
- 2.2 To request that any formal amendments to the draft proposals be submitted in accordance with the terms of the Council resolution of 19 December 2017.
- 2.3 To agree that should any further, formal response to the Cabinet Secretary's settlement offer be considered necessary, the Depute Council Leader should do so in consultation with the other Group Leaders.

3. BACKGROUND

- 3.1 At meetings of the Council held on 31 October and 19 December 2017, information was provided in relation to the likely forward financial prospects for the Council and a new 5 year Financial Strategy was formally approved.
- 3.2 A new framework governing development of budgets was also approved that would require the Administration to bring forward to Cabinet a

balanced draft budget proposal reflecting the most up to date information on the Local Government Finance Settlement.

- 3.3 In November, the Council launched a public budget consultation process for General Services that formally closed on 20 December. The process consisted of a combination of 8 Focus Groups and an online survey together which generated feedback from around 1000 individuals, the largest response the Council has ever received. A summary review of the consultation findings is attached as **Appendix 1** to this report. A more comprehensive analysis and review has been prepared and will be lodged in the Members Library Service.
- 3.4 In accordance with normal practice, a statutory consultation with rent payers has recently been undertaken by the Head of Development. As with the General Fund consultation, the views of more than 1000 respondents have been secured. The summary findings from the consultation process are contained within **Appendix 2**.

Local Government Settlement

- 3.5 On December 14, the Depute Leader of the Council received written notification from the Cabinet Secretary for Finance of the likely financial settlement it would receive from Scottish Government. This settlement offer is based upon a set of Scottish Government Draft Budget Proposals that have yet to secure formal approval through the Scottish Parliamentary process and are therefore still subject to change. Based upon our best interpretation of the settlement offer at the time of writing, the most significant features are as follows:

Local Government Settlement – national position

- One year financial settlement covering 2018/19 only
- Reduction in Revenue Support Grant by £150m (1.4%)
- Additional New Funding Streams of £153m including:
 - £52.2m Early Learning & Childcare the distribution of which is still to be agreed
 - £11m expansion of 600 hours
 - £66m for Health & Social Care
 - £24m for Teachers Pay 2017/18
- ‘Sanction Free’ settlement but with an absolute requirement to:
 - Maintain Pupil Teacher Ratio of 13:7
 - Secure places for all Probationer Teachers who require one
 - Flexibility to increase Council Tax up to a maximum of 3%

- A revised public sector pay policy for those staff covered by this policy. Although the Scottish Government does not actually agree the Local Government pay award, their pay policy does set the potential framework and context for future pay discussions.
- An overall increase in capital funding of just under £90m, all of which relates to an increase in specific capital grants. The commitment to repay the previous reduction in national capital funding of £150m between 2018-2020, has now been confirmed and will be repaid in full in 2019/20. An additional £150m nationally has been agreed to support the significant expansion Early Learning & Childcare, the distribution of which is still to be agreed.
- Charity relief will continue to be applicable to qualifying properties currently occupied by ALEO's, but for any new properties falling within this definition, any charitable relief would be offset by a corresponding reduction in General Resource Grant.

Local Government Settlement - East Lothian Council

- Provisional estimated reduction in Revenue Support Grant of £2.044m. This reduction includes the additional funding which we have received for new obligations of £1.7m, including Health & Social Care (£1.2m) and Teachers Pay for 2017/18 (£0.45m), all of which will come with increased expenditure commitments.
 - Figures prepared by the independent Parliamentary research centre (SPICE) signals that East Lothian Council has seen one of the largest decrease in funding across all authorities and is estimated to receive a “like for like” cash and real terms reduction in revenue funding in 2018/19 of 1.6% and 2.4% respectively.
 - Given the wider uncertainty around the local government settlement including; one year financial settlement, greater fiscal flexibility of Scottish Government, wider economic environment and national political uncertainty around support for the Scottish budget; officers have revised the assumptions in relation to Revenue Support Grant funding to reflect ‘flat cash’ for years 2 and 3, adjusting only for certain specific reductions in relation to Loans Charges Support for historic capital investment.
 - Review of pay assumptions currently reflected within the baseline budget in light of the proposed changes to the public sector pay.
 - Taking all of this into consideration, the Council faces a funding gap across the next 3 financial years of £6.5m in 2018/19, rising to £11.8m in 2020/21.
 - In terms of capital, overall the capital grant remains broadly in line with planned assumptions although some grant funding has been provided upfront to support Flooding programmes.
- 3.6 The **DRAFT** settlement includes a requirement for Council Leaders to formally notify the Cabinet Secretary should they not wish to accept the

offer by Friday 26 January 2018. If the settlement package is not accepted, a revised, almost certainly less favourable offer will be made. The Depute Council Leader has submitted an initial response to the Cabinet Secretary that neither accepts nor rejects the settlement offer. His letter does set out a number of areas of concerns including; the level of reduction in Scottish Government Grant, according to the SPICE Report, East Lothian received the 4th worst real terms reduction of any mainland council despite facing a prolonged period of unprecedented growth. Despite the offer being a one year settlement, the question has also been asked whether or not there is any scope for flexibility on how the Council Tax cap might be applied across our 3 year budget planning period. In addition, there remain a number of areas within the settlement which officers are still seeking technical detail and clarity on. Subject to the outcome of these responses, and any further clarity received from the Depute Leader's initial response, it is recommended that any decision to reject the settlement offer would require the Depute Council Leader to consult with other Group Leaders.

DRAFT Administration Budget Proposals

- 3.7 Draft revenue and capital budget proposals for both General Services and the Housing Revenue Account have been prepared on behalf of the Administration and are attached within **Appendix 3** (General Services Revenue), **Appendix 4** (General Services Capital) and **Appendix 5** (Housing Revenue Account – Revenue and Capital).
- 3.8 It is important to note that because the Scottish Government's draft national budget will not be finalised until 22 February 2018, there is still a possibility that the settlement offer made to Local Government could change. Reflecting upon the same process last year, political negotiation and intervention resulted in a positive financial adjustment to the proposed grant settlement. Once again, there has been some speculation that something similar may occur for 2018/19 and should this become known between now and the formal budget setting meeting in February, it may be necessary to review some of the specific proposals identified within the Administration Draft budgets, most notably the series of service based reduction targets. Should these target reductions remain part of the Council's formal budget decisions, then it will be necessary for officers to report back to Council in advance of the Financial Year with further detail on how these can be delivered.

Next Steps – Budget Amendment Process

- 3.9 Subject to approval of the draft Administration budget proposals within this report by Cabinet, the framework to manage any budget amendments which may arise between approval and Council budget setting meeting on 13 February was agreed by Council in December and as a reminder is set out below:
- An amendment must be presented to Council in the form of an alternative budget proposal. The amendment must be deemed competent, both in its

ability to be delivered as well as ensuring that it can still deliver a balanced budget.

- Political Group Leaders may during this period work with Finance around any suggested budget changes which may be reflected within any final proposed amendments, with any final amendments to be considered by Council to be submitted through Group Leaders to the Chief Financial Officer (delegated to the Service Manager, Business Finance) **no later than Tuesday 30 January 2018.**

4. POLICY IMPLICATIONS

- 4.1 The Draft proposals have been prepared in accordance with the new Financial Strategy approved by Council on 19 December 2017.
- 4.2 There are no direct policy implications associated with approval of these draft budget proposals but clearly should they be supported by Council in February, individual elements within the proposals may lead to policy changes.

5. INTEGRATED IMPACT ASSESSMENT

- 5.1 The subjects contained within this report is currently being progressed through the Integrated Impact Assessment process, the results of which will be made available to elected members prior to the Council budget meeting on 13 February 2018.

6. RESOURCE IMPLICATIONS

- 6.1 Financial – the proposals contained within this report have been prepared within the context of the Council’s approved Financial Strategy. Although the proposals will have potentially significant financial implications, given this report simply seeks to secure approval of a set of draft budget proposals on behalf of the Administration, there are currently no direct financial implications arising.
- 6.2 Personnel - none at this stage
- 6.3 Other – none at this stage

7. BACKGROUND PAPERS

- 7.1 Financial Prospects 2018/19 and beyond – Report to Council 31 October 2017
- 7.2 Council Financial Strategy 2018-23 – Report to Council 19 December 2017

- 7.3 Public Budget Consultation – General Services – Members Library Service
- 7.4 Public Budget Consultation – Rent Consultation – Members Library Service
- 7.5 SPICE Briefing on Local Government Finance, Draft Budget 2018-19 and provisional allocations to local authorities can be found per the attached link.
<https://digitalpublications.parliament.scot/ResearchBriefings/Report/2017/12/18/Local-Government-Finance--Draft-Budget-2018-19-and-provisional-allocations-to-local-authorities>

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Appendix 1 - Summary of Analysis of Budget Consultation Exercises: December 2017

1 BACKGROUND

- 1.1 The Council carried out two budget consultation exercises in November and December 2017.
- 1.2 Eight focus groups were held in Musselburgh, Haddington, and Tranent involving a total of 52 participants. An on-line survey, which ran from 24th November until 20th December received 920 responses – 524 residents (57%); 330 council staff (36%); and 66 no answer.
- 1.3 The on-line survey included three questions: ranking top five priorities from a list of 12 services; scoring 15 'hard choice' budget options on a scale of 1 (least acceptable) to 6 (most acceptable); acceptability or unacceptability of Council Tax rises of 5% and 10%.

2 RESULTS

- 2.1 'School & Early Years' was the highest ranked service, receiving a composite (average) ranking of 3.4. The next priorities were 'Services to protect children from harm and to support families' (2.2), 'Support for vulnerable adults, including frail / elderly people to allow them to remain in their own home' (1.8), 'Maintenance of roads, pavement and lighting' (1.5) and, 'Waste and recycling services' (1.2). Many respondents commented that they felt all the services listed are priorities and that they found it very hard to choose or rank their top five priorities.
- 2.2 **Appendix 1A** provides a breakdown of how the 15 'hard choices' budget options were scored by the on-line survey respondents shown as the percentage of respondents for each score and an average / mean score for each option.
- 2.3 The analysis of the results of the scoring exercises shows a high level of consistency across the various measures and between the on-line survey and the smaller sample of focus group participants.
- 2.4 The most acceptable budget options across four measures, as shown in **Table 1** below were:
 - Rationalise and review Council assets / office provision
 - Introduce charging for uplifts for bulky items
 - Transfer the management of village halls to the community
 - Review car parking charges
 - Limit the provision of free home to school transport
 - Review taxi card scheme.

Table 1: Most acceptable budget options

Budget Options	% Scoring 6	% scoring 4, 5 & 6	Mean score – On-line Survey	Mean score – Focus Groups
Rationalise and review Council assets / office provision	41.7	67.9	4.9	4.9
Introduce charging for uplifts for bulky items	33.3	57.1	4.4	4.5
Transfer the management of village halls to the community	32.8	60.4	4.6	4.6
Review car parking charges	27.7	47.8	4.1	4.4
Limit the provision of free home to school transport	25.1	47.8	3.8	3.8
Review taxi card scheme	20.1	48.5	4.2	n/a

2.5 The least acceptable budget options across four measures, as shown in **Table 2** were:

- Close a school with less than 50% capacity
- Review charges for adult social care
- Review school crossing services
- Review provision of outdoor learning
- Introduce charging for instrumental music tuition.

Table 2: Least acceptable budget options

Budget Options	% Scoring 1	% scoring 1, 2 & 3	Mean score – On-line Survey	Mean score – Focus Groups
Close a school with less than 50% capacity	31.7	57.1	2.9	3.5
Review charges for adult social care	27.6	62.5	2.6	2.6
Review school crossing services	22.7	56.0	2.8	2.5
Review provision of outdoor learning	21.0	40.5	2.8	3.6
Introduce charging for instrumental music tuition	17.9	45.9	3.4	4.0

2.6 Three education related options – reviewing provision of outdoor learning, closing a school with less than 50% capacity, and introducing charges for instrument music tuition – were less acceptable in the on-line survey than in the focus groups. This is probably due to the on-line survey respondents including a higher proportion of people in the age range likely to include parents with children at school.

2.7 The on-line survey asked respondents whether they would be prepared to support Council tax increases of 5% or 10%. As is shown in **Table 3**, 60% of respondents stated they would be prepared to support a 5% increase in Council Tax, but only 20% would support a 10% increase. Council staff were more likely to find Council Tax increases acceptable than the general public.

Table 3: On-line survey respondents views on possible Council Tax increases

	Prepared to support up to 5% increase			Prepared to support up to 10% increase		
	All	Residents	Staff	All	Residents	Staff
Agree	59.8%	54.4%	67.9%	20.2%	19.1%	22.1%
Disagree	38.5%	44.1%	30.9%	77%	77.8%	76.4%
No answer	1.7%	1.5%	1.2%	2.8%	3%	1.5%

2.8 Comments provided by on-line survey respondents and focus group participants provide some more in depth views on the Council’s budget challenges and possible budget options.

2.9 The main findings from the focus group discussions were:

- Most participants were surprised at the scale of the financial challenges and constraints faced by the Council and many were of the view that the Scottish Government should fully fund its commitments that are delivered through councils and developers should contribute more to the cost of additional services required because of the growth in population.
- There was a fairly strong feeling that the Council generally provides high quality services and does its best with the money available.
- Participants liked the idea of the Council working with communities and the voluntary sector; enabling / empowering communities to do more for themselves and using volunteers – not to replace staff, but to add value.

2.10 There was general acceptance amongst focus group participants that because of the financial challenges it faces the Council will need to:

- Do more with less
- Do things differently; be more entrepreneurial/ commercial; and, provide more services on-line (but provide support for people who cannot access on-line services)
- Work in partnership with community and voluntary groups
- Make the hard choices and be on the front foot making changes, rather than run the risk of reaching a budget crisis situation.

2.11 The focus group discussions around the 'hard choice' budget options showed some fairly nuanced views about the options. Some of these views were also reflected in comments made in the on-line survey. Where there was a strong view against stopping a service there was acceptance that the service could be reviewed to identify savings from better targeting of the service.

2.12 For example, stopping the school crossing patrol service received the lowest level of support from the focus group participants. However, there was support for reviewing the crossing patrol service and possibly withdrawing it from places where there are alternative road safety measures in place such as traffic lights.

2.13 Most focus group participants were not supportive of stopping the garden waste service but there was support for either charging for the service, reducing it to a monthly service or providing it through a social enterprise or voluntary organisation.

2.14 Reviewing and possibly introducing charges for on-street and off-street car parking received similar levels of support from the on-line survey (4.1) and the focus groups (4.4). Many focus group participants mentioned the potential benefits of car park charging in relation to traffic management and the positive impact on local shops if there is better flow of traffic and people can find parking spaces.

2.15 The focus groups and on-line survey provided some additional suggestions for savings and income generation, many of which are already being considered by the Council as part of the Transformation Programme or budget preparation process.

2.16 A more detailed report summarising the responses received from the consultation will be available to access through the Members Library Service.

Appendix 1: On-Line Survey: 'Hard Choices' Scoring (and focus group mean scores)

	1 = most unacceptable	2	3	4	5	6 = most acceptable	No answer	Mean
Close a rural school with less than 50% capacity	31.7% (292)	11.5% (106)	13.9% (128)	9% (83)	6.5% (60)	15.7% (144)	11.6% (107)	2.9
Review charges for Adult Social Care services	27.6% (254)	18.2% (167)	16.7% (154)	8.4% (77)	4.2% (39)	7.3% (67)	17.6% (162)	2.6
Review of School Crossing Services	22.7% (209)	17% (156)	16.3% (150)	8.9% (82)	7.3% (67)	7.8% (72)	20% (184)	2.8
Review provision of Outdoor Learning	21% (193)	17% (156)	18.5% (170)	8.5% (78)	7.2% (66)	6% (55)	22% (202)	2.8
Introduce charging for Instrumental Music Tuition	17.9% (165)	14.1% (130)	13.9% (128)	10.5% (97)	10.8% (99)	16.9% (155)	15.9% (146)	3.4
Limit provision of free home to school transport	14.6% (134)	11.3% (104)	14.4% (132)	9.5% (87)	9.9% (91)	25.1% (231)	15.3% (141)	3.8
Remove Concessionary Rail Travel Card	11.1% (102)	10.5% (97)	17% (156)	11.6% (107)	9.7% (89)	19.2% (177)	20.9% (192)	3.7
Review the delivery of the Garden Waste collection service	9.8% (90)	11.9% (109)	18.6% (171)	15.9% (146)	11.9% (109)	12.9% (119)	19.1% (176)	3.6
Review of car parking charges	8.7% (80)	7.8% (72)	13.6% (125)	9.6% (88)	10.5% (97)	27.7% (255)	22.1% (203)	4.1

Introduce charging for uplifts for disposal of bulky items	8.4% (77)	6.2% (57)	9.2% (85)	9.8% (90)	14% (129)	33.3% (306)	19.1% (176)	4.4
Reduce Partnership Funding to organisations	7.9% (73)	10.4% (96)	21% (193)	15.5% (143)	10.1% (93)	11.4% (105)	23.6% (217)	3.6
Reduce financial support for public events	4.2% (39)	9.1% (84)	21.5% (198)	15.3% (141)	13.6% (125)	14.4% (132)	21.9 % (201)	3.9
Transfer the management of village halls to the community	3.6% (33)	5.2% (48)	13.3% (122)	10.9% (100)	16.7% (154)	32.8% (302)	17.5% (161)	4.6
Review Taxi Card Scheme	2.5% (23)	6.7% (64)	17.3% (159)	15.2% (140)	13.2% (121)	20.1% (185)	24.8% (228)	4.2
Rationalise & review Council assets / office provision	1.6% (15)	2.6% (24)	10.2% (94)	12% (110)	14.2% (131)	41.7% (384)	17.6% (162)	4.9

Appendix 2 – HRA Rent Consultation – Results

1 BACKGROUND

1.1 The Council has a statutory obligation under the Housing (Scotland) Act 2001 to consult with all tenants when making any proposals to increase rents. In doing so the Council must:

- consult all tenants affected by the proposal, and
- have regard to the views expressed during the consultation exercise.

Consultation Approach

1.2 With the continued aim of improving on the approach to consulting on rent proposals adopted in previous years, the Council undertook to continue to work with and agree a robust approach in conjunction with East Lothian Tenants & Residents Panel (ELTRP).

1.3 The longstanding Project Group comprising of Council staff from Community Housing, Revenues and Finance, the Cabinet Spokesperson for Housing & Community Wellbeing, as well as members of ELTRP reconvened in August 2017 to discuss and agree the approach for the consultation on the 2018/19 proposed increase.

1.4 The Project Group:

- designed, agreed and implemented the consultation approach for the rent proposals, which gave tenants the opportunity to complete a consultation questionnaire to give their views on the rent consultation and proposed rent increase. It was agreed that tenants would also have the opportunity to complete their questionnaire online. They could comment in other ways too i.e. via free phone, email or by writing in.
- designed a customer friendly consultation letter, which included key information to tenants on what their rent pays for and also on a proposal to consider a potential rent increase of 5% and:
- agreed the timeline for the consultation.

1.5 All of the above measures continue to build upon similar successful exercises over the last few years.

Consultation Outcome

1.6 The vast majority of the feedback was received through the questionnaire, 11 of which were completed online, the same amount of online returns as in the previous year.

1.7 A total of 1,052 completed questionnaires (including 3 responses from local Tenants and Residents Associations) were received. This represents

a return rate of 12.44% of all letters issued (compared to a 13% return rate last year). ELTRP also responded by providing a written report with their feedback.

1.8 The results of all the feedback received from tenants who completed the consultation questionnaire are shown below.

- 95% of those who responded were happy with the level of consultation and information they get about the annual rent increase (93% in previous year)
- 91% said that they think the rent they pay is good value for money (same percentage as previous year)
- 79% said they think the Council are proposing a fair increase of 5% (77% in previous year)
- 94% agree with the Council's commitment to build new houses to help address the housing shortage in East Lothian (93% in previous year)
- 98% agree that the Council should continue to modernise its existing stock (e.g. new kitchens/bathrooms/rewiring/improving energy efficiency/major structural work) (same percentage as previous year).

1.9 We also asked tenants if they agree that their rent should pay for the following key areas:

- service delivery (e.g. repairs/housing management) **94%**
- modernisation and maintenance of council houses **96%**
- delivery of new affordable houses **80%**
- energy efficiency measures **83%**

98 tenants made a comment as we asked them what they thought was missing and some respondents gave emphasis to particular areas. For example, 15 said energy efficiency, 22 said modernisation and 11 made reference to new affordable housing. Other general comments were about the funding of new housing and allocations.

1.10 East Lothian Tenants and Residents Panel made a written response to the consultation after holding a consultation event in November 2017 to inform ELC tenants and gather views regarding the potential rent increase.

1.11 ELTRP reported that the majority of the 40 delegates attending the event:

- were happy with the consultation and information they receive through the rent consultation process
- who took part in the session thought the rent they paid was good value for money

- who took part did not think 5% was a fair increase. Those tenants who thought it unfair were concerned that the increase was not in line with inflation and pensions
- believed in the council's commitment to build new affordable housing as this is much needed
- thought investment in current stock was important
- agreed that their rent money should be used to pay for the following key services areas: **service delivery, delivery of new affordable homes and energy efficiency measures.**

1.12 A number of suggestions were made for future improvements to the consultation process and these will be considered and worked through with the project group.

1.13 A summary of all the responses received from tenants who completed the questionnaire will be available to access through the Members Library Service.

Budget 2018-2021

	2018/19 Budget			2019/20 Budget			2020/21 Budget		
	2017/18 Base Budget £'000	Changes £'000	Total Budget £'000	2018/19 Base Budget £'000	Changes £'000	Total Budget £'000	2019/20 Base Budget £'000	Changes £'000	Total Budget £'000
CORPORATE INCOME									
Revenue Support Grant	(166,852)	2,044	(164,808)	(164,808)	1,213	(163,595)	(163,595)	-	(163,595)
National Non-domestic Rates Grant									
Specific Grants	(3,137)	-	(3,137)	(3,137)	-	(3,137)	(3,137)	-	(3,137)
Council Tax	(54,318)	(2,372)	(56,690)	(56,690)	(2,905)	(59,595)	(59,595)	(3,103)	(62,698)
Social Care Fund	(6,240)	-	(6,240)	(6,240)	-	(6,240)	(6,240)	-	(6,240)
Renewable Energy/Loan Interest	(71)	-	(71)	(71)	-	(71)	(71)	-	(71)
Transfer to/(from) Reserves	(2,530)	390	(2,140)	(2,140)	2,140	-	-	-	-
Transfer to/(from) HRA Surpluses	(995)	995	-	-	-	-	-	-	-
EXPENDITURE LIMIT	(234,143)	1,057	(233,086)	(233,086)	448	(232,638)	(232,638)	(3,103)	(235,741)
LESS CORPORATE COMMITMENTS									
Valuation Board Requisition	647	-	647	647	(13)	634	634	(6)	628
Council Tax Reduction Scheme	5,000	-	5,000	5,000	-	5,000	5,000	-	5,000
Asset Management	(4,345)	-	(4,345)	(4,345)	-	(4,345)	(4,345)	-	(4,345)
Debt Charges	19,116	813	19,929	19,929	741	20,670	20,670	743	21,413
Transformational Change Programme / New ways of working	-	(600)	(600)	(600)	(600)	(1,200)	(1,200)	(300)	(1,500)
Staffing / Vacancy Management	-	(575)	(575)	(575)	(575)	(1,150)	(1,150)	-	(1,150)
Pension Deficit	503	-	503	503	-	503	503	-	503
External Audit	280	-	280	280	-	280	280	-	280
Criminal Justice Social Work Funding	1,135	-	1,135	1,135	-	1,135	1,135	-	1,135
Apprenticeship Levy	503	5	508	508	10	518	518	10	528
Housing Benefit Loss/Discretionary Payments	1,380	-	1,380	1,380	-	1,380	1,380	-	1,380
	24,219	(357)	23,862	23,862	(437)	23,425	23,425	447	23,872
FUNDING FOR COUNCIL SERVICES	(209,924)	700	(209,224)	(209,224)	11	(209,213)	(209,213)	(2,656)	(211,869)
SERVICE PLANNED EXPENDITURE									
Resources & People Services									
Pre-school Education & Childcare	6,675	(395)	6,280	6,280	(342)	5,938	5,938	(16)	5,922
Additional Support for Learning	7,992	(415)	7,577	7,577	69	7,646	7,646	60	7,706
Schools - Primary	35,706	404	36,110	36,110	1,024	37,134	37,134	1,040	38,174
Schools - Secondary	38,114	514	38,628	38,628	974	39,602	39,602	1,047	40,649
Schools Support Services	2,185	(111)	2,074	2,074	(44)	2,030	2,030	15	2,045
Financial Services	1,608	18	1,626	1,626	36	1,662	1,662	37	1,699
Revenues & Benefits	1,893	(53)	1,840	1,840	(110)	1,730	1,730	50	1,780
IT Services	1,950	29	1,979	1,979	32	2,011	2,011	23	2,034
Legal & Procurement	520	10	530	530	16	546	546	14	560
Human Resources & Payroll	1,287	198	1,485	1,485	(261)	1,224	1,224	26	1,250
Licensing, Admin & Democratic Services	3,601	(130)	3,471	3,471	76	3,547	3,547	62	3,609
Sub-total	101,531	69	101,600	101,600	1,470	103,070	103,070	2,358	105,428
Health & Social Care Partnership									
Adult Wellbeing	49,632	478	50,110	50,110	(1,049)	49,061	49,061	(119)	48,942
Children's Wellbeing	13,350	107	13,457	13,457	138	13,595	13,595	78	13,673
Sub-total	62,982	585	63,567	63,567	(911)	62,656	62,656	(41)	62,615

ADMINISRTATION - DRAFT BUDGET

Budget 2018-2021

	2018/19 Budget			2019/20 Budget			2020/21 Budget		
	2017/18 Base Budget £'000	Changes £'000	Total Budget £'000	2018/19 Base Budget £'000	Changes £'000	Total Budget £'000	2019/20 Base Budget £'000	Changes £'000	Total Budget £'000
Partnerships & Community Services									
Planning	1,149	13	1,162	1,162	11	1,173	1,173	38	1,211
Economic Development & Strategic Investment	3,129	(93)	3,036	3,036	(115)	2,921	2,921	(217)	2,704
Asset Planning & Engineering	2,229	82	2,311	2,311	105	2,416	2,416	99	2,515
Property Maintenance Trading Activity	(713)	(50)	(763)	(763)	(50)	(813)	(813)	(50)	(863)
Facility Support Services	3,467	(186)	3,281	3,281	92	3,373	3,373	42	3,415
Facility Trading Activity	(124)	(30)	(154)	(154)	-	(154)	(154)	-	(154)
Landscape & Countryside Management	4,938	(186)	4,752	4,752	2	4,754	4,754	81	4,835
Roads Network & Flood Protection	4,466	(46)	4,420	4,420	33	4,453	4,453	16	4,469
Roads Trading Activity	(777)	29	(748)	(748)	22	(726)	(726)	23	(703)
Transportation	1,353	(206)	1,147	1,147	(27)	1,120	1,120	21	1,141
Waste Services	7,440	(235)	7,205	7,205	155	7,360	7,360	174	7,534
Healthy Living	3,621	(143)	3,478	3,478	(113)	3,365	3,365	24	3,389
Community Housing	2,078	(126)	1,952	1,952	16	1,968	1,968	9	1,977
Corporate Policy & Improvement	939	25	964	964	(26)	938	938	23	961
Community & Area Partnerships	8,419	(68)	8,351	8,351	(501)	7,850	7,850	(33)	7,817
Arts Development	677	2	679	679	(59)	620	620	11	631
Customer Services Group	3,120	(136)	2,984	2,984	(115)	2,869	2,869	78	2,947
Sub-total	45,411	(1,354)	44,057	44,057	(570)	43,487	43,487	339	43,826
TOTAL SERVICE EXPENDITURE	209,924	(700)	209,224	209,224	(11)	209,213	209,213	2,656	211,869
			-			-			-
Band D Council Tax									
% increase / (decrease) in Band D			3.0%			3.0%			3.0%

ADMINISTRATION DRAFT BUDGET

BUDGET CHANGES

Description	2018/19			2019/20			2020/21		
	Budget Change £000	Efficiency Measures/Savings/Increased Income £000	Total Change £000	Budget Change £000	Efficiency Measures/Savings/Increased Income £000	Total Change £000	Budget Change £000	Efficiency Measures/Savings/Increased Income £000	Total Change £000
CORPORATE INCOME									
Revenue Support Grant (RSG)/Non Domestic Rates (NDR)									
Assumed General Change in RSG/NDR	2,044	-	2,044	1,213	-	1,213	-	-	-
Change in RSG awarded by Scottish Government	-	-	-	-	-	-	-	-	-
Anticipated funding still to be confirmed	-	-	-	-	-	-	-	-	-
	2,044	-	2,044	1,213	-	1,213	-	-	-
Council Tax									
Total change in number of chargeable properties	(2,372)	-	(2,372)	(2,905)	-	(2,905)	(3,103)	-	(3,103)
Incorporating additional properties and increase in Council Tax by 3% per annum	(2,372)	-	(2,372)	(2,905)	-	(2,905)	(3,103)	-	(3,103)
Transfer to/(from) Reserves									
General Fund Balances	390	-	390	2,140	-	2,140	-	-	-
Use of Planned Reserves	390	-	390	2,140	-	2,140	-	-	-
Transfer to/(from) HRA Surpluses									
HRA Surplus Transfer	995	-	995	-	-	-	-	-	-
Change in use of HRA balances	995	-	995	-	-	-	-	-	-
CORPORATE COMMITMENTS									
Valuation Joint Board									
Expected reduction in requisition from Lothian Joint Board in line with RSG reductions	-	-	-	-	(13)	(13)	-	(6)	(6)
	-	-	-	-	(13)	(13)	-	(6)	(6)
Vacancy Management									
Efficiency generated through enhanced vacancy management / review of staffing	-	(575)	(575)	-	(575)	(575)	-	-	-
	-	(575)	(575)	-	(575)	(575)	-	-	-
Transformational Change									
Efficiencies generated through a programme of transformational change / new ways of working & exploring further options for partnership working	-	(600)	(600)	-	(600)	(600)	-	(100)	(100)
Income Generation / Commercialisation	-	-	-	-	-	-	-	(200)	(200)
Exploring new opportunities for the Council to generate new income and maximise existing income and explore more opportunities for the Council to become more	-	(600)	(600)	-	(600)	(600)	-	(300)	(300)
Debt Charges									
Interest and Principal repayments	813	-	813	741	-	741	743	-	743
Reflecting the annual cost of historic and new capital projects	813	-	813	741	-	741	743	-	743
Apprenticeship Levy									
Increase linked to assumed pay increases	5	-	5	10	-	10	10	-	10
	5	-	5	10	-	10	10	-	10
RESOURCES AND PEOPLE SERVICES									
Pre-School Education & Childcare									
Increases in Pay Costs	14	-	14	12	-	12	12	-	12
Effect of assumed pay increase.	14	-	14	12	-	12	12	-	12
Buysmart Reviews	-	(5)	(5)	-	(5)	(5)	-	-	-
Review of Framework spend across all areas	-	(5)	(5)	-	(5)	(5)	-	-	-
Increase in LGPS Contribution Rates	1	-	1	1	-	1	1	-	1
Increase in contribution rates, 20.4% to 20.9% from April 2018, 21.4% from April 2019 and 21.9% from April 2020	1	-	1	1	-	1	1	-	1
Review of Nursery Staffing Provision	-	(200)	(200)	-	(350)	(350)	-	-	-
Review of wider nursery staffing provision	-	(200)	(200)	-	(350)	(350)	-	-	-
Review of Early years partnership projects	-	(38)	(38)	-	-	-	-	-	-
Review of wider partnership funding	-	(38)	(38)	-	-	-	-	-	-
Service Reduction	-	(92)	(92)	-	-	-	-	(29)	(29)

ADMINISTRATION DRAFT BUDGET

BUDGET CHANGES

Description	2018/19			2019/20			2020/21		
	Budget Change £000	Efficiency Measures/Savings/Increased Income £000	Total Change £000	Budget Change £000	Efficiency Measures/Savings/Increased Income £000	Total Change £000	Budget Change £000	Efficiency Measures/Savings/Increased Income £000	Total Change £000
Still to be updated									
<i>Service reduction subject to the finalisation of the Local Government Finance settlement</i>									
Wrap Around Care <i>Review of Wrap Around care in Dunbar and Tranent</i>	-	(40)	(40)	-	-	-	-	-	-
Review of Workforce Training Provision <i>Review current provision of workforce training working with Partner Providers</i>	-	(35)	(35)	-	-	-	-	-	-
	15	(410)	(395)	13	(355)	(342)	13	(29)	(16)
Additional Support for Learning									
Increases in Pay Costs <i>Effect of assumed pay increase.</i>	26	-	26	22	-	22	22	-	22
Buysmart Reviews <i>Review of Framework spend across all areas</i>	-	(4)	(4)	-	(4)	(4)	-	-	-
Increase in LGPS Contribution Rates <i>Increase in contribution rates, 20.4% to 20.9% from April 2018, 21.4% from April 2019 and 21.9% from April 2020</i>	1	-	1	1	-	1	1	-	1
Review of family support workers <i>Service review of family support workers</i>	-	(126)	(126)	-	-	-	-	-	-
Therapeutic Services <i>Review of Therapeutic Services</i>	-	(200)	(200)	-	-	-	-	-	-
ASL Provision - Meadowpark <i>Revenue costs associated with capital redurbishment at Meadowpark</i>	-	-	-	150	-	150	75	-	75
Service Reduction <i>Service reduction subject to the finalisation of the Local Government Finance settlement</i>	-	(112)	(112)	-	-	-	-	(38)	(38)
Review of ASL provision <i>Review of ASL provision including transportation review</i>	-	-	-	-	(100)	(100)	-	-	-
	27	(442)	(415)	173	(104)	69	98	(38)	60
Schools - Primary									
Increases in Pay Costs <i>Effect of assumed pay increase.</i>	856	-	856	708	-	708	727	-	727
Buysmart Reviews <i>Review of Framework spend across all areas</i>	-	(10)	(10)	-	(10)	(10)	-	-	-
Increase in LGPS Contribution Rates <i>Increase in contribution rates, 20.4% to 20.9% from April 2018, 21.4% from April 2019 and 21.9% from April 2020</i>	16	-	16	17	-	17	17	-	17
Increase in NDR charges <i>Increase in poundage rates from April 2018</i>	54	-	54	20	-	20	20	-	20
Instrumental Music <i>Introduce charging for instrumental music tuition</i>	-	(240)	(240)	-	(117)	(117)	-	-	-
Facility Services Charges <i>Increases in Facilities Charges in line with salary increases</i>	70	-	70	63	-	63	64	-	64
Budget simplification <i>Permanent budget transfer to remove annual Finance/Education internal recharge</i>	(16)	-	(16)	-	-	-	-	-	-

ADMINISTRATION DRAFT BUDGET

BUDGET CHANGES

Description	2018/19			2019/20			2020/21		
	Budget Change £000	Efficiency Measures/Savings/Increased Income £000	Total Change £000	Budget Change £000	Efficiency Measures/Savings/Increased Income £000	Total Change £000	Budget Change £000	Efficiency Measures/Savings/Increased Income £000	Total Change £000
Still to be updated									
Adult Community Services									
<i>Review and redesign Adult community services including resource centres & community networks and support</i>	-	-	-	-	(223)	(223)	-	(75)	(75)
Reduction in operational supplies budgets <i>Reduction in funding for all operational budgets</i>	-	(45)	(45)	-	-	-	-	-	-
Service Charges <i>Introduction of new charging for Adult Services</i>	-	(358)	(358)	-	(358)	(358)	-	(200)	(200)
Older People Services <i>Redesign Older People Care Home services in line with strategy</i>	-	-	-	-	(500)	(500)	-	-	-
Additional investment - Health & Social Care <i>To deliver a wide range of priorities including; Living Wage, Sleepovers and Carers Act obligations</i>	1,237	-	1,237	-	-	-	-	-	-
Facility Services Charges <i>Increases in Facilities Charges in line with salary increases</i>	21	-	21	18	-	18	18	-	18
National Care Home Contract <i>Expected increase in NCHC</i>	203	-	203	-	-	-	-	-	-
Budget simplification <i>Permanent budget transfer to remove annual Adult Wellbeing/Healthy Living internal recharge</i>	(9)	-	(9)	-	-	-	-	-	-
Budget simplification <i>Permanent budget transfer to remove annual Adult Wellbeing/Community Housing internal recharge</i>	70	-	70	-	-	-	-	-	-
Day Centre Funding/Registration <i>Strategic Development of the service</i>	25	-	25	-	-	-	-	-	-
Integration of Health and Social Care <i>Including; review, redesign and retender of commissioning services and delivering models of care; savings and efficiencies generated through joint working and review of charaina policv</i>	-	(350)	(350)	-	(350)	(350)	-	-	-
Service Reduction <i>Service reduction subject to the finalisation of the Local Government Finance settlement</i>	-	(738)	(738)	-	-	-	-	(238)	(238)
	1,973	(1,495)	478	386	(1,435)	(1,049)	394	(513)	(119)
Children's Wellbeing									
Increases in Pay Costs <i>Effect of assumed pay increase.</i>	169	-	169	142	-	142	145	-	145
Buysmart Reviews <i>Review of Framework spend across all areas</i>	-	(4)	(4)	-	(4)	(4)	-	-	-
Budget simplification <i>Permanent budget transfer to remove annual Children's Wellbeing/Community Housing internal recharge</i>	46	-	46	-	-	-	-	-	-
Residential Placement <i>Sell one residential placement at Lothian Villa</i>	-	(156)	(156)	-	-	-	-	-	-
Service Reduction <i>Service reduction subject to the finalisation of the Local Government Finance settlement</i>	-	(198)	(198)	-	-	-	-	(67)	(67)
Additional Investment <i>Additional investment designed to support a range of pressures including existing demographic and services pressures and the delivery of new legislative requirements</i>	250	-	250	-	-	-	-	-	-
	465	(358)	107	142	(4)	138	145	(67)	78
PARTNERSHIPS & COMMUNITY SERVICES									
Planning									
Increases in Pay Costs <i>Effect of assumed pay increase.</i>	42	-	42	37	-	37	37	-	37
Buysmart Reviews <i>Review of Framework spend across all areas</i>	-	(3)	(3)	-	(3)	(3)	-	-	-
Increase in LGPS Contribution Rates <i>Increase in contribution rates, 20.4% to 20.9% from April 2018, 21.4% from April 2019 and 21.9% from April 2020</i>	7	-	7	7	-	7	7	-	7
Archaeology Services	-	(10)	(10)	-	(10)	(10)	-	-	-

ADMINISTRATION DRAFT BUDGET

BUDGET CHANGES

Description	2018/19			2019/20			2020/21		
	Budget Change £000	Efficiency Measures/Savings/Increased Income £000	Total Change £000	Budget Change £000	Efficiency Measures/Savings/Increased Income £000	Total Change £000	Budget Change £000	Efficiency Measures/Savings/Increased Income £000	Total Change £000
Still to be updated									
<i>Provision of pre-application engagement and commercial focus for promoting service</i>									
Budget simplification	(6)	-	(6)	-	-	-	-	-	-
<i>Permanent budget transfer to remove annual Landscape & Countryside/Planning internal recharge</i>									
Service Reduction	-	(17)	(17)	-	-	-	-	(6)	(6)
<i>Service reduction subject to the finalisation of the Local Government Finance settlement</i>									
Planning Fees	-	-	-	-	(20)	(20)	-	-	-
<i>Increase in fees</i>									
	43	(30)	13	44	(33)	11	44	(6)	38
Economic Development & Strategic Investment									
Increases in Pay Costs	46	-	46	39	-	39	39	-	39
<i>Effect of assumed pay increase.</i>									
Buysmart Reviews	-	(3)	(3)	-	(3)	(3)	-	-	-
<i>Review of Framework spend across all areas</i>									
Tourism Events	-	(50)	(50)	-	(125)	(125)	-	-	-
<i>Rationalisation of financial support provided for Tourism events</i>									
Trade Show Participation	-	(5)	(5)	-	-	-	-	-	-
<i>Cease Trade Show Participation</i>									
HEEPS	-	-	-	-	-	-	-	(50)	(50)
<i>Develop in-house capacity to deliver HEEPS</i>									
Service Review	-	(43)	(43)	-	(33)	(33)	-	-	-
<i>Service review within East Lothian Works</i>									
Business Support Grant	-	-	-	-	-	-	-	(100)	(100)
<i>Reduce Business support grant</i>									
Graduate Funding	-	-	-	-	-	-	-	(100)	(100)
<i>Removal of funding provided to support Graduates</i>									
Service Reduction	-	(45)	(45)	-	-	-	-	(13)	(13)
<i>Service reduction subject to the finalisation of the Local Government Finance settlement</i>									
Increase in LGPS Contribution Rates	7	-	7	7	-	7	7	-	7
<i>Increase in contribution rates, 20.4% to 20.9% from April 2018, 21.4% from April 2019 and 21.9% from April 2020</i>									
	53	(146)	(93)	46	(161)	(115)	46	(263)	(217)
Asset Planning & Engineering									
Increases in Pay Costs	72	-	72	60	-	60	62	-	62
<i>Effect of assumed pay increase.</i>									
Schedule of Rates	25	-	25	21	-	21	21	-	21
<i>Impact of increased pay costs on Schedule of Rates for property</i>									
Buysmart Reviews	-	(3)	(3)	-	(3)	(3)	-	-	-
<i>Review of Framework spend across all areas</i>									
Increase in LGPS Contribution Rates	11	-	11	11	-	11	12	-	12
<i>Increase in contribution rates, 20.4% to 20.9% from April 2018, 21.4% from April 2019 and 21.9% from April 2020</i>									
Increase in Building Warrant fees	-	(20)	(20)	-	-	-	-	-	-
<i>Increase in fees following increase in statutory charges</i>									
Service Reduction	-	(34)	(34)	-	-	-	-	(12)	(12)
<i>Service reduction subject to the finalisation of the Local Government Finance settlement</i>									
Increase in NDR charges	31	-	31	16	-	16	16	-	16
<i>Increase in poundage rates from April 2018</i>									
	139	(57)	82	108	(3)	105	111	(12)	99
Property Maintenance Trading									

ADMINISTRATION DRAFT BUDGET

BUDGET CHANGES

Description	2018/19			2019/20			2020/21		
	Budget Change £000	Efficiency Measures/Savings/Increased Income £000	Total Change £000	Budget Change £000	Efficiency Measures/Savings/Increased Income £000	Total Change £000	Budget Change £000	Efficiency Measures/Savings/Increased Income £000	Total Change £000
Still to be updated									
Efficient Workforce Management/Property Services Service Review <i>Group savings target to be met from service redesign, strict management of vacancy staffing, agency costs and increased productivity</i>	-	(30)	(30)	-	(30)	(30)	-	(30)	(30)
Income Generation - new opportunities <i>Explore new opportunities for income maximisation</i>		(20)	(20)		(20)	(20)		(20)	(20)
	-	(50)	(50)	-	(50)	(50)	-	(50)	(50)
Facility Support Services									
Increases in Pay Costs <i>Effect of assumed pay increase.</i>	42	-	42	36	-	36	37	-	37
Buysmart Reviews <i>Review of Framework spend across all areas</i>		(3)	(3)		(3)	(3)			
Increase in NDR charges <i>Increase in poundage rates from April 2018</i>	-	-	-	22	-	22	22	-	22
Rent Increase <i>Increased annual rent for Randall House from October 2018</i>	37	-	37	37	-	37	-	-	-
Mailroom <i>Review of mailroom provision</i>	-	(60)	(60)	-	-	-	-	-	-
Review of facilities support in schools <i>Including the review of hours</i>	-	(28)	(28)	-	-	-	-	-	-
Service Reduction <i>Service reduction subject to the finalisation of the Local Government Finance settlement</i>	-	(48)	(48)	-	-	-	-	(17)	(17)
Public Conveniences <i>Review of public convenience provision</i>	-	(126)	(126)	-	-	-	-	-	-
	79	(265)	(186)	95	(3)	92	59	(17)	42
Facility Trading									
Void Cleaning <i>Increase in void cleaning</i>	-	(10)	(10)	-	-	-	-	-	-
LETS <i>Increasing current LET charges to ensure as a min full cost recovery and in line with national benchmarking</i>	-	(20)	(20)	-	-	-	-	-	-
	-	(30)	(30)	-	-	-	-	-	-
Landscape & Countryside Management									
Increases in Pay Costs <i>Effect of assumed pay increase.</i>	124	-	124	104	-	104	106	-	106
Buysmart Reviews <i>Review of Framework spend across all areas</i>	-	(5)	(5)	-	(5)	(5)	-	-	-
Increase in LGPS Contribution Rates <i>Increase in contribution rates, 20.4% to 20.9% from April 2018, 21.4% from April 2019 and 21.9% from April 2020</i>	18	-	18	19	-	19	19	-	19
Service Review <i>Service review of Sports, Countryside, Leisure & Amenity Services</i>	-	(220)	(220)	-	(96)	(96)	-	-	-
Income Generation - new opportunities <i>Explore new opportunities for income maximisation</i>	-	(20)	(20)	-	(20)	(20)	-	(20)	(20)
Budget simplification <i>Permanent budget transfer to remove annual Landscape & Countryside/Customer Services internal recharge</i>	(19)	-	(19)	-	-	-	-	-	-
Service Reduction <i>Service reduction subject to the finalisation of the Local Government Finance settlement</i>	-	(70)	(70)	-	-	-	-	(24)	(24)
Budget simplification <i>Permanent budget transfer to remove annual Landscape & Countryside/Planning internal recharge</i>	6	-	6	-	-	-	-	-	-
	129	(315)	(186)	123	(121)	2	125	(44)	81
Roads Network									
Increases in Pay Costs <i>Effect of assumed pay increase.</i>	37	-	37	31	-	31	32	-	32
Buysmart Reviews <i>Review of Framework spend across all areas</i>	-	(3)	(3)	-	(3)	(3)	-	-	-
Increase in LGPS Contribution Rates <i>Increase in contribution rates, 20.4% to 20.9% from April 2018, 21.4% from April 2019 and 21.9% from April 2020</i>	5	-	5	5	-	5	6	-	6

ADMINISTRATION DRAFT BUDGET

BUDGET CHANGES

Description	2018/19			2019/20			2020/21		
	Budget Change £000	Efficiency Measures/Savings/Increased Income £000	Total Change £000	Budget Change £000	Efficiency Measures/Savings/Increased Income £000	Total Change £000	Budget Change £000	Efficiency Measures/Savings/Increased Income £000	Total Change £000
Still to be updated									
Service Reduction <i>Service reduction subject to the finalisation of the Local Government Finance settlement</i>	-	(65)	(65)	-	-	-	-	(22)	(22)
Footpath maintenance Team <i>Increase footpath maintenance for Housing Revenue Account</i>	-	(20)	(20)	-	-	-	-	-	-
	42	(88)	(46)	36	(3)	33	38	(22)	16
Roads Trading									
Increases in Pay Costs <i>Effect of assumed pay increase.</i>	42	-	42	35	-	35	36	-	36
Income Generation - new opportunities <i>Explore new opportunities for income maximisation</i>	-	(20)	(20)	-	(20)	(20)	-	(20)	(20)
Increase in LGPS Contribution Rates <i>Increase in contribution rates, 20.4% to 20.9% from April 2018, 21.4% from April 2019 and 21.9% from April 2020</i>	7	-	7	7	-	7	7	-	7
	49	(20)	29	42	(20)	22	43	(20)	23
Transportation & Flood Protection									
Increases in Pay Costs <i>Effect of assumed pay increase.</i>	27	-	27	22	-	22	23	-	23
Buysmart Reviews <i>Review of Framework spend across all areas</i>	-	(3)	(3)	-	(3)	(3)	-	-	-
Concessionary Rail Travel <i>Removal of concessionary rail travel</i>	-	(182)	(182)	-	-	-	-	-	-
Council Fleet <i>Review use of Council Fleet</i>	-	-	-	-	(50)	(50)	-	-	-
Fleet Management System <i>Replace existing Fleet Management System</i>	-	(15)	(15)	-	-	-	-	-	-
Pool Cars <i>Review the use of Council Pool Cars</i>	-	(20)	(20)	-	-	-	-	-	-
Service Reduction <i>Service reduction subject to the finalisation of the Local Government Finance settlement</i>	-	(17)	(17)	-	-	-	-	(6)	(6)
Increase in LGPS Contribution Rates <i>Increase in contribution rates, 20.4% to 20.9% from April 2018, 21.4% from April 2019 and 21.9% from April 2020</i>	4	-	4	4	-	4	4	-	4
	31	(237)	(206)	26	(53)	(27)	27	(6)	21
Waste Services									
Increases in Pay Costs <i>Effect of assumed pay increase.</i>	60	-	60	50	-	50	51	-	51
Waste Disposal <i>Closure of Macmerry Civic Amenity Site</i>	-	(25)	(25)	-	-	-	-	-	-
Fleet Reduction <i>Removal of one 26tn RTV</i>	-	(18)	(18)	-	-	-	-	-	-
Buysmart Reviews <i>Review of Framework spend across all areas</i>	-	(5)	(5)	-	(5)	(5)	-	-	-
Increase in LGPS Contribution Rates <i>Increase in contribution rates, 20.4% to 20.9% from April 2018, 21.4% from April 2019 and 21.9% from April 2020</i>	9	-	9	10	-	10	10	-	10
Service Reduction <i>Service reduction subject to the finalisation of the Local Government Finance settlement</i>	-	(106)	(106)	-	-	-	-	(37)	(37)
Waste Disposal <i>Contract savings due to less waste to landfill</i>	-	(150)	(150)	100	-	100	150	-	150
	69	(304)	(235)	160	(5)	155	211	(37)	174
Healthy Living									
Increases in Pay Costs <i>Effect of assumed pay increase.</i>	28	-	28	23	-	23	24	-	24
Buysmart Reviews	-	(3)	(3)	-	(3)	(3)	-	-	-

ADMINISTRATION DRAFT BUDGET

BUDGET CHANGES

Description	2018/19			2019/20			2020/21		
	Budget Change £000	Efficiency Measures/Savings/Increased Income £000	Total Change £000	Budget Change £000	Efficiency Measures/Savings/Increased Income £000	Total Change £000	Budget Change £000	Efficiency Measures/Savings/Increased Income £000	Total Change £000
Still to be updated									
Review of Framework spend across all areas									
Increase in LGPS Contribution Rates <i>Increase in contribution rates, 20.4% to 20.9% from April 2018, 21.4% from April 2019 and 21.9% from April 2020</i>	4	-	4	4	-	4	4	-	4
Increase in NDR charges <i>Increase in poundage rates from April 2017</i>	6	-	6	2	-	2	2	-	2
PPP Contract <i>Increase in PPP contract charges for Mercat Gait above assessed inflation rate</i>	14	-	14	11	-	11	11	-	11
Budget simplification <i>Permanent budget transfer to remove annual Adult Wellbeing/Healthy Living internal recharge</i>	9	-	9	-	-	-	-	-	-
Service Reduction <i>Service reduction subject to the finalisation of the Local Government Finance settlement</i>	-	(51)	(51)	-	-	-	-	(17)	(17)
Enjoy Contract Payments <i>Reduction in contract payment to Enjoy</i>	-	(150)	(150)	-	(150)	(150)	-	-	-
	61	(204)	(143)	40	(153)	(113)	41	(17)	24
Community Housing									
Increases in Pay Costs <i>Effect of assumed pay increase.</i>	19	-	19	16	-	16	16	-	16
Buysmart Reviews <i>Review of Framework spend across all areas</i>	-	(3)	(3)	-	(3)	(3)	-	-	-
Increase in LGPS Contribution Rates <i>Increase in contribution rates, 20.4% to 20.9% from April 2018, 21.4% from April 2019 and 21.9% from April 2020</i>	3	-	3	3	-	3	3	-	3
Budget simplification <i>Permanent budget transfer to remove annual Adult Wellbeing/Community Housing internal recharge</i>	(70)	-	(70)	-	-	-	-	-	-
Service Reduction <i>Service reduction subject to the finalisation of the Local Government Finance settlement</i>	-	(29)	(29)	-	-	-	-	(10)	(10)
Budget simplification <i>Permanent budget transfer to remove annual Children's Wellbeing/Community Housing internal recharge</i>	(46)	-	(46)	-	-	-	-	-	-
	(94)	(32)	(126)	19	(3)	16	19	(10)	9
Corporate Policy & Improvement									
Increases in Pay Costs <i>Effect of assumed pay increase.</i>	27	-	27	23	-	23	24	-	24
New Funding <i>British Sign Language</i>	11	-	11	-	-	-	-	-	-
Service Review <i>Service review of corporate policy & development staff</i>	-	-	-	-	(50)	(50)	-	-	-
Buysmart Reviews <i>Review of Framework spend across all areas</i>	-	(3)	(3)	-	(3)	(3)	-	-	-
Service Reduction <i>Service reduction subject to the finalisation of the Local Government Finance settlement</i>	-	(14)	(14)	-	-	-	-	(5)	(5)
Increase in LGPS Contribution Rates <i>Increase in contribution rates, 20.4% to 20.9% from April 2018, 21.4% from April 2019 and 21.9% from April 2020</i>	4	-	4	4	-	4	4	-	4
	42	(17)	25	27	(53)	(26)	28	(5)	23
Community & Area Partnerships									
Increases in Pay Costs <i>Effect of assumed pay increase.</i>	87	-	87	72	-	72	74	-	74
Buysmart Reviews <i>Review of Framework spend across all areas</i>	-	(5)	(5)	-	(5)	(5)	-	-	-
Increase in LGPS Contribution Rates <i>Increase in contribution rates, 20.4% to 20.9% from April 2018, 21.4% from April 2019 and 21.9% from April 2020</i>	13	-	13	13	-	13	13	-	13
PPP Contract	7	-	7	8	-	8	9	-	9
		116							12

ADMINISTRATION DRAFT BUDGET

BUDGET CHANGES

Description	2018/19			2019/20			2020/21		
	Budget Change £000	Efficiency Measures/Savings/Increased Income £000	Total Change £000	Budget Change £000	Efficiency Measures/Savings/Increased Income £000	Total Change £000	Budget Change £000	Efficiency Measures/Savings/Increased Income £000	Total Change £000
Still to be updated									
Increase in PPP contract charges for Community Learning Centre/Musselburgh East Community Association.									
Facility Services Charges	13	-	13	11	-	11	11	-	11
<i>Increases in Facilities Charges in line with salary increases</i>									
New Whitecraig Community Centre	-	-	-	40	-	40	-	-	-
<i>Additional revenue costs relating to new Community Centre</i>									
Village Halls	-	-	-	-	(140)	(140)	-	-	-
<i>Transfer ownership of Village Halls to Community</i>									
Service Review	-	(60)	(60)	-	(200)	(200)	-	-	-
<i>Service review of Community Learning & Development</i>									
Service Reduction	-	(123)	(123)	-	-	-	-	(38)	(38)
<i>Service reduction subject to the finalisation of the Local Government Finance settlement</i>									
Partnership Funding	-	-	-	-	-	-	-	(102)	(102)
<i>Review and reduction of partnership funding grants</i>									
Local Area Management	-	-	-	(300)	-	(300)	-	-	-
<i>Working in partnership with schools to deliver enhanced working between schools and communities</i>									
	120	(188)	(68)	(156)	(345)	(501)	107	(140)	(33)
Arts Development									
Increases in Pay Costs	14	-	14	12	-	12	12	-	12
<i>Effect of assumed pay increase.</i>									
Brunton Theatre Trust	-	-	-	-	(70)	(70)	-	-	-
<i>Reduce contract payment by 15%</i>									
Buysmart Reviews	-	(3)	(3)	-	(3)	(3)	-	-	-
<i>Review of Framework spend across all areas</i>									
Service Reduction	-	(11)	(11)	-	-	-	-	(3)	(3)
<i>Service reduction subject to the finalisation of the Local Government Finance settlement</i>									
Increase in LGPS Contribution Rates	2	-	2	2	-	2	2	-	2
<i>Increase in contribution rates, 20.4% to 20.9% from April 2018, 21.4% from April 2019 and 21.9% from April 2020</i>									
	16	(14)	2	14	(73)	(59)	14	(3)	11
Customer Services									
Increases in Pay Costs	87	-	87	72	-	72	74	-	74
<i>Effect of assumed pay increase.</i>									
Buysmart Reviews	-	(3)	(3)	-	(3)	(3)	-	-	-
<i>Review of Framework spend across all areas</i>									
Increase in income	-	(213)	(213)	-	(72)	(72)	-	-	-
<i>Increase in charges for Community Alarms</i>									
Increase in LGPS Contribution Rates	14	-	14	14	-	14	14	-	14
<i>Increase in contribution rates, 20.4% to 20.9% from April 2018, 21.4% from April 2019 and 21.9% from April 2020</i>									
Library Books	-	-	-	-	(50)	(50)	-	-	-
<i>Reduce purchase of Library Books</i>									
Review of Customer Services	-	-	-	-	(80)	(80)	-	-	-
<i>Explore options for shared services</i>									
Facility Services Charges	4	-	4	4	-	4	4	-	4
<i>Increases in Facilities Charges in line with salary increases</i>									
Service Reduction	-	(44)	(44)	-	-	-	-	(14)	(14)
<i>Service reduction subject to the finalisation of the Local Government Finance settlement</i>									
Budget simplification	19	-	19	-	-	-	-	-	-
<i>Permanent budget transfer to remove annual Landscape & Countryside/Customer Services internal recharge</i>									
	124	(260)	(136)	90	(205)	(115)	92	(14)	78
	6,417	(7,117)	(700)	3,916	(3,927)	(11)	4,427	(1,771)	2,656

General Fund

Capital Budget 2018/19 to 2022/23	2018/19 incl c/f £000	2019/20 £000	2020/21 £000	2021/22 £000	2022/23 £000
Residential Care Homes Provision, Esk Green/Abbey subject to Older People Review	0	0	1,000	0	0
Replacement Pathways Centre	0	925	0	0	0
Property Renewals	1,000	1,000	1,000	1,000	1,000
Capital Plan Fees/Internal Recharges	1,604	1,604	1,604	1,604	1,604
Prestongrange Museum	0	0	0	0	485
Port Seton Sports Hall	994	17	0	0	0
Whitecraig Community Centre	1,453	22	0	0	0
Community Intervention	200	200	200	200	0
Support for Business / Town Centre Regeneration	1,430	502	282	185	580
Dunbar Grammar	5,207	140	0	0	0
Dunbar - Lochend Campus/Additional Classrooms	44	0	0	0	0
Dunbar - Lochend Campus LDP	0	0	100	1,779	927
Dunbar - John Muir Campus	0	90	922	439	19
East Linton Primary	0	60	898	15	0
North Berwick High School Extension	3,400	3,188	1,150	92	0
Aberlady	0	435	354	11	0
Gullane	50	1,559	861	35	0
Law Primary School	471	37	0	0	0
Haddington IS	0	0	0	0	20
Meadowpark (former Haddington IS)	432	7	0	0	0
Letham Primary (temp prov'n Kings Meadow)	0	0	0	0	0

General Fund

Capital Budget 2018/19 to 2022/23	2018/19 incl c/f £000	2019/20 £000	2020/21 £000	2021/22 £000	2022/23 £000
Letham Primary - New Build	180	4,603	4,093	136	0
Ross High School Extension	150	4,321	4,226	133	0
Ormiston Primary	35	0	0	0	0
Elphinstone PS	0	20	439	11	0
Macmerry PS Extension	0	0	0	50	750
Pencaitland Pr (to be profiled)	0	0	0	10	709
East Saltoun School/Community Hall	0	400	0	0	0
Prestonpans Infant School (phase 2)	0	473	414	13	0
Red School Prestonpans	10	0	0	0	0
Longniddry - LDP	0	0	0	0	30
cockenzie (hosting blindwells)	0	0	25	0	0
Preston Lodge (phase 1)	0	0	0	150	1,759
Blindwells Primary	0	0	0	695	7,769
St Gabriels PS	0	0	100	25	0
Wallyford PS	12,633	300	0	0	0
Pinkie St Peter's PS Extension / Levenhall nursery replacement	30	794	1,400	1,076	30
Whitecraig Extension	20	250	3,535	1,450	75
Craighall Primary	0	240	3,360	7,453	2,017
Musselburgh Additional Secondary Education Provision	2,200	600	7,214	17,655	5,438
Current Musselburgh Grammar - Facilities upgrade	0	25	450	25	0
Replacement Vehicles	1,350	1,350	1,350	1,350	1,350
Synthetic pitches	150	50	0	0	0

General Fund

Capital Budget 2018/19 to 2022/23	2018/19 incl c/f £000	2019/20 £000	2020/21 £000	2021/22 £000	2022/23 £000
Pavilions - incl. Ormiston Pavilion & Pitch	10	0	0	0	0
Sports Centres - refurbishment & equipment	200	200	200	200	200
Sports & Recreation Interventions - S75 incl. Mains Farm	720	15	0	0	0
IT Program (corporate and schools)	2,000	2,000	2,000	2,000	2,000
Core Path Plan Implementation	50	50	50	50	0
Polson Park restoration	138	0	0	0	0
Amenties - Machinery & Equipment - replacement	100	100	100	0	0
Waste - Machinery & Equipment - replacement	40	40	40	40	0
Cemeteries - Extensions/Allotments	487	0	0	0	0
Coastal Car Parks/Toilets	11	150	0	0	0
Coastal Protection/Flood - various projects including East Beach Dunbar	1,270	3,470	4,870	7,639	282
Cycling Walking Safer Streets (Ring-fenced grant funded)	151	150	151	151	0
East Linton Rail Stop/Infrastructure	0	0	0	1,068	500
Roads	5,500	5,500	5,500	5,500	5,500
Roads LDP Projects	282	341	0	2,009	2,307
Parking Improvements / North Berwick phase 1	642	150	150	150	0
Purchase of New Bins/Food Waste Collection	90	100	100	100	0
Improved Community Access - Brunton Hall	10	620	800	20	0
New ways of working - Court Accom	1,260	200	0	0	0
New ways of working	200	200	200	200	200
Meadowmill operational Depot	957	15	0	0	0
Accelerating Growth - Enabling Infrastructure - see tab	1,600	3,200	11,323	11,098	11,741

General Fund

Capital Budget 2018/19 to 2022/23	2018/19 incl c/f £000	2019/20 £000	2020/21 £000	2021/22 £000	2022/23 £000
Haddington Corn Exchange	50	750	0	0	0
Inveresk Mills	150	0	0	0	0
Gross Expenditure	48,961	40,463	60,461	65,817	47,292
Total Income	-26,954	-30,787	-40,473	-40,093	-46,853
Net Expenditure	22,007	9,676	19,988	25,724	439

ADMINISTRATION - HRA BUDGET PROPOSALS 2018/19-2022/23

	2017/18 Budget	2018/19 Budget	2019/20 Budget	2020/21 Budget	2021/22 Budget	2022/23 Budget
Rent Increase	5.00%	5.00%	5.00%	5.00%	5.00%	5.00%
BUDGET						
	£000	£000	£000	£000	£000	£000
Income						
House Rents	(27,517)	(28,384)	(30,660)	(33,344)	(36,164)	(38,642)
Garage Rents	(537)	(606)	(634)	(664)	(695)	(728)
Services/Service Charges	(549)	(577)	(606)	(636)	(666)	(698)
Other Income	(136)	(137)	(138)	(139)	(140)	(142)
Interest	(51)	(25)	(26)	(26)	(26)	(25)
Total Income	(28,790)	(29,729)	(32,064)	(34,809)	(37,691)	(40,235)
Expenditure						
Employee Costs	3,099	3,133	3,175	3,218	3,250	3,282
Repair Costs	8,738	8,909	9,087	9,269	9,451	9,568
Void Rents (Incl Garage Void)	673	711	756	810	864	920
Bad Debt Provision	767	810	873	947	1,021	1,098
Operating Payments	1,228	1,078	1,078	1,078	1,078	1,078
Transfer Payments	584	534	534	534	534	534
Internal Recharges	2,564	2,590	2,616	2,642	2,668	2,694
Debt Charges	9,515	10,157	11,302	12,857	14,499	16,282
Total Expenditure	27,168	27,922	29,421	31,355	33,365	35,456
Management of Balances						
Opening (Surplus) / Deficit	(2,962)	(1,090)	(1,197)	(1,240)	(1,195)	(1,121)
Capital from current revenue	2,500	1,700	2,600	3,500	4,400	4,900
(Surplus)/ Deficit for Year	(1,622)	(1,807)	(2,643)	(3,454)	(4,326)	(4,779)
Transfer to General Services	995	-	-	-	-	-
Closing (Surplus) / Deficit	(1,090)	(1,197)	(1,240)	(1,195)	(1,121)	(1,000)
Capital Expenditure						
Modernisation/Extensions	11,297	11,297	11,998	12,118	12,239	12,239
New Affordable and Council Housing	10,120	11,010	23,575	19,470	22,490	16,320
Housing Opportunities Fund	0	0	0	0	1,000	3,000
Fees	1,254	1,288	1,322	1,358	1,395	1,410
Mortgage to Rent	750	769	788	808	828	849
Total	23,421	24,364	37,683	33,754	37,952	33,818
Debt to Income	-33.0%	-34.2%	-35.2%	-36.9%	-38.5%	-40.5%

Cumulative spend 2018/19 to 2022/23	
	59,891
	92,865
	4,000
	6,773
	4,041
	167,570

ADMINISTRATION - HRA BUDGET PROPOSALS 2018-2023

	2018/19	2019/20	2020/21	2021/22
	£000	£000	£000	£000
HRA Income				
House Rents				
Rent income adjustments relating to rent increases, house building and RTB sales	(867)	(2,276)	(2,684)	(2,820)
<i>Changes as result of RTB sales and rent increases</i>				
Garage Rents				
Rent income adjustments relating to rent increases	(69)	(28)	(30)	(31)
<i>Changes as result of rent inceases</i>				
Service Charges				
Income adjustments relating to service charge adjustments	(28)	(29)	(30)	(30)
<i>Changes as result of recharge adjustments</i>				
Other Income				
Homeless Rents	(1)	(1)	(1)	(1)
Interest				
Interest on accumulated balances	26	(1)	-	-
<i>Internal interest received</i>				
TOTAL	(939)	(2,335)	(2,745)	(2,882)
HRA Expenditure				
Staffing				
General Inflation Increase	23	31	32	32
<i>Increase in line with assessed inflation rate</i>				
Increase in LGPS Contribution Rates	11	11	11	-
<i>Increase in contribution rates from 20.4% to 20.9% from April 2018, 21.4% from April 2019 and 21.9% from April 2020</i>				
	34	42	43	32
Repairs				
General Inflation Increase	171	178	182	182
<i>Increase in line with assessed inflation rate</i>				
	171	178	182	182
Void Rents				
Rent adjustments relating to RTB sales and rent increases	38	45	54	54
<i>Changes as result of RTB sales and rent inceases</i>				
	38	45	54	54

ADMINISTRATION - HRA BUDGET PROPOSALS 2018-2023	2018/19	2019/20	2020/21	2021/22
	£000	£000	£000	£000
Bad Debts				
Rent adjustments relating to RTB sales and rent increases <i>Changes as result of RTB sales and rent inceases</i>	43	63	74	74
	43	63	74	74
Operating Expenses				
Low cost home ownership <i>Consultant cost to explore new models to support low cost home ownership</i>	(150)	-	-	-
	(150)	-	-	-
Transfer payments				
General Inflation Increase <i>Increase in line with assessed inflation rate</i>	(50)	-	-	-
	(50)	-	-	-
Internal Recharges				
General Inflation Increase <i>Increase in line with assessed inflation rate</i>	26	26	26	26
Increase in staffing levels to mitigate impact of rent arrears	-	-	-	-
	26	26	26	26
Debt Charges				
Debt Charges <i>In year changes in debt repayments</i>	642	1,145	1,555	1,642
	642	1,145	1,555	1,642
Transfer to General Services				
Change in transfer to General Services	(995)	-	-	-
TOTAL	(1,180)	(836)	(811)	(872)

