



MINUTES OF THE MEETING OF THE CABINET

TUESDAY 8 MAY 2018
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 S Currie
Councillor F Dugdale
Councillor J Findlay
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, East Lothian Health and Social Care Partnership
Mr J Lamond, Head of Council Resources
Ms S Saunders, Head of Communities and Partnerships
Mr T Shearer, Head of Infrastructure
Mr C Grilli, Service Manager – Legal and Procurement
Ms L McLean, Service Manager – Strategic Asset and Capital Plan Management
Mr T Reid, Service Manager – Waste
Mr A Stubbs, Service Manager – Roads
Mr E John, Service Manager – Sport, Countryside and Leisure
Mr P Forsyth, Team Manager – Assets and Regulatory (Roads)
Ms J Mackay, Media Manager

Clerk:

Ms A Smith

Apologies:

Councillor W Innes

Declarations of Interest:

None

1. MINUTES FOR APPROVAL – CABINET 13 MARCH 2018

The minutes of the meeting of the Cabinet of 13 March 2018 were approved.

2. SUMMARY OF CONTRACTS AWARDED BY EAST LoTHIAN COUNCIL, 8 JANUARY TO 25 APRIL 2018

A report was submitted by the Depute Chief Executive (Resources and People Services) advising Members of all contracts awarded by the Council from 8 January to 25 April 2018, with a value of over £150,000. The clerk indicated there was a correction to the second contract value figure, which should read £34,562,000.

Councillor Akhtar, in relation to the multi-material kerbside collection, welcomed the awarding of the contract, praising the roadside recycling collection in East Lothian.

Councillor Small requested clarification on several aspects regarding the procurement of expansion of PPP secondary schools. As regards the joint owner in Hub SE, Alex McCrorie, Depute Chief Executive, said he would check and respond after the meeting. Liz McLean, Service Manager – Strategic Asset and Capital Plan Management, responded to further questions. She confirmed that the new Musselburgh School would be procured separately, it would not form part of the PPP contract. Regarding the value of contracts, and how developer contributions linked in to the budgeted cost calculations, she advised that these were gathered over several years; the figure detailed was the likely expenditure cost. She clarified that it was capital expenditure; the Members' Library report illustrated how best to procure for work and set out why some of the work had to be done through the PPP provider. As regards risk liabilities, this was no different from any other type of contract.

Decision

The Cabinet agreed to note the award of contracts with a value of over £150,000, as listed in Appendix 1 to the report.

3. UPDATED SPEED LIMIT POLICY 2018

A report was submitted by the Depute Chief Executive (Partnerships and Community Services) seeking approval for the updated version of the Speed Limit Policy for East Lothian Council.

Alan Stubbs, Service Manager – Roads, presented the report, highlighting the key points. He referred to the earlier report to Cabinet in November 2010 regarding the speed limit review. He advised that the current Policy remained a 'living document'. The report presented retained the current approach to setting speed limits but formalised the approach taken and provided a framework to ensure a consistent approach. The updated Policy reflected new guidance from Transport Scotland's Good Practice Guide on 20mph Speed Restrictions 2016 and Traffic Signs Regulations and General Directions 2016 (TSRGD).

Mr Stubbs responded to questions. Councillor O'Donnell referred to the private Members' Bill going through the Scottish Government and asked whether the provision in that Bill had been considered. Mr Stubbs confirmed that it had, adding that officers were actively working with the Scottish Government and due to meet in a couple of weeks.

Referring also to the private Members' Bill, Councillor Currie asked, if this became law, if the cost would be borne by local authorities. He also asked if the Council had considered that all new housing developments should have a 20mph speed limit as standard, which would

avoid the need for retrospective introduction if the Bill was passed. Regarding the first point, Mr Stubbs said that local authorities had queried this during the consultation. In relation to a 20mph speed limit for new developments, he advised that as Roads Authority, the Council applied the design to living streets standards. He stated that the TSRGD offered more flexibility for local authorities. Further examination would be carried out as new developments came forward.

Councillor Findlay asked if section 7.3.4 of the Policy could read *or roads with high approach and exit speeds*. The Convener proposed this amendment, seconded by Councillor Goodfellow. The Cabinet voted on the amendment, which was approved unanimously.

Councillor Akhtar commented that local communities would welcome this Policy, adding that the intention of the Policy was to make journeys safer for cyclists and pedestrians.

Councillor Currie said this was a very important report, which clarified many issues. He reiterated that it could be worthwhile for officers to consider, in terms of the planning process, setting a 20mph speed limit for new residential developments for the reasons he had outlined earlier.

Councillor O'Donnell remarked that having these speed limits would be beneficial for communities; it would save lives.

Decision

The Cabinet agreed to approve the Updated Speed Limit Policy for East Lothian Council, with the amendment to 7.3.4 as outlined.

4. VARIOUS ROADS – EAST LOTHIAN INTRODUCTION AND AMENDMENTS TO TRAFFIC REGULATION ORDERS 2018

A report was submitted by the Depute Chief Executive (Partnerships and Community Services) seeking approval to start the statutory procedures necessary to introduce and amend various Traffic Regulation Orders to prohibit waiting, loading and unloading, introduce new speed limits and to ban and permit various types of vehicular traffic.

Peter Forsyth, Team Manager – Assets and Regulatory (Roads), presented the report. He informed Members that a review of restrictions had highlighted several areas that required amendment or introduction, detailed in Appendix A. He drew attention to the other proposals, detailed in Appendices B to E. He advised that Police Scotland would be fully consulted on the introduction of all of these proposals/regulations. He stated that the recommendation, section 2.1, should read *listed in the appendices* as opposed to *Appendix A*.

Mr Forsyth responded to questions from Members. He clarified, in relation to Councillor Goodfellow's question about Appendix A, no.24 (various locations, Gullane), that there would not be a change in the terminal hour, only the length of stay.

Councillor McLeod raised queries regarding Appendix A, nos.2 and 3, Mr Forsyth said he would review the matters raised and respond after the meeting.

In response to questions from Councillors Findlay and Henderson regarding Appendix C (Active Travel Plan – Quiet Roads) Mr Forsyth advised that the experimental period would last for 18 months and that the speed limit would be reduced to 40mph.

Councillor Currie, referring to Appendix D (Shore Road, Belhaven Bay) queried why this was the only location mentioned; he highlighted similar issues at other locations in North Berwick

and Musselburgh. The Convener remarked that he was going to request a continuation in respect of Appendix D. He stated that this location was mainly used by surfers. He mentioned Newquay, where the local authority provided facilities allowing surfers to stay overnight; he suggested that the Council should consider providing something similar to cater for these tourists and attract more people to East Lothian.

Councillor Currie also raised the issue of people parking in sport centre car parks who were not centre users; he asked if this was being looked at. Mr Forsyth advised that this was problematic as these car parks were not part of the adopted public road network. He stated that a request from enjoy leisure for the Council to take this forward would be required. There was also a question of legality. He would however have this investigated.

The Convener highlighted an issue cyclists had raised with him regarding the cycle way from Edinburgh Road to the Fisherrow junction; vehicles were parking on this cycle way causing problems for cyclists; he asked if it would be possible to have double yellow lines on the cycle way. Mr Forsyth confirmed that it this would be possible, subject to consultation.

Councillor Goodfellow, referring to Appendix A, no.24 (various locations, Gullane) welcomed that the waiting time would be changed from 45 minutes to 90 minutes.

Councillor Small, in reference to Appendix B (Boggs Holdings) welcomed the introduction of a new 40mph speed limit, stating this would be greatly appreciated. Community input was very important and this was a good example of the community working together.

Councillor O'Donnell welcomed the report. She commented on inconsiderate parking around schools, an issue that was constantly raised with Members. She added that introducing waiting restrictions at the various locations would make communities safer.

Councillor McMillan, in relation to Appendix A, no.5 (Poldrate, Haddington) was pleased that waiting restrictions would be introduced to control indiscriminate parking.

Councillor Currie stated that the key issue was the ability to enforce parking restrictions, enforcement was necessary, particularly around the schools; this was raised constantly at Parent Council meetings. There was an ongoing resource issue regarding enforcement.

The Convener, referring to his earlier points, proposed two amendments:

- Appendix D – Shore Road, Belhaven Bay
Continue for further investigation
- Appendix A – additional location, Cycle Way, Edinburgh Road to Fisherrow Junction, Musselburgh
Double yellow lines to be added to the cycle way

Councillor O'Donnell seconded these amendments. The Cabinet voted on the amendments, which were approved unanimously.

Decision

The Cabinet agreed to approve the initiation of the statutory procedure necessary to introduce and amend Traffic Regulation Orders in accordance with 'The Local Authorities (Procedures) (Scotland) Regulations 1999 and such introduction and amendments that were in force in respect of locations and proposals listed in the appendices, and the two additional amendments as outlined.

5. THE EAST LoTHIAN COUNCIL (SCOTTISH OPEN, GULLANE GOLF COURSE) (EXEMPTION) ORDER 2018 AND THE EAST LoTHIAN COUNCIL (LADIES SCOTTISH OPEN, GULLANE GOLF COURSE) (EXEMPTION) ORDER 2018

A report was submitted by the Depute Chief Executive (Partnerships and Community Services) seeking approval for the making of two Orders under Section 11 of the Land Reform (Scotland) Act 2003, to facilitate the holding of the Aberdeen Standard Investments Scottish Open 2018 Golf Championship and the Aberdeen Standard Investments Ladies Scottish Open 2018 Golf Championship, both to be held at Gullane Golf Course, Gullane Links, East Lothian.

Eamon John, Service Manager – Sport, Countryside and Leisure, presented the report. He outlined the purpose of the Orders and their duration. He drew Members' attention to the significant consultation that had taken place in relation to these two events.

Mr John, responding to questions from Councillor Findlay, clarified that there would not be a fence around the perimeter. He also confirmed that the event organisers would cover costs.

Councillor McMillan, from an economic development and tourism perspective, welcomed the report; these events were good for the county's reputation as Scotland's leading coastal destination.

Decision

The Cabinet agreed:

- i. to approve the making of The East Lothian Council (Scottish Open, Gullane Golf Course) (Exemption) Order 2018; and
- ii. to approve the making of The East Lothian Council (Ladies Scottish Open, Gullane Golf Course) (Exemption) Order 2018.

Signed

Councillor Norman Hampshire
Depute Council Leader and Convener of the Cabinet

REPORT TO: Cabinet

MEETING DATE: 12 June 2018

BY: Depute Chief Executive (Resources and People Services)

SUBJECT: Summary of Contracts Awarded by East Lothian Council,
26 April – 30 May 2018

2

1 PURPOSE

- 1.1 To advise Members of all contracts awarded by the Council from 26 April to 30 May 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 26 April to 30 May 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

AUTHOR'S NAME	Lel Gillingwater
DESIGNATION	Team Manager – Democratic& Licensing
CONTACT INFO	lgillingwater@eastlothian.gov.uk x7225
DATE	31 May 2018



**SUMMARY OF CONTRACTS AWARDED WITH A VALUE OF £150,000 AND ABOVE
FOR THE PERIOD 26 APRIL – 30 MAY 2018**

Originator	Report Title/Project Summary	Contract Awarded To	Contract Value	Members' Library Reference
Depute Chief Executive (Partnerships and Community Services)	Proposed New Housing – Cockenzie	Messrs Gordon Guthrie Contracts, Ltd (Edinburgh)	£810,120.58	65/18 (May 18 bulletin)

31 May 2018

REPORT TO: Cabinet

MEETING DATE: 12 June 2018

BY: Depute Chief Executive - Resources and People Services

SUBJECT: Freedom of Information (Scotland) Act 2002 and Data Protection Act 1998 – Compliance Statistics
Regulation of Investigatory Powers (Scotland) Act 2000 – Statistics

3

1 PURPOSE

- 1.1 To report on the Council's compliance with the 20 working day timescale laid down by the Freedom of Information (Scotland) Act 2002 for the calendar year 2017 (i.e.: from 1 January 2017 to 31 December 2017).
- 1.2 To report on the Council's compliance with the 40 calendar day timescale laid down by the Data Protection Act 1998 for the calendar year 2017 (i.e.: from 1 January 2017 to 31 December 2017).
- 1.3 To report on the Council's use of the Regulation of Investigatory Powers (Scotland) Act 2000 for the calendar year 2017 (i.e.: from 1 January 2017 to 31 December 2017).

2 RECOMMENDATIONS

- 2.1 Cabinet is asked to note the report and that, whilst staff were dealing with more Freedom of Information requests, fewer cases progressed to internal review in 2017 than in 2016.

3 BACKGROUND

- 3.1 **Freedom of Information (Scotland) Act 2002** - During 2017, East Lothian Council operated in accordance with the statutory requirements, particularly:

Requests for information – to be answered within 20 working days

Requests for review – to be answered within 20 working days by a Chief Officer or an officer nominated by them.

If requesters remained dissatisfied after completing this process, then they had a legal right to appeal to the Scottish Information Commissioner (SIC).

3.2 Freedom of Information (FOI) statistics are recorded by Licensing, Administration and Democratic Services. Guidance on how to handle information requests, and requests for review, is published on the Council’s intranet, accessible to all employees.

3.3 The total number of FOI requests in 2017 was 1,427. By way of comparison, 1,303 requests were received during the previous calendar year, 2016. An increase of 124. Overall, numbers of FOI requests have been increasing steadily since the Freedom of Information (Scotland) Act 2002 came into force.

This figure includes information requests processed under the Environmental Information (Scotland) Regulations 2004 (EIR). A split of the FOI and EIR requests is provided at 3.5 of this report.

3.4 The total number of requests for review received in 2017 was 19. By way of comparison, 30 review requests were received during the previous calendar year, 2016. A decrease of 11.

This figure includes reviews processed under the Environmental Information (Scotland) Regulations 2004 (EIR). A split of the FOI and EIR reviews is provided at 3.6 of this report.

3.5 Since January 2013, the recording system used has distinguished between FOI requests and requests falling within the Environmental Information (Scotland) Regulations 2004 (EIR). The table below provides a breakdown of the response timescales for both FOI and EIR requests in 2017:

	FOI				EIR			
	2017		2016 (for comparison)		2017		2016 (for comparison)	
On time	1,038	88%	981	90%	100	78%	122	87%
Late	148	12%	113	10%	28	22%	18	13%
Cancelled/Withdrawn	17		15		2		0	
Suspended	45		49		1		5	
Invalid	45		*		3		*	
Ongoing	0		0		0		0	
TOTAL ACTIONED	1,293		1,158		134		145	

*Invalid requests were not recorded separately in 2016.

3.6 The table below provides a breakdown of the response timescales for FOI and EIR requests for review in 2017:

	FOI				EIR			
	2017		2016 (for comparison)		2017		2016 (for comparison)	
On time: Within 20 Working Days	14	82%	20	80%	0	0%	2	40%
Late	3	18%	5	20%	1	100%	3	60%
Upheld	10		13		0		2	
Partially Upheld	2		2		0		0	
Overtaken	4		1		1		1	
Additional Info Provided	1		8		0		2	
Invalid	1		1		0		0	
Still Outstanding	0		0		0		0	
Total Actioned	18		25		1		5	

3.7 The top three enquirers in 2017 were:

- 1) General Public (42%)
- 2) Commercial Organisations (19%)
- 3) Journalists (15%)

3.8 **Data Protection Act 1998** – East Lothian Council operates in accordance with the statutory requirements, particularly:

Requests for personal information (“Subject Access Requests”) – to be answered within 40 calendar days

3.9 Data Protection (DP) statistics are recorded by Licensing, Administration and Democratic Services. Guidance on how to handle requests for personal information (“Subject Access Requests”) is published on the Council’s intranet, accessible to all employees.

3.10 The total number of DP “Subject Access Requests” received in 2017 was 85. By way of comparison, 55 requests were received during the previous calendar year, 2016.

	2017		2016 (for comparison)	
Completed on time (within 40 calendar days)	42	79%	27	82%
Late	11	21%	6	18%
Suspended	32		22	
Withdrawn	0		0	
Ongoing	0			
Total Actioned	85		55	

- 3.11 Managers have been reminded about the importance of this area of work and abiding by timescales.
- 3.12 **Regulation of Investigatory Powers (Scotland) Act 2000 (RIPSA)** - During the calendar year 2017, East Lothian Council operated in accordance with the statutory requirements and particularly that all covert surveillance is carried out within the remits of the law.
- 3.13 RIPSA statistics are recorded by Licensing, Administration and Democratic Services. Guidance on how to handle surveillance requests is published on the Council's intranet, accessible to all employees.
- 3.14 The total number of surveillance requests authorised under RIPSA legislation by East Lothian Council during 2017 was 3. By way of comparison, 1 request was authorised during the previous calendar year, 2016.

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

AUTHOR'S NAME	Kirstie MacNeill
DESIGNATION	Service Manager – Licensing, Administration & Democratic Services
CONTACT INFO	Ext: 7164 Email: kmacneill@eastlothian.gov.uk
DATE	24 May 2018

REPORT TO: Cabinet
MEETING DATE: 12 June 2018
BY: Depute Chief Executive (Resources and People Services)
SUBJECT: Data Protection Policy

4

1 PURPOSE

- 1.1 On Friday, 25 May 2018, the European General Data Protection Regulation ('GDPR') came into effect. Accordingly, East Lothian Council's ('the Council') Data Protection Policy has been revised and updated in line with this change in legislation. This report requests the approval of the new Policy as appended (Appendix 1).

2 RECOMMENDATIONS

- 2.1 To approve the new Council Data Protection Policy.

3 BACKGROUND

- 3.1 GDPR introduces new obligations on the part of Data Controllers and Data Processors and enhances individual rights regarding data protection. The most significant changes to the Council's existing Data Protection Policy are summarised below.
- 3.2 **Data Protection Principles:** A new set of Data Protection Principles has been defined and includes an over-arching 'accountability principle' that requires Data Controllers such as the Council to evidence their compliance in detail.
- 3.3 **Special Category Data:** Previously called 'sensitive data' under the Data Protection Act 1998, Special Category Data requires enhanced protections. It has been redefined under GDPR, along with associated conditions for processing.
- 3.4 **Roles and responsibilities:** The Data Protection Officer is a new statutory role under the terms of GDPR, and roles and responsibilities have been updated accordingly. A new role of 'Information Champion' within Service areas has also been defined under the Policy, to ensure that best practice regarding data protection is implemented consistently across the Council.

- 3.5 **Rights of individuals:** Individual data subjects have new and enhanced rights under GDPR, including the right to request the erasure of their personal information, the right to restrict processing of their data, the right to data portability, and the enhanced right to be informed about how their information will be used.
- 3.6 **Data Protection by Design and Default:** In line with guidance from the national regulator, the UK Information Commissioner (ICO), the new Policy recognises the importance of integrating data protection into the Council's business processes from the start. It includes the conducting of Data Protection Impact Assessments (DPIAs) as a standard element within the Council's risk reporting and risk management frameworks.
- 3.7 **Data Breaches:** The revised Policy accounts for the new mandatory deadline of 72 hours to report relevant breaches to the ICO, and it mandates the formation of a new Data Breach Team within the Council to quickly and effectively assess and address data incidents. The Policy also notes the new maximum fine applicable to a security breach of £17,000,000 or 4% of turnover, whichever is higher.

4 POLICY IMPLICATIONS

- 4.1 This report requests the approval of the updated Council Data Protection Policy, which is applicable to all Council staff.

5 INTEGRATED IMPACT ASSESSMENT

- 5.1 The subject of this report has been through the Integrated Impact Assessment process and no negative impacts have been identified.
- 5.2 The Integrated Impact Assessment can be viewed online at: <https://www.eastlothian.gov.uk/iidpp>.

6 RESOURCE IMPLICATIONS

- 6.1 Financial – there are no direct financial implications to this report.
- 6.2 Personnel – there are no new personnel implications to this report. The updated Policy requires the nomination of a statutory Data Protection Officer under the terms of GDPR, however this role was recruited in March 2018.
- 6.3 Other – there are no other resource implications to this report.

7 BACKGROUND PAPERS

- 7.1 Appendix 1 - Data Protection Policy

AUTHOR'S NAME	Zarya Rathé
DESIGNATION	Team Manager, Information Governance
CONTACT INFO	01620 827989; zrathe@eastlothian.gov.uk
DATE	29/05/2018

EAST LOTHIAN COUNCIL

Data Protection Policy

NB: This Policy is currently in draft, and has not yet been signed off by Cabinet.

East Lothian Council
Data Protection Policy

CONTENTS

	PAGE
1. Introduction	3
2. Statement of Intent	3
3. Definitions	4
4. Roles and responsibilities	5
5. Notification	6
6. The Data Protection Principles	6
7. Rights of individuals	7
8. Compliance with the Principles	7
9. Information Handling and Collection (Principles a, b and c)	8
10. Records Management (Principles d and e)	9
11. Security (Principle f)	9
12. Accountability principle	9
13. Data protection by design and default	10
14. Disclosures	11
15. Elected Members and Data Protection	11
16. Complaints, Enforcement and Dealing with Breaches	11
17. Managing Data Protection	12
18. Related Policies and Procedures	12
16. Contact Information	13

Document Control		
Version	Date	Description
1.0	17/04/2012	First approved version
2.0	12/07/2012	Second approved version
3.0	07/05/2018	Re-drafted in line with the General Data Protection Regulation (GDPR) / Data Protection Act 2018.
3.1	29/05/2018	Maximum fine applicable to a security breach (section 16) amended from €20,000,000 to £17,000,000 in line with ICO guidance.
3.2	29/05/2018	Minor proofreading updates.

1. Introduction

- 1.1. This document sets out East Lothian Council's policy regarding data protection. To perform its public function and operate efficiently, East Lothian Council ('the Council') must collect and use information about individuals. These may include members of the public, current, past and prospective employees, clients and customers, and suppliers. In addition, it may be required by law to collect and use information to comply with the requirements of government.
- 1.2. The Council regards respect for the privacy of individuals and the lawful and careful treatment of personal information as essential to its successful operations and to maintaining confidence between the Council and those with whom it carries out business. To this end, the Council is committed to protecting the rights and privacy of individuals including those rights set out in the General Data Protection Regulation ('GDPR'), Data Protection Act 2018 ('DPA 2018') and other data protection legislation.
- 1.3. The Council is fully committed to data protection compliance and will follow procedures that aim to ensure that all employees, elected members, contractors, agents, consultants, volunteers and any other partners of the Council who have access to any personal data held by or on behalf of the Council, are fully aware of and comply with their duties and responsibilities under GDPR and the DPA 2018.
- 1.4. GDPR came into force on 25 May 2018, with DPA 2018 enacted shortly thereafter. The Council's principal aim is to ensure that all personal data processing carried out by the Council, or on its behalf, complies with the six data protection principles and other key legislative requirements.

2. Statement of Intent

- 2.1. East Lothian Council regards the lawful and correct treatment of personal data as very important to successful operations, and to maintaining confidence between those with whom it deals, both internally and externally.
- 2.2. East Lothian Council recognises the importance of ensuring that the Council treats personal data lawfully and correctly and the Council fully endorses and adheres to the principles of data protection detailed in the DPA 2018. Any employee found to be breaching the terms and conditions of this policy may be subject to disciplinary procedures.

3. Definitions

- 3.1. **Personal data:** information which relates to a living individual who can be identified either directly or indirectly from that information or any other information likely to come into the possession of the data controller. This includes any expressions of opinion and any indications of the intentions of the data controller, or any other person, in respect of the individual.
- 3.2 **Special category data:** personal data consisting of information revealing any of the following:
- Racial or ethnic origin.
 - Political opinions.
 - Religious or philosophical beliefs.
 - Trade union membership.
 - Genetics.
 - Biometrics (where used for ID purposes).
 - Health.
 - Sex life.
 - Sexual orientation.
- Special category data has enhanced protections for processing compared with personal data.
- 3.3. **Record:** information created, received, and maintained as evidence and information by an organisation or person, in pursuance of legal obligations or in the transaction of business.
- 3.4 **Processing:** any action performed on personal data, including (but not limited to) collecting, storing, sharing, destroying or preserving data.
- 3.5 **Data controller:** a person or organisation who decides how personal information can be processed, and for what purposes. East Lothian Council is a data controller.
- 3.6. **Data processor:** a person or organisation (other than an employee of the data controller) who processes personal data on behalf of a data controller.
- 3.7. **Data subject:** an individual about whom the Council holds personal data.

4. Roles and responsibilities

- 4.1 **Senior Information Risk Owner (SIRO):** the SIRO has overall strategic responsibility for governance in relation to data protection risks. The SIRO:
- Acts as advocate for information risk at the Corporate Management Team (CMT);
 - Provides written advice to the Chief Finance Officer for the Annual Governance Statement relating to information risk;
 - Drives cultural change regarding information risks in a realistic and effective manner;
 - Oversees the reporting and management of information incidents;
 - In liaison with the Chief Executive and the Depute Chiefs, ensures the Information Asset Owner and Information Asset Administrator roles are in place to support the SIRO role.

The Council's SIRO is the Head of Council Resources.

- 4.2 **Data Protection Officer (DPO):** the DPO is a statutory role under GDPR. The DPO:
- Informs and advises the Council and its employees about their obligations to comply with the GDPR and DPA 2018;
 - Monitors compliance with the GDPR and DPA 2018, including the assignment of responsibilities, awareness raising and training of staff involved in the processing operations and related audits;
 - Provides advice about data protection impact assessments and monitors their performance;
 - Co-operates with the supervisory authority (the Information Commissioner's Office);
 - Acts as the contact point for the Information Commissioner's Office and members of the public on issues related to the processing of personal data.

The Council's DPO is the Team Manager – Information Governance.

- 4.3 **IT Team Manager - Infrastructure and Security:** the IT Team Manager - Infrastructure and Security is responsible for creating, implementing and maintaining the Council's Information Security Policy and procedures to reflect changing local and national requirements. This includes requirements arising from legislation, security standards and national guidance.

East Lothian Council
Data Protection Policy

The IT Team Manager - Infrastructure and Security supports Service areas in achieving best practice and compliance with security requirements.

- 4.4 **Information Champions:** Information Champions ensure that best practice regarding information governance and security is implemented consistently across the Council by acting as the main points of contact within Services for Information Governance issues. They liaise with the Team Manager - Information Governance / Data Protection Officer and the IT Team Manager - Infrastructure and Security to discuss changes to policies/procedures, disseminate information and troubleshoot problems.

Information Champions are nominated by Service Managers.

- 4.5 **Individual members of staff and elected members:** Individual members of staff and elected members are responsible for protecting personal information held or processed on computer, or held in paper records, within their care.

5. Notification

- 5.1. Data controllers are required to notify the Information Commissioner of the processing that they undertake.
- 5.2. The Council will maintain its register entry and annually review its processing to ensure that its register entry is accurate and up to date.

6. The Data Protection Principles

The data protection principles set out the main responsibilities for organisations. They stipulate that personal data shall be:

- a) processed lawfully, fairly and in a transparent manner;
- b) collected for specific, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes;
- c) adequate, relevant, and limited to what is necessary in relation to the purposes for which they are processed;
- d) accurate and, where necessary, kept up to date;
- e) kept no longer than is necessary for that purpose or those purposes;
- f) processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing, and against accidental loss,

East Lothian Council
Data Protection Policy

destruction or damage, using appropriate technical or organisational measures;

In addition to the six principles listed above, the data controller shall be responsible for, and be able to demonstrate, compliance with the principles (also known as the 'accountability principle').

7. Rights of individuals: The GDPR provides individuals with the following rights regarding their personal information:

- The right to be informed about how their information will be used.
- The right of access to their personal information.
- The right to rectification, which is the right to require the Council to correct any inaccuracies.
- The right to request the erasure of any personal information held by the Council where the Council no longer has a basis to hold the information.
- The right to request that the processing of their information is restricted.
- The right to data portability.
- The right to object to the Council processing their personal information.
- Rights in relation to automated decision making and profiling.

The Council publishes detailed information for the public that sets out what these rights are and how these can be exercised.

8. Compliance with the Principles

East Lothian Council will, through appropriate application of criteria and controls:

- ensure the fair collection and use of information through the use of Privacy Notices;
- meet its legal obligations to specify the purposes for which information is used; including specific requirements that must be met to ensure fair and lawful sharing of personal data both internally and externally;
- collect and process appropriate information only to the extent that is needed to fulfill operational needs or to comply with any legal requirement;
- ensure the accuracy of information used;
- implement procedures to restrict the length of time information is held, including implementation of a corporate records Retention Schedule;

East Lothian Council
Data Protection Policy

- ensure that people about whom information is held are able to fully exercise their rights under the Act, as listed in Section 7 of this Policy;
- ensure compliance with the East Lothian Council IT Policies/ Information Security Policies to safeguard personal data;
- ensure that information is not transferred abroad without suitable safeguards.

9. Information Handling and Collection (Principles a, b and c)

9.1. East Lothian Council will process all personal data for the purpose of providing an effective delivery of service in accordance with the aims, responsibilities and obligations of the Council.

9.2. All personal data will be processed in accordance with Privacy Notices issued to individuals by the relevant Council Service at the point of data collection. These Privacy Notices will inform data subjects of:

- The name and contact details of the Council;
- The name and contact details of the Council's Data Protection Officer;
- The purposes for processing their personal data;
- The lawful basis for processing their personal data, including conditions regarding 'sensitive processing', such as the lawful basis for processing special category data;
- The categories of personal data obtained;
- The recipients or categories of recipients of the personal data, including details of any transfers to third countries or international organisations;
- The retention periods for the personal data;
- The rights available to data subjects;
- The details of the existence of automated decision-making, including profiling.

Privacy Notices will provide this information in a way that is concise, transparent, easily accessible and using clear and plain language.

9.3. Personal data will only be collected where there is a specific purpose for doing so. It will not be used for any other purpose except where allowed by the GDPR, DPA 2018 or required by law. The personal data collected shall be limited to what is necessary in relation to that specific purpose.

10. Records Management (Principles d and e)

- 10.1. The Council will implement procedures to ensure that all personal data it holds are accurate in respect of matters of fact and, where necessary, kept up to date.
- 10.2. Opinions of officers of the Council that are recorded will be carefully and professionally expressed. When processing personal data relating to criminal offences, Council officers will distinguish between matters of fact and matters of personal assessment or opinion.
- 10.3. The Council will not hold personal data for longer than is reasonably required. The Council will comply with its corporate Retention Schedule.
- 10.4. Further information about records management and records retention can be found in East Lothian Council's Records Management Plan.

11. Security (Principle f)

- 10.1. East Lothian Council will ensure that there is someone with specific responsibility for data security. Currently, the IT Manager - Infrastructure and Security has this responsibility.
- 10.2. All officers of the Council are responsible for ensuring that personal data are held securely at all times.
- 10.3. Access to all Council systems is password protected and only authorised personnel have access.
- 10.4. Personal data will be safely and responsibly destroyed when they are no longer required.
- 10.5 Personal data will be held in official recordkeeping systems with appropriate records management controls in place, in line with the Council's Records Management Plan.
- 10.5. All officers of the Council and individuals undertaking work for the Council will adhere to the Council's IT security policies and procedures.

12. Accountability principle

- 12.1. All officers of the Council and individuals undertaking work for the Council have a personal responsibility to ensure the secure and compliant processing of personal data.
- 12.2. Roles with specific data protection responsibilities are listed in Section 4 of this Policy.
- 12.3 A record of data processing activities will be maintained by the Council in an Information Asset Register, which will identify the members of staff responsible for overseeing compliance for each processing activity (Information Asset Owners).
- 12.4 All Heads of Service and Service Managers will ensure that documentation evidencing the Council's compliance with GDPR / DPA 2018 remains accessible and up-to-date within official recordkeeping systems.

13. Data protection by design and default

- 13.1 The Council recognises the importance of integrating data protection into its business processes from the start. Accordingly, the Council will conduct a Data Protection Impact Assessment (DPIA) as part of any new data processing activity.
- 13.2 DPIAs will be included as a standard element within the Council's risk reporting and risk management frameworks.
- 13.3 The Council will integrate data protection with reference to the 7 Foundational Principles of Privacy by Design:
 - 1) **Proactive, not reactive:** anticipating and preventing privacy invasive events before they happen.
 - 2) **Privacy as default:** personal data are automatically protected in any business practice or IT system. No action is required on the part of the individual to protect their privacy.
 - 3) **Privacy embedded into design:** privacy of personal data is embedded into the design and architecture of IT systems and business practices. Privacy is integral to the core functionality of the system.
 - 4) **Full functionality:** activities regarding privacy seek to accommodate all legitimate interests and objectives in a win-win approach.
 - 5) **End-to-end security:** data protection extends security throughout the entire lifecycle of the data involved.
 - 6) **Visibility and transparency:** all stakeholders are assured that business practices or technology operate according to

East Lothian Council
Data Protection Policy

stated promises and objectives, subject to independent verification.

- 7) **Respect for user privacy:** adopt a user-centric approach which uses strong privacy defaults, appropriate notice and empowering user-friendly options.

14. Disclosures

- 14.1. East Lothian Council reserves the right to disclose information under certain circumstances where allowed by law.
- 14.2. When a request for disclosure is made, the Council will consider each request individually and where a disclosure is justified, the Council will only disclose the minimum data required.
- 14.3. In order to improve service delivery and to meet its responsibilities, the Council may enter into data sharing agreements with other organisations where data sharing is allowed by law. Where this is the case, the Council will ensure that an Information Sharing Agreement with that organisation is in place which ensures the data sharing is in compliance with the law and this policy.

15. Elected Members and Data Protection

- 15.1. Where Elected Members work on behalf of the Council, this policy applies to them, and they must abide by all associated procedures. Should any breach of the DPA occur, it will be the Council's responsibility.
- 15.2. Where Elected Members work for their constituents, they are data controllers in their own right and must register with the Information Commissioner. Should any breach of the DPA occur, it will be the Elected Member's responsibility.

16. Complaints, Enforcement and Dealing with Breaches

- 16.1. All complaints regarding data protection should be made to the Council's Data Protection Officer at dpo@eastlothian.gov.uk.
- 16.2. The maximum fine for data protection breaches is £17,000,000 or 4% of turnover (whichever is higher), with a mandatory deadline of 72 hours to report relevant breaches to the UK Information Commissioner. Therefore, the Data Breach Team should immediately be informed of any suspected internal breaches of the GDPR / DPA 2018, as laid out in the Council's Data Breach Procedure.

East Lothian Council
Data Protection Policy

- 16.3. All Council staff, contractors and elected members will co-operate fully with any investigation into an alleged breach of the GDPR / DPA 2018 undertaken by the Council's Data Breach Team or the Information Commissioner.
- 16.4. The Data Breach Team will apply a fair and consistent approach to the recording and management of all data protection breaches, including notification of breaches to affected individuals where necessary. In each case, this will include a risk assessment of the consequences of the breach, conducted in line with the relevant guidance from the Information Commissioner's Office and up to date case law. Precedent within the Council will also be taken into account.
- 16.5 Depending on the nature of the breach, breaches of the GDPR / DPA 2018 or of this policy may result in disciplinary proceedings for the staff involved.

17. Managing Data Protection

17.1. East Lothian Council will ensure that-

- the Data Protection Officer will provide advice on data protection compliance to all officers processing personal data within Council;
- Heads of Service and Service Managers will ensure that all staff have access to this Policy and that they receive relevant training;
- training for all staff will be made available via e-learning, online and printed guidance, supplemented by person-to-person training where required;
- everyone managing and handling personal data understands that they are responsible for following good data protection practice;
- everyone managing and handling personal data is appropriately trained to do so and has the opportunity to receive training;
- everyone managing and handling personal data is appropriately supervised;
- queries about managing and handling personal data are promptly and courteously dealt with;
- methods of managing and handling personal data are regularly assessed and evaluated;
- performance of managing and handling personal data is regularly assessed and evaluated;
- Risks regarding data protection are regularly reported at a senior level, with appropriate mitigating actions taken.

18. Related Policies and Procedures

- GDPR Toolkit
- Data Breach Procedure
- IT Acceptable Use Policy
- Information and Records Management Policy
- East Lothian Council Records Management Plan
- East Lothian Council Retention Schedule
- E-learning module: General Data Protection Regulation

19. Contact Information

18.1. East Lothian Council's Data Protection Officer can be contacted at:

Data Protection Officer
Licensing, Administration and Democratic Services
John Muir House
Haddington
dpo@eastlothian.gov.uk
Tel. 01620 82 7989

REPORT TO: Cabinet

MEETING DATE: 12 June 2018

BY: Deputy Chief Executive (Partnerships and Community Services)

SUBJECT: Proposed East Lothian Local Housing Strategy 2018-2023

5

1 PURPOSE

- 1.1 The purpose of this report is to present the Proposed East Lothian Local Housing Strategy 2018 – 2023 for approval.

2 RECOMMENDATIONS

- 2.1 Cabinet is recommended to approve the Proposed East Lothian Local Housing Strategy 2018 – 2023, to agree the priority outcomes identified in the Proposed Strategy and to support the work towards achieving these outcomes.
- 2.2 It is recommended that the Proposed Strategy is updated annually as required, following a review in August of each year during the period 2018-23 and any changes reported through the Members' Library Service.

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 Proposed 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, 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; 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 influence the effective integration of health and social care.
- 3.2 A Consultative Draft East Lothian Local Housing Strategy 2018-23 was approved by Cabinet on 16 January 2018 and formal consultation subsequently took place from 19 January to 9 March 2018. All 87 responses to the draft LHS have been systematically considered and where appropriate, influenced the Proposed LHS. Changes made to the draft LHS arising as a result of formal consultation are set out in full at Section 7.2 of this report.
- 3.2.1 In parallel with consultation, a formal peer review process was undertaken by Scottish Government Policy Teams; The Scottish Government More Homes Division Area Team and Glasgow City Council. The peer review process highlighted specific strengths of the draft Strategy, with formal feedback including the following:
- **Local Context** - The draft LHS is considered to provide a good summary of the area, with maps, along with a helpful summary of each of the main settlements with information on the area, location and urban/rural split and population. Particularly helpful are the issues and challenges impacting across East Lothian and these have been clearly stated. This could be seen as Good Practice.
 - **Preventing and Addressing Homelessness** - This section has been clearly articulated with reasons well evidenced and the LHS clearly demonstrates how the Council intends to continue to provide a service where customers are successfully accessing a more diverse range of rehousing outcomes than is the case across Scotland.
 - **Specialist Provision and Independent Living** - This is a good comprehensive summary of the issues and it covered all the points being asked. A number of actions have been described, including a comprehensive review of sheltered housing, adopting a more proactive, preventative approach to adaptations, community health, day activities, befriending services and housing health checks.

- **Equalities** - The LHS is strong on equalities. There is an equalities statement reflecting the Equality Act 2010 and an EQIA as an appendix, informed by focus groups covering BME, ex-offenders, Gypsy / Travellers, homeless people, older people and carers, and identifies issues / challenges and outcomes.

The peer review process also highlighted suggested areas for development as follows:

- **Private Rented Sector** - This section may benefit from further information about recent changes to legislation; HMOs; regulation and enforcement and support for private rented sector tenants (e.g. inspection, statutory repairs, factoring standards, letting agent regulation, lack of maintenance in mixed tenure blocks; and how work with partners will help to tackle issues).
- **House Condition - Private Sector** - The Council's Housing Renewal Area policy needs to be updated, and this should be included as a key priority in the final LHS.
- **Fuel Poverty & Climate Change** - This section provided a lot of detail on what the issues are but not so much detail on how the Council proposes to address them. It would be helpful if the final LHS identified the actions required to be taken, and the timeframe to do so.

Cognisance has been taken of suggested areas of development and the draft LHS amended accordingly, to the satisfaction of The Scottish Government. A full summary of suggested areas of development highlighted through the peer review and subsequent changes made in response, is available at Section 7.6 of this report.

3.3 The Proposed LHS sets out a strategic vision for housing, 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'*.

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

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

Priority Outcome 5: The condition, energy efficiency and where appropriate the management of existing stock is improved.

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

- 3.5 A five-year action plan underpins these priorities, which will direct and target resource and activity over the lifetime of the Proposed LHS. Key actions in relation to priority outcomes are set out at Appendix 1 to this report. The action plan includes baseline positions, milestones, indicators and targets to enable monitoring of performance against individual actions. Many actions are wide and / or shared responsibilities and are accordingly incorporated or aligned to other business plans as appropriate.
- 3.6 Following approval, the LHS will be updated annually as required, following a review completing in August of each year during the period 2018-23 and any changes reported through the Members' Library Service.

4 POLICY IMPLICATIONS

- 4.1 East Lothian Council is required to publish a set of priority outcomes, with corresponding actions in the Proposed LHS, which it considers will help to meet an overall strategic vision for housing over a five-year period. These priority outcomes complement and / or align with the wider objectives of the Council Plan 2017-22 and the East Lothian Local Outcome Improvement Plan 2017-27. A number of the actions set out at Appendix 1 of this report are likely to have policy implications. Any significant policy change or policy implications arising due to implementation of actions will be presented to Cabinet for approval.

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 – There are no direct financial implications associated with approval of this Proposed Strategy although achievement of the actions and priority outcomes will impact on the detailed financial planning arrangements of services over the Strategy term, both in relation to required interventions and anticipated realisation of future financial efficiencies for the Council.
- 6.2 Personnel - None

6.3 Other - None

7 BACKGROUND PAPERS

7.1 Proposed East Lothian Local Housing Strategy 2018-23, lodged in the Members' Library (MLS reference 82/18)

https://www.eastlothian.gov.uk/downloads/file/27328/proposed_east_lothian_local_housing_strategy_2018-23

7.2 Supporting Paper 1: Proposed East Lothian LHS 2018-23 – Consultation and Engagement

https://www.eastlothian.gov.uk/downloads/file/27332/proposed_supporting_paper_1_east_lothian_local_housing_strategy_2018-23_-_consultation_and_engagement

7.3 Supporting Paper 2: Proposed East Lothian LHS 2018-23 – Key Achievements of the LHS 2012-17

https://www.eastlothian.gov.uk/downloads/file/27331/proposed_supporting_paper_2_local_housing_strategy_2018-23_-_key_achievements_local_housing_strategy_2012-17

7.4 Supporting Paper 3: Proposed East Lothian LHS 2018-23 – Integrated Impact Assessment

https://www.eastlothian.gov.uk/downloads/file/27330/proposed_supporting_paper_3_local_housing_strategy_2018-23_-_integrated_impact_assessment

7.5 Supporting Paper 4: Proposed East Lothian LHS 2018-23 – Health Impact Assessment

https://www.eastlothian.gov.uk/downloads/file/27329/proposed_supporting_paper_4_local_housing_strategy_2018-23_-_health_impact_assessment

7.6 Scottish Government East Lothian LHS 2018-23 Peer Review and Council Response

https://www.eastlothian.gov.uk/downloads/file/27333/scottish_government_lhs_peer_review

AUTHOR'S NAME	Nicky Sandford
DESIGNATION	Senior Strategy Officer
CONTACT INFO	Ext - 7592
DATE	30 May 2018

Appendix 1: LHS Priority Outcomes and Key Actions

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

- Continue to support the town centre first principle
- Prepare an East Lothian Town Centre Regeneration Strategy
- 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
- Invest in affordable housing development in town centres via Affordable Housing Supply Programme (AHSP)
- Bring empty town centre properties back into use, where appropriate, for affordable housing
- Increase 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 & community led housing including custom build and self-build housing
- Maximise opportunities to restore historic buildings including residential homes i.e. via Town Heritage and Conservation Area Regeneration Funding
- Support community led activity that seeks to improve town centres and rural areas
- Improve digital infrastructure to support independent living and self-help for vulnerable groups via technology enabled care

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

- 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 & understanding of local areas. This information will be used to ensure a balance of affordable tenures / house types is delivered on all new proposed developments
- Complete Supplementary Planning Guidance for Affordable Housing
- Improve knowledge of housing need & demand in rural areas
- Deliver 189 affordable units per annum as per Housing Supply Target
- Maximise opportunities to accelerate affordable housing
- Work with RSL partners to deliver affordable housing
- Explore alternative / innovative financial models
- Deliver the Councils own new build programme
- Prepare / implement a survey in relation to empty homes, analyse responses and provide recommendations
- Take a strategic approach to bringing empty properties / land 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 and capable of being adapted to suit a range of needs
- Consider making an application to Scottish Ministers for the designation of a 'rent pressure zone'
- Explore opportunities for increasing mid-market rent and other intermediate tenures
- Review existing Council Housing 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.

- 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.
- 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
- 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 breaches of the Unsuitable Accommodation Order
- 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.

Older People

- Develop 300 units of specialist housing for older people over a five-year period to 2023 (60 units per annum). This could include care homes, extra care housing or retirement housing, which could be purpose built or remodelled from existing provision & developed by the public or private sector¹
- 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 and dementia friendly as far as possible, built to a standard to accommodate wheelchair users & capable of being adapted to suit a range of needs
- Target resources more effectively in relation to the provision of practical assistance & low-level interventions / support
- 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, or where a diagnosis of dementia is made (to include information for carers)
- 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.

Mental Health

- Make available 8 units of core & cluster housing per annum primarily for people with a learning disability, to also accommodate people with a mental health condition / people with autism / people with a physical disability where appropriate²
- Link core & cluster housing to place-making on a small scale i.e. promoting health & well-being, resilience & employability

¹ For clarity, work has been undertaken at time of LHS publication (June 2018) to assess the requirements for hospital re-provision in East Lothian and public consultation is ongoing in relation to this. The 300 units specified as being required in the LHS have been identified on the basis of detailed analysis of demographic change / projections. Any requirement for accommodation arising as a result of hospital re-provision will be over and above the requirements set out in the LHS 2018-23.

² For clarity, the 8 units per annum (40 in total over the lifetime of the LHS) is proposed for a range of vulnerable groups including people with a learning disability; people with a mental health condition; people with autism and people with a physical disability. It is likely that people may have a combination of the above.

Learning Disabilities and Autism

- Make available 8 units of core & cluster housing per annum for people with a learning disability and / or autism & mental health conditions / physical disabilities, where appropriate)³
- 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 & / 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
- Link core & cluster housing to place-making on a small scale i.e. promoting health & well-being, resilience & employability
- Develop a practical guide to housing needs of people with autism for housing staff
- Establish a flagging system within the Council's Housing unit to alert staff to people with autism, to link to health impact assessment & enable reasonable adjustments to be made

Domestic Violence

- Provide an additional 8 units of refuge accommodation (to ensure a total of 14) as a matter of priority
- Implement a programme of training and awareness raising sessions, with a focus on MARAC, in conjunction with the Public Protection Partnership
- Review housing procedures to ensure a more efficient and effective response to women experiencing domestic violence
- Make formal consideration of the wellbeing needs of accompanying children, using a trauma informed approach
- Explore best practice models of accommodation for women presenting with co-occurring substance misuse and domestic abuse and women presenting with co-occurring complex mental health issues and domestic abuse, as part of a wider temporary accommodation strategy

People with a Conviction

- Establish formal joint working arrangements & develop a housing protocol with the Scottish Prison Service (SPS) to ensure smooth transitions from custody to release
- Work with Reducing Re-offending Group and the SPS to implement the Sustainable Housing on Release for Everyone (SHORE) standards

Refugees and Asylum Seekers; Gypsy / Travellers and Travelling Show-people

³ For clarity, the 8 units per annum (40 in total over the lifetime of the LHS) is proposed for a range of vulnerable groups including people with a learning disability; people with a mental health condition; people with autism and people with a physical disability. It is likely that people may have a combination of the above.

- Explore options around the third sector assisting with the integration and support of refugees
- Carry out agreed physical improvements to the existing Gypsy / Traveller site, in accordance with revised standards
- Review the provision of information and advice relating to Gypsy / Travellers & make recommended changes
- Develop a protocol for unauthorised encampments, which reflects Scottish Government Guidance for Local Authorities

Veterans

- Work with SVGCA to develop six new build units for veterans

Priority Outcome 5: The condition, energy efficiency and where appropriate the management of existing stock is improved.

- Carry out a full stock condition survey 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 Council Housing Asset Strategy
- Review the East Lothian Scheme of Assistance
- Review Policy on Housing Renewal Areas
- 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
- Prepare a Local Heat and Energy Efficiency Strategy
- 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 targets exceeded.

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

REPORT TO: Cabinet
MEETING DATE: 12 June 2018
BY: Chief Executive
SUBJECT: East Lothian Council Workforce Plan 2018-2022

6

1 PURPOSE

- 1.1 To present the East Lothian Council Workforce Plan 2018-2022 to Cabinet for approval.

2 RECOMMENDATIONS

Cabinet is recommended to:

- 2.1 Approve the East Lothian Council Workforce Plan 2018-2022.
- 2.2 Note that the HR service and Organisational Development team are developing action plans to take forward and implement the 38 actions detailed in the Plan and that they will continue to engage with, and consult, Council Trade Unions and staff in developing and delivering these plans and their actions.
- 2.3 Note that progress in implementing the Workforce Plan will be reported to Council via the Annual Performance Report.

3 BACKGROUND

- 3.1 The 2017 Council Plan includes a commitment that the Council will adopt a Workforce Plan. The Workforce Plan, which replaces the 2012-2015 People Strategy, aims to support the Council to achieve the vision and ambitions set out in the 2017-2022 Council Plan and address the challenges it faces by providing a coherent and consistent approach to ensuring a skilled, flexible, high performing, motivated, and well managed workforce. Our staff are our greatest asset and the Plan sets out how the Council and its staff will continue to work together to respond to the challenges we face in achieving our vision.

- 3.2 The development of the Plan has been informed by the following research:
- A review of the context and drivers of change that impact on the Council's workforce
 - An analysis of the current council workforce profile to identify key factors and trends
 - A survey of all Service Managers that identified key trends, challenges and desired actions at both Council and service levels.
- 3.3 The outcomes of the analysis of current and future needs and the self-evaluation were used to identify the gaps that need to be addressed in the strategy that forms the basis of the workforce plan.
- 3.4 A draft plan was prepared in five sections:
1. Introduction
 2. Where are we now? East Lothian Council's workforce profile
 3. What is driving the change? Analysis of future needs
 4. Where do we want to get to? Analysis of the gaps
 5. How are we going to get there? The Plan
- 3.5 The Plan is based around three themes:
- Sustain a skilled, flexible, high performing and motivated workforce
 - Support and initiate transformational change
 - Build and sustain leadership and management capacity.
- 3.6 The draft plan (the full version and a 12-page summary) formed the basis of a staff consultation exercise (on-line survey) and consultation with Council Trade Unions. Only 34 staff responded to the on-line survey and this low response means that we cannot draw out statistically relevant conclusions. However, the survey showed almost 80% of respondents strongly agreed (29%) or agreed (50%) with the draft Plan's Workforce Vision whilst only 18% disagreed (12%) or strongly disagreed (6%).
- 3.7 Respondents were asked to comment on the context, themes and actions set out in the draft Plan and were also given the opportunity to provide any further comments. Twenty respondents took the opportunity to provide comments on the draft Plan. There were no objections to the three themes established by the draft Plan and there were very few specific comments on the 38 actions listed in the draft Plan.
- 3.8 Council officers met with the Joint Trade Unions to discuss the draft Plan and receive their response. The Trade Unions generally supported the

Workforce Vision and provided some comments on the Plan. The Trade Unions intimated that they do not support the proposal to review Council Terms and Conditions

- 3.9 It should be noted that the Plan's analysis of future needs and gaps and the proposed actions already take into account many of the issues raised by respondents to the consultation and the Trade Unions.
- 3.10 Following the consultation exercise the draft Plan has been amended and the final Plan (Appendix 1) is brought to Cabinet for approval.
- 3.11 It should also be noted that work to take forward some of the actions detailed in the Plan has already begun. For example:
- the HR service has begun drafting a Professional Development Scheme
 - the Council Management Team recently approved a proposal to increase support for Healthy Working Lives with a renewed focus on mental health
 - the Organisational Development (OD) Team is developed a staff resilience training programme
 - the 2018 employee engagement survey will focus on staff health and Wellbeing
 - the HR service has begun the review of the Managing Attendance Policy in line with the decision of Cabinet (8/11/16) to review the Policy after one full year of operation.
- 3.12 The HR service and OD team have already begun work on putting the 38 actions in the Plan into SMART action plans which will show how the Plan is to be delivered over the next four year. These Plans and the delivery of key actions will be the subject of further communication with staff and consultation with Trade Unions.
- 3.13 As stated in the Plan itself, the implementation of the Plan and its actions will rely on continuing positive partnership between the Council, its staff and Trade Unions.

4 POLICY IMPLICATIONS

- 4.1 The adoption of the Workforce Plan fulfils a commitment in the 2017 Council Plan and aims to support the Council in achieving the vision and objectives set out in the Plan.

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. However, some of the actions arising from the Plan may impact on the wellbeing of community and have an impact on equality and would subject to impact assessments.

6 RESOURCE IMPLICATIONS

- 6.1 Financial – there are no direct financial implications arising from adoption of the Plan. Any actions arising from adoption of the Plan that have financial implications will be reported on separately if required (i.e. if the result in a change in Council policy or require amendments to the Council budget).
- 6.2 Personnel – there are no direct personnel implications arising from adoption of the Plan. Any actions arising from adoption of the Plan that have personnel implications will be reported on separately if required (i.e. if they result in a change in Council policy).
- 6.3 Other – none.

7 BACKGROUND PAPERS

- 7.1 East Lothian Council Workforce Plan 2018-2022

AUTHOR'S NAME	Paolo Vestri
DESIGNATION	Service Manager, Corporate Policy & Improvement
CONTACT INFO	pvestri@eastlothian.gov.uk Ext 7320
DATE	1 st June 2018

East Lothian Council Workforce Plan 2018 -2022

DRAFT

**FINAL DRAFT
May 2018**

Contents	Page
1. Introduction	3
2. Where are we now? East Lothian Council's workforce profile	8
3. What is driving the change? Analysis of future needs	17
4. Where do we want to get to? Analysis of the gaps	29
5. How are we going to get there? The Plan	36
Appendix A: Council HR Policies	40

1. Introduction

East Lothian Council is striving to ensure the county is even more prosperous, safe and sustainable, with a dynamic and thriving economy that enables our people and communities to flourish.

The East Lothian Council Plan 2017-2022 continues the journey towards realising the East Lothian vision by building on the ambition and achievements of the previous Council Plan, taking account of the challenges and new opportunities faced by the Council.

The plan sets out four key themes and objectives:

Growing our Economy – to increase sustainable and inclusive economic growth as the basis for a more prosperous East Lothian.

Growing our People – to give our children the best start in life and protect vulnerable and older people.

Growing our Communities – to give people a real say in the decisions that matter most and provide communities with the housing, transport links, community facilities and environment that will allow them to flourish.

Growing our Capacity – to deliver excellent services as effectively and efficiently as possible within our limited resources.

It has an overarching objective: ***Reducing inequalities within and across our communities.***

The Council has a sound foundation, not least the commitment of its staff, and exciting new opportunities to exploit. However it faces significant challenges in achieving the vision and objectives, which as shown in chapter 2 below, can be summarised as growing demand for services whilst budgets are reducing in real terms – having to ‘do more with less’ by doing things differently, more effectively and more efficiently. The Council Plan is based on the understanding that East Lothian Council cannot address the diverse needs of our population on its own. At the heart of the Plan is the concept that the Council and the people and communities of East Lothian can best deliver these solutions in partnership – ‘working together for a better East Lothian’. Therefore, the Council Plan states that over the next five years, the Council will increasingly become:

- an enabling and empowering authority that works with its citizens and communities, the business and third sectors and other public sector partners to deliver the solutions that work best for East Lothian
- a more entrepreneurial authority, developing new ways of ensuring services are provided in the most effective and efficient way possible
- a ‘digital’ authority, fully embracing and exploiting opportunities to use technology to deliver services.

The Council is already a well performing council that, with the support and commitment of its staff has responded well to recent challenges, but we are ambitious to improve further, from being good to becoming excellent. Striving to achieve the Council vision, meet the challenges of reducing budgets and growing demand and our continued transformation in the way the Council delivers services and interacts with its communities will have a major impact on the Council's workforce.

In recognition of this, the Council Plan states that:

"In order to deliver the ambitious agenda set out in this Plan the Council must continue to grow its capacity to ensure it delivers excellent services as effectively and efficiently as possible.

"It will continue to focus on its staff who must be capable, flexible, responsive, and focussed on productivity. Therefore the Council will adopt a Workforce Plan, incorporating a Workforce Development Plan that will ensure that it has the right people with the right knowledge, skills and behaviours deployed appropriately to deliver this Council Plan. In order to achieve the developments and improvements sought the Council will continue to work in partnership with the trade unions representing Council staff."

The commitment of Council staff to the Council's vision and to delivering high quality services is well recognised by the Council and external agencies. For example, the Council's Investor in People assessment stated that our staff "are passionate about delivering the best service possible for the Customer."

This Workforce Plan, which replaces the 2012-2015 People Strategy, aims to support the Council to achieve the vision and ambitions set out in the 2017-2022 Council Plan and address the challenges it faces by providing a coherent and consistent approach to ensuring a skilled, flexible, high performing, motivated, and well managed workforce. Our staff are our greatest asset and the Plan sets out how the Council and its staff will continue to work together to respond to the challenges we face in achieving our vision.

The Workforce Plan forms a key part of the Council's organisational, service and resource planning activities (including the Financial Strategy) to support the delivery of the Council vision and strategic objectives. This Plan will support the achievement of the ongoing transformation programme that is central to delivering the changes required – helping to ensure we have the right people with the right knowledge and skills in the right place at the right time. It will be key to ensuring the Council makes informed decisions about our employees, Human Relations policies and organisational development and training plans.

This plan will be highly visible and clearly communicated to all employees as part of the communications strategy that allows all employees to understand the key objectives of the Council and their role in delivering the Council Plan. The Plan reflects continuing and growing investment in the workforce. Its implementation will rely on continuing positive partnership between the Council, its staff and the Trade Unions.

Workforce Vision and Values

The Workforce Plan is based on the vision that

East Lothian Council will be an employer of choice and our staff will:

- *have the skills, knowledge, experience and motivation to deliver the highest quality services*
- *be flexible and adaptable around our changing organisational needs*
- *be resilient to change and instigate, as well as adapt to, changes in service delivery*
- *be satisfied and engaged and feel safe at work*
- *work in partnership across all services and with the Council's partners and communities to effectively deliver essential services and outcomes*
- *feel valued and recognised for the contribution they make to achieving the Council's vision and objectives*
- *be supported, empowered and trusted*
- *take personal responsibility and ownership to be effective in their jobs.*

The Council's commitment to being an employer of choice is evidenced by its attainment of various external awards and accreditations such as Investor in People, Investor in Young People, Healthy Working Lives and Recognised for Excellence and its pay and terms and conditions package, which aim to make the Council a competitive employer in East Lothian's employment marketplace.

In addition, the Council has a well established set of staff values and behaviours. These are known as **the East Lothian Way**:

- **Focus on service** – putting the customer first; providing excellent customer service and, contributing to improvements in service.
- **Initiate solutions** – striving for excellence; taking personal responsibility and ownership to be effective in our jobs.
- **Deliver outstanding results** – taking responsibility; seeing tasks through to successful completion.
- **Explore the bigger picture** – understanding how our daily activities help to achieve the Council's vision and priorities; working together for a better East Lothian
- **Share knowledge** – demonstrating regular and effective team working; being open and honest.

How the Plan was Developed

This Workforce Plan was developed using a Workforce Planning Model as set out below. The Plan is structured around four questions and four sections:

Section 2 – Where are we now? East Lothian Council’s workforce profile

Section 3 – What is driving the change? Analysis of future needs

Section 4 – Where do we want to get to? Analysis of the gaps

Section 5 – What do we need to do to get there? The Plan

Workforce Planning Model



The development of the Plan has been informed by the following research:

- A review of the context and drivers of change that impact on the Council’s workforce
- An analysis of the current council workforce profile to identify key factors and trends
- A survey of all Service Managers that identified key trends, challenges and desired actions at both Council and service levels.

A draft of the Plan formed the basis of a staff consultation exercise and consultation with Council Trade Unions.

Self-evaluation and external assessment are key parts of East Lothian Council's continuous improvement framework. In this context Audit Scotland's People Management Best Value Toolkit was used to benchmark current HR and organisational development policies and processes to identify areas for improvement and further development through the Workforce Plan. Also, the improvement actions arising from the Council's Employee Engagement Survey, and the recommendations made through the Council's Investors in People assessment (March 2017) and Investors in Young People assessment (October 2017) have been incorporated into the Plan.

The outcomes of the analysis of current and future needs and the self-evaluation were used to identify the gaps that need to be addressed in the strategy that forms the basis of the workforce plan.

These have been brought together under three themes:

- Sustain a skilled, flexible, high performing and motivated workforce
- Support and initiate transformational change
- Build and sustain leadership and management capacity.

Following adoption of the Plan a detailed action plan, following the SMART (specific, measurable, attainable, realistic, timely) principles, will be prepared detailing how the Plan will be implemented, by whom and with defined timescales.

2. Where are we now? East Lothian Council's workforce profile

A detailed analysis of the Council's workforce has been undertaken using information extracted from the HR & Payroll system CHRIS 21, as at 31 August 2017, unless otherwise stated.

The Wage Bill

The Council revenue budget 2017/18 (excluding Housing Revenue Account) was approximately £233m. Just over 65% of the Council's expenditure – c.£150m – is accounted for by the Council's wage bill – salaries and on-costs such as pension contributions.

Headcount

The Council employs 4,865 staff¹. This equates to 3,538 full-time equivalents employees.

Three service areas account for 80% of Council staff. The largest proportion of staff (41%) are in Education, followed by Infrastructure, including roads, amenity services and facilities (23%) and the Health and Social Care Partnership, including adult and older people's care services and children's services (16%).

Workforce by Contract

80% of the Council's workforce is on a permanent contract; 11% are on temporary contracts and 9% are casual staff. It should be noted that some staff shown as being on a temporary contract may be permanent employees who have a temporary contract for a number of reasons such as acting up, internal secondment or redeployment to a location that is not their stated place of work.

Just under 50% of the Council's workforce are full-time employees and just over 50% are part-time (41.8%) and casual/ relief staff (9.3%).

¹ Most of the data used in the workforce profile is from December 2017

Table 1: Contracts by contract type and gender

	FEMALE			MALE			Female Total	Male Total	Total
	Perm	Temp	Casual/Relief	Perm	Temp	Casual/Relief			
Full Time	1185	137		987	69		1322	1056	2378
Part Time	1529	292		176	39		1821	215	2036
Casual/Relief			344			107	344	107	451
Total	2714	429	344	1163	108	107	3487	1378	4865
% Gender	78%	12%	10%	84%	8%	8%			
% Council	56%	9%	7%	24%	2%	2%	72%	28%	

The part-time workforce is predominantly female and the percentages of part-time working across the Service areas are:

- 78% Health and Social Care Access & Older People
 - predominantly home care workers and those working within care homes
- 49% Education
 - the majority of staff (55.5%) within Primary Schools are part time, and 38% of Secondary school staff are part time
- 49% Communities & Partnerships
 - the majority of these work within Customer Services including libraries, customer offices and museums
- 42% Infrastructure
 - the majority of these work within Facilities Services, where 90% of the workforce is part time
- 30% Health and Social Care Planning & Performance
- 30% Health and Social Care Children & Adults
- 30% Council Resources
- 30% Development.

A total of 592 (12%) employees hold two or more posts with the Council. (see Table 2)

The largest number of additional contracts are for supply teachers, cleaners, and youth workers. The top ten posts with additional contracts across the council are shown in the following table. (see Table 3)

Table 2: Number of staff with multiple contracts

Employees with Additional Contracts	Number of Contracts
492	2
78	3
18	4
3	5
1	6

Most of the multiple postholders with three or more part-time posts have posts within the same service but in different work roles and locations. The Council manages multiple posts/holders within relevant employment legislation, taking account of the working time regulation and health and safety obligations.

Table 3: Top ten types of posts with multiple contracts

Job Title	Total
Supply Teacher - Short Term	145
Cleaner	77
Youth Worker	75
Supply ASN Auxiliary	38
Supply Classroom Assistant	29
Playground Supervisor	25
Caretaker	21
Dining Room Supervisor	17
Customer Services Assistant	15
Adult Learning Tutor	14

Workforce by Gender

Seventy two percent of the Council's workforce is female. The majority of female staff are part-time – 62% part-time and casual/ relief staff compared to 38% full-time. Within Infrastructure the gender profile is very different, with 64% of employees being male accounting for 44% of the Council's male workforce. The majority of these are employed as Road Workers, Waste Operatives, Mechanics, Amenity Operatives, and Caretakers.

A review of applications received for similar posts advertised, traditionally considered to be typically 'Male' have seen an increase in woman applying for posts and being the successful applicant. The 17 posts advertised between November 2016 and November 2017 attracted 825 applicants, 68 female and 757 male, with contracts being offered to 5 females and 12 males.

Over three quarters (76.5%) of male staff are full-time and only 23.5% are part-time and casual/ relief staff.

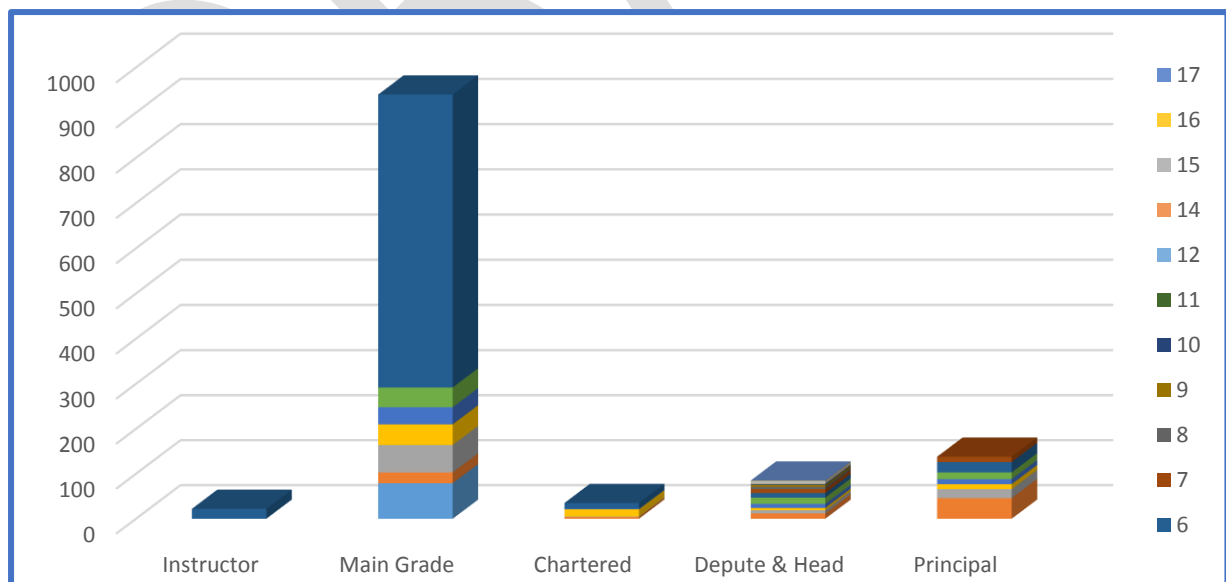
Table 4: Gender breakdown of permanent and temporary staff

Service Area	FEMALE			MALE			Total
	Perm	Temp	Casual / Relief	Perm	Temp	Casual / Relief	
Chief Executive	1	0	0	0	0	0	1
Communities & Part'ships	257	44	63	79	15	34	492
Council Resources	238	23	9	65	1	0	336
Development	62	25	9	76	9	2	183
Education	1265	290	202	231	42	21	2051
HS Access & Older People	315	3	31	18	2	1	370
HS Children & Adults	185	11	14	72	1	6	289
HS Planning & Perf	43	10	0	8	2	0	63
Infrastructure	346	23	16	611	36	43	1075
Internal Audit	2	0	0	3	0	0	5
Total	2714	429	344	1163	108	107	4865

Workforce by Grades

Around a quarter of all Council staff are teachers. The diagram below indicates the spread of grades across the Teachers Spinal Column Points (nationally determined grading structure).

Diagram 1: Teaching posts by grade



The largest proportion of staff on Local Government Employee (LGE)² grades (i.e staff excluding teachers) is Grade 4 (15% of total Council headcount; 21.5% of LGE staff).

Table 5: Percentage of workers by grade

Grade	Total	% Workforce	% Pay Scale
Main Grade Teacher	943	19.38%	76.05%
Principal Teacher	139	2.86%	11.21%
Depute & Head Teacher	85	1.75%	6.85%
Chartered Teacher	35	0.72%	2.82%
Instructor	22	0.45%	1.77%
Psychologist	7	0.14%	0.56%
Education Support Officer	4	0.08%	0.32%
Quality Improvement Officer	3	0.06%	0.24%
Quality Improvement Manager	1	0.02%	0.08%
Senior Psychologist	1	0.02%	0.08%
LGE Grade 4	741	15.23%	21.50%
LGE Grade 6	617	12.68%	17.90%
LGE Grade 7	480	9.87%	13.93%
LGE Grade 5	375	7.71%	10.88%
LGE Grade 8	311	6.39%	9.02%
LGE Grade 9	278	5.71%	8.06%
LGE Grade 3	179	3.68%	5.19%
LGE Grade 10	167	3.43%	4.84%
LGE Grade 1	128	2.63%	3.71%
LGE Grade 11	71	1.46%	2.06%
LGE Grade 2	37	0.76%	1.07%
LGE Grade 13	24	0.49%	0.70%
LGE Grade 12	19	0.39%	0.55%
Chief Officer	8	0.16%	0.23%
Modern Apprentice	7	0.14%	0.20%
Trainee LGE	4	0.08%	0.12%
Chief Executive	1	0.02%	0.03%
Craft Grade 2	84	1.73%	52.17%
Craft Grade 3	59	1.21%	36.65%
Apprentice CW	12	0.25%	7.45%
Craft Grade 1	6	0.12%	3.73%
ELVOS	15	0.31%	
Secondment	2	0.04%	
Total	4865		

² The LGE pay and grading structure is locally determined taking account of the national Job Evaluation Scheme.

Staff in Grade 4 posts are predominantly in front line roles, including a variety of posts in facilities management (cleaning and catering staff), customer services, school auxiliary, classroom assistant and amenities services. The 2017/18 salary band for Grade 4 is £16,187 to £17,683. Ten percent of LGE staff, predominantly female, part-time employees are on Grade 1, 2 or 3. The introduction of the Living Wage in 2012 has had a positive impact on these groups of employees.

Workforce by Age

As is shown in Table 6 over half of the council workforce is aged 46 and over. The average age of a Council employee is 48. Only 22% of Council employees are aged 16 – 35, compared to 23% who are aged 56 and over. Almost a third of council employees are in the 46-55 years of age band.

Table 6: Council workforce by age

Age Group	% Headcount	% Permanent Staff
16-25	5.6%	3.2%
26-35	16.4%	15.3%
36-45	22.3%	22.0%
46-55	32.6%	34.8%
56-65	20.9%	23.0%
>66	2.2%	1.8%

The age profile of the workforce was identified by the Council in 2014/15 as a challenge as only 4.8% of its workforce was aged 16 – 25. The Council took steps to attempt to re-balance the age profile and increase the proportion of younger staff. Initiatives to increase youth employment have included the development of trainee posts, graduate internships and a Modern Apprentice programme. These initiatives have resulted in a small but important increase in the youngest age cohort to 5.6% of the Council workforce.

Sickness Absence

Two methods of measuring sickness absence are used, both of which show similar trends over the last five years – a significant increase in 2014/15, followed by small reductions in the following two years.

Table 7: Sickness Absence - % of staff absent (all staff)

Year	% Absence
2012/13	4.76%
2013/14	4.60%
2014/15	5.29%
2015/16	5.17%
2016/17	5.16%

The other indicator that can be used is the % sickness absence days by employment group (Table 8). This is the national indicator used by the Local Government Benchmarking Framework (LGBF) which is published annually by the Improvement Service to provide comparison across local authorities.

Table 8: Sickness Absence (LGBF measure) – sickness absence days³

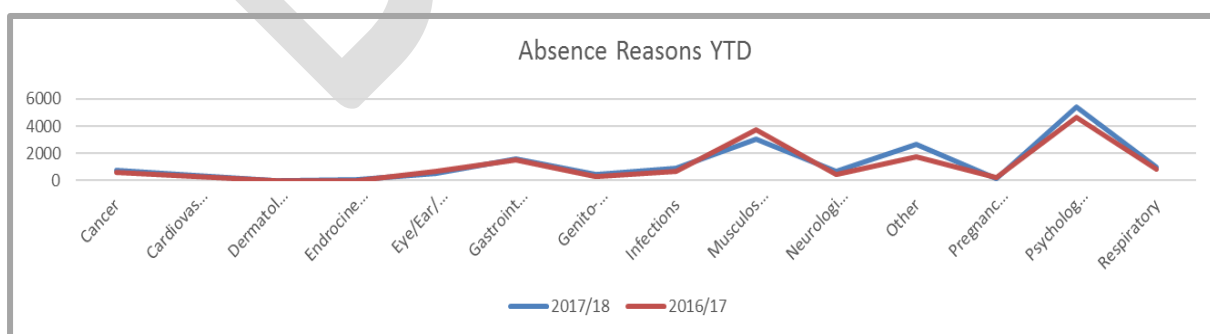
	Teachers	Non- teachers
2014/15	8.3%	11.1%
2015/16	7.0%	10.8%
2016/17	7.4%	10.75%

The Council’s ranking amongst Scottish Councils for absence amongst non-teaching staff improved from being in the 3rd quartile in 2015/16 to the 2nd quartile in 2016/17 (from being ranked 20th to 13th) but for teaching staff went from the 3rd quartile to 4th quartile (from 26th to 28th).

The focus of the Council has been to improve attendance management figures across both groups and a review of best practice in public and private sectors through the CIPD, Xpert HR, NHS and Gov.UK websites was conducted. This has shown that East Lothian Council employ the majority of initiatives and best practices recognised to promote employee health and wellbeing and which have been shown to reduce the likelihood of illness. These include Healthy Working Lives calendar of events, reduced cost massage, podiatry and physiotherapy and an independently provided Occupational Health Service and Employee Assistance Programme which is cited as effective in helping to prevent and tackle absence and support rehabilitation to work for returners.

To support these initiatives there has been a focus on attendance management with the introduction of a revised Attendance Management Policy in January 2017 combined with line manager and employee awareness sessions rolled out across the Council.

Diagram 3: Reasons for sickness absence



Analysis of the absence data for the first six months of 2017/18 (number of days absence) showed Stress/ Anxiety / Depression as the main absence reason

³ For the purposes of sickness reporting a 'day' equates to the employee’s contractual working hours whether that be 2 hours or 7 hours – both equate to a day

across all age groups (apart from the over 65 year olds). Other common reasons for absence across all age groups were backache/ sciatica, bereavement reaction, and post operative recovery.

Further analysis is being carried out on other aspects of sickness absence such as length of absence (short-term and long-term) to support the implementation and monitoring of the Council's Absence Management Policy and further develop the Council's Healthy Working Lives initiative to support staff improve their health and wellbeing.

Overtime and Agency Workers

In 2016/17 the total spend on overtime payments was £2,794,037. Annual equal pay reviews carried since 2010 shows a continuing trend of the majority of overtime is worked by women at flat rates due to the part time nature of the majority of their contracts. The premium overtime rate (time and a half) applies once an employee has worked the fulltime equivalent hours for a post.

The Council spent a total of £1,490,348 on Agency staff in 2016/17, broken down across the Service Areas as shown in Table 10.

Not including contractual overtime the use of overtime and agency workers has increased year on year. However, there have been a number of high profile events in East Lothian, which have required additional staffing capacity and the Council also has staff on stand-by arrangements to cover situations such as emergencies. The highest spend is within the Infrastructure and Health & Social Care services. The grades with the highest spend are the front line Grades 4 and 6. This also reflects the practice of staffing for the norm and not the peaks of demand and bringing in additional flexible staffing when additional support is required.

Table 10: Breakdown of spend on agency staff by service area

Service Area	£
H&SC Access & Older People	£30,321
H&SC Adult Wellbeing	£230,197
H&SC Children & Adults	£29,355
Children's Wellbeing	£6,969
Communities & Partnerships	£93,573
Communities and Partnerships	£11,172
Council Resources	£69,461
Criminal Justice	£1,030
Development	£321,555
Education	£138,479
Infrastructure	£543,224
Planning & Performance	£15,012
Total	£1,490,348

Staff Turnover

The average length of service with the Council is around 10 years. This is reflected in the Council having a relatively low level of staff turnover – 4.63% in 2015/16 and 5% in 2016/17. The low turnover rate is a contributory factor to the older workforce and can be viewed as potentially both a positive and a negative factor in workforce planning.

- Positive – workforce committed to working for the Council with growing levels of knowledge and experience.
- Negative – ageing workforce with fewer opportunities for younger staff to enter the Council workforce.

The number of leavers and reasons for leaving the Council have been consistent over the last three years with the largest reason for leaving being end of temporary contract, followed by resignation and retirement. However, when resignation categories are combined, end of temporary contract falls to second place.

3. What is driving the change? Analysis of future Needs

The 2017-2022 Council Plan sets out the Council's ambition for East Lothian, summarised in the Council vision. It is based on objectives and strategic goals that will have the greatest impact in improving the lives of the people of East Lothian – growing our economy, growing our people and growing our communities. The overarching objective of reducing inequalities is important as it ensures we do not lose sight of the need to break the cycle of poverty that blights families and communities.

The Plan is based on a sound foundation of high performing services built around the needs of our people and communities, partnership working geared to achieving better outcomes, positive engagement with our communities and voluntary sector, and a focus on exploiting new opportunities to continue our drive to sustainable and inclusive economic growth through the City Region Deal and the Local Development Plan.

However, the Council faces unprecedented financial challenges and increasing demand for more and better services from an ever growing population and communities that quite rightly expect the highest quality of services. As demand for quality services rises and resources are restricted we need to provide best value for money – better services at lower cost; doing more with less; doing things differently, more efficiently and more effectively.

The Council Plan sets out in some detail the context within which the Council will be operating over the next five years, including:

- Significant growth in East Lothian's population
- Financial constraints and pressures
- Impact of the recession and the decision to leave the EU
- Public sector reform and the Scottish Government's programme for Government.
- Our programme of change and the opportunities technology offers
- Our partnership arrangements with communities and other public sector organisations.

The Council's ambition to achieve its vision and objectives and exploit the opportunities to deliver sustainable and inclusive economic growth in the face of the changes it faces makes it even more important that the Council manages its most important resource – its workforce – as efficiently and effectively as possible.

The Council Plan recognises that to meet the pressures and demands, the Council will need to deliver services differently and will increasingly become:

- an enabling and empowering authority
- a more entrepreneurial authority
- a 'digital' authority, fully embracing and exploiting opportunities to use technology to deliver services.

The following section provides the analysis of the future needs based on the key drivers of change that impact on the Council's present and future workforce requirements.

Population Growth and Growing Demand for Services

East Lothian's population is projected to grow by about 1% a year over the next 20 years – from just over 100,000 to over 125,000 by 2037. Significant growth is projected across all age groups, but particularly among children and older people. The 0-16 year age group is projected to grow by almost a third; the over 75 year age group by almost 100%; and, over 85s by around 150%.

The Council is planning for the impact this growth in population will have on Council services, primarily but not exclusively:

- education
- services for children and families
- services for older people and vulnerable adults
- infrastructure, such as schools, roads and community facilities to support the new settlements and housing required for the growing population
- services such as waste collection and street cleaning
- business development and employment services.

The Education Service will face the biggest impact from the growing population. To accommodate the rising number of pupils, the Council's capital programme includes the provision of a new Secondary School in Wallyford; two new Primary Schools in Wallyford and Haddington, which are already being built; and, the expansion of all Secondary Schools and many Primary Schools.

Whilst the development of the use of digital resources and changes in how senior phase education is provided could make more efficient use of teaching staff, the expansion of the Council's school estate will require an increase in the number of teachers. For example, the new Secondary School will require around 120 teachers; the two new primary schools will require over 150 teachers, classroom assistants and auxiliaries. These three new schools alone will require almost 300 additional teachers and classroom based staff.

In addition, the new schools and expanded school state will require additional administration staff, IT support staff, cleaners, catering staff, janitorial and grounds maintenance staff.

The Scottish Government's proposals for education governance as set out in Empowering Schools: a consultation on the provisions of the Education (Scotland) Bill is creating a high level of uncertainty about the future of education services in local authorities. The proposals are bringing into question the role of the local authority as employer of teachers and school based staff. The Bill will establish a Headteachers' Charter that will enable Headteachers to make decisions regarding the management of the curriculum, staffing and funding, with the consequential variation in practice across our schools. In

addition, the outcome of the Scottish Government's Fair Funding consultation, due to be published in summer 2018, could have significant implications for the funding and staffing mechanisms in place at local authority level.

The increase in East Lothian's child population will also increase demand for services provided by the Council's Children's Services with the possibility of higher numbers of vulnerable children and families requiring engagement and support.

East Lothian's growing older population will create pressure for additional staff to provide services for older people such as domestic and personal care to support people living at home or in homely accommodation. An increasing amount of support will be required for people with complex needs such as dementia.

The Council has adopted a draft Local Development Plan which meets the requirement to ensure land supply for 10,050 houses and associated infrastructure over the next 10 years.

In addition to requiring additional schools and services for children and older people, East Lothian's growing population and the new houses that are being built across the county will result in increasing demand for property based council services. More bins will need to be collected, more roads and pavements will need to be maintained and swept, and more people will use leisure centres, libraries and other community facilities. Either more staff will be required to provide these services or the way services are provided will need to change in order to 'do more with less'.

The Local Development Plan, the City Region Deal and Cockenzie masterplan will increase the requirement for additional, and possibly different staffing capacity and resource, to manage and process the large number and large scale planning applications (e.g. Blindwells) and to design, and then supervise, the contracts to build new schools, care homes and other infrastructure requirements.

The Council's Financial Prospects

Since staffing costs account for over 65% of the Council's revenue budget, any significant reduction in the Council's budget cannot be met without changes in the level of expenditure on staffing. As shown above the pressure to reduce staffing costs to meet any budget gaps over the next few years will come at the same time as pressure to increase staffing in services such as education and care services.

The Council's three year budget for 2018/19 – 2020/21, includes significant savings in staffing costs totalling £2.75m over three years – £1.15m from 'efficient workforce management', £600,000 from a senior management review; and savings of over £1m from specific service reviews. There is no requirement or proposal to manage staff numbers through a Council-wide Voluntary Early Release Scheme.

Whilst these projected savings will reduce staff headcount, the increase in staffing required to meet the growth in education, care services and other

services as outlined above will mean that the Council's overall staff headcount will probably increase.

Given the continued uncertainty about the level of Local Government funding and continuing cost pressures the Council will have to continue to control expenditure. As is highlighted above, the Council Plan has flagged up the need for the Council to review how services are delivered in order to live within its means. These change options will have an impact on the Council's workforce – its size, shape and deployment. This Plan sets out how the Council will meet the challenges that these changes will present and assist in the management of staff numbers in line with the Council's agreed three-year revenue budget.

The Workforce Plan does not include specific proposals to alter the current structure of the Council's services. However, service reviews which will be carried out as a result of budget decisions or the requirement to review services and service specific workforce plans may result in some alterations to the Council management and service structure.

Early Learning and Childcare

By 2020 the Council is planning to provide 1140 hours of free early learning and childcare for all 3 and 4 year olds and eligible 2 year olds, almost doubling early learning and childcare services. This can only be provided through a significant increase in infrastructure and staffing. This will have significant implications for the workforce and will see the Council oversee far greater number of placements with partnership providers with the associated requirements for review of standards.

The Council has submitted a proposal to the Scottish Government for how it intends to deliver this commitment, including a detailed analysis of workforce implications summarised as:

- Staff contracts – the expansion programme, including a possible move to providing nursery services for 50 weeks of the year (as opposed to current school term time provision) will require increased flexibility of daily and weekly working patterns
- Leadership and management – early learning and childcare beyond school term time will require a new management structure to be developed to cover out-with term time service provision that will not be covered by existing Primary School Head Teacher contracts
- Additional staffing requirements (possibly between 150 – 200 additional staff) to meet the vastly expanded provision of early learning and childcare through council services and facilities and the management of services provided by the private and voluntary sectors, including child minders.

The development of Early Learning and Childcare opens up opportunities for existing and new staff. One opportunity which is already being progressed with the support of Queen Margaret University and Edinburgh College is the

development of a model of inter-generational service provision and an inter-generational workforce providing co-location and co-provision of services for older people and pre-school children.

This expansion of services offers opportunities for existing staff whose roles are changing to retrain to take up a career in early years or childcare.

Health & Social Care integration

Health & Social Care Partnerships are required by the guidance on the Public Bodies (Scotland) Act 2014 to develop their own Workforce Plan. There is a requirement from the Scottish Government that partnerships adopt the approach of joint workforce strategies and development plans and that these take into account the national Health and Social Care Workforce Plan

Consequently the East Lothian Health & Social Care Partnership has established a steering group to develop a Workforce Plan incorporating Workforce Planning, Learning and Development and Organisational Development (due to be published in spring 2018). The Partnership's workforce planning requirements will need to be aligned with the Council's Workforce Plan.

National Living Wage

The introduction of the National Living Wage has been of great financial benefit to employees on the initial grades (Grade 1, 2 and the first two levels of Grade 3). The largest impact has been on part-time female employees who represent over 80% of this cohort of council employees.

Increases in the Living Wage and salaries in these bands will make recruitment easier as people are more likely to see the role as more of a career choice and should enable the Council to compete with salaries from other employers, retain employees, reduce absenteeism and encourage higher productivity. Being a Living Wage employer supports the Council's commitment to being an ethical employer and supports the work of the Scottish Government with the Poverty Alliance to build a 'living wage nation'.

However, whilst the Living Wage goes a long way to addressing in-work poverty, it should be recognised that this policy adds to the Council's wage bill and has had an impact on pay differentials. These issues have been factored into the Council's financial strategy and budgets.

Young Workforce

As was highlighted above (Page 13) the Council has identified that the age profile of its workforce is a challenge. In 2014/15, only 4.8% of the workforce was aged 16-25. Various initiatives such as the development of trainee posts, graduate internships and Modern Apprenticeships have contributed to increasing the younger age cohort to 5.6% of the workforce.

A revised focus within our secondary schools will see the introduction of Foundation Apprenticeships which will have an impact on the employment of young people to various roles within the council.

The Council's commitment and developing work to engage with, encourage and support its young workforce was recognised by the award of a Gold standard Investors in Young People in November 2017.

The apprenticeship levy is a charge for all UK employers with an annual salary bill of more than £3m. The levy is set at 0.5% of the NI contributions, with all of the funds raised through the apprenticeship levy invested in skills, training and workforce development. The funds are applied for through Skills Development Scotland. In 2017/18 the Council was able to access £10,000 of training provided through Edinburgh College. This is being used to provide IT/ Digital Skills training for frontline staff.

Pensions

While there is no longer a defined retiral age, the anticipated increase in employees staying in work beyond the age at which they receive their state pension has not materialised. Where this has tended to happen is in the lower paid jobs in the Council, predominantly at Grade 6 and below.

The Council operates a Flexible Retirement Scheme for Local Government employees and Winding Down for teaching employees. This allows individuals to retire drawing their pension while remaining at work on fewer hours. This allows the council to retain the knowledge and experience which can be passed on to other staff whilst the employee enjoys a better work-life balance and prepares for retirement.

It is vital that Service areas are sufficiently prepared for the loss of experienced staff through not only retirement but resignation, through the use of succession planning, documenting processes and adopting / adapting technology to 'pass on' the knowledge of experienced employees.

Changes to the Pension Regulations 'Rule of 85' (a person's age at the time benefits are drawn plus the number of years of membership in a pension plan should equal 85 or more to avoid a reduction in benefits) come fully into force by March 2020. These could result in a spike in early retirals if staff who could retire under the rule decide to retire early before the changes to the rule come into force. This could exacerbate the problem caused by early retirals leaving skills, knowledge and experience gaps in the organisation requiring the Council to plan for workforce changes particularly where the service is provided by a small team or one individual.

Pay Equality

East Lothian Council has a good record on pay equality. The Council addressed the historical issue of equal pay through its Single Status Scheme implementation in 2008 and has no live equal pay claims.

Since 2012/13 over 50% of the Council's highest 5% paid employees have been women. In 2016/17 the figure was 52.7%, which was slightly higher than the Scottish average of 52%.

The Council also has a relatively good record in regards to the gender pay gap. This is the difference between men's and women's earnings measured as the average (mean) hourly rate of pay excluding overtime payment for female employees divided by the average hourly rate for male employees. A figure of zero shows no gender pay gap. In 2015/16 East Lothian Council's gender pay gap was -1.2% although it rose to 1.8% in 2016/17.

The Council's workforce is still traditionally gender defined – care and clerical posts predominantly held by women; crafts, manual and technical posts held by men. Further attention is being given to 'breaking down' these traditional gender stereotypes in different sections of the workforce, including employee and role profiling in Council recruitment, staff communications through the Inform staff e-zine and public communications.

BREXIT

The UK's withdrawal from the EU is due to come into effect in March 2019. The withdrawal will not of itself repeal UK employment laws or immigration rules wholesale.

Parliament will need to repeal the European Communities Act 1972 but many of the UK's employment laws from Europe or stemming from European Directives have been introduced through other UK legislation. Each individual law would need to be amended or repealed one by one. There is great uncertainty and views differ as to which, if any, employment legislation will be dismantled following the UK's departure from the EU.

However, what is clear, albeit at this stage the precise details are unknown, is that there will be an impact for recruitment. The Council will continue to work closely with the Convention of Scottish Local Authorities (COSLA), professional networks and other Councils to ensure that we are fully prepared for any changes. In the meantime, we have recognised that there could be an impact on care provision and work is being undertaken to encourage young people to consider a career in this profession.

Further analysis will need to be carried out of the Council's current workforce to determine the potential impact of post Brexit changes on the Council's ability to recruit staff in growth areas such as care services, early learning and childcare, and building trades.

Transformation

As the squeeze on public sector resources intensifies, the Council recognises that a focus on efficiency alone is no longer sufficient or sustainable and that, given the scale of the financial and demographic challenges ahead, more radical and sustainable solutions are required, focussed on transformational change. The Council will need to focus on doing more with less, doing things differently –

being more efficient and effective with fewer resources. From a workforce planning perspective this means ensuring staff are more productive through streamlining of processes and eradicating unnecessary bureaucracy.

Given the demographic, financial and other pressures faced by the Council, significant change will happen. The Workforce Plan is based on the premise that the workforce have to be partners in this change – influencing, instigating and embracing it – and not feel that they are merely the object of change.

The Council has embarked on a Transformation Programme, which includes the following key elements:

- Review of Council accommodation requirements and new ways of working including technology and partnership arrangements
- The redevelopment of the Council's website and provision of on-line services. The main focus of this project to date has been the procurement of a new fully responsive Council website that will support the development of on-line services and payments supported by a new Customer Relationship Management (CRM) system
- Exploiting opportunities for income generation and reducing expenditure; for example from exploiting renewable energy sources and developing the Council's expertise in 'trading operations'
- A programme of service redesign and options appraisal, which will take into consideration the potential to work in partnership with East Lothian voluntary organisations, businesses and social enterprises and use alternative service delivery models such as arms-length external organisations, trading companies, social enterprises and strategic partnerships with other local authorities.

The transformation in the way the Council operates and delivers its services will have an impact on the Council workforce. Change is a stressful process for organisations and for individuals who are affected by it. The transformational change programme will require staff training, management development and support in relation to wellbeing and resilience. The Council will need to support managers and staff through the process – empowering staff to promote and embrace change, developing managers' capacity and ability to manage change and supporting staff in adapting to and being resilient to change.

A Digital Authority

The 2017-2022 Council Plan commits the Council to becoming a Digital Authority. The Council has adopted a Digital Strategy which sets out how it will meet this commitment – making services accessible to customers/ service users wherever they choose, whilst realising operational and cost efficiencies through improved and streamlined business processes.

In parallel to the redesign of services and business processes the Digital Strategy acknowledges the importance of ensuring that East Lothian residents

and businesses have access to superfast broadband that will allow them to fully exploit opportunities presented by having access to the 'internet of things' such as telecare and telehealth services.

The Digital agenda is enabling service redesign to give staff the capacity to deliver services digitally thereby ensuring efficiencies are realised from changes in processes. Access to digital technology across all service areas and staff groups will also assist in enabling flexible working and generating increased capacity from reduced 'waste' such as travelling to and from office bases.

The Council will ensure that its workforce can support the roll out of new technology to provide digital services; for example, ensuring that all council staff have basic digital skills and have access to digital technology.

Staff Engagement

The Council runs an annual staff engagement survey which has consistently achieved a response rate of over 50%. In both 2016 and 2017, 58% of council staff completed the survey – one of the highest response rates amongst Scottish authorities.

The overall engagement rate (Strongly Agree and Agree responses across all questions) fell from a high of 81.5% in 2015 to 76.6% in 2016 but rose again to 78.4% in 2017. Several questions have consistently received very positive responses and point to a high level of positive engagement from Council staff including:

- My work is interesting and uses my skills and capabilities (92% in 2017)
- I know how my job / individual objectives contribute to the Council's objectives (91%)
- I am trusted to make decisions in my role (90%)
- I am treated fairly (87%)
- I feel empowered to make decisions and act on them (85%)

However the survey also highlighted areas that need further action and improvement including:

- I believe that the Council has a flexible approach to recognition (62%)
- I have a manageable workload (64%)
- Change is managed well in my school, business unit, service (69%)
- Change is managed well across the Council (57%)

The issues raised by the relatively poor responses to these questions are being addressed through an action plan which includes investment in management development such as Chartered Management Institute (CMI) 3 and CMI 5 training programmes, reviewing the Performance Review and Development (PRD) process and improving staff communications (such as the introduction of Inform, the new staff e-zine).

Good Foundations

Many of the drivers of change outlined above have been impacting East Lothian Council for many years and have already had an impact on the Council's workforce. Initiatives have included:

- Successful implementation of Single Status to ensure the Council meets its duties under Equal Pay legislation was put in place in 2008 entailing a review of all job descriptions and grades and at the same time enhancement of some terms and conditions of employment
- Efficient Workforce Management – to manage staffing costs; including a Voluntary Early Release Scheme in 2013 which resulted in 97 employees leaving the council on a voluntary basis
- Review of senior management – resulting in reduction of senior managers (from Service Manager level and above) of 30%
- Introduction of flexible/ agile working.

The Council continues to operate an active change management programme, initiatives and analysis resulting in a regular and robust self-evaluation processes. This includes the Service Review process (which is driven by the Service area and designed to reflect the changing needs of the service, the impact across the Council and the impact on people who receive the service), annual equalities monitoring and monthly workforce management reports which provide a detailed overview of staffing and spend.

The Council has an extensive and comprehensive suite of HR policies (see Appendix A) and a set of terms and conditions which are reviewed and revised as required, following consultation with trade unions and staff.

East Lothian Council has placed an emphasis on the wellbeing of its staff for which it has received awards and recognition including:

- Healthy Working Lives Gold Award
- Two Ticks (now known as Disability Confident)
- Investor in People (iP) Silver award
- Investor in Young People (iYP) Gold award.

The Council also provides staff with access to a range of employee benefits including Childcare vouchers, Cycle to work scheme, health care cash back plan, a car leasing scheme and a staff discount scheme.

The Employee Assistance Programme is available to help support the wellbeing and personal capacity of employees and help them navigate through challenges inside and outside of work. The promotion of this service continues to be included in the training to managers and in the employee engagement plan.

The Council has a duty of care to its staff which includes ensuring that all work places are safe and without risk to employees' health, so far as reasonably practicable. The Council has a comprehensive set of around 30 Health and

Safety Management Arrangements covering subjects ranging from Accident Reporting and Investigation, Asbestos, through to Young Persons. The Council's Health and Safety team provide advice and training to support the implementation of the Management Arrangements and ensure compliance with health and safety legislation.

The Council's STAR Awards provides an opportunity to recognise the excellent service provided staff.

Feedback from services and staff engagement surveys revealed that 1-2-1 meetings between staff and line managers were not consistent and in many cases not happening. The Performance Review and Development (PRD) framework was reviewed in 2016 and a new more focussed and simpler framework was launched which allowed more flexibility across services. The new framework has been widely implemented across the council with most services reporting that PRDs are completed and have more value.

To plan the support required for staff training and development, a Workforce Development Plan was devised for the period 2013 – 17. This had four main themes:

- Supporting transformational change
- Building and sustaining leadership and management capacity
- Sustaining a skilled, flexible and motivated workforce
- Developing the workforce for the future.

Successful outcomes from the plan included CMI level 5 programme for Service Managers which had 24 graduates and CMI level 3 programme for Junior / middle managers which has had 95 graduates to date. The new PRD process has been successfully implemented leading to clearer goals and more meaningful performance and development reviews. To support a skilled and flexible workforce, a new Learning at Work Policy was introduced in 2016.

'One Council Workshops' led by the Chief Executive were introduced in 2015 to increase engagement with staff, communicate the vision of the One Council approach and to empower staff by giving them the opportunity to contribute to improvements in services and how the Council operates. Around 1000 staff have attended One Council Workshops to date and this has led to many successful initiatives through suggestions by staff including:

- fostering a 'can do attitude' amongst staff
- improving People Finder, making it easier to identify and contact the right member of staff
- improving communication with and between staff
- speeding up the process of completing service reviews
- using Team Meetings more effectively to share information, pass on knowledge about good practice and promote the 'One Council' message
- empowering staff to take more ownership and responsibility for resolving problems and encourage staff to make positive changes.

Customer Service Professional Qualification (CSPQ) was introduced in East Lothian eight years ago in partnership with other councils and the Scottish

Qualifications Authority (SQA). Since then there have been 105 graduates with over 40 staff currently working towards the qualification. Informal and formal surveys and evaluations have shown an increase in the level of customer service and staff feeling better equipped to handle the needs and requirements of their customers.

Investors in People (IiP) is an internationally recognised accreditation which defines what it takes to lead, support and manage people well for sustainable results. In May 2014, East Lothian Council was awarded the standard accreditation, and in March 2017 achieved Silver standard accreditation.

The March 2017 IiP assessment report highlighted strengths and areas for development. The strengths included how a clear vision had been communicated and employees were clear on the challenges ahead and are motivated and confident in the leadership's capability to deliver them. IiP commented on "people are passionate about delivering the best service possible for the customer."

Areas for development included: expanding leadership and development and change management training to include more managers below service manager levels; embedding the East Lothian Way values; and, improving staff communication.

Investors in Young People (IiYP) tests how well an organisation can attract, support, guide, develop and retain young employees. In November 2017, East Lothian Council achieved the highest level award – the Gold standard. This award has also come at an opportune time as 2018 is the Year of Young People.

The IiYP assessor described the achievement of Gold standard as "a true commitment to the training and development of young people and demonstrates East Lothian Council as an employer of choice for young people."

The IiYP assessment made some recommendations for improvement including: communicating and continuing to develop the Council's Youth Strategy; provide greater clarity around succession planning; introduce a young person's section in the monthly staff e-zine that is written by a young person; encourage peer mentoring and buddying as part of the settling in process; consider developing coaching and mentoring programmes as part of the support for young people.

The areas for development identified by the IiP and IiYP assessments have been considered in the preparation of this Plan.

4. Where do we want to get to? Analysis of the gaps

The analysis of the drivers of change that are impacting on the Council and its workforce has raised a series of questions, challenges and issues that need to be addressed over the next five years if the Council is to achieve its workforce vision:

East Lothian Council will be an employer of choice and our staff will:

- *have the skills, knowledge, experience and motivation to deliver the highest quality services*
- *be flexible and adaptable around our changing organisational needs*
- *continue to take every opportunity to be as productive as possible to deliver their agreed work priorities*
- *be resilient to change and instigate, as well as adapt to, changes in service delivery*
- *be satisfied and engaged and feel safe at work*
- *work in partnership across all services and with the Council's partners and communities to effectively deliver essential services and outcomes*
- *feel valued and recognised for the contribution they make to achieving the Council's vision and objectives*
- *be supported, empowered and trusted*
- *take personal responsibility and ownership to be effective in their jobs.*

Do we have the right size of workforce to meet the public's need and do we have the right staff in the right places?

The new schools that are already planned will require almost 300 additional teachers as well as additional non-teaching school based staff. The commitment to 1140 early learning and childcare will require 150 – 200 additional nursery teachers, nurses, and assistants as well as additional support staff.

Some frontline services such as waste collection, amenity services and customer services will also need to be reviewed in order to ensure they meet the demand for additional services required by East Lothian's growing population and businesses.

It is anticipated that this may not always require additional staff as advances in technology may support different models of service delivery. The further adoption of telecare and telehealth will continue to be a priority for our health and social care teams, the new website and Customer Relations Management (CRM) system will facilitate more online enquiries and transactions which in turn

will facilitate the rationalisation of our property assets as set out in our three year revenue budget.

However, as outlined in the Financial Prospects section above, Council's finances are under increasing pressure and constraint – reduction in revenue support grant, inflationary pressure, including pay inflation. The Council will need to reduce its spending on all services and do things differently in order to 'do more with less'.

The pressure for more staff in some services and the need to constrain budgets and staffing levels will require a constant drive for greater innovation and partnership working. With over 65% of the Council's revenue expenditure going on staff costs any substantial cut in spending cannot be met without a reduction in staffing costs.

The Health & Social Care Partnership, the Education service through the Regional Collaborative and early learning and childcare service are developing detailed workforce plans to ensure we are able to meet the essential needs of citizens being ever mindful of the financial constraints on public sector finance.

In relation to other council services that are facing resource constraints, our approach to benchmarking and learning from others has never been greater. There are some services which cannot continue to exist as they are designed at present and a number of service reviews are underway to look at opportunities to "pool" resources or refocus human resources towards targeted provision. In some services, more commercial models of provision will have an impact on the shape of the future workforce.

How can we meet the financial challenges and the demand for new services and fulfil the need to 'do things differently – doing more with less'?

The upward pressure on the Council's wage bill due to the need to provide additional services will be increased by wage inflation arising from the introduction of the National Living Wage and from the lifting of the pay cap by the Scottish Government, without additional funding provided through the Revenue Support Grant. The growth in the wage bill can only be met by increasing income, reductions in spending on discretionary services or by reductions in staffing costs.

The growing financial pressures on the Council's budget, and more particularly the wage bill, will require the Council to continue to think creatively and imaginatively about how it increases the productivity of the workforce. This will include doing things differently, more effectively and efficiently and adopting different service delivery models or commissioned services through sharing services, arms-length external organisations or partnering with third sector and community organisations.

As employee numbers and roles change, there will be a need for employees to continue to increase their capacity and capability to ensure maximum performance levels are achieved, and for the Council's performance

management processes to be monitored by each Head of Service and service managers.

As part of the search for greater capacity and productivity there will be an increasing need for managers to deploy the workforce more fluidly/ flexibly to meet service needs, based on the skills of employees. Managers will be required to work closely with the HR service to review current job roles and look, where possible, to widen roles to allow for greater flexibility within grades and across service areas and client groups, with an emphasis on objective rather than task led outcomes.

The search for greater productivity (in the context of reduced resources and increased capacity requirements) will drive the need to support the wellbeing and attendance of our employees. A 1% reduction in absence would equate to an increase in capacity of some 364 days over a one-year period. This equates to a saving of £26,763 direct costs, based on the end of year Occupational sick pay 2016/17 figures.

Our continued focus on reducing sickness absence, overtime costs and the use of agency workers and deploying more flexible contracts will make a significant contribution to increasing productivity and managing staff and staff costs. Greater flexibility in contracts will also support the re-deployment of capacity to where it is needed.

The Council's Terms and Conditions and staff contracts will need to be reviewed in order to ensure they are fit for purpose, help deliver our Workforce Vision and support the Council's priorities and the needs of the population we serve.

The Council will need to ensure that its employees – managers and staff – are supported and provided with the training and development required to meet the challenges that the change agenda will bring.

How do we meet the challenges we are facing in staff retention and recruitment?

There has been an increase in staff turnover in the last few years as staff retire but also as the economy picks up and staff are attracted to jobs with other employers.

This Council is facing particular pressure and increasing competition to retain and recruit staff in some posts such as care workers, catering and cleaning staff. The recruitment of staff to lower grade posts is particularly acute in the North Berwick and Dunbar areas, where unemployment is lower. Recruitment and retention are also problems in some professions and technical / skilled posts where other organisations are more competitive and can offer higher salaries, or where professional training has not met pace with growing demand, including: Maths, Science and Home Economics Teachers; Accountants; Social Workers; Architects; Surveyors; and some craft/ building trades.

The Council will need to consider how it can meet the recruitment and retention challenges outlined above through a mixture of approaches, which promote the Council as an employer of choice. This could include, payment of the National

Living Wage; 'growing our own' talent through a Professional Development scheme; developing apprenticeships and trainee posts in relevant services; and, providing mentoring and coaching that encourages retention of staff.

The Council will need to monitor the impact of BREXIT on the workforce and pool of people to recruit to posts that have attracted workers from rest of the EU, such as home care staff and some professions.

How do we meet the challenges of an ageing workforce with a high proportion of staff likely to retire within the next five years?

The greater flexibility in retiral age with staff having the option of choosing to work after their state pension age means that the levels of retirement will have to be closely monitored.

The age profile of the workforce suggests that a large proportion of staff could retire within the next five years – potentially losing the skills, experience and knowledge of a large pool of staff across the Council and specifically in some key posts. This is a particular problem in areas where there are single post holders performing specialist roles.

The Council will need to review its flexible retirement policy and develop an active approach to succession planning, to ensure it best meets the need to accommodate staff in key posts retiring and to minimise possible loss of knowledge and skills. The Council's approach to flexible retirement and succession planning will have to take account of equalities legislation and its recruitment policies.

How do we ensure we have a workforce with more balanced age and gender profiles?

The Council's workforce has an unbalanced age and gender profile. As highlighted above, less than 6% of the workforce is under 25 years old and there are as many staff aged 56 and over as there are aged under 35.

The majority of the Council's female staff are in administration, care, catering and cleaning services. Staff in services such as roads, property maintenance, waste, transportation, amenities, and engineering are predominantly male.

As an equal opportunities employer the Council is aiming to reduce the gender and age imbalances in its workforce.

The Council will continue to work with schools and Edinburgh College, other Higher Education institutions and employers to implement East Lothian's Young Workforce Plan. Key aspects to this will be supporting modern apprenticeships and vocational training to bring school and college leavers into the workforce and encourage more female pupils to take up STEM subjects and vocational training.

Action will also be needed to promote a more gender balanced workforce by further breaking down the traditional gender stereotypes in jobs; for example, supporting the recruitment and retention of more male staff in care services

such as early learning and childcare, and more female staff in crafts and technical posts.

Given the increasing age profile of the Council and the potential loss of key experience and talent over the coming years through the changes to the Rule of 85 and the age profile of our permanent employees a renewed emphasis on succession planning will be important.

How do we recognise the contribution of our staff?

The Council's Workforce vision includes the aim that our staff will feel valued and recognised for the contribution they make to achieving the Council's vision and objectives. The Employee Engagement Survey shows that the Council's staff are engaged and feel positive about working for the Council. However, there is an acknowledgement that there is always more we can do to show how we value staff and further develop our approach to rewards and recognition.

A significant challenge over the timespan of this Workforce Plan will be the need to ensure the continuing engagement and contribution of our employees. In large part, the Council's successes in managing change will depend on a successful engagement approach and the ability to translate organisational values into behaviours.

The commitment and engagement of our workforce will become even more important as the service challenges grow and the need for innovation at all levels intensifies. A successful engagement strategy will be key to support capacity and resilience through reduced absenteeism and voluntary turnover.

In anticipation of the scope and size of change over the next five years, the Council will require a clear framework for employee engagement and a communication plan, aligned to the Transformation Programme, which helps to articulate both the implications for employees and the clear need for their involvement and contribution.

It is essential that the focus on employee engagement is maintained and enhanced and the outcomes are shared across the Council through a variety of mediums to reach all employees.

Service Managers with support from HR should continue to focus on the Health, Wellbeing and attendance of their employees. There are considerable resources available via the Healthy Working lives annual programme and services provided through Occupational Health and Employee Assistance Programme such as reduced cost physiotherapy and chiropody, which are designed to maintain the health and wellbeing and attendance of our employees.

How do we support managers and staff to support, embrace and be instigators of change?

Over the life of this workforce plan there will be a continuing need to build a workforce that is more mobile and more flexible in how, when and where it delivers services. The Council Management Team and service managers will continue to explore alternatives to the current approaches to service delivery,

and look to deliver smarter alternative ways to deliver services where appropriate.

Staff want certainty about their future and their jobs but there are increasing pressures for change and greater flexibility in the workplace. The Council will continue to support staff to embrace change, further develop their resilience and play an active part in fostering the transformational change agenda.

The Workforce Plan continues to commit resources to supporting staff through a resilience programme, enhancement of the Healthy Working Lives programme including mental health and resilience and a further consideration of non-financial benefits.

Staff are supported, empowered and trusted to take personal responsibility and ownership to be effective in their jobs and adaptable around our changing organisational needs. Managers are supported to have and / or develop the skills to manage change and support staff through this agenda. Therefore, the Council needs to continue to develop and implement programmes of staff and manager development such as a resilience programme, mentoring, and conversational coaching.

Most of the Council's Service Managers have completed CMI5 training. The focus moving forward will need to be on Change Management. A programme of learning and development will need to be put in place for all Service and Line Managers, as this will be a key requirement in driving transformational change agenda. The learning curve for managing fundamental service transformation is steep and, as such the process of organisational learning will need to continue and expand.

We recognise the importance of continuing to invest in the development of our current and future leaders in order to meet both the challenges of the Transformation Programme and also the wider challenge of the public sector reform agenda.

The change process has, and will increasingly demand a lot from our managers in both designing the future and continuing to provide a consistent / improving level of day to day services. Managers will be required to work increasingly across organisational boundaries and, through necessity beyond strict professional boundaries. There will be an increasing emphasis on collaboration, commercialisation, project management, and partnership working.

There will also need to be an increasing emphasis placed on 'people management' skills. As more and more is required from employees, so too will the emphasis on engaging, coaching and empowering employees be greater.

To ensure that the future workforce is equipped to handle the anticipated level of change, a rigorous programme of change management leadership learning and development will be delivered in line with development needs identified through our PRD procedure.

Innovative approaches to learning and development will be needed as we seek to keep pace with the Scottish Government's public sector reform agenda and

advances in digital technology whilst maintaining the quality of the day-to-day service provision.

How does the Council workforce support the development of the Digital Authority?

In order to fully embrace and fulfil the concept of becoming a Digital Authority, fully exploiting opportunities to use digital technology to deliver services the Council will ensure it has staff with the necessary digital skills.

Staff providing frontline services will continue to be developed to have the capacity to fully deliver services on a digital basis. The Council will need to identify the digital skills and the skills gap of its workforce and put in place a programme of training to upskill staff in computer literacy to ensure all staff are able to utilise digital technology as required in the performance of their posts.

In the transition to a 'digital future', an increased number of technology specialists with in-depth technical expertise may be required. Digital skills command a premium in the marketplace so the Council may need to review how it recruits staff with the required skills and experience.

5. How are we going to get there? The Plan

The analysis of future needs has identified a range of actions that are required in order to achieve the Workforce Vision. These have been distilled into three themes that formed the basis of the 2013-17 Workforce Development Plan.

- Sustain a skilled, flexible and motivated workforce
- Support and initiate transformational change
- Build and sustain leadership and management capacity

Following adoption of the Plan a detailed action plan, following SMART principles (specific, measured, attainable, realistic, timely) will be prepared detailing how the Plan will be implemented, by whom and with defined timescales.

Sustain a skilled, flexible and motivated workforce

- 1.1 Develop relevant service specific workforce plans, aligned to the Council's Workforce Plan, that will ensure the Council has a cohesive and coherent approach to planning organisational capacity and skills that support the delivery of council and service objectives
- 1.2 Ensure that the Health & Social Care Partnership Workforce Plan is aligned with the Council's Workforce Plan and supports the development of new models of integrated working
- 1.3 Implement the workforce plan required to deliver the expansion of Early Learning and Childcare
- 1.4 Gather data on and monitor the potential impact of Brexit on the Council workforce and the pool of people to recruit to posts that have attracted workers from the rest of the EU such as home care staff and some technical posts
- 1.5 Further promote the values and behaviours we expect of all staff through the *East Lothian Way* and ensure they are embedded within job outlines and the PRD process
- 1.6 Review the PRD process and managing performance policy (and its application) to ensure they are relevant and fit for purpose for all staff, providing all staff with the support, capacity and capability required to deliver the highest quality of services
- 1.7 Review recruitment and selection methods and procedures to ensure we gain a wider appreciation of the values, skills and competencies of candidates (e.g. including more generic skills in job outlines and in the application form, such as second language skills as a desirable for relevant posts) to assist in attracting and recruiting suitable candidates with the required values (*the East Lothian Way*), skills and competencies
- 1.8 Continue to develop measures aimed to improve diversity in all areas of the Council's workforce and sustain the Disability Confident status

- 1.9 Build on the success of achieving IiYP Gold award by continuing to support and encourage our young workforce; attracting, recruiting and retaining young people through creating employment and training opportunities through appropriate training schemes and supporting Modern Apprenticeships in various occupational areas
- 1.10 Carry out a staff audit to gain a better understanding of staff skills, training and development needs and the potential impact of Brexit on the Council's workforce
- 1.11 Review the Council's terms and conditions to ensure they are fit for purpose and are aligned to the achievement of the Council Plan and the Workforce Vision
- 1.12 Review job roles and, where possible, look to widen roles to allow for greater flexibility within grades and across service areas, with an emphasis on outcome objectives rather than tasks, and to support career progression opportunities
- 1.13 Develop an active approach to succession planning, including the flexible retirement policy (e.g. where possible, allowing retiring staff to work alongside their replacement for a time to pass on knowledge and experience)
- 1.14 Implement measures to focus on increasing attendance and support the reduction of employee absence levels across all services
- 1.15 Keep the Council's Health and Safety Policy and Management Arrangements under review and continue to embed best practice in health and safety across the Council to support the mental and physical wellbeing of staff and contribute to increasing attendance
- 1.16 Review how the Council supports the mental and physical wellbeing of its staff through its healthy working lives programme and the Employee Assistance Programme (ensuring the Council sustains Healthy Working Lives Gold status) and promotes networking, social, charitable and volunteering activity
- 1.17 Review the rewards and recognition policy and non-financial benefits offered to staff to ensure the Council recognises and promotes the success, achievement and commitment of its staff
- 1.18 Maintain the focus on employee engagement (e.g. through the One Council Workshop programme) and continue the development of staff communications across the Council through a variety of mediums that will reach all employees
- 1.19 Adopt an 'East Lothian Staff Deal' which sets out the Council's commitments to support staff and the values and behaviours staff are expected to follow

Support and initiate transformational change

- 2.1 Develop and roll out a blended programme of training and activity based learning to ensure staff have the skills, abilities and resilience required to meet future service delivery needs and contribute to the Council change programme based on being an enabling, empowering, more entrepreneurial, and digital authority
- 2.2 Ensure all staff have access to the Council's e-learning and self-directed learning opportunities to allow them to undertake mandatory modules (such as Equalities, Information Security and Data Protection) and training and development modules
- 2.3 Reshape the workforce profile across the Council and in services to align with alternative service models in the light of current and future demographic, financial and other pressures
- 2.4 Put in place training and development interventions that support the up-skilling/ re-skilling of staff to support re-deployment opportunities for staff into services that are growing (for example, to take account of the requirement for additional early learning and childcare staff and the job opportunities created by the opening of new schools)
- 2.5 Develop and support a digital skills programme to ensure that all relevant employees/ roles have the required skills to support the development of digital services
- 2.6 Develop and promote a programme of learning and change management (including mentoring, coaching and action learning) to support the delivery of transformational change and innovation and development of resilience within the workforce to embrace and initiate change
- 2.7 Review the Council's HR policies and procedures to support the Council's transformation agenda and support effective people management practice at a time of change and ensure effective management of issues of grievance, underperformance and capability (e.g. supporting more effective use of time and resources in dealing with managing issues with better / earlier outcomes)
- 2.8 Continue to develop and implement an effective staff communications plan, including encouraging and supporting the sharing of ideas and best practice, which will reach all staff, to ensure staff feel engaged with, understand and contribute to the change agenda
- 2.9 In anticipation of the scope and size of change over the next five years, the Council will require a clear framework for employee engagement and a communication plan, aligned to the Transformation Programme, which helps to articulate both the implications for employees and employee representatives and the clear need for their involvement and contribution.

Build and sustain leadership and management capacity

- 3.1 Continue to develop a rigorous programme of leadership and management development that ensures our managers are supported and have the competencies to lead, motivate, encourage and empower staff to increase their effectiveness
- 3.2 Put in place a managers' induction and training programme for all staff newly appointed to management posts
- 3.3 Extend leadership and management development, including an introduction to management programme, to a wider pool of staff to support the development of management and supervisory responsibilities, and career progression
- 3.4 Develop a model of 'succession planning' that enables the Council to manage the loss of skills, experience and knowledge as well as motivate staff to remain council employees. In developing the succession planning model consideration will be given to:
 - identifying subject matter experts and key positions
 - identifying key capabilities and knowledge
 - identifying posts that can mirror the key capabilities and plan for knowledge transfer
 - putting in place staff development opportunities
- 3.5 Develop a programme of mentoring, coaching and conversational management techniques ('people management' skills) for managers, to improve personal and organisational effectiveness in delivering operational and strategic objectives
- 3.6 Ensure all managers and staff supervisors receive appropriate training and are supported to deliver effective PRDs, including using PRDs to address performance issues and identify training and development needs
- 3.7 Ensure that all managers and staff involved in recruitment and selection receive appropriate equalities, recruitment and selection training
- 3.8 Develop interventions to support managers and staff supervisors in communicating and engaging with staff to support effective team management, team building and team relationships
- 3.9 Develop interventions to support managers in their growing role in working in partnership with external agencies and in joint working
- 3.10 Support managers to engage Organisational Development / Learning and Development staff to design and develop training programmes to ensure staff have the skills and competencies required for each role

Appendix A: Council HR Policies

Adverse Weather & Absences Out with Employees Control
Alcohol & Drug Misuse Policy
Casual Workers Policy
Chief Officer Register of Interest
Disciplinary Code
Disciplinary Code - Casual Workers
Disciplinary Procedure - Non Teaching
Discipline Procedure - Teaching
Employee Gifts and Hospitality
Enhanced Compensation of Early Retirement on the Grounds of Redundancy & Efficiency
Family Leave Policy
Flexible Retirement Policy
Flexible Working Hours Policy
Grievance Procedure - Non Teaching
Grievance Procedure - Teaching
Higher Duties Policy
Leave Policy
Management of Overtime
Manager Guide - Managing Employee Performance
Managing Attendance Policy
Managing Employee Performance Policy
Policy & Procedure for Dealing with Redundancies
Policy Statement on Application of Regulatory Pensions Discretions
Prevention of Harassment at Work Policy
Protection of Vulnerable Groups (PVG)
Protocol for Dealing with Employee Overpayments
Recognition and Reward Policy
Recruitment & Selection Policy
Salary Assessment & Progression Policy
Secondment Policy
Social Media Acceptable Use Policy
Special Leave Policy
Temporary Employees Policy
Time off for Trade Union Duties & Activities
Time off Work Policy
Whistle blowing Policy
Worksmart Policy

REPORT TO: Cabinet

MEETING DATE: 12 June 2018

BY: Depute Chief Executive (Resources and People Services)

SUBJECT: Review of Byelaws Prohibiting Consumption of Alcohol in Public Places in East Lothian

7

1 PURPOSE

- 1.1 To seek authorisation for the continuation of the existing byelaws as presently constituted until such time as a proposed replacement byelaw is in a position to be promoted for confirmation.

2 RECOMMENDATIONS

Cabinet agrees:-

- 2.1 that the present byelaws in place in various towns and villages throughout East Lothian shall continue in effect as presently constituted.
- 2.2 that a further report be accepted in due course regarding a proposed county-wide byelaw which will replace the present byelaws in due course.

3 BACKGROUND

- 3.1 There are existing Byelaws prohibiting the consumption of alcohol in public places, covering the majority of the residential settlements within East Lothian, as listed in paragraph 7 below. These byelaws, with one exception, came into effect on 30 June 2008. The byelaw covering Whitecraig came into force in 2012.
- 3.2 In terms of section 202A of the Local Government (Scotland) Act 1973, Byelaws require to be reviewed by the Council after no later than 10 years after they come into force, failing which they shall cease to have effect.
- 3.3 In tandem with this requirement to review, Police Scotland have approached the Council requesting that these various byelaws be

replaced by a single byelaw covering the entire County. This would have the benefit of increasing clarity and consistency, and eliminate the present slight variations which exist between the existing byelaws, in particular regarding the nature and extent of exemptions.

- 3.4 The Council has undertaken a consultation on the proposed new byelaw with the various Community Councils and a number of responses have been received as a result.
- 3.5 The draft byelaw is currently with Scottish Ministers for initial comments. Following receipt of those comments and any resultant amendment of the draft, a report will be submitted seeking Cabinet approval to proceed with the advertising and confirmation of the new byelaw.
- 3.6 The process with regard to the proposed new byelaw is ongoing, but it will not reach a stage of completion within the lifetime of the present byelaws.
- 3.7 The present byelaws have been reviewed in the light of the above background, and it has been concluded that, in order to ensure that there is not a period in which there are no valid byelaws in force in respect of this subject, it is appropriate that the existing byelaws be continued on the present terms with effect from the renewal anniversary on 30 June 2018.
- 3.8 At such time as the proposed new byelaw is ready to be implemented, the Council has the power to renounce the present byelaws, so there will be no duplication of cover. Continuing the present byelaws in the meantime will avoid any gap in cover pending completion of the process regarding the proposed new byelaw and will ensure continuation of the present arrangements in the event that the proposed new byelaw, for whatever reason, does not come into being.

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 – There will be no additional financial implications arising from approval of the recommendations contained in this report.
- 6.2 Personnel – None

6.3 Other – None

7 BACKGROUND PAPERS

7.1 The present byelaws are in place in respect of the following areas:

- (i) Aberlady
- (ii) Dirleton
- (iii) Dunbar, West Barns & JM Country Park
- (iv) Gullane
- (v) Haddington
- (vi) Longniddry, Cockenzie & Port Seton
- (vii) Macmerry
- (viii) Musselburgh
- (ix) North Berwick
- (x) Ormiston
- (xi) Prestonpans
- (xii) Tranent
- (xiii) Wallyford
- (xiv) Whitecraig

AUTHOR'S NAME	Carlo Grilli
DESIGNATION	Head of Legal & Procurement
CONTACT INFO	Email: iforrest@eastlothian.gov.uk Tel: 01620 827389
DATE	25 May 2018

REPORT TO: Cabinet

MEETING DATE: 12 June 2018

BY: Depute Chief Executive (Resources and People Services)

SUBJECT: Proposal to Introduce a Common Secondary School Day

8

1 PURPOSE

- 1.1 East Lothian Council wishes to deliver on its commitment to reduce the attainment gap and raise the attainment and achievement of our children and young people and improve inclusion, wellbeing and equality throughout East Lothian's schools. In order to support the delivery of this commitment, it is proposed that the Council considers the introduction of a common secondary school day, and the potential resultant benefits for primary education.

2 RECOMMENDATIONS

- 2.1 It is recommended that Cabinet approve the launch of a feasibility study and consultation on the introduction of a common secondary school day, and the potential resultant benefits for primary education.

3 BACKGROUND

3.1 Common Secondary School Day

- 3.1.1 A feasibility study and consultation would consider and explore the following:
- 3.1.2 All six East Lothian secondary schools have historically had considerable autonomy in planning their school days and curricular arrangements. This has resulted in six different structures, length of the school day and different levels of access in terms of experience and opportunity, depending on where a young person attends school. As a result of this mixed economy across secondary schools, there is an inequity of opportunity, experience and resource within our system of education, potentially disadvantaging some young people. Attainment, aspiration, pace and challenge for all young people, but especially for looked after children, minorities, vulnerable groups and S4 leavers is significantly

different from school to school, which runs contrary to the Common Moral Purpose and the Public Proposition of the East Lothian Council Education Service.

3.1.3 There is significant variation in:

- The range of vocational qualifications and experiences (geographic and time restrictions in relation to Schools College Partnership (SCP) courses).
- The breadth of experience and time dedicated to ensure young people's full entitlements to the broad range of curricular outcomes and experiences.
- The Religious and Moral Education, Personal and Social Education and Physical Education entitlement in the senior phase.
- The range of Advanced Higher and Higher courses.
- The number of qualifications being offered in S4.
- The levels of Literacy and Numeracy achieved by school leavers in S4.
- The number of qualifications expected and further education opportunities readily available for this cohort and winter leavers.
- The breadth of curriculum in the senior phase through the impact of specialization on minority subjects.
- Access to wider experiences and opportunities to achieve success through awards such as the Duke of Edinburgh's Award Scheme.

3.1.4 It is proposed that we carry out a feasibility study which would look at realigning our consortia arrangements to meet the aspirational goals of the One Council agenda, by creating a common secondary school day and a common curricular structure. This will create a more equitable educational experience, where schools support each other to get the best outcomes and opportunities for young people across East Lothian.

3.1.5 The common secondary school day will also support the delivery of the Council's commitment to improving options in the Senior Phase (S4 – S6) through the use of IT to enhance/support the delivery of the curriculum, which has a budgeted saving of £160,000 in 2019/20.

3.1.6 Every secondary school would start and end at the same time and run the same curricular period structure (27, 32 or 33 periods). The final decision on start and finish times and timetable structure will reflect the consensus reached through the consultation process. Schools would have the opportunity to agree common timetabling arrangements, which should lead to joint delivery, mutual support, sharing of best practice and collaborative professional development opportunities. A wealth of research suggests that schools who look outwards have more successful outcomes. Appendix 1 provides an illustration of what a 33-period common school day could look like.

- 3.1.7 Each secondary school would incorporate travel time for inter-authority learning, college, university and work experience. The proposed change would enable East Lothian Council to meet the local, regional and national priorities outlined in the Scottish Government's seven year 'Developing the Young Workforce - Scotland's Youth Employment Strategy' (2014), whilst reviewing and improving the curricular opportunities and experience of all of East Lothian's young people. This school to school collaboration would lead to a greater equity of resource and opportunity for young people across East Lothian and as a result, barriers to travel would be reduced.
- 3.1.8 East Lothian secondary schools are pursuing a strategic skills development agenda, involving the delivery of Foundation Apprenticeships in specialist departments located in the six secondary schools and will involve young people traveling between schools on a Tuesday and Thursday afternoon. The move to a common school day/timetable would enable East Lothian Education Department to make bids in to the 'Employability and Skills' fund for the City Deal. We would also receive the support of Skills Development Scotland and both the Regional and Local DYW group. This would lead to greater involvement of employers in the creation of talent and new, easily accessible, Modern Apprenticeships with these partners.
- 3.1.9 Secondary lunchtimes would be scheduled to allow all young people in East Lothian to access the full vocational offer whether this is delivered in their home school, a neighbouring school, a college, an employer or a university. In the existing system it is difficult to plan coherent pathways with the college and employers when the school days are so different. Transport and resources cannot be easily shared.

3.2 Changes to Primary School Day

- 3.2.1 In order to deliver a common secondary school day it will be necessary to change the start and finish times of East Lothian's primary schools. This is to ensure cost-effective transportation can continue to be provided through the sharing of school buses.
- 3.2.2 The changes to proposed start and finish times would mean that all East Lothian primary schools would start and finish at the same time. Individual schools could start up to 30 minutes earlier, or finish up to 30 minutes later than they do at present, depending on the consensus reached through consultation.
- 3.2.3 If the primary school start and finish times are not adjusted to match the secondary school time changes, the cost for additional transport would be approximately £190,000. There would be an immediate impact for Dunbar Grammar School cluster, North Berwick High School cluster and Knox Academy cluster where additional transport would have to be procured.
- 3.2.4 However by adjusting the primary school start and finish times to align with the secondary school day there could be a saving generated of approximately £76,000.

3.3 Increase of Number of Hours of Education for Primaries 1 and 2

3.3.1 As a consequence of aligning both secondary and primary school days, this offers an important opportunity to consider increasing the number of hours of education for primaries 1 and 2. Current legislation states that children and young people should experience 190 days of education. Currently, legislation does not state the length of a school day. Recent inspection outcomes highlight an inequity of experience for those P1 and P2 children receiving less hours of education than their peers in P3 to P7. Twenty-nine out of the 32 Scottish Councils already provide 25 hours of education for all primary school children.

3.3.2 In East Lothian Council children in primaries 1 and 2 receive 22.5 hours of education per week, as opposed to 25 hours for those in primaries 3 to 7. Curriculum for Excellence sets out key principles that children have a range of entitlements in their learning. It is challenging for teachers to provide the same broad, balanced curriculum, across eight curricular areas, to all children, when some of the children are in school for 10% less time.

3.3.3 There is an additional benefit of moving to providing 25 hours of education for all primary school children, for those families who have children finishing school at different times of the day. Parents, carers, and young children often have no choice but to wait in the playground for the time between the younger child and older sibling finishing school.

3.3.4 There is also a potential saving in childcare costs for parents and carers with children in primaries 1 and 2 if the school day is extended.

3.3.5 There are 15 P2/3 composite classes in East Lothian at this time. The earlier finish time for P2 means that some teachers are teaching only a proportion of their class for 2.5 hours per week when some of their pupils have finished before others.

3.3.6 However it must be noted that, in order to provide an additional 2.5 hours of education per week for children in primaries 1 & 2, it is estimated that an additional 11.2 FTE teaching time would be required, at a cost of approximately £518,000 per annum.

3.4 Conclusion

3.4.1 The proposals in this document will support the delivery of a number of objectives of the East Lothian Council Plan 2017 – 2022, including:

- Reducing inequalities within and across communities: Implement the recommendations within the Poverty Commission Action Plan
- Growing our economy: Reduce unemployment and improve employability
- Growing our people: Reduce the attainment gap and raise the attainment and achievement of our children and young people and improve the life chances of the most vulnerable people in society

- Growing our communities: Extend community engagement and decision making and increase community and individual resilience
 - Growing our capacity: Deliver excellent services as effectively and efficiently as possible within our limited resources
- 3.4.2 The proposals also support several outcomes in the East Lothian Council Education Service Improvement Plan, including:
- Improve inclusion, wellbeing and equality
 - Improve attendance and reduce exclusions
 - Raise attainment and achievement, particularly the lowest 20%, LAC and ASN
 - Improve positive destinations, particularly the lowest 20%, LAC and ASN
 - Improve the percentage of schools and early learning and childcare settings evaluated as good or better across the NIF quality indicators

3.5 **Next Steps**

- 3.5.1 Should Cabinet agree the principles outlined in this report, a feasibility study will be undertaken, followed by a consultation with staff, pupils, parents, carers and stakeholders.
- 3.5.2 The findings from the feasibility study and consultation process and the resulting proposals will be brought back to Council later in 2018.

4 **POLICY IMPLICATIONS**

- 4.1 The subject of this report does not impact on any policies. A full assessment of policies affected will be undertaken as part of the feasibility study and consultation.

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.

A full integrated impact assessment will be completed as part of the feasibility study.

6 **RESOURCE IMPLICATIONS**

- 6.1.1 Financial – There are additional costs associated with extending the school day for children in primaries 1 and 2 of approximately £518,000. The actual cost will be confirmed during the feasibility study. The cost

would be offset in part through the adjustment of primary school start and finish times, which would lead to a transport saving of £76,000. However the balance will have to be funded and proposals will be brought forward, including the review of the current arrangements for home to school transport. Full financial implications will be considered during the feasibility study.

6.2 Personnel - depending on the outcome of the feasibility study there could be implications for staff including the requirement for additional teachers and the changing of start and finish times for teachers and other school based staff. A staff consultation will take place alongside the public consultation.

6.3 Other – None.

7 BACKGROUND PAPERS

7.1 None

AUTHOR'S NAME	Fiona Robertson
DESIGNATION	Head of Education
CONTACT INFO	frobertson@eastlothian.gov.uk
DATE	12 June 2018

**Appendix 1: Possible Common Timetable for Secondary Schools
(Based on 33-Period Week)**

	1	2	3	4	5	6	7	8	9
	8.30- 9.20	9.20- 10.10	10.10- 10.25	10.25- 11.15	11.15- 12.05	12.05- 12.55	12.55- 13.45	13.45-14.50	14.50-15.40
Monday				Break			Lunch		
Tuesday			Break			Lunch			
Wednesday				Break			Lunch		
Thursday			Break			Lunch			
Friday				Break			Pupils Go Home		

REPORT TO: Cabinet

MEETING DATE: 12 June 2018

BY: Depute Chief Executive (Partnerships and Community Services)/Depute Chief Executive (Resources and People Services) **9**

SUBJECT: Introduction of New Charges

1 PURPOSE

- 1.1 To present to Cabinet for approval a group of new charges within the Education, Planning and Roads Services.

2 RECOMMENDATIONS

- 2.1 Cabinet is asked to approve the undernoted charges at the following rates in line with East Lothian's Charging Policy and to support the delivery of the Council's annual budget:
- 2.2 **Education:** Introduce a contributory charge of £280 per annum towards the costs of providing Instrumental Music Instruction (IMI), to pupils in receipt of the service from August 2018 as detailed within Appendix 1, noting this proposal contains a range of concessions.
- 2.3 **Planning:** With effect from 1 July 2018, introduce charges as set out in Appendix 2, to developers, householders, commercial organisations and Registered Social Landlords (or any other individual or body who require this service) associated with requests to name a street, number, name or rename a property.
- 2.4 **Roads:** Introduce charges to contractors and utilities companies (plus any other individual, organisation or body who requires the service) from 1st July onwards, for a range of permissions as detailed within Appendix 3.

3 BACKGROUND

- 3.1 In accordance with the Council's approved Financial Strategy and also in support of decisions taken within the annual budget process, the Council

is exploring the generation of new income streams both generally across all service areas and more specifically in relation to certain detailed proposals.

- 3.2 Section 1 of the Local Government in Scotland Act 2003 states that it is the duty of the local authority to make arrangements which secure best value. It further states that in providing best value, the local authority shall “maintain a balance between the quality of the performance of its functions, the cost to the authority of that performance and the cost to persons of any service provided by the local authority on a wholly or partly rechargeable basis”. It is also noted that Audit Scotland has provided guidance on the matter and the general principle is that a local authority should only be charging as much as it costs to carry out the service.
- 3.3 All of which is reflected in East Lothian Council’s Charging Policy which guides the introduction of these charges. Officers also take guidance and insight from the Budgetary Consultation findings from November 2017, where the public expressed an overall preference for increasing charges over the reduction or removal of services. This process of change should be delivered on “the user pays” principle outlined in the East Lothian Council’s Charging Policy.

Education - Instrumental Music Tuition Charge

- 3.4 IMI is a discretionary service provided by East Lothian Council and is separate to the entitlement to a music curriculum taught within the classroom. In Primary schools the curriculum is delivered by classroom teachers and visiting music specialists; in Secondary schools delivery is through qualified music teachers in departments/faculties.
- 3.5 The IMI service is currently provided from P4 to S6 in Upper and Lower Strings, Woodwind, Brass, Percussion, Piano, Guitar and Pipes. There are currently circa 1210 pupils accessing the service across Primary and Secondary schools.
- 3.6 In terms of the ongoing service review of IMI, details of which are included in Appendix 1; a contributory charge towards tuition is being introduced. The new fee has been set at a level designed to support the delivery of the budgetary target, which represents 50% of the current cost of delivering the service.
- 3.7 As part of the East Lothian Council budget, approved in February 2018, £357k was assigned across financial years 2018-19 and 2019-20 through the introduction of charges for Instrumental Music Instruction (IMI); split as follows:

2018/19 – Primary £113k and Secondary £127k (£240k)

2019/20 - Primary £55k and Secondary £62k (£117k)

Total savings £357k

- 3.8 To achieve the efficiencies required to fully deliver the budgetary target set for IMI, a financial analysis has been undertaken together with national benchmarking comparisons. Areas to be considered during the service review are contained within Appendix 1.

Planning – Street Naming & House Numbering

- 3.9 The Council's responsibilities to name and number streets and homes in its area derives from section 97 of the Civic Government (Scotland) Act 1982.
- 3.10 This service is currently provided with full financial burden upon the Council. In the context of strictures on public sector resources, well over half of Scottish Local Authorities are now charging users to fulfil their street naming and numbering requests and it is proposed that East Lothian Council now follows suit to cover the costs of provision.
- 3.11 At the recommended level of charge, the rates of demand seen in 2017 would generate additional income of around £64,000 to support the continued delivery of the service and the additional costs of introducing and administering the charge and improvements in service delivery. Appendix 2 provides further details of benchmarking and income projections.

Roads - Permanent Traffic Signals Switch on/off

- 3.12 When works are undertaken in close proximity to Council owned Permanent Traffic Signals then Traffic Management requires the permanent signals to be switched off in order that temporary ones can be in place to accommodate safe working practices around roadworks.
- 3.13 The new charges cover the Road Officers cost when working out of normal hours and during the weekend/Public Holiday, plus any delays that mean the site is not ready to be managed when our Road officer arrives. The recommended charges detailed in Appendix 3 also cover the general administration costs and a range of support cost overheads associated with delivering any Council service.

Roads - Early Start Agreement on Excavation Permits

- 3.14 According to the Code of Practice for Coordination of Works in Roads, there is a lead time for notifying works on the Scottish Road Works Register depending on the type of works/ duration/ Traffic Sensitivity of the Road. This is to ensure adequate time is given to the roadworks community to ensure appropriate coordination.

- 3.15 When a contractor or utility company submits an application for works, and the lead time for notifying them is not achievable for their requested dates, the Roads Authority has the power to grant them an Early Start to allow them to commence in advance of the system's earliest possible date. It is recommended that this process now carries a charge to cover the additional coordination tasks undertaken by various members within Road Services (Senior Roads Officer & Roads Officer) and Council Support Services.

4 POLICY IMPLICATIONS

- 4.1 All of the new fees recommended above are consistent with income generation objectives stated in the Financial Strategy, follow the guidance in East Lothian Council's Charging Policy and sit within a wider Policy and Regulatory framework.
- 4.2 The introduction of an Instrumental Music Tuition Charge is consistent with the specific proposal included within the revenue budget approved by Council in February. There is no recommendation to develop additional policy documents but there will be additional customer focused guidance communicated and made available before implementation of the new fees.

5 INTEGRATED IMPACT ASSESSMENT

- 5.1 The subject of this report has been through the Integrated Impact Assessment process and no negative impacts on defined protected groups have been identified. A copy of the IIA has been submitted.

6 RESOURCE IMPLICATIONS

- 6.1 **Financial** – the introduction of the charges proposed in this report will generate the following estimated levels of additional income to the Council:

Education – IMI		
<u>Financial Year</u>	<u>2018/19</u>	<u>2019/20</u>
Revenue from Charges	£203,735	£87,315
Budgetary Target	(£240,000)	(£117,000)
Balance Per Year	(£36,265)	(£29,685)
Balance Over Both Years		(£65,950)

The remaining deficit will need to be met through other options to be further explored over this financial year.

Planning – Charges for Street Naming/Numbering.
£64,327.50 per full year. Around £48,250 in 2018/19 for a part year

Roads – Traffic Signal Switch on/off

The charge will cover the costs of delivering this additional service and protect the Council from the financial burdens of current and future growth in demand.

Roads – Early Start Agreement – Excavation Permit
 £10,800 per full year. Around £8,000 in 2018/19

6.2 **Personnel** - Where necessary, additional support will need to be delivered from within current capacity to deliver service and administer the new charges, other administration and communications.

6.3 Other - None

7 BACKGROUND PAPERS

7.1 Appendix 1 – IMI Background Paper

7.2 Appendix 2 – Street Naming & Numbering Background Paper

7.3 Appendix 3 – Roads Background Paper

AUTHOR'S NAME	Ruth Colston (RC) Alan Stubbs (AS) Iain McFarlane (IM) Richard Parker (RP)
DESIGNATION	RC: Commercial Development Officer AS: Roads Services Manager IM: Planning Services Manager RP: Service Manager (Education)
CONTACT INFO	rcolston@eastlothian.gov.uk astubbs@eastlothian.gov.uk imcfarlane@eastlothian.gov.uk rparker@eastlothian.gov.uk
DATE	24 th May 2018

Appendix 1 - IMI Background Paper

Rationale

During the budget consultation in November 2017 the majority of Head Teachers expressed a preference for charging for IMI over reducing the service or budgetary cuts in other areas. This supports the overarching preference within the general public, during consultation, to charge rather than cut services, and prompted the introduction of charging users for IMI. The recommended contributory charge has been set at a level designed to fulfil the demands of the budgetary target, which represents 50% of the current cost of delivering the service.

IMI is a discretionary service provided by East Lothian Council and is separate to the entitlement to a music curriculum taught within the classroom. In Primary schools the curriculum is delivered by classroom teachers and visiting music specialists, in Secondary schools delivery is through qualified music teachers in departments/faculties. The IMI service is currently provided from P4 to S6 in Upper and Lower Strings, Woodwind, Brass, Percussion, Piano, Guitar and Pipes. There are currently circa 1210 pupils accessing the service across Primary and Secondary schools.

Service Review

The Service Review includes:

- How to increase uptake and deliver for more pupils
- A dedicated bursary scheme that supports low income families (that are not eligible for free school meals) to access the instrumental music service
- Consider routes and options for instrument loan and affordable purchase for pupils
- The role of selection methods
- Minimum pupil numbers per instructor
- Wider promotion of the service and delivery of whole class sessions
- Changes in timetabling
- The range of instruments in either Primary or throughout the service
- Quality assurance and reporting to parents/carers
- Accommodation within schools – suitability and access
- Consideration of impact on core curriculum delivery
- How IMI should deliver tuition alongside music departments in secondary schools and specialists in the primary setting
- Automated monthly payment system (on a 10 instalment plan)
- Engagement with stakeholders including pupils and parents will be on going

Benchmarking & National Trends

To support the Service Review, the Transformation Team conducted an audit of provision across other local authorities and considered the key messages set out within the Improvement Service's (IS) National Instrumental Music Survey 2017.

The IS Survey is an annual review and provides information on the service in each local authority, including charging structures. Currently East Lothian is one of only a handful of local authorities who do not charge for IMI and this is set to further reduce with a number of others introducing charging for the academic year of 2018/19.

The IS annual survey has also never found a correlation between level of charges and levels of uptake of IMI across Scotland. Although, pupil uptake as a national average in non-charging authorities is 10.2%; this average rate drops to 8.6% in charging authorities. Effectively the 1.6% difference is a 16% drop in the average population if a fee is in place.

Fee Charge For East Lothian Council

The fee set at £280.00 per annum is based on offering the national average of 30 group lessons per annum, fully utilising instructor capacity and making available the following concessions:

1. A concessionary rate of £240.00 for any sibling of a full fee paying pupil
2. Free tuition for pupils using their tutored instrument in IMI towards an SQA qualification in secondary years S4-S6
3. Free tuition for pupils who are Looked After Children within the East Lothian Councils Social Care system
4. Free tuition for pupils who are in receipt of Free School Meals and/or Clothing Grant

The introduction of the charge will also better deliver tuition to more pupils in an equitable way and this will be addressed more fully in the ongoing service review.

During the process of determining the fee a number of assumptions have had to be made. There has been an allowance made for a 16% fall in engagement from the current cohort, all of which has been predicted to come from within the groups that will be charged a fee from August 2018. This is in line with national trends in the IS annual survey. Through the promotion of the service, increasing school rolls as a result of the LDP and greater engagement of young people in the service, it is anticipated that the service can potentially increase its numbers by around 40 pupils. It is also true that dropout and uptake might sit more positively than modelled. Currently with the quality of national data and our own cohort information, these are the best assumptions that can be generated to base the modelling on.

Further modelling was conducted to ensure that the predicted future cohort:

1. See no loss in equity of deliver
2. Accounts for the expected levels of SQA pupils who engage in IMI
3. Utilises the teaching capacity of staff fully
4. Can support the full budgetary target
5. Will not receive instruction on a basis of large groups
6. Receives the National average of 30 lessons per year
7. Continues to receive the same lesson duration

Appendix 2 - Street Naming Background Paper

Rationale

This report proposes the introduction of charging for requests for street naming, property numbering or naming, and property name changing (renaming), in line with many other Scottish Local Authorities. Under the Civic Government (Scotland) Act 1982, East Lothian Council undertakes the processes required to name and number new streets and number or rename a property. This process is currently carried out at no cost to the developer, resident, commercial organisation or social landlord.

Ongoing strictures on public finances and significant projected increases in house building lead to the proposal that fees are introduced for those who require the Council to name a street, number or rename a property.

Benchmarking & National Trends

To inform the process of setting a new fee scale, a National benchmarking exercise was undertaken. It was difficult to benchmark between Councils on a like-for-like comparison due to the varying ways that charging is grouped. Therefore, it was only the Street Naming fee and the first tier charge for numbering that was compared. This offers East Lothian Council an opportunity to consider its first point of charging for a single property against the range of fees currently charged.

The findings were:

- 18 Councils charges for this service
- The average charge for Street Naming is £162.00 nationally in 2018/19
- The average first tier charge for House Numbering is £67.00 in 2018/19
- The majority have a one off charge for street naming and a sliding scale of fees for house numbering
- 5 Councils do not charge additionally for street naming over and above the charge for house numbering
- 3 Authorities have a set price per house for numbering and no sliding scale thereafter
- There are varying models of sliding scales for numbering - most have a fee for a single plot and then group charging in differing ways for increasing sizes of developments
- 3 Councils start house numbering on a grouped price basis ie 1-3 plots and 105 plots, thus creating a higher entry price for the service
- single plot price for numbering is normally used to set the charge for renumbering or renaming existing single houses
- Subdivided properties are normally charged for numbering at the same rate as multiple plots.

Of our neighbouring authorities (Scottish Borders, City of Edinburgh, Midlothian, West Lothian and Fife) only West Lothian does not charge currently. The average charge of this local group for street naming is £206.25 and house numbering (first tier) is £62.00.

Based on the local and national benchmarking and knowledge of the staffing and other overhead costs, it is recommended that East Lothian Council set their new fees at:

Naming of a New Street – £200

Naming/Numbering of New Properties or Alterations to Subdivided Buildings

(charge is additional to the charge for naming of a new street)

Tier One	First Property	£65
Tier Two	2 - 9 properties after the first property	£40 each
Tier Three	Groups of 10 further properties or any part thereof	£250
Tier Four	100 + properties	£1000 plus additional £20 per plot

Subsequent application for the allocation of numbers to a development previously assigned plot numbers will be charged at original allocation rates.

Change of a property name or renumbering/change of address – £65

Based on these fees, the service activity data for 2017 and an estimated uptake of each tier of charge, the income potential is predicted in the table below:

Charging Level	Ratio of Uptake in Fee	New Fee	Annual Income
First Tier Charge (30% of all houses)	330	£65.00	£21,450.00
Second Tier Charge (90% of 1st Tier properties)	297	£40.00	£11,880.00
Third Tier Charge (70% of 2nd Tier properties)	208	£250.00	£5,197.50
Fourth Tier Charge (70% of all properties)	770	£1000+ plot fee	£20,400.00
Streets	27	£200.00	£5,400.00
		Total	£64,327.50

Based on the cost of delivering the street naming and house numbering service for around 1100 properties in 2017, then to do this for the 10,050 homes in the Local Development Plan over the coming 6 years will come to around £590,000. This equates roughly to £98,000 per annum, compared to the current costs of £64,000 per annum. It is important to introduce a charge to mitigate against the financial burdens of both the current demand and increasing future demand in-line with predicted development.

Appendix 3 - Roads Fees Background Paper

Rationale

East Lothian Council as the Roads Authority undertakes considerable additional and discretionary work around the management, support and scheduling of works by contractors and utility companies that occupy and excavate on the public roads. Road Services undertakes this co-ordination work on behalf of East Lothian Council. The delivery of this service is offered to best serve not just the contractor and utility companies but also the public, to ensure road works are co-ordinated, well managed and safe so as to minimise risk and disruption within our towns and countryside.

With significant growth across East Lothian demands on Roads Services from contractors and utilities companies will increase, both now and in the future. The financial burdens of delivering additional services beyond that of administering and co-ordinating the statutory permits has to be self-funding. If the service is to be able to continue to offer the responsiveness it currently delivers, then a cost recovery charge should be introduced for the following services at the following rates:

Permanent Traffic Signals Switch On/Offs:

Monday - Friday 0700-1730	Free
Additional hour charge for delayed switch off/on	£50.00
Monday - Friday 1730-2000	£100.00
Saturday - Sunday 0700-1900	£100.00
Public Holidays	£130.00
Emergency Attendance	£150.00

NB: all out of hours charges are per hour

Permanent Traffic Signals Switch On/Offs

When works are undertaken in close proximity to Council owned Permanent Traffic Signals the Traffic Management requires them to be switched off in order for Temporary ones to be placed on site to accommodate safe working practices around roadworks. This task is undertaken by a Roads Officer to ensure traffic is managed safely, during the use of Temporary Traffic Signals, at all times on sites. Similarly, the Permanent Signals require to be switched on once the works are complete. These operations take place during working hours as well as out of hours or during the weekend and in traffic sensitive locations.

We are aware of at least 7 other Scottish Councils that charge for Traffic Signal Switch on/off. It is not currently intended to charge for site attendance during normal working hours, therefore benchmarking data was collected for the Monday-Friday out of office hours charge. The average fee is £200, please see benchmarking data below:

2018/19 Charges for Traffic Light Signal On/Offs Monday-Friday Out of Office Hours							
Edinburgh City	West Dunb'shire	Falkirk Council	Glasgow City	Inver-clyde	North Ayrshire	Renfrew-shire	Av. of LA charges
£210.00	£200.00	£123.00	£475.00	£64.50	£130.00	cost recovery*	£200.00

*Renfrewshire was not included in the average as there is no published fee.

In 2017 there were 305 applications for Traffic Signal permits, of which approximately 35 required this additional coordination. If 50% of these on/off attendances were out of office hours then that is 35 visits (one on and one off) the cost to the Council would have been a minimum of £3,500 which will now be recovered on the "user pays" principle.

It is intended that, by introducing the charge we can continue to provide this service with current levels of responsiveness, but without burdening the Council. It is also expected that the numbers of requests will reduce over time due to contractors and utilities companies better managing their works in avoidance of these additional cost.

Early Start Agreement on Excavation Permits

According to the Code of Practice for Coordination of Works on Roads there is a lead time for notifying works on the Scottish Road Works Register depending on the type of works/ duration/ Traffic Sensitivity of the Road. This is to ensure adequate time is given to the roadworks community to ensure appropriate coordination. When a contractor submits an application for works, and the lead time for notifying them is not achievable for their requested dates, the Roads Authority has the power to grant them an Early Start to allow them to go ahead earlier than the system's earliest possible date.

Early Start Agreements need -prompt reviews and additional coordination by Roads Services to ensure all documentation is in order and there are no conflicts with other planned works. This work takes priority over other scheduled works to ensure where possible as much notice is given to other contractors and utility companies.

A number of authorities charge for the costs of administering early starts, but it is not possible to benchmark these easily as they are charged on an individual basis, or are charged based on the original excavation permit fee which varies. For instance, currently Midlothian Council charges 100% of the original permit for any Early Start Agreement.

In 2017 there were 108 Early Starts issued. An average cost per Early Start is difficult to assess as every request requires different levels of co-ordination and administration, however it is understood to be no less than £100. For the Council this constitutes a substantial financial burden that could be at least £10,800, which will now be recovered on the "user pays" principle.