



MINUTES OF THE MEETING OF THE CABINET

TUESDAY 25 MAY 2021
VIA DIGITAL MEETING FACILITY

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Committee Members Present:

Councillor S Akhtar
Councillor F Dugdale
Councillor J Goodfellow
Councillor N Hampshire (Convener)
Councillor J McMillan

Other Councillors Present:

Councillor J Findlay
Councillor A Forrest
Councillor K Mackie
Councillor C McGinn
Councillor P McLennan
Councillor F O'Donnell

Council Officials Present:

Mrs M Patterson, Chief Executive
Ms L Brown, Executive Director for Education and Children's Services
Mr J Lamond, Executive Director for Council Resources
Mr D Proudfoot, Executive Director for Place
Ms S Fortune, Head of Finance
Ms W McGuire, Head of Housing
Mr T Reid, Head of Infrastructure
Ms S Saunders, Head of Communities
Ms M Sullivan, Head of Development
Ms J Tait, Head of Children's Services
Mr S Cooper, Team Manager – Communications
Ms R Crichton, Committees Officer
Ms A Eperjesy, Commercial Programme Manager
Mr P Forsyth, Team Manager – Assets and Regulatory (Roads)
Mr C Grilli, Service Manager – Legal
Ms S Irvine, Service Development and Support Team Manager (Housing)
Mr E John, Service Manager – Sport, Leisure and Countryside
Mr M Kennedy, Team Manager – Health and Social Care
Mr S Kennedy, Emergency Planning, Risk and Resilience Officer
Ms L Kerr, Interim General Manager, Planning and Performance (HSCP)

Clerk:

Mrs L Gillingwater

Apologies:

Councillor W Innes

Declarations of Interest:

None

1. MINUTES FOR APPROVAL – CABINET 19 JANUARY 2021

The minutes of the meeting of the Cabinet of 19 January 2021 were approved.

2. EAST LOTHIAN COAST AND COUNTRYSIDE MANAGEMENT – LAND MANAGEMENT RULES

A report was submitted by the Executive Director for Place advising Members on the consultation on Land Management Rules and making recommendations to enhance operational management on the ground and public enjoyment of these areas.

The Service Manager – Legal, Carlo Grilli, presented the report, advising that 579 responses had been received in respect of the consultation, and that these had been taken into account when finalising the Land Management Rules (set out at Appendix 3 to the report). He explained that the Land Management Rules would assist and empower the countryside rangers when undertaking their duties, as well as allowing the Council to better manage public spaces. He noted that the arrangements would be monitored regularly and reviewed as required.

Councillor Findlay asked if there were any plans to introduce licences for dog walkers, and if creating dog-free areas was being considered. Tom Reid, Head of Infrastructure, confirmed that there were no plans for dog-walker licences and, with the exception of a small number of sites of special scientific interest (SSSIs), there were no plans to introduce dog-free zones.

In response to a further question from Councillor Goodfellow regarding the introduction of dog-free zones, particularly as regards the town beaches in North Berwick, Mr Reid advised that it would not be possible to apply the Land Management Rules to the beaches in North Berwick due to rules concerning the low water mark; however, beach users would be encouraged to access those areas responsibly. Mr John added that there were legal issues regarding restricting access for dogs in public areas, and reiterated that there were no plans to introduce dog-free zones.

Councillor McMillan welcomed the proposed Land Management Rules in view of the increasing numbers of visitors coming to East Lothian. He stressed the need for all visitors to behave responsibly.

With reference to the significant increase in tourists to the North Berwick Coastal ward in 2020, Councillor Goodfellow recognised the need to empower countryside rangers and other officers in order to ensure that these areas were properly managed and visitors encouraged to act responsibly.

Councillor Dugdale welcomed the response to the consultation. She highlighted the importance of East Lothian's coastline and countryside, and the need to protect those areas.

Councillor Hampshire emphasised the need for the Council to protect and manage coastal areas, and he was of the view that the Land Management Rules would facilitate this. He

expressed concern, however, that this would be a challenge with limited resources, particularly during the pandemic. He thanked staff for their work in protecting coastal areas.

Decision

The Cabinet agreed, unanimously by roll call vote:

- i. to approve the Land Management Rules set out in Appendix 3 to the report, following public consultation; and
- ii. to note that officers would continue to review land management arrangements in light of this year's experience and bring forward any further proposals as required.

3. ROAD TRAFFIC REGULATION ACT 1984 (AS AMENDED) SECTIONS 32 AND 35 – EAST LOTHIAN COUNCIL (OFF-STREET COASTAL PARKING PLACES) (ONE WAY) CONSOLIDATION ORDER 2017 – TO286/16 – INCREASE OF COASTAL CAR PARK TARIFFS

A report was submitted by the Executive Director for Place seeking Cabinet approval of a policy methodology to update coastal car park tariffs distinct from the Council's charging policy and noting the uplift that would be applied this year.

The Team Manager – Assets and Regulatory (Roads), Peter Forsyth, presented the report, requesting that an inflationary component to coastal car parking charges be introduced, which would be distinct from the Council's Charging Policy. He advised that coastal car parking tariffs had not increased since their introduction, and proposed an increase to £2.50 per day/£50 per season ticket, effective from 16 August 2021. He noted that the income collected from coastal car parks had contributed to improvements to facilities at those locations, including new toilet facilities at Longniddry Bents 1 & 2, with further improvements to be made to toilet facilities at Longniddry Bents 3 and Gullane Bents. Mr Forsyth also reported that parking enforcement at coastal car parks had resulted in safer parking facilities.

Councillor O'Donnell asked if the income would be used to provide additional parking attendants, and if parking enforcement could be extended to encourage better behaviour by drivers outside schools. Tom Reid, Head of Infrastructure, explained that there was a requirement to generate income in line with budget expectations, and that additional parking attendants would be employed on a seasonal basis to manage parking along the coast and in coastal towns. He noted that this may also provide an opportunity to take action in those areas identified by Councillor O'Donnell. Mr Forsyth added that parking attendants were already being deployed to address concerns around schools.

Councillor Akhtar asked about problems with traffic management. Mr Forsyth advised that there was an increased demand on East Lothian's roads (albeit it had reduced during the COVID-19 period). He reported that over a five-year period, concerns had been raised about congestion and an increase in heavy goods vehicles. He also noted that there had also been a change in traditional peak travel periods. Accepting that there had been an increase in demand on roads over the past five years, he indicated that enhanced traffic monitoring would be undertaken. Mr Reid also pointed out that there had been challenges during the pandemic with increasing numbers of visitors to the coast; he noted that plans were in place for this summer, working with the Police and countryside rangers, to co-ordinate visitor demand.

Mr Reid also drew attention to the significant capital investment made to coastal car parks, noting the toilet facility improvements at Longniddry and Gullane Bents (which had been partly funded by Rural Tourism Scotland grant funding), as well as investment in waste

management, facilities management, the countryside ranger service and parking enforcement.

Councillor Findlay asked if it remained the case that income generated through coastal car parking charges would be ring-fenced to provide improvements to facilities in those areas. Mr Reid reiterated that significant investment had been made to coastal facilities. He pointed out that there were revenue costs associated with operating services, such as the countryside ranger service, and that although the income generated was in line with the approved budget, the cost of providing services in coastal areas exceeded income levels.

Councillor Goodfellow asked if it was possible to ascertain where the additional traffic was coming from. Mr Reid advised that numbers of vehicles were recorded, and staff were obtaining information from car park users, but there was no scientific data on this. He added that there was a system which tracked migration of vehicles, bicycles and pedestrians into East Lothian. However, due to cost implications, this was only used when carrying out specific survey work, and would not be used in this situation.

Councillor Dugdale requested information on the increase in visitors to East Lothian over the past three years. Mr Reid did not have this information at hand, but noted that there would be a report on this to the Members' Library in due course. He pointed out, however, that the summer of 2020 was the busiest on record. Mr Forsyth indicated that there were different ways of establishing demand, and that the use of additional traffic counters was being considered as part of the Spaces for People initiative.

Councillor Akhtar commented that communities would welcome an increase in enforcement, especially during peak periods. She welcomed the additional and upgraded facilities in coastal areas, which were of benefit to both residents and visitors, and also the increase in staff to better manage those areas. She was, however, mindful of the financial implications associated with these improvements, highlighting the importance of coastal car parking income to help meet these challenges.

Councillor McMillan welcomed the investment in coastal facilities, remarking that this was a great return for a small investment by car park users. His views were shared by Councillor Goodfellow, who added that visitors to whom he had spoken had expressed surprised that car parking charges were so low.

Councillor Hampshire concluded the debate by commenting that coastal car parks were now busy throughout the year, which would result in a requirement for further investment in order to maintain the standard of car park surfaces and paths.

Decision

The Cabinet agreed, unanimously by roll call vote, to approve a 3-yearly review of indexation levels and to apply an appropriate inflationary component to charges at coastal car parks through the introduction of an appropriate Order.

4. VARIOUS ROADS, EAST LOTHIAN – INTRODUCTION AND AMENDMENTS TO TRAFFIC REGULATION ORDERS 2021

A report was submitted by the Executive Director for Place seeking Cabinet 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 time restricted waiting, promote a new one-way street and 'stop up' locations whereby the areas would be removed from the public list of roads.

The Service Manager – Roads, Alan Stubbs, presented the report, informing Members of the statutory procedure associated with introducing and amending Traffic Regulation Orders (TROs). He drew attention to the proposed TROs, as set out in Sections 3.2-3.16 of the report and further detailed in Appendices A-G. He advised that the proposals would address issues concerning road safety, parking and congestion, as well as supporting local businesses and providing additional electric vehicle charging points.

In response to a question from Councillor Goodfellow on electric vehicle charging points, Mr Stubbs explained that 'journey chargers' provided rapid charging facilities and were generally located near main roads and larger settlements, and that 'destination chargers' were located within communities/shops/sports centres and delivered a slower charge.

Councillor McMillan asked about the programme for future TROs and how this would be delivered. Mr Stubbs explained the process, noting that his team would consider requests for TROs and assess/prioritise them accordingly. However, he noted that such requests would be considered on a case-by-case basis, and not all would be taken forward.

Councillor Forrest questioned whether the impact of the displacement of vehicles resulting from the proposed TROs had been considered, particularly in Musselburgh, and also how the TROs would be enforced. Mr Stubbs indicated that the public would have an opportunity to comment on the proposals and views submitted would be taken into account. As regards enforcement, he advised that enforcement would be carried out by both the Council's parking attendants and the police.

Councillor Akhtar asked about the provision of electric vehicle charging points in comparison to other areas. Mr Stubbs reported that the Council was providing more charging points than other similar-sized authorities and had benefited from external funding for these facilities. Mr Stubbs agreed to provide further details to Cabinet on how East Lothian Council compares to other local authorities when it comes to the role out of electric vehicle chargers. Councillor Hampshire added that, through a recent conversation with an installation officer, he had ascertained that East Lothian was the best performing council in mainland Scotland, and was in the top five in the UK, in the provision of charging points per head of population. Mr Stubbs also advised that the locations and use of charging points would be monitored.

Councillor Hampshire raised a concern about School Brae Bridge in West Barns, particularly that there was no footpath over the bridge. He welcomed the proposal to extend the speed limit restrictions in that area, but suggested that further action may be required to make it safer for pedestrians.

Councillor Goodfellow welcomed the proposed installation of additional electric vehicle charging points, commenting that it demonstrated the Administration's commitment to tackling climate change and would give drivers the confidence to change to electric vehicles.

Decision

The Cabinet agreed, unanimously by roll call vote, 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 are in force in respect of locations and proposals listed in Appendices A-G to the report.

5. COUNCIL HOUSE ALLOCATION TARGETS 2021/22

A report was submitted by the Executive Director for Place seeking Cabinet approval for Council House Allocation Targets for the period 1 April 2021 to 31 March 2022, explaining the context, legal position and rationale for the proposed targets.

The Head of Housing, Wendy McGuire, presented the report, drawing Members' attention to the proposed targets for 2021/22 (set out at Section 3.24 of the report). She assured Members that performance against these targets would be reviewed regularly. She noted that demand for Council housing in East Lothian remained high, with around 3,000 people currently on the housing list, as well as significant homelessness pressures. On Local Lettings Plans (LLPs), Ms McGuire advised that these contributed to achieving sustainable and balanced communities, with LLPs currently in place in Musselburgh, Prestonpans, North Berwick and Tranent. She noted that 461 allocations had been made between 1 April 2020 and 31 March 2021, which she considered to be a significant achievement given the circumstances of the pandemic. She indicated that, if approved, the targets would be reviewed within six months to ensure they continued to reflect demand; any proposed changes would be reported to Cabinet.

Councillor Goodfellow asked how many allocations had been made between 1 April 2019 and 31 March 2020. He also asked for an update on the Homeless Persons (Unsuitable Accommodation) Order. Ms McGuire advised that 511 allocations had been made during this period (which was pre-COVID-19). She further advised that the implementation date for the Order was June 2021, and that, on implementation of the Order, the Council would be required to find suitable accommodation for all homeless households within seven days.

Councillor McMillan commended the Housing Service for their efforts in continuing to allocate homes during the pandemic, describing it as 'a remarkable achievement'. His comments were echoed by Councillor Akhtar, who conveyed her appreciation to all staff involved.

As Cabinet Spokesperson for Housing, Councillor Goodfellow also praised Housing Service staff, commenting that they provided an excellent service to tenants. He welcomed the proposed targets set out in the report.

Councillor Hampshire also paid tribute to staff for their achievements in allocating 461 homes to tenants during the pandemic.

Decision

The Cabinet agreed, unanimously by roll call vote:

- i. to approve the recommended targets detailed in Section 3.24 of the report;
- ii. to note that performance against these targets would be reviewed on a regular basis and that such review would form part of the analysis in setting future targets in 2021/22 and beyond;
- iii. to note that ongoing regular monitoring of performance has been embedded within the Community Housing Performance Management Framework; and
- iv. to note the impact of the COVID-19 pandemic and associated advice from the Scottish Government which had limited the Council's ability to allocate housing (particularly during periods of lockdown) in order to reduce the risk of transmission of the virus and protect public health.

6. CORPORATE RISK REGISTER 2021

A report was submitted by the Chief Executive presenting the Corporate Risk Register to Cabinet for discussion, comment and approval.

The Head of Communities, Sharon Saunders, presented the report, advising that the Corporate Risk Register was prepared in accordance with the Corporate Risk Strategy, which would be reviewed and presented to Council in 2022. She assured Members that the Corporate Risk Register was kept up to date and current, and was regularly reviewed by the Corporate Risk Management Group and the Council Management Team.

Scott Kennedy, Emergency Planning, Risk and Resilience Officer, went on to provide some background information on the risk matrix and evaluation of risk, noting that in 2021 there was one risk considered to be 'very high', eight which were 'high', nine which were 'medium' and one which was 'low'. Those deemed to be 'very high' or 'high' would be subject to closer monitoring by the CMT, Cabinet and the Audit & Governance Committee.

Councillor McMillan asked for further information on how, during the pandemic, the Risk Register was keeping up with events, given that decisions and actions had to be taken quickly. Mr Kennedy advised that the COVID-19 and Concurrent Risks Oversight Group met fortnightly (previously weekly) and that the COVID-19 Risk Register formed part of that meeting. Ms Saunders added that CMT was also kept up-to-date with developments, which informed the Council's response to risk. She also noted that the Audit & Governance Committee scrutinised service risk registers, and that the Council's response to risk took account of the quantitative and qualitative data available. She reassured Members that the Council's approach to risk management was appropriate and fit for purpose.

Councillor Akhtar asked about the risks relating to workforce pressures, particularly within Health and Social Care Services and in the context of Brexit. She also referred to the Scottish Government's forthcoming review of local government, and the potential impact on staff, noting that the Council would need to ensure that it was fully involved in this process. Matthew Kennedy, Team Manager – Health and Social Care, reported that to date Brexit had not had an adverse impact on health and social care staff in East Lothian; however, there were ongoing challenges in relation to attracting people to careers in the care sector. On the review of local government, Ms Saunders agreed that it was important for the Council to contribute to this, and noted that officers had already been involved in the early stages of the review. She added that efforts would be made to encourage local groups and organisations to participate in the consultation on this in due course.

As regards the Local Development Plan (LDP), Councillor Goodfellow asked if the Council still had a five-year land supply. Michaela Sullivan, Head of Development confirmed this to be the case and assured Members that this position was defensible. She advised that National Planning Framework 4 (NPF4) would set targets for land supply – this would be reported to Council in June. She was not particularly concerned about these targets, as a significant proportion of the allocations identified in the current LDP would be included in the allocations for LDP2. She highlighted the importance of the Council retaining control over allocations, noting that the Head of Housing was involved in the Housing Needs and Demand Assessment in collaboration with other local authorities.

Councillor McMillan welcomed the report and the measures taken to manage risk, commenting on the importance of having a robust risk culture and system of controls.

Councillor Akhtar highlighted the importance of supporting staff in Health and Social Care to carry out their duties as the Council emerges from the pandemic. She also warned that

many people would experience financial hardship once the furlough scheme ends, and that the Council would also face financial challenges in the future.

Councillor Dugdale commented that the Corporate Risk Register reflected the efforts of staff to continue to deliver services and meet the needs of communities throughout the pandemic. She thanked all those involved in this work.

Concluding the debate, Councillor Hampshire remarked that the Risk Register demonstrated the pressures that the Council had faced when delivering services and protecting communities during the pandemic. He made reference to the financial hardship facing people and the need for the Council to support those affected. He also mentioned the impact on children's education and the efforts being made to help pupils catch up with their learning, and spoke of other challenges, including the effects of climate change, reducing financial settlements, and pressures on staff.

Decision

The Cabinet agreed, unanimously by roll call vote, to approve the Corporate Risk Register for 2021; and in doing so:

- Agreed that the relevant risks had been identified;
- Agreed that the significance of each risk is appropriate to the current nature of the risk
- Agreed that the total profile of Corporate Risk could be borne by the Council at this time in relation to the Council's appetite for risk
- Recognised that, while Corporate Risks require close monitoring and scrutiny throughout 2021/22, many are in fact long-term risks for the Council that are likely to be a feature of the risk register over a number of years; and
- Noted that the Council Management Team would review all risks in the Corporate Risk Register on a regular basis.

7. REVISIONS TO CORPORATE PROCUREMENT PROCEDURES

A report was submitted by the Executive Director for Council Resources seeking approval of the proposed amendments to the Corporate Procurement Procedures relating to the existing procurement thresholds, as set out in Section 3.4 of the report.

The Commercial Programme Manager, Agnes Eperjesy, presented the report, explaining that the proposed amendments to procurement thresholds would make it easier for smaller companies to bid for contracts, and speed up the procurement process, as well as allowing for better engagement with local firms. She confirmed that the proposed changes were in line with government regulations and guidelines.

Councillor Hampshire welcomed the report, which would allow local companies greater access to Council contracts. He urged officers to make every effort to support local firms, which would in turn benefit the East Lothian economy. He asked if the Council had sufficient resources to provide such support. Ms Eperjesy stressed her commitment to supporting local businesses, referring to a forthcoming 'Meet the Buyer' event in which the Council would be participating, with the involvement of all procurement officers. She indicated that this would present an opportunity for local businesses to engage with the Council, and that assistance would be provided as regards completing procurement paperwork. She added that 50 hours of assistance had been provided to local businesses in 2020 as regards procurement.

Councillor McMillan spoke in favour of the proposed changes and of the importance of engaging with small local businesses. He welcomed the involvement in the 'Meet the Buyer' event, and also made reference to a forthcoming all-sector business meeting that he would be attending, noting that he would relay the message that the Council was keen to support businesses.

Decision

The Cabinet agreed, unanimously by roll call vote, to approve the proposed amendments to the Corporate Procurement Procedures.

SUMMARY OF PROCEEDINGS – EXEMPT INFORMATION

The Cabinet unanimously agreed to exclude the public from the following business containing exempt information by virtue of Paragraph 6 (information concerning the financial or business affairs of any particular person other than the Authority) of Schedule 7A to the Local Government (Scotland) Act 1973.

Bad Debt Write Off

A private report by the Executive Director for Council Resources concerning the write off of bad debt was approved.

REPORT TO: Cabinet

MEETING DATE: 14 September 2021

BY: Executive Director of Education and Children's Services

SUBJECT: Kinship Care Allowances, Children's Services

2

1 PURPOSE

- 1.1 To report to Cabinet on kinship care and seek approval to changes in the allowances payable to kinship carers in relation to Part 13 of Children and Young People (Scotland) Act 2014.

2 RECOMMENDATIONS

- 2.1 Cabinet is asked to endorse and support the proposal to extend the length of time allowances are paid to some kinship carers with a kinship care order beyond the young person's 16th birthday to their 18th birthday (or date of leaving school if later), providing they are not in full-time employment. This will help avoid family breakdown at what is often a critical point of transition; and enable young people in kinship care to stay on at school or take up training opportunities while being supported by their kinship carers.
- 2.2 Cabinet is asked to note that this would align us with practice in the other Scottish local authorities. The resulting impact for young people to reduce inequalities, build resilience and prevent problems such as unemployment, homelessness and resultant mental health or addiction problems in this most vulnerable group of young people.

3 BACKGROUND

- 3.1 Where children and young people in East Lothian need to be formally looked after and accommodated, the Council currently seeks to place them with friends or relatives ("kinship carers") where it is safe to do so. This ensures that there is least disruption for the children or young people that they can grow up in familiar circumstances and stay connected to their

family. 24% (51 children) of all our accommodated children and young people reside with friends or relatives. (February 2020).

- 3.2 The kinship carers of looked after children can subsequently seek a residence order (“kinship care order”) from the Sheriff Court, to anchor the child’s residence with them. This allows the child to be removed from the children’s hearing system, and ends their looked after status and any entitlement to ongoing support in the form of continuing care up to the age of 21 or aftercare to the age of 26.
- 3.3 Other vulnerable children and young people have gone to live with kinship carers on an informal basis, often in times of crisis, and often facilitated by Children’s Services.
- 3.4 East Lothian Council has acknowledged that the needs of these children and young people in informal kinship care will usually be greater than the general population and has been supporting many of these informal kinship carers with some financial help. This has ensured the families can sustain their commitment to these children. This early intervention supports the child and avoids any potential trauma and additional expense if the child were to be accommodated with foster carers or in a residential unit.
- 3.5 In 2015, the Scottish Government and COSLA entered into an agreement to ensure that:
 - formal kinship carers of looked after children would receive parity in respect of the allowances received by foster carers
 - these payments would continue in the event that the formal kinship carers got a kinship care order, thus removing them from the Children’s Hearing system and ending their looked after status
 - similar payments would be paid to informal kinship carers who obtain a kinship care order in respect of children or young people who had *not* previously been looked after, if those children had been placed with the involvement of the local authority. (The national Guidance then extended this to children not placed with the involvement of the local Authority but where they would reasonably have placed the child if we had knowledge of the circumstances at the time and where it remains unsuitable for the child to return to the care of their parents.)
 - similar payments would be paid to informal kinship carers who obtained a kinship care order in respect of children and young people who were neither previously looked after, nor placed with the involvement of the local authority, if those children or young people were at risk of becoming looked after.

- 3.6 For those and any other children whose kinship carers have been receiving parity benefits, kinship care orders cease to have effect when the young person reaches their 16th birthday.
- 3.7 The consequence of this for a young person deciding whether to stay on at school past the age of 16 or go to college would mean that their kinship carers would cease to receive any financial support from the local authority. The young person would not be eligible for state benefits. This would leave them vulnerable at such a critical time in their lives. This could also lead to kinship carers asking the Children's Hearing not to end the Compulsory Supervision Order, thus keeping the child's looked after status when there is no other reason for this. The child would then require an allocated social worker, formal involvement including formal reviews.
- 3.8 There is a power in the new Kinship Care Assistance (Scotland) Order 2016 to make a payment directly to a young person between the ages of 16 and 18 if they had previously been the subject of a kinship care order and were previously looked after. However, this puts the onus of responsibility for managing finances onto the young person at too early a stage, when they, along with their peers, still need support and guidance.
- 3.9 For this reason, it is recommended that any payment made to those kinship carers with kinship care orders under the parity scheme outlined in paragraph 3.5 above would be extended to the age of eighteen or the date the young person leaves school, whichever is the later, unless the young person is in full-time employment before that date, at which point the allowances would cease.
- 3.10 We want to ensure that all our young people have the best start in life, are able to maximise their educational opportunities, reach positive destinations and avoid family breakdown, which might otherwise result in homelessness, and reduce opportunity for achieving a positive destination at such a crucial time in their development.

4 POLICY IMPLICATIONS

- 4.1 This policy has implications for those children and young people living in East Lothian with kinship carers who were previously looked after or are at risk of becoming looked after.

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.

6 RESOURCE IMPLICATIONS

- 6.1 At current rates, continuation of the payment would cost an additional £11,206 per year per young person (less any child related benefits that may need to be deducted) for a maximum of two years per young person. Based on predicted numbers over the next three financial years this would increase overall costs to a maximum of £50,000. This may change depending on demand for the service. As a result of work with finance colleagues to realign kinship and fostering budgets, the costs of this policy change can be met within existing resources.
- 6.2 Personnel – This has no additional personnel implications were it to be introduced. However without the funding, there will likely be the need for additional social worker time, in the event that young people remain looked after for longer, and then require continuing care or aftercare support.
- 6.3 Other – None

7. BACKGROUND PAPERS

- 7.1 Appendix 1: East Lothian Kinship Care Policy and guidance

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DATE	27 August 2021

East Lothian Council Kinship Care Policy and Guidance



East Lothian Kinship Care Policy

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1 Introduction

In East Lothian, we work to improve the long-term outcomes for all children. We work together as a council in partnership with families and other agencies to support children and families. We aim to keep children safely together with their families wherever possible.

Where a child cannot live with their birth family we will always look first to the child's wider family. Where it is safe to do so, we will support the child to live with relatives or friends. (This may sometimes include financial support from the start where assessed as necessary.) This means that the child grows up in familiar circumstances. It reduces disruption for the child. The child grows up knowing his or her own family. We call this "kinship care". This support is a fundamental part of our early intervention strategy.

2 Types of kinship care

Children in kinship care are either formally 'looked after' or they are not – referred to as formal and informal kinship care. However, there are now five categories of kinship care when it comes to entitlement to support and financial help, some of which may overlap:

- i. **Informal kinship care:** Within East Lothian, we tend to use informal kinship care as a shorthand for where close family members look after children in informal arrangements made by their family. When we report on them statistically, we count only those children whom we choose to support voluntarily on a financial basis, after an assessment of the needs of the child.
- ii. **Formal kinship care:** where family members or friends are formally approved kinship carers of "looked after children" ¹ and receive allowances equal to our fostering allowances, known as "parity payments" under the agreement between Scottish Government and the Convention of Scottish Local Authorities in October 2015 ("the COSLA agreement").
- iii. **Some carers with a residence order:** where the children involved are either
 - a. previously "looked after" children;
 - b. children who were placed with those carers with the involvement of the local authority² at the time; or
 - c. children who are at risk of becoming looked after

These three sets of carers will also get parity payments under the COSLA agreement.

- iv. **Carers qualifying for "kinship care assistance":** where the child is at risk of being looked after or was previously looked after, their carers qualify for support to help them apply for a "kinship care order" (which could be guardianship or a residence order), and an allowance on receipt of the order, under the Kinship Care Assistance (Scotland) Order 2016. Those whose kinship care order is a residence order then qualify for parity of payment too (see iii above). Where a parent has appointed a person in writing to be guardian of their child in the event of the parent's death, such a guardian will also have the entitlement to information and advice and an allowance (but not the right to parity).

¹ under the Children (Scotland) Act 1995 section 17

² This phrase is explained and expanded in the National Guidance – see section 4.2 below

- v. **Other carers with a residence order not qualifying for assistance or parity:** where the children were not looked after previously, were not 'placed with the involvement of the local authority'³ and are not at risk of becoming looked after (because a parent could resume care). These carers are not entitled to any financial assistance or support under either the Kinship Care Assistance Order or the COSLA agreement. (However, there may be another possible route of support if the child is considered to be a child in need under s22 Children (Scotland) Act 1995.)

3 Informal kinship carers – assessment and support

Where parents and other family members agree, a child can move to live with wider family members without any legal order. These are often private family arrangements, made without the involvement of the local authority. We call these relatives “informal kinship carers”. Where they are close relatives⁴, they do not need to be formally assessed or approved as informal carers. (Informal kinship carers who are not a close relative of the child may be subject to suitability checks and ongoing monitoring where the arrangement goes on beyond 28 days, as their situation will be considered to be a private fostering arrangement, for example if they are a great aunt or a friend. Please see our section on [Private Fostering](#) on East Lothian Council’s website.)

However, in cases of close relatives where there are concerns about the wellbeing of the child, the local authority will:

- assess the arrangements to ensure that the child is safe (including police and health checks)
- speak with the child, the birth family and the informal kinship carers to see what supports are required
- refer the kinship carers to voluntary agencies that may provide ongoing support
- help informal kinships to apply for any additional state benefits to which they are entitled now they have the child living with them.

Sometimes when we become involved because of concerns about the child’s wellbeing, we find that these additional state benefits are not enough to meet the child’s needs. Then the social worker may apply on the informal kinship carer’s behalf for financial help from the Council. Sometimes, a one-off payment to help with setting-up costs such as purchasing beds or clothing may be all that is required. However, there are some instances where ongoing financial support is required to meet the ongoing needs of the child or children. At present, the maximum we pay is £50 a week per child. This is a discretionary payment. There is no legal entitlement to it. In East Lothian, these payments are authorised by the Agency Decision-Maker for Kinship Care, currently one of the service managers. (In cases of urgency, an interim payment can be made to the carers under section 22 of the Children (Scotland) Act 1995. We can only make such a payment for up to 4 weeks by which time the Agency Decision-Maker must have taken a decision in respect of regular ongoing payments.)

Where a regular payment is agreed, it continues while the child remains with the kinship carers. It stops when he or she reaches their 16th birthday.

We review these payments every year. We do this by sending a letter to the kinship carers on 1st September each year. We ask, among other matters, whether the child or young person is still living

³ See section 4.2. below

⁴ Close relatives: grandparents, aunts, uncles, brothers or sisters of the child

with the carers. If the carers do not return this information to us within a month, we will stop the payments. We will ask Carers to repay any overpayments.

Occasionally kinship care families, who have not been supported financially by us, approach us later, and are struggling to manage financially. If we were involved at the time of placing the child, or there is a current reason for our involvement aside from purely financial reasons, we will consider making discretionary payments as above, using the same assessment, approval and reviewing process.

4 Kinship carers of Looked After Children (formal kinship care) – assessment and support

Some children will need to be looked after and accommodated with their kinship carer on a formal basis. In East Lothian, this will usually happen when:

- there is no agreement with all the family members and
- the child and family attend a Children’s Hearing and
- the hearing makes a compulsory supervision order/interim compulsory supervision order and
- the order states that the child or young person must live with particular relatives or family friends.

These relatives are known as “formal kinship carers”. The children are “looked after children”. Sometimes, parents consent to their child being looked after by the local authority on a voluntary basis under s25 of the Children (Scotland) Act 1995, and being placed with relatives or friends rather than foster carers or in a residential unit. These relatives or friends will also be classed as “formal kinship carers” because the children are also “looked after children” even though they are with relatives or friends. Whichever route is followed, all the usual looked after paperwork and review processes are required.

Assessment

The most important thing to be aware of is we must assess formal kinship carers **before** the child moves to live with them. This is a legal requirement under [The Looked After Children \(Scotland\) Regulations 2009](#). This is generally done by the Kinship Service who should be alerted about this piece of work, but they will need the child’s worker to start the process off by carrying out a Pre-placement Viability Assessment of the prospective kinship carers. This is something that could be done in one visit to the carers.

Assuming this does not immediately rule out the carers⁵, the Pre-placement Viability Assessment should be shared with the allocated worker from the Kinship Service. The Kinship Service will then carry out a full and thorough assessment of the prospective kinship carers using the Kinship Report template and guidance. This assessment will focus on how well the carers could meet the child’s identified needs, including how the prospective carers have been affected by their own experiences of being parented and having parented already, if relevant. As part of the assessment, the assessor

⁵ If prospective carers wish to appeal the conclusion of the viability assessment, the Team Leader for the assessor within the Kinship Service will review it within 14 days of receiving written notification. If this does not resolve the situation, the Agency Decision Maker will consider it and provide a written response to the prospective kinship carers, with reasons for that decision, within 28 days.

will arrange for appropriate Disclosure, local authority and health checks and obtain personal references for the carers. (See **Appendix 1: Flowchart for a planned move**)

However, where the move happens in an emergency, there is provision in legislation for us to assess the carers within 12 weeks of the child moving there. In these circumstances, the child's worker would need to carry out basic checks **before** placing the child and with the Pre-Placement Viability Assessment being carried out as quickly as possible, preferably before the placement was made. (See **Appendix 2: Flowchart for emergency placement**, and basic checks.) For the emergency placement to be legal:

1. The kinship carers must sign an Emergency Placement Agreement before the placement starts
2. There must be a three day review that satisfies the local authority that this placement with these carers continues to be in the best interest of the child. (This takes place at the usual Three-day review of the placement.)
3. The placement must be reviewed again at six weeks and similarly satisfy the local authority about the placement

There may be circumstances where extended family or friends come forward later when the child is already accommodated, for example when considering permanence for the child away from the family home. In these circumstances, a member of the Kinship Service will be the ones to carry out a more extensive Viability Assessment⁶ to rule these potential carers in or out, before going on to complete a full assessment where this is indicated.

Kinship Care Panel

While the assessment is being completed, the social worker who is carrying out the assessment of the carers must book a slot at the Kinship Care Panel, whose three members are made up of Children's Services staff. The assessment and all associated paperwork including copies of supporting checks and references must be with the panel administrator one week before the panel.

The kinship carers attend this panel along with the assessing social worker and the social worker for the child. The members of the panel recommend whether or not to approve the carers. The Agency Decision-Maker for Kinship Care takes the final decision and will write to advise the carers of this within two weeks of the panel, and if approved, will ask the carers to sign the full placement agreement.

Financial support - parity payments

Parity payments to the kinship carers for looking after this "looked after" child will begin from the point the child is both a looked after child and in their care, whether or not the kinship carers have yet to be formally approved (i.e. if placed in an emergency). The child's worker should let the Finance Business Support Worker know to start making payments.

The calculation for parity is based on taking the total of any child-related state benefits which the carers can claim for the child (generally only Child Benefit, unless the carers already have been claiming child tax credits for children of their own, in which case it may be possible that they could

⁶ If prospective carers wish to appeal conclusion of the viability assessment, the Team Leader for the assessor within the Kinship Service will review it [within 14days of receiving written notification] If this does not resolve the situation it will be considered by the Agency Decision Maker who will provide a written response to the prospective kinship carers with reasons for that decision within 28 days]

claim child tax credit for this child). This is then topped up to the equivalent fostering allowance which would be payable for a child of that age (see our [website](#) for details).

We will continue to pay these regular allowances while the child is looked after and accommodated with these carers. We will formally review the carers' support needs carers at the child's Looked After Reviews. We will also give the social worker for the family a letter on 1st September every year to review the carers' financial circumstances and adjust their existing kinship care allowance if required.

When looked after status ends

If the child stops being a 'looked after child' before their 16th birthday and continues to stay with their approved kinship carers, with or without a residence order, we have until recently continued to pay these regular allowances up to the child's 16th birthday. However, this situation caused much hardship to families and affected the young person. We will now continue to make regular payments until the young person reached their 18th Birthday or leaves school, whichever is the later, unless they have begun full-time employment in the meantime.

If the child remains a 'looked after child' on or after their 16th birthday, and wishes to remain there after they turn 18, they must request Continuing Care. This means having the same accommodation (provided their carers agree) and the same level of support under Continuing Care legislation until their 21st birthday, including financial support to their carers. The child will then be eligible for Aftercare support until they turn 26. (If Continuing Care is not available to them, they immediately become eligible for Aftercare.) To help inform the decision about whether Continuing Care can be agreed, their worker must carry out a Welfare Assessment as part of the legal requirements of the Continuing Care legislation.

5 Support to some carers with a residence order who qualify for parity payments:

- **where the children involved were previously "looked after" children with those carers**

If there is a need for a kinship care order and when one is granted, we will discuss and agree the need for ongoing support at the child's final Looked After review. When the compulsory supervision order is ended by the children's hearing and the child ceases to be formally looked after, we will continue to pay their kinship carers at the formal rates i.e. the amount required to top-up to the relevant fostering allowance. The residence order lasts to the child's 16th birthday, but we will now continue to make regular payments until the young person reached their 18th Birthday or leaves school, whichever is the later, unless they have begun full-time employment in the meantime.

- **where the children were originally placed with those carers with the involvement of the local authority at the time (qualifying for parity)**

These children will have had some initial involvement with Children's Services at the time they went to stay with their carers. Often this will have been after a child protection investigation. Children's Services will usually have encouraged the parents to allow the child to stay with relatives for their safety to avoid the child becoming formally looked after. In these circumstances, Children's Services may have supported the kinship carers financially on an informal basis or had no ongoing involvement. If these carers later obtain a residence order for the child, they will become entitled to

parity payments from us, as above, because of the COSLA agreement. Once again, the residence order lasts to the child's 16th birthday, but we will now continue to make regular payments until the young person reached their 18th Birthday or leaves school, whichever is the later, unless they have begun full-time employment in the meantime.

If such a residence order was granted before 1st October 2015, and we were aware of the residence order having been granted, the entitlement to the allowance began from the 1st October 2015. For later orders, we will begin payments from the date the residence order was granted. Where cases come to our attention after a residence order has been granted, we will begin payments from the date we are satisfied of the carer's eligibility to this (following the [National Guidance](#)).

- **where children are at risk of becoming looked after (qualifying for parity)**

This group of children are the final group whose kinship carers are entitled to parity payments because of the COSLA agreement, once they obtain a residence order. Children considered to be at risk of becoming looked after will generally be children who cannot live with their parents and have probably been placed there by the local authority social work service, or would reasonably have been, had the authority known at the time (following the [National Guidance](#)). Any entitlement to payments will begin from the date the court grants the residence order or, if this subsequently comes to the attention of the local authority, from the date the children have been assessed as being at risk of becoming looked after. Once again, the residence order lasts to the child's 16th birthday, but we will now continue to make regular payments until the young person reached their 18th Birthday or leaves school, whichever is the later, unless they have begun full-time employment in the meantime.

6 Kinship Carers qualifying for “kinship care assistance”

There are entitlements for different types of support (“kinship care assistance”) for some kinship carers and their cared for children from 1st April 2016, under s 71 of the Children and Young People (Scotland) Act 2014. There are two aspects to qualifying:

- 1) **either the carers** are considering applying for, or have, a court order giving them the right to have the child living with them (or predominantly living with them)
or
the carers must be the child's legal guardian either by parental or court appointment,

and
- 2) **the child must be an “eligible child”** – defined as previously looked after or considered by the local authority to be at risk of becoming looked after.

[National Guidance](#) has since clarified that children considered to be at risk of becoming looked after will generally be children who cannot live with their parents and have probably been placed there by the local authority social work service, or would reasonably have been, had the authority known at the time. A child can be considered to be placed when local authority social workers have assessed that the child's needs require them to be removed from the care of their parents, and it remains unsuitable for them to return to the care of their parents and the kinship care placement meets local authority requirements.

Here is a summary of Kinship Care Assistance: (details on how to apply are on our website)

Carers		
Which carers get help?	What help do they get?	Notes
<u>Carers considering</u> applying for an order for residence or guardianship for an eligible child	Such information and advice reasonably required by that person to make a decision about an order	
<u>Carers applying</u> for an order for residence or guardianship for an eligible child	(i) Such information and advice reasonably required by that person for the purpose of the application and (ii) financial support towards the cost	The Agency Decision-Maker would agree any financial contribution
<u>Carers having</u> an order for residence for an eligible child	(i) Such information and advice reasonably required by that person in relation to the order and (ii) an allowance	This allowance qualifies for parity under the COSLA agreement where s11 residence order
<u>Carers having an order for guardianship or Guardianship by parental appointment</u> of an eligible child under 16	(i) Such information and advice reasonably required by that person in relation to a Kinship care order and (ii) an allowance	This allowance would seem not to qualify for parity under the COSLA agreement, but we would still pay parity, given the infrequency of these cases.
Children		
Which children get help?	What help do they get?	Notes
<u>Eligible child under 16</u> subject to an order for residence or guardianship	Such information and advice reasonably required by that child for the purpose of <u>facilitating the placement</u> under an order	
<u>Between 16 to 18th birthday</u> , where there was	(i) Such information and advice reasonably required by that child for the purpose of	

<p>an order for residence or guardianship in force to 16</p>	<p><i>facilitating a transition</i> following a placement under an order and</p> <p><i>(ii) where the local authority considers it appropriate, an allowance</i></p>	<p>We would generally not make any payments to a young person but to their carer</p>
<p><u>An eligible child (up to 18) who has a guardian</u></p>	<p>(i) Such information and advice reasonably required by that child for the purpose of <i>facilitating the placement</i> with the guardian</p> <p>and</p> <p><i>(ii) where the local authority considers it appropriate, an allowance</i></p>	<p>We would generally not make any payments to a young person but to their carer</p>

7 Carers not qualifying for parity or kinship care assistance (Other carers with a residence order)

A few informal kinship carers may decide to apply for a kinship care order or already have a residence order. Some of these carers will be known by us and some of them will not. If Children’s Services were not involved in the placing of the child with those carers, and the child is not at risk of becoming looked after (because a parent could suitably resume care of the child), there is no entitlement to either parity payments or kinship care assistance, despite the existence of a residence or kinship care order.

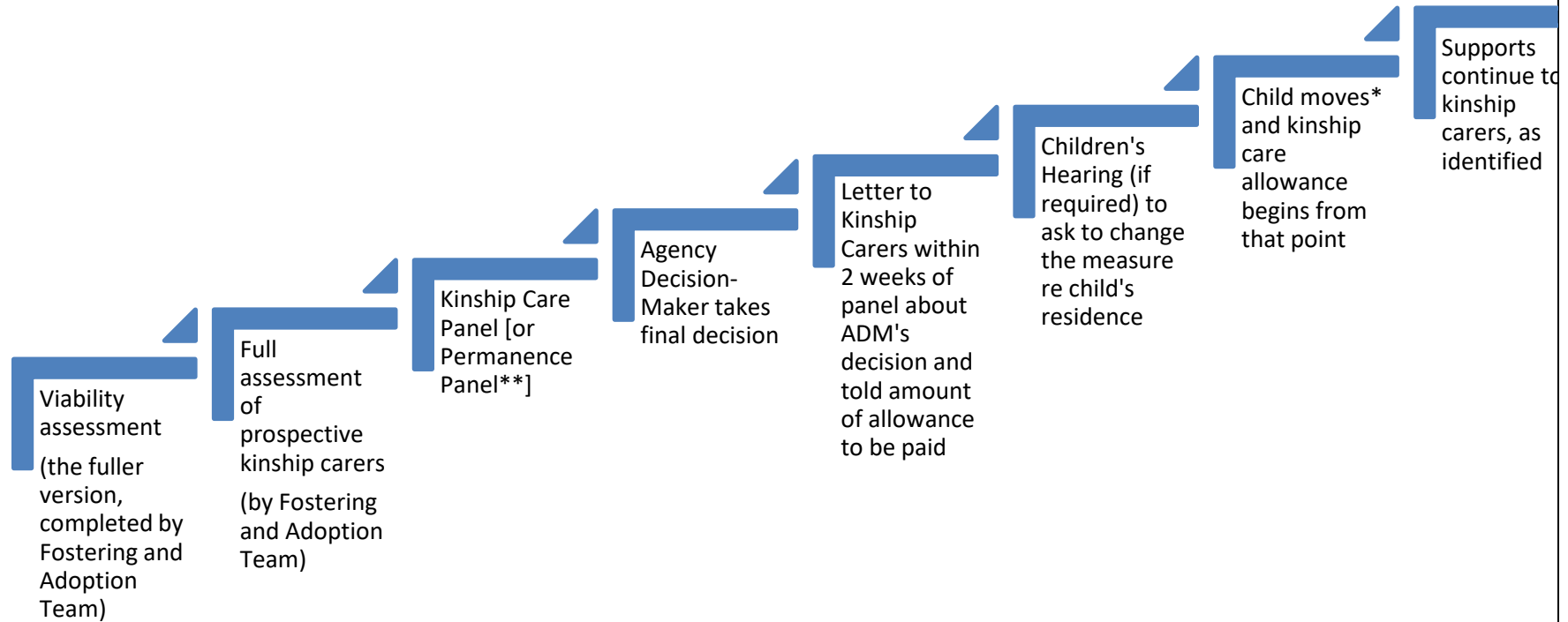
8 Assessment of carers for permanence

At some point, the Looked After Child Review may decide that a child cannot return home and needs a permanent placement. In these circumstances, the original kinship carers may decide to offer a permanent home to the child. Where the Looked After Review has taken that decision for permanence, we need to decide whether the carers need to be reassessed to act as permanent carers. This would most likely apply where the child is ten or under, and where the original assessment was more than three months old. In rare occasions when adoption is being considered, we will carry out an adoption assessment and present it to the Adoption and Permanent Care Panel. If the carers are seeking to secure the placement using a s11 residence order, the same worker (most likely from the Kinship Service) will update their original assessment and present it to the Kinship Care Panel.

Whichever route is being followed, the assessment will generally be done by a member of the Kinship Service. Once a Looked After Review has decided to pursue a permanence plan, there will be a planning meeting to consider what needs to be done, by whom and by when.

Author	Group Service Manager, Children’s Services
Date	December 2016
Revised	June 2021 by Service Manager / ADM for Kinship Care
Review Date	June 2023

Appendix 1: Planned move to kinship carers - legally we must assess fully **before placement**

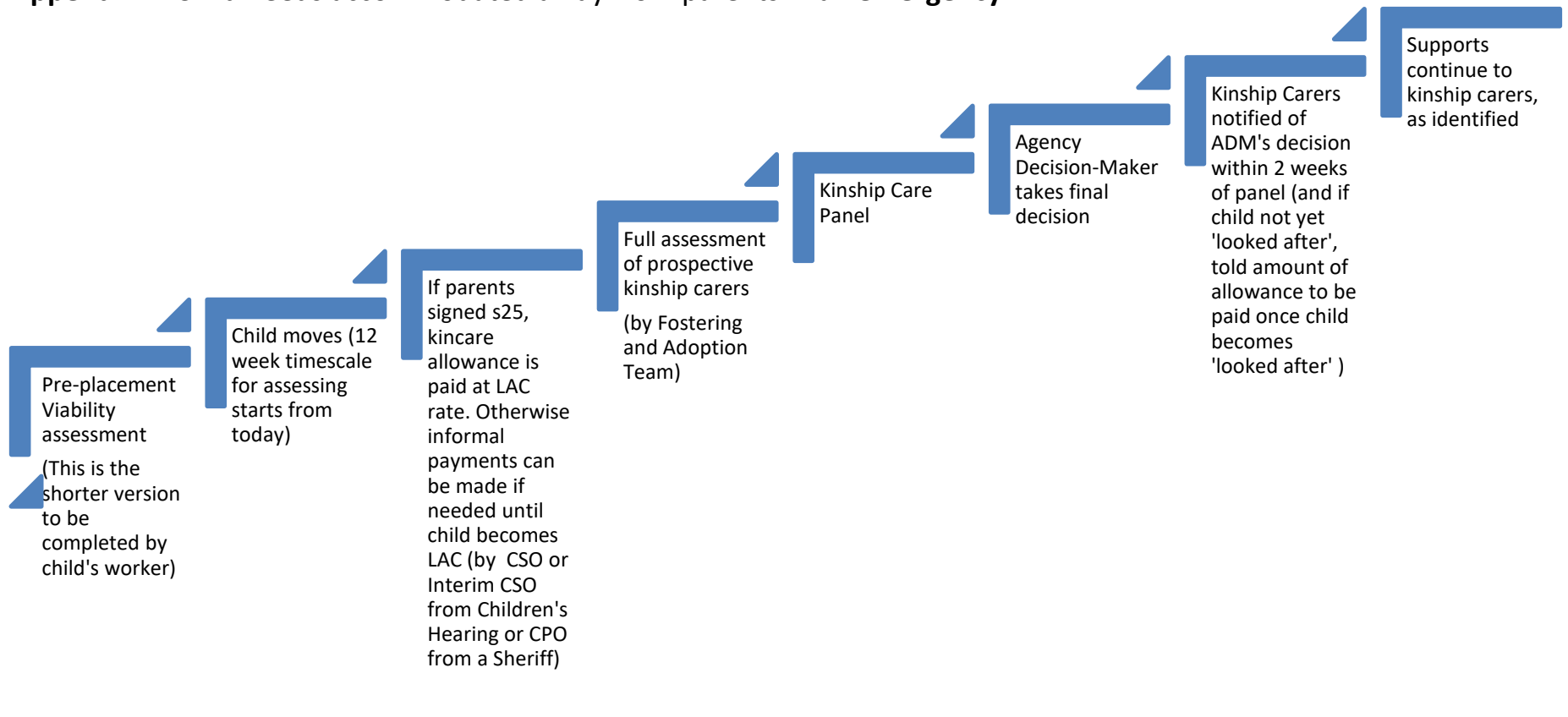


Note:

*If the placement is made before the ADM decision, it will not be legal, unless it is because an emergency has arisen in the interim. (However, our requirement to attend a Kinship Care Panel is not a legal requirement.)

**Where permanence away from home has been agreed, and potential kinship carers put themselves forward at this stage when adoption was being considered, or there are competing claims by different family members, the assessment will be taken to the Permanence Panel for consideration following registration of the child.

Appendix 2: Child needs accommodated away from parents in an emergency



Notes:

If child becomes a looked after child on becoming accommodated in an emergency with kinship carers, these steps must be taken or the placement is not legal:

- An emergency agreement signed by kinship carers
- A decision at the subsequent 3 day review of the placement whether the kinship carers are the best placement for the child
- A decision at the six week review of the placement whether the kinship carers are the best placement for the child
- A decision by the ADM following the Kinship Care Panel within 12 weeks of the start of the placement

A pre-placement viability assessment must be undertaken using the standard template and the process followed as above. If it is completely impossible to carry out a full pre-placement viability assessment, these are the absolute minimum checks that should be undertaken before placement. The pre-placement viability assessment must then be pursued as quickly as possible so that the child is not left for any longer than necessary in a placement that will not meet their needs. These emergency clearance tasks are taken from Annexe 1 of [Assessment and Support for Kinship Carers of Looked After Children - Guidance to Local Authorities](#)

- The records of the local authority to identify any previous contacts with the carers
- The records from the local authority where the carers live if this is different from the local authority with responsibility for the child
- The local child protection /family protection unit officers for the area where the carers reside to identify if they know of any immediate risks to the child in being placed with these kinship carers. Questions should be asked about any domestic violence referrals as well.
- The family's GP or HV where there are any health issues for the child or kinship carer including any serious conditions requiring treatment **
- The conditions of the house where the child is going stay and the sleeping arrangements for the child. The house must be visited and the worker must be satisfied that there is adequate accommodation for the child at least for a short period.
- The safety of the house should also be discussed and any immediate risks identified and how they will be managed

** It is unlikely that health information will be readily available but if the child or carers have any significant health problems then the GP or HV or community pediatrician should be approached**

REPORT TO: Cabinet

MEETING DATE: 14 September 2021

BY: Chief Executive

SUBJECT: East Lothian Corporate Parenting Plan 2021-2023

3

1 PURPOSE

- 1.1 To present the East Lothian Corporate Parenting Plan 2021-23 to Cabinet for discussion and approval.

2 RECOMMENDATIONS

- 2.1 Cabinet is asked to endorse and approve the Corporate Parenting Plan 2021-2023 and note the responsibilities in the Children and Young People's (Scotland) Act 2014 to prepare, publish and review its Corporate Parenting Plan every three years.

3 BACKGROUND

- 3.1 Section 59 of the Children and Young People's (Scotland) Act 2014 Act requires a corporate parent to prepare and publish a plan for how it proposes to exercise its corporate parenting responsibilities.
- 3.2 Corporate Parenting duties and responsibilities were expanded within Part 9 of the Children and Young People's (Scotland) Act 2014 and includes those children in foster care, residential care, secure care, looked after at home on compulsory supervision orders and those in formal kinship care. It also includes care leavers who were looked after on their 16th birthday (or subsequently). The responsibilities continue to apply until the care leaver reaches their 26th birthday.
- 3.3 Corporate parents have a legal duty to promote the interests of care experienced children and young people. They must seek to provide with opportunities to participate in activities which are designed to promote their wellbeing, and take any action we consider appropriate to help them access these opportunities or makes use of services which we provide. Corporate parents also need to be alert to matters which might adversely affect their wellbeing.

- 3.4 The 'East Lothian Corporate Parenting Plan 2021-2023' outlines our aspirations as Corporate Parents. It details the actions we will undertake to affect change for our care experienced community in East Lothian over the next 2 years.
- 3.5 The Plan has been developed in partnership with the East Lothian Champions Board. Engagement has also taken place with partner agencies in relation to realising the aspirations. At the heart of the Promise, is the voice of care experienced people. We aspire to continue this and further work covering wider engagement with younger care experienced children and young people will be undertaken.
- 3.6 The draft plan has been out for public consultation on the East Lothian Council consultation Hub. The Corporate Parenting Board, chaired by the Council's Chief Executive, considered and approved the plan on 10 August. An easy read version of the plan has been drafted by the East Lothian Champions Board.
- 3.7 The plan's key priorities for improving outcomes for East Lothian's looked after and care experienced community are focused on improvements to:
- Health and wellbeing
 - Keeping loved ones together
 - Housing and accommodation
 - Education and training
 - Rights and participation
 - Finance
- 3.8 The multi-agency corporate parenting steering group will lead the implementation of the plan and in partnership with the Champions Board, will report highlights and any barriers by exception to each board meeting and a submit formal annual progress reports to the Corporate Parenting Board.
- 3.9 Members of the corporate parenting steering group will be asked to provide relevant local data to enable the development of baseline measures in a performance framework in order to demonstrate the impact of the plan on the lives of our looked after and care experienced children and young people.

4 POLICY IMPLICATIONS

- 4.1 None at this stage. However the delivery of corporate parenting responsibilities has implications for services available and provided to care experienced young people that may require changes to East Lothian policies across services.

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.

6. RESOURCE IMPLICATIONS

6.1 Financial – None

6.2 Personnel - None

6.3 Other - None

7. BACKGROUND PAPERS

7.1 Appendix 1: East Lothian Corporate Parenting Plan 2021-23

7.2 Appendix 2: Corporate Parenting Plan – Easy Read

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DATE	30 August 2021

EAST LOTHIAN CORPORATE PARENTING PLAN 2021-23



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East Lothian Corporate Parenting Plan 2021 – 2023

The East Lothian Corporate Parenting Plan 2021-2023 plan has been developed in partnership key strategic partners and with the East Lothian Champions Board. The East Lothian Champions Board is a group of care experienced young people that come together to speak up about their experiences of care and what improvements need to be made to make the care system better for everyone. The Champions Board wanted a plan that is easy to understand and has clear improvement actions that will be implemented. Covid has resulted in a delay in producing this plan and that is reflected in the timescale. This plan covers a two-year period (2021 – 2023) to allow strategic planning in East Lothian to be co-ordinated – vitally important to working together for the same ambitions.

Everyone involved in this plan signed up to the **Champion’s Board Commitment pledge**:

“We will unite together to look at the priorities for change. We will invest time and resources to produce results and deliver on promises. We will listen to each other when things go wrong and accept no excuses for lack of progression towards our goals.”

What is Corporate Parenting?

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

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

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

What are Corporate Parenting duties?

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

All corporate parents have a duty to prepare and publish a corporate parenting plan which outlines their approach to fulfilling their corporate parenting duties for every three year period. Corporate parenting plans must be regularly reviewed and progress reported to the Scottish Ministers. Every three years, Scottish Ministers report to parliament on how corporate parenting responsibilities have been exercised throughout Scotland, which includes the progress East Lothian made in fulfilling its Corporate Parenting duties and responsibilities 2017-2020.

How many children and young people are looked after in East Lothian during the period 2021- 2023

In December 2020, there were 244 looked after children in East Lothian compared with 222 looked after children in March 2017. This includes:

- 38 children and young people are in residential care
- 88 children and young people are in foster care
- 50 children and young people are in formal kinship care
- 68 children and young people who are looked after at home with social work involvement
- 47 young people are receiving aftercare support.

Why do we need a Corporate Parenting Plan?

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

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

How has the plan been developed?

The Corporate Parenting Plan was informed by the East Lothian Champions Board. The Champions Board identified priorities for change. These priorities for change are informed by the champions own personal experience of the care system, evidence through viewpoint (our feedback tool) as well as local and national research findings and statistics.

The Corporate Parenting Board and Steering Group is made up of representatives from the East Lothian Champion's Board, Who Cares? Scotland, Housing, Health, Education, Police, Community Learning and Development, Social Work, East Lothian Works, Universities and Colleges. The Corporate Parenting Steering Group built on the corporate parenting for 2017-2020, identifying that many of the original priorities were still vitally important. Using those priorities, we have drawn together actions from all areas to try and address the inequality in this area. This plan reflects that.

As corporate parents we are committed to ensuring that all care experienced children, young people and their families within East Lothian are supported to reach their full potential. Over the last three years, it has become evident that a number of our children young people are educated and live out with East Lothian. The services and supports that they require to meet their needs are not in their home communities. We can and must do better and thus we have started an ambitious program of improvement in East Lothian. This has not been isolated to Children's Services (social work) but considers all our services for children in the local authority area. We will work together to improve the lives of our children, young people and their families. This will be reflected

within this Corporate Parenting Plan of 2021-2023. Covid has provided opportunities and we have embraced them with aspirational thinking for our most disadvantaged in our community.

This plan is ambitious, as we wish to #keepthepromise. We have committed to this and as corporate parents, we recognise the importance of this and embrace that challenge. We are unwavering in our desire to doing this hand in hand with our children, young people and families – their voice and participation is vital, and has shaped this plan and priorities. Their voice will continue to set that agenda going forward. The East Lothian Corporate Parenting Plan will be reviewed regularly to ensure it is aligned with ‘The Promise Change Plan 2021-2024’.

We are aware that stigma relating to children, young people and families who have been involved with the ‘care system’ is high. Over the next three years, we will undertake to try and change that perception within East Lothian. Through our communications both internally and externally we will celebrate the successes and achievements of our care experienced population, we will promote the knowledge, understanding and skills of our children and young people with these experiences and endeavour to change that perception. We aim to remove the stigma that is often a barrier to success. These children, young people and their families are important to East Lothian. They are full of potential and skills, and we want to unlock and build that to have confident, caring members of our communities.

How will our plan be implemented, and reported on?

The Corporate Parenting Plan has an Action Plan which says what we will do to put our aspirations into practice. The Corporate Parenting Steering Group will meet six times a year to assess how we are doing and update the Action Plan. We will take this Corporate Parenting Plan to the Corporate Parenting Board who will be updated on progress in implementing the plan. We will engage with elected members and widen our Champions Board and engagement with the care experienced community to build support. The Corporate Parenting Board will send this Corporate Parenting Plan and Progress Reports to the Scottish Government. We will make this plan available to everyone in our organisations so that they are aware of their responsibilities.

Theme 1: Health and Wellbeing

Aspiration – Care experienced children and young people to be able access wellbeing services when they need it, at the appropriate level. This should be a needs led, as opposed to an age led approach.

Care experienced children and young people should enjoy an active and healthy lifestyle.

ACTION	Lead	Supporting Lead	WHEN	MEASURE
<p>Continue to develop our mental wellbeing services for children and young people. This includes</p> <ul style="list-style-type: none"> • a single point of access to mental health and wellbeing services. • access to early intervention and preventative supports and services that promote positive mental health and wellbeing. • training and support for staff in understanding children and young people’s mental health and wellbeing. 	<p>Lynne Binnie (Service Manager, Inclusion and Equality, Education)</p>	<p>Children 1st Charmaine Currie</p>	<p>December 2022</p>	<p>Baseline number of young people offered a service via Single Point of Access</p> <p>Improvement in whole school outcomes of mental health and wellbeing as evidenced in SEE Survey.</p> <p>Increase in staff confidence in supporting CYP mental health and wellbeing,</p>
<p>Develop a forum for 18 – 26 years old care experienced young people to access supports for their mental wellbeing.</p>	<p>Emma Clater (Service Manager, Children’s Services)</p>	<p>Lisa Shine (Service and Practice Development Officer, Children’s Services)</p>	<p>April 2022</p>	<p>Aim to support 30 young people with their mental wellbeing per year.</p> <p>Numbers supported through the wellbeing panel- target of 30</p>
<p>We will reduce the impact of further trauma as we support young people recovering from adverse events.</p>	<p>Emma Clater (Service Manager,</p>	<p>Virtual School Head Teacher</p>	<p>December 2022</p>	<p>Triad of measures</p> <ul style="list-style-type: none"> • Number of placement moves

	Children's Services)	Independent Reviewing Officers		<ul style="list-style-type: none"> • Number of social workers • Number of education moves
Develop a service that will support children and young people with caring responsibilities including those who are also care experienced.	Lynne Binnie (Service Manager, Inclusion and Equality, Education) Caitlin McCorry (Service Manager, Connected Communities)	Education Support Officers	December 2022	Service will be in place. Increase in numbers of young carers who are care experienced accessing the Service
Support care experienced young people to engage in and increase activity levels to support physical and mental health and wellbeing.	Ed Hendrickson (Service Manager, Active Schools and Outdoor Learning)	Mark Urwin (Team leader, Active Schools and Outdoor Learning)		-Number of care experienced young people engaging in Active Schools activity. Number of young people supported with bursaries to engage in activity. Number of young people engaging in leadership and training and/or qualifications relating to sport & physical activity.

NHS Lothian are in the process of revising its own Corporate Parenting Action Plan. This will include NHS Lothian's ambitions to improve health outcomes for care experienced children and young people, as well as how it will work in conjunction with its four local authority partners to achieve this. Once completed, themes and actions will be incorporated into the local authority partners plans.

Theme 2: Keeping Loved Ones Together

Aspiration – Children and young people will remain in regular contact with their family they consider important, in particular their brothers and sisters and parents, where this is safe. All decisions should be fully explained to children and young people so that they know if they cannot see people regularly, why not.

Family time should be flexible and individualised. Focus should be on shared experiences.

ACTION	Lead	Supporting Lead	WHEN	MEASURE
Redesign family support within East Lothian, helping families earlier and when needed to keep families together, wherever possible. This involves a more family-based approach – working with families to identifying what support would look like for them.	Lindsey Byrne (Group Service Manager, Children’s Services)	Morven Ross (Family Support Co-ordinator, Children’s Services)	December 2021	<p>Numbers of families being assisted by a redesigned family support service in year one (Jan 2022)</p> <p>Numbers of young people accommodated through statutory measures</p> <p>Numbers of families having a FGDM and remaining together a year later</p>
Continue to grow both the numbers of kinship carers and the support offered to this group.	Emma Clater Service Manager, Children’s Services)	Fostering and Adoption Team Leader Children 1st	December 2022	<p>Increase numbers of kinship carers – baseline of numbers of children/ young people in formal kincare</p> <p>Numbers of kincarers engaging in support offered</p> <p>Number of kincare breakdown</p> <p>Increase in support to children and young people in kinship placements (number of kinship carer children attending the Mini and Midi Champs).</p>

				Number of children and young attending mini champs and champs
<p>Continue to increase the number of foster carers, with a focus on carers who can care for brothers and sisters together.</p> <p>Embed the principles of the Promise within the workforce.</p>	<p>Emma Clater (Service Manager, Children's Services)</p>	<p>Fostering and Adoption Team Leader</p> <p>Workforce Development Officer</p>	<p>December 2022</p>	<p>Increase numbers of foster carers</p> <p>Increase the numbers of foster families that can take sibling placements</p> <p>Increase the numbers of children and young people living in foster care feeling safe in their home (Viewpoint)</p>
<p>Ensure brothers and sisters are placed together unless assessed as inappropriate.</p> <p>Ensure the views of brothers and sisters are obtained for Children's Hearing.</p>	<p>Emma Clater (Service Manager, Children's Services) / Anne Gerry (CHS)</p>	<p>Fostering and Adoption Team Leader</p>	<p>December 2022</p>	<p>Number of children from a sibling group placed with their brothers and/or sisters.</p> <p>% of Children Hearing Reports containing a brothers and sisters assessment.</p> <p>% of reports for Hearings containing information about the views of C& YP s contact with their brothers and sisters.</p>

Theme 3: Housing and Accommodation

Aspiration – All care experienced young people to have appropriate accommodation – no young person will be placed in Bed and Breakfast accommodation. All care experienced children and young people feel safe where they live, and have a sense of home and belonging.

ACTION	Lead	Supporting Lead	WHEN	MEASURE
Develop a strategic plan for how children's services and housing will work together to provide housing and housing support for care experienced young people.	Wendy McGuire (Service Manager, Housing) Judith Tait (Head of Children's Services)	Emma Clater (Service Manager, Children's Services)/ James Coutts (Service Manager, Housing).	December 2021	Production of a working policy document with appropriate measures. Reduce numbers of young people in Bed and Breakfast accommodation. Ensure that the recommendations of the Home and Belonging: Being Care Experienced in East Lothian are implemented.
Develop a comprehensive web presence with information for aftercare and young people's options, giving information that can help inform young people of their rights and choices within this area. This will include videos to inform care experienced young people about the maintenance tasks in your house, e.g. changing a lightbulb, caring for your boiler.	James Coutts (Service Manager, Housing)	East Lothian Champions Board	December 2022	% of young people completing lifeskills viewpoint Feeling supported in where they live (Life skills Viewpoint)
Explore housing models for care experienced young people with complex needs including emergency provision, housing first and small shared models.	James Coutts (Service Manager, Housing) Emma Clater	Rebecca Pringle (Team Leader, Housing Strategy)	December 2022	Numbers of young people being considered through the 15+ Housing and Support Panel. Numbers of those young people living in suitable accommodation.

All care leavers will be offered the Tenancy Award to help young people feel ready and equipped for their own home.	Emma Clater (Service Manager, Children's Services)		December 2022	% of care leavers offered the tenancy award % of care leavers completing the tenancy award Numbers of young people supported by the Rock Trust with tenancy transition work.
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Theme 4: Education and Training

Aspiration – All care experienced children will achieve their potential in school. All care experienced young people will leave school and have a positive destination. All care experienced children and young people have skills and talents and as corporate parents we will assist young people to use these. As a Local Authority we will strive for all children to live and learn in East Lothian.

ACTION	Lead	Supporting Lead	WHEN	MEASURE
<p>Undertake a review and redesign of services for children in East Lothian. This will ensure that children are supported at an early stage to remain in their families. Children and young people will live and learn in East Lothian and families supported to meet the needs of their children (Transforming Services for Children/ Redesign of Children’s Services).</p>	<p>Judith Tait (Head of Children’s Services) Monica Patterson (Chief Executive, East Lothian Council)</p>	<p>Members of the Transformation Board</p>	<p>December 2022</p>	<p>Numbers of children and young people at external residential</p> <p>Numbers of children and young people in external foster care will reduce</p> <p>Number of referrals to social work will reduce</p>
<p>We will create an Inclusion and Wellbeing Team in the interface between Children’s Services and Education. This will be early intervention focused and offer support within schools, keeping with the findings of the Promise.</p> <p>Increase in attainment of our care experienced children and young people.</p>	<p>Lindsey Byrne (Group Service Manager, Children’s Services), Lynne Binnie (Principal Educational Psychologist).</p>	<p>Team Leader (Inclusion and wellbeing Team)</p>	<p>December 2021</p>	<p>All children and young people will report feeling safe at school (Viewpoint, wellbeing questionnaire, SEE survey)</p> <p>All care experienced children and young people will achieve their levels at early, first, second and third.</p> <p>Improvement in levels of attendance of young people looked after</p> <p>Increase in the number of care experienced young people leaving school with 3 or more Nat 4’s.</p>

				<p>Increase in the number of care experienced young people leaving school with 3 or more Nat 5's.</p> <p>Increase in the number of care experienced young people achieving level 4/5 literacy and numeracy.</p> <p>Increase in the number of care experienced young people achieving vocational qualifications, one or more.</p> <p>Increase in the number of care experienced young people progressing to Further and Higher Education.</p>
We will promote and encourage alternative achievements and recognitions for our care experienced children and young people.	<p>Jennifer Cairns (Virtual Head Teacher for care experienced young people)</p> <p>Caitlin McCorry (Service Manager, Connected Communities)</p>	East Lothian Champions Board	December 2022	<p>Numbers of care experienced young people accessing Youth achievement award.</p> <p>Numbers of young people participating in the Duke of Edinburgh Award.</p>
We will develop and promote a range of vocational progression pathways for care experienced young people.	Alison Hood (East Lothian Works)	Jennifer Cairns (Virtual Head Teacher for care experienced young people)	December 2022	Numbers of care experienced young people supported to move from pre-stage 1 (Personal Social Development) to stage 1 Employability (Steps to Employment).

All care experienced young people will have a positive destination and be supported to sustain/ remain in that destination (if appropriate).	Alison Hood (East Lothian Works)	Jennifer Cairns (Virtual Head Teacher for care experienced young people)	December 2022	Numbers of looked after young people in a positive destination at school leaving age
Increase the numbers of young people accessing and being supported to sustain further and higher education. Increase engagement with and referrals to Hub for Success (https://hubforsuccess.org/) – with the aim of supporting more care experienced young people into College and University.	Catherine McCormack (Edinburgh College)/ Callum McGuire (Queen Margaret University)		December 2022	Numbers of care experienced young people in further and higher education. Numbers of withdrawals for care experienced young people from further and higher education. Number of care experienced young people referred to Hub for Success.
Increase engagement and uptake of Foundation Apprenticeships in East Lothian.	Alison Hood (East Lothian Works)		December 2022	Number of care experienced young people commencing the programme and number of completers.
All care experienced young people will have a positive destination and be supported with their transition from school. Including all preparatory employability support including interview preparation.	Alison Hood (East Lothian Works)	Catherine McCormack (Edinburgh College)	December 2022	Numbers of looked after young people up to the age of 19 in a positive destination. Numbers of care experienced school pupils partaking in the school-college partnership.

Theme 5: Rights and Participation

Aspiration – All children, young people and their families are aware of their rights and are supported to have their rights upheld. Young people to feel listened to and their views heard.

ACTION	WHO	Supporting Lead	WHEN	MEASURE
Develop a multi-agency participation policy.	Lisa Shine (Service and Practice Development Officer, Children's Services) Caitlin McCorry (Service Manager, Connected Communities)	East Lothian Champions Board	January 2022	Production of a working policy document with appropriate measures.
Value and use the voice of care experienced children, young people and their families to improve services.	Lisa Shine (Service and Practice Development Officer, Children's Services) Anne Gerry (SCRA)	East Lothian Champions Board	January 2022	Data on engagement and consultation activities involving children, young people and their families.
Challenge the use of language. We will consider our use of certain terms, e.g. replacing contact with family time, replacing LAC with Looked After Child.	Promise Implementation Lead	East Lothian Champions Board	December 2021	Young people's views on their plan gathered through viewpoint. Do you get to have a say in the things that are planned for you?

<p>Young people will be offered a mentor/trusted adult/befriender.</p>	<p>Independent Reviewing Officers</p>	<p>Jennifer Cairns (Virtual School Head Teacher)</p>	<p>June 2022</p>	<p>Numbers of children and young people with a trusted adult.</p> <p>Numbers of young people being offered a mentor and numbers of young people working with a mentor.</p>
<p>Young people will be offered support/independent advocacy to give their views at Children's Hearings.</p>	<p>Anne Gerry (CHS)</p> <p>Emma Clater (Service Manager, Children's Services)</p>	<p>CAP's</p>	<p>December 2022</p>	<p>Numbers of young people using independent advocacy through the Children's Hearing System.</p>
<p>East Lothian will incorporate the principles of the UNCRC into its work on Corporate Parenting and ensure Children's Rights are heart of all Corporate Parenting Activity.</p>	<p>Emma Clater (Service Manager, Children's Services)</p>	<p>Oli Campbell (NHS Lothian)</p>	<p>August 2022</p>	<p>Numbers of children and young people offered independent advocacy and numbers of young people working with an advocacy worker (including children and young people with a disability).</p> <p>Numbers of young people choosing to remain where they live under continuing care.</p> <p>Numbers of young people participating in champions board activity</p> <p>Numbers of children and young people collaborating in service redesign/ service delivery across different service areas.</p>

Theme 6: Finance

Aspiration – All children and young people will be raised in families not affected by poverty. All children and young people will learn appropriate financial management skills within a context of sufficient funds.

ACTION	WHO		WHEN	MEASURE
Reduce personal debt	Emma Clater (Service Manager, Children's Services)		December 2022	Numbers of care experienced young people working with welfare rights service.
Increase the use of personal budgets to empower families, children and young people to take control of their situation and make decisions re support.	Emma Clater (Service Manager, Children's Services)	Lisa Shine (Service and Practice Development Officer, Children's Services)	December 2022	Number of children and young people benefiting from personal budgets to reach their goals.
Work in partnership with all agencies in East Lothian to reduce the impact of poverty, upon our families.	Caitlin McCorry (Service Manager, Connected Communities)	(Service and Practice Development Officer, Children's Services)	December 2022	Number of families living in poverty in East Lothian.
Work with families to assist with income maximisation, ensuring entitlement to all benefits and allowances.	Emma Clater (Service Manager, Children's Services)	Welfare Rights Team	December 2022	Numbers of families working with Income Maximisation work.



EAST LoTHIAN CoUNCIL CoRPoRATE PARENTING PLAN 2021-2023

Created By The East Lothian Champions Board



**WHO
CARES?**
SCOTLAND

EQUALITY | RESPECT | LOVE





EAST Lothian COUNCIL CORPORATE PARENTING PLAN 2021-2023

Introduction

The East Lothian Corporate Parenting Plan 2021-2023 was created in partnership with the East Lothian Champions Board. The East Lothian Champions Board is a group of care experienced young people that come together to speak up about their experiences of care and what changes need to be made to make the care system better for everyone.

The East Lothian Champions Board wanted to create a plan that is easy to read and understand. This is so all care experienced children and young people know the important changes East Lothian corporate parents are about to deliver.

East Lothian Champions Board, 2021

“We will unite together to look at the priorities for change. We will invest time and resources to produce results and deliver on promises. We will listen to each other when things go wrong and accept no excuses for lack of progression towards our goals.”

Corporate Parenting Board Pledge ,2021



EAST LoTHIAN CoUNCIL CoRPoRATE PARENTING PLAN 2021-2023

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EAST LOTHIAN COUNCIL CORPORATE PARENTING PLAN 2021-2023



The What?

This page looks at what we mean by care experience, what a corporate parent is and what they must do.

WHAT IS CARE?

There are different ways a child or young person can be care experienced and there are different settings in which care is delivered these are shown below.



WHAT IS A CORPORATE PARENT?

Corporate parents have many of the same roles as parents do. They must give every looked after child and young person the same opportunities that those who aren't care experienced receive.

A corporate parent is an individual or organisation that has special responsibilities for looked after children and care experienced young people. Corporate parenting responsibilities extend to all looked after children and care experienced young people from birth until they turn 26.

WHAT ARE CORPORATE PARENTING DUTIES?

Corporate parents legally have to make sure that all care experienced children and young people are offered a chance to be involved in activities that make them feel happy and fulfilled.

This means all corporate parents have to prepare a report (called a corporate parenting plan), every 3 years on how they will improve the lives of care experienced children and young people to the big decision makers, the Scottish government.





EAST LoTHIAN COUNCIL CORPORATE PARENTING PLAN 2021-2023

The Why?

This page looks at why corporate parenting plans are so important. The plan set out actions corporate parents will make over the next few years.

WHY DO WE NEED A CORPORATE PARENTING PLAN?

We know care experienced children and young people can achieve brilliant successes but some care experienced children and young people face real challenges. These challenges means it can impact all areas of their lives, compared to their non care experienced peers.

The Numbers

Almost half of 5-17 year old's in care were diagnosed with a mental health disorder (Office of national statistics, 2004)

33% of young people in prison and 31% of adult prisoners self reported as having been previously in care (Scottish prison service, 2016)

73% of care experienced young people leave school aged 16 or under (Scottish government, 2016)

35% of care experienced young people received 1 or more qualifications at SCQF level 5 compared to 85% of the rest of the school population (Scottish government, 2016)

Care experienced young people are 8 times more likely to be excluded from school (Scottish government, 2016)

However, with the right support from corporate parents more care experienced children and young people can achieve their full potential.





EAST LoTHIAN CoUNCIL CoRPoRATE PARENTING PLAN 2021-2023

The Who?

This page looks at who all the corporate parents are.

WHO WAS INVOLVED?

The corporate parenting plan was shaped by the East Lothian Champions board. The champions board (champs) is a group of young people who have experience of care. The champs have used their voice to help shape important areas of the corporate parenting plan. These important areas are called priorities and also been shaped by local and Scotland wide information (research and evidence).

The corporate parenting board is made up of people who are involved in the lives of care experienced children and young people. They work for the police, health, education, social work and other areas too.



The Vision

Corporate parents have heard that care experienced children, young people and their families can feel judged because they have been involved with the care system. Over the next few years the corporate parents will try to stop children and their families feeling this way by challenging this negative view. We will ensure we will celebrate the successes and achievements of our care experienced children and young people.

This plan is ambitious and we want to ensure we keep The Promise. The Promise was the result of the Independent Care Review which ran a listening project from 2017 - 2020 and listened to people who experienced the care system including young people, families and carers as well as professionals who work in the care system. The Promise is a report with recommendations to change the system for the better and East Lothian council will do everything we can to accept the recommendations and make change.





EAST LoTHIAN COUNCIL CORPORATE PARENTING PLAN 2021-2023

Health and Wellbeing

This area looks at how we can improve the physical health and wellbeing of our care experienced children and young people.

Aspiration

Care experienced children and young people to be able to access wellbeing services when they need it, at the right time. This should be a needs led, rather than age led approach.

Care experienced children and young people should enjoy an active and healthy lifestyle.

The Plan

Continue to develop our mental wellbeing services for children and young people this includes: One person in school you can contact for mental health support.



Look at earlier services to promote good mental health and wellbeing. Increase understanding of mental health and wellbeing that lead to an improvement with support.

Develop a forum for 18-26 year old care experienced young people which promotes health and wellbeing.



We will reduce the impact of further trauma as we support young people recovering from adverse events.

Develop a service that will support children and young people with caring responsibilities including those who are also care experienced.



Support care experienced young people to engage in and increase activity levels to support physical and mental health and wellbeing.



EAST LOTHIAN COUNCIL CORPORATE PARENTING PLAN 2021-2023

Keeping Loved Ones Together

This areas focus is on the importance of relationship and giving families the right support at the right time.

Aspiration

Children and young people will remain in regular contact with their family they consider important, in particular their brothers and sisters and parents, where this is safe. All decisions should be fully explained to children and young people so that they know if they cannot see people regularly, why not.

Family time should be flexible and individualised. Focus should be on shared experiences.

The Plan

We will redesign family support within East Lothian, help families earlier and when needed to keep families together, wherever possible. This involves a more family-based approach - working with families to identify the right support needed.

Continue to grow both the numbers of kinship carers and the support offered to them.

Continue to increase the number of foster carers, with a focus on foster carers who can care for brothers and sisters together and understand the importance of these relationships, including the focus on the importance of family time.

Embed the principles of The Promise into the workforce.



We will make sure the principles from The Promise are clearly understood and practiced by everyone who works with children and young people, including foster carers.

Ensure brothers and sisters are placed together unless it is not safe to do so.

Ensure the voice of brothers and sisters are listened to at Children's Hearing.





EAST LoTHIAN COUNCIL CORPORATE PARENTING PLAN 2021-2023

Housing and Accommodation

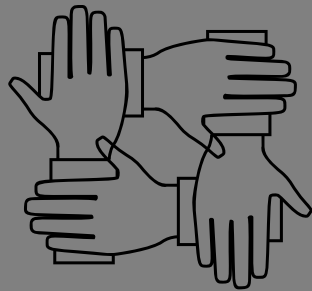
This area looks at improving housing options for care experienced young people.

Aspiration

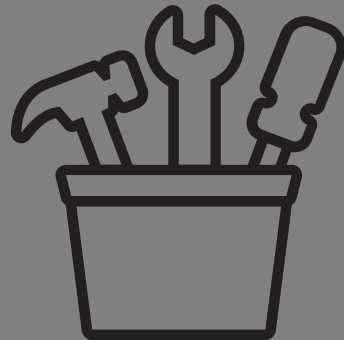
All care experienced young people to have appropriate accommodation – no young person will be placed in Bed and Breakfast accommodation. All care experienced children and young people feel safe where they live, and have a sense of home and belonging.

The Plan

Corporate parents will work together to ensure care experienced young people have access to a safe home, and to ensure no care experienced young person finds themselves homeless.



Corporate parents will look at ways to share information after care about their rights and choices within housing.



Corporate parents will look at ways to help young people stay in their homes by creating and sharing helpful videos around things like reporting repairs or changing a lightbulb.

Explore different housing examples for care experienced young people with complex needs including emergency housing and small shared living housing options.



All care leavers will be offered the chance to complete the tenancy award to help young people feel ready to live in their own home.



EAST LoTHIAN COUNCIL CORPORATE PARENTING PLAN 2021-2023

Education and Training

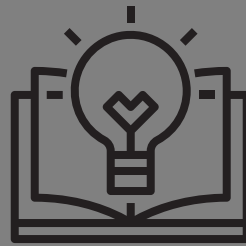
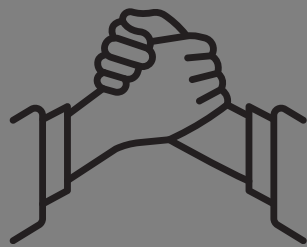
This area looks at how we can improve education experiences so care experienced young people can get the jobs they want in the future.

Aspiration

All care experienced children will achieve their potential in school. All care experienced young people will leave school and have a positive destination. All care experienced children and young people have skills and talents and as corporate parents we will assist young people to use these.

As a Local Authority we will strive for all children to live and learn in East Lothian.

The Plan



We will redesign services for children in East Lothian, including education. We will work with people with experience of the care system to shape the redesign.

We will create a hub which includes children's services and education which will offer support earlier within schools.

We will promote and develop other achievements and recognitions for our care experienced children and young people.

We will look at and develop a range of learning pathways for care experienced children and young people, to make sure these young people reach their full potential.

All care experienced young people will have a positive destination.

We want more young people doing foundation apprenticeships in East Lothian.

All care experienced children and young people will reach their positive destinations. They will be supported from school, which includes the preparation and support to apply for jobs.



EAST LoTHIAN COUNCIL CORPORATE PARENTING PLAN 2021-2023

Rights and Participation

This part looks at the importance of sharing your voice and knowing your rights when it matters to you.

Aspiration

All children, young people and their families are aware of their rights and are supported to have their rights upheld. Young people to feel listened to and their views heard.

The Plan

We will work in partnership with other to make sure we have a participation approach.

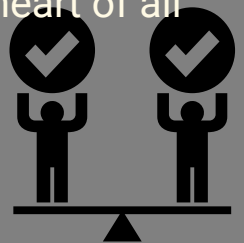
Children, young people and their families voices are really important and we want to hear what is important to them and why. There will be lots of different services looking at this and working together to try and make positive changes to make life better.

We will challenge the use of unhelpful language. We have already started doing this and have replaced contact with family time.

Young people will be offered a mentor/ trusted adult/ befriender.

Young people will be offered support/independent advocacy to give their views at Children's Hearings.

East Lothian corporate parents will ensure children's rights are at the heart of all we do.



EAST LoTHIAN COUNCIL CORPORATE PARENTING PLAN 2021-2023

Finance

This part of plan is looking at how to improve the financial situations of families and care experienced young people.

Aspiration

All children and young people will be raised in families not affected by poverty. All children and young people will learn appropriate financial management skills within a context of sufficient funds.

The Plan



Reduce personal debt.

Help families, children and young people to understand and use personal budgets and help them to make decisions around money.

Work with all services in East Lothian to reduce families living in poverty.

Work with families with help to ensuring they know about the different benefits and allowances they may be able to claim.

REPORT TO: Cabinet

MEETING DATE: 14 September 2021

BY: Executive Director for Council Resources

SUBJECT: Freedom of Information (Scotland) Act 2002 and Data Protection Act 2018 (GDPR) – Compliance Statistics in 2020

4

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 2020 (i.e.: from 1 January 2020 to 31 December 2020).
- 1.2 To report on the Council's compliance with the one month timescale laid down by the Data Protection Act 2018 (GDPR) for the calendar year 2020 (i.e.: from 1 January 2020 to 31 December 2020).

2 RECOMMENDATIONS

- 2.1 Cabinet is asked to note the report and for Members to provide feedback on the compliance statistics.

3 BACKGROUND

- 3.1 **Freedom of Information (Scotland) Act 2002** - During 2020, 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.

3.2 Freedom of Information (FOI) statistics are recorded by People and Governance (previously 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 2020 was 1,178. By way of comparison, 1,417 requests were received during the previous calendar year, 2019. A decrease of 239 which is attributed to the Covid-19 pandemic. Overall, numbers of FOI requests have been increasing steadily and becoming more complex 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 2020 was 36. By way of comparison, 44 review requests were received during the previous calendar year, 2019. A decrease of 8.

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 2020:

	FOI				EIR			
	2020		2019 (for comparison)		2020		2019 (for comparison)	
On time	842	99%	1,016	93%	278	98.5%	226	97%
Late	6	1%	72	7%	4	1.5%	8	3%
Cancelled/Withdrawn	8		26		12		19	
Suspended	0		3		1		7	
Invalid	25		38		2		2	
Ongoing	0		0					
TOTAL ACTIONED	881		1,155		297		262	

3.6 The table below provides a breakdown of the response timescales for FOI and EIR requests for review in 2020:

	FOI				EIR			
	2020		2019 (for comparison)		2020		2019 (for comparison)	
On time: Within 20 Working Days	15	100%	19	83%	20	100%	21	100%
Late	0		4	17%	0		0	
Upheld or partially upheld	12		11		13		17	
Overtured	3		6		7		3	
Decision reached for the first time (previously we failed to respond).	0		6		0		1	
Additional Info Provided	0		0		0		0	
Invalid	0		0		0		0	
Still Outstanding	0		0		0		0	
Total Actioned	16*		23		20		21	

*One internal review was subsequently cancelled by the applicant.

3.7 The top three categories of enquirer in 2020 were:

- 1) General Public (48%)
- 2) Commercial Organisations (24%)
- 3) MSPs/MPs (13%)

3.8 **Data Protection Act 2018 (GDPR)** – with effect from 25 May 2018, East Lothian Council operates in accordance with the statutory requirements, particularly:

Requests for personal information (“Subject Access Requests”) – to be answered within one month

3.9 Data Protection (DP) statistics are recorded by People and Governance (previously 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 2020 was 97. By way of comparison, 122 requests were received during the previous calendar year, 2019.

	2020		2019 (for comparison)	
	Completed on time (within one month)	77	95%	108
Late	4	5%	3	3%
Suspended	13		8	
Withdrawn	3		3	
Ongoing	0		0	
Total Actioned	97		122	

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 – People & Governance
CONTACT INFO	Ext: 7164 Email: kmacneill@eastlothian.gov.uk
DATE	25 August 2021

REPORT TO: Cabinet

MEETING DATE: 14 September 2021

BY: Executive Director of Place

SUBJECT: Roads (Scotland) Act 1984 - Stopping Up a section of the C122 (from the Viridor Landfill Site access road northwards to (Oxwell Mains) Quarry, Dunbar) and the U208 Kiln Cottages Road

5

1 PURPOSE

To seek Cabinet approval to instigate the necessary procedures and approvals for the above stopping up Orders.

2 RECOMMENDATIONS

- 2.1 To declare that a section of the C122 is unnecessary as it only provides access to the Tarmac Cement Plant.
- 2.2 To declare that the U208 Kiln Cottages Road is unnecessary.

3 BACKGROUND

- 3.1 East Lothian Council as Local Traffic Authority is responsible for the making or amending of Traffic Regulation Orders as necessary; to avert danger to road users; to aid free unrestricted movement on the road; to prevent inappropriate use of the road and/or adjoining property and to improve the amenity of the area.
- 3.2 On 7th June 2021, Road Services officials received a formal request from Tarmac, Dunbar Cement Plant, to remove the section of road (C122) directly adjacent to their premises on Road Safety grounds
- 3.3 This section of the C122 provides sole access to the Tarmac Cement Plant and as a consequence there is a high frequency of regular HGV vehicle movements, as well as staff and contractors however it is also used by cyclists to access the National Cycle Route (76) {NCN 76} which is located to the north side of the main East Coast Rail line.

- 3.4 The Stopping Up will allow Tarmac to introduce traffic calming measures and lower speed limits ensuring the road is safer for their personnel, contractors and visitors alike. Access for public utility companies and Network Rail would be retained.
- 3.5 To facilitate cyclists to still access the NCN 76, Tarmac have agreed to provide a new shared use cycle path from the A1087 along the north boundary of their site in accordance with Planning Application 21/00895/P. This new shared use path would allow cyclists to access the NCN 76 without coming into conflict with motorised vehicles using a more scenic route.
- 3.6 Council officials also noted that a former road, U208 Kiln Cottages Road, no longer exists but is still registered on the Councils List of Public Roads
- 3.7 In order to Stop Up a road under Section 68 (1) of the Roads (Scotland) Act 1984 the Council has to be satisfied that the road is either unnecessary or it has become dangerous.
- 3.8 The attached drawings indicates the location of the existing public road to be stopped up and the route of the new shared use path.

4 POLICY IMPLICATIONS

- 4.1 None

5 INTEGRATED IMPACT ASSESSMENT

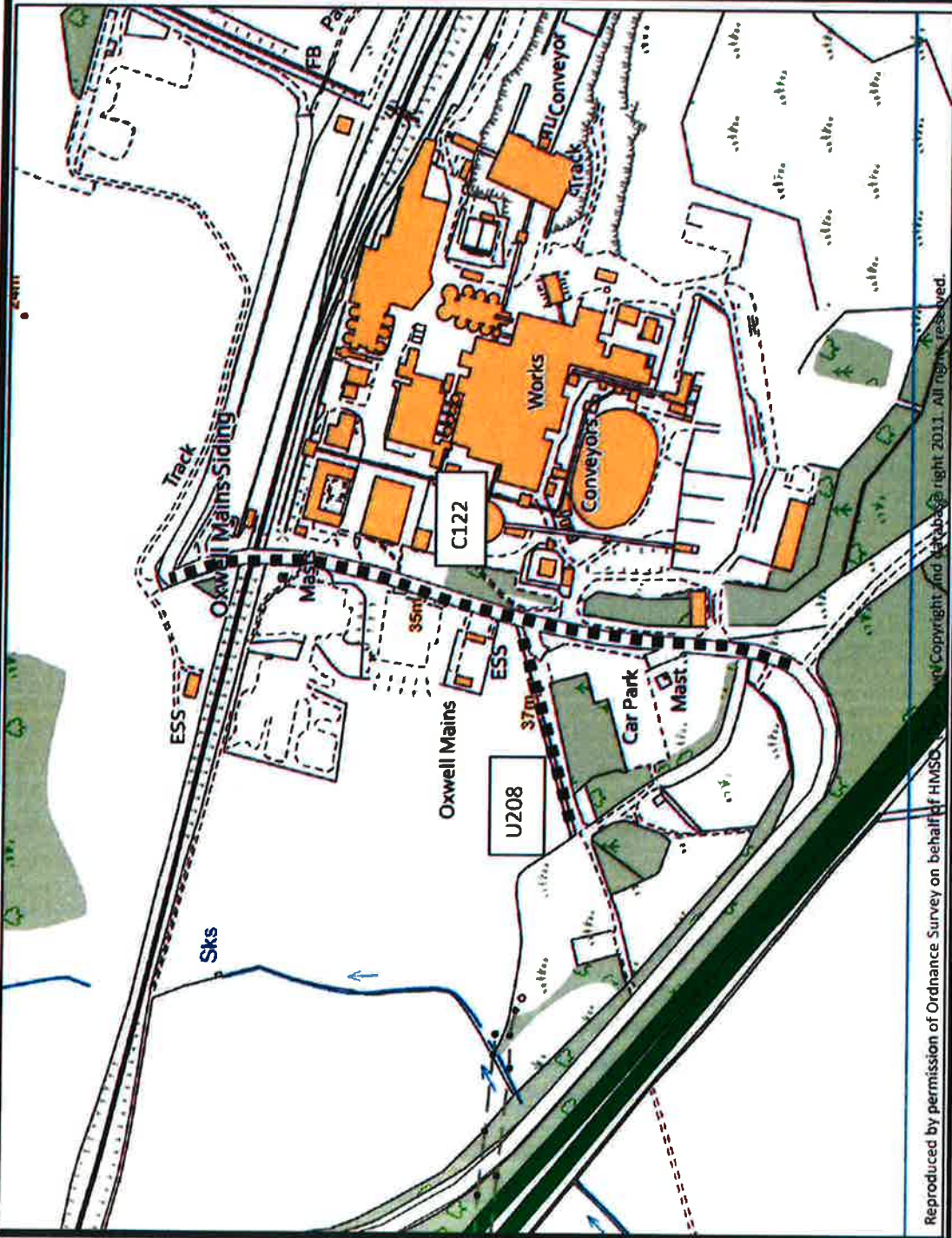
- 5.1 The subject of this report does not affect the wellbeing of the community or have a significant impact on equality, the environment or economy.

6 RESOURCE IMPLICATIONS

- 6.1 Financial – All costs involved in connection with consultation, advertising, and implementation associated with the making of these Orders and the construction of the new shared use path will be borne by Tarmac
- 6.2 Personnel - None
- 6.3 Other – None

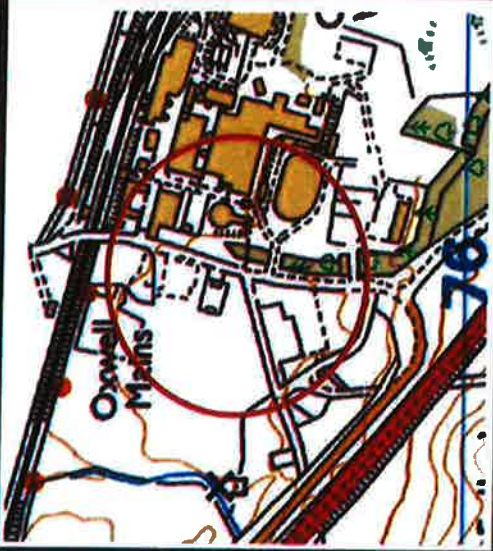
AUTHOR'S NAME	Alan Stubbs
DESIGNATION	Service Manager for Roads
CONTACT INFO	Keith Scott or Iain Reid
DATE	25 August 2021

EAST LOTHIAN COUNCIL: ROAD NETWORK MANAGEMENT



Location: C122 Oxwell Mains and U208 Kiln Cottages, Dunbar

Description: ■■■■■■ Roads to be Stopped Up



East Lothian Council
 Transportation Department
 Road Network Management
 John Muir House
 Haddington
 EH41 3HA
 Tel: 01620 827827



Date: 25/08/2021
Scale: NTS

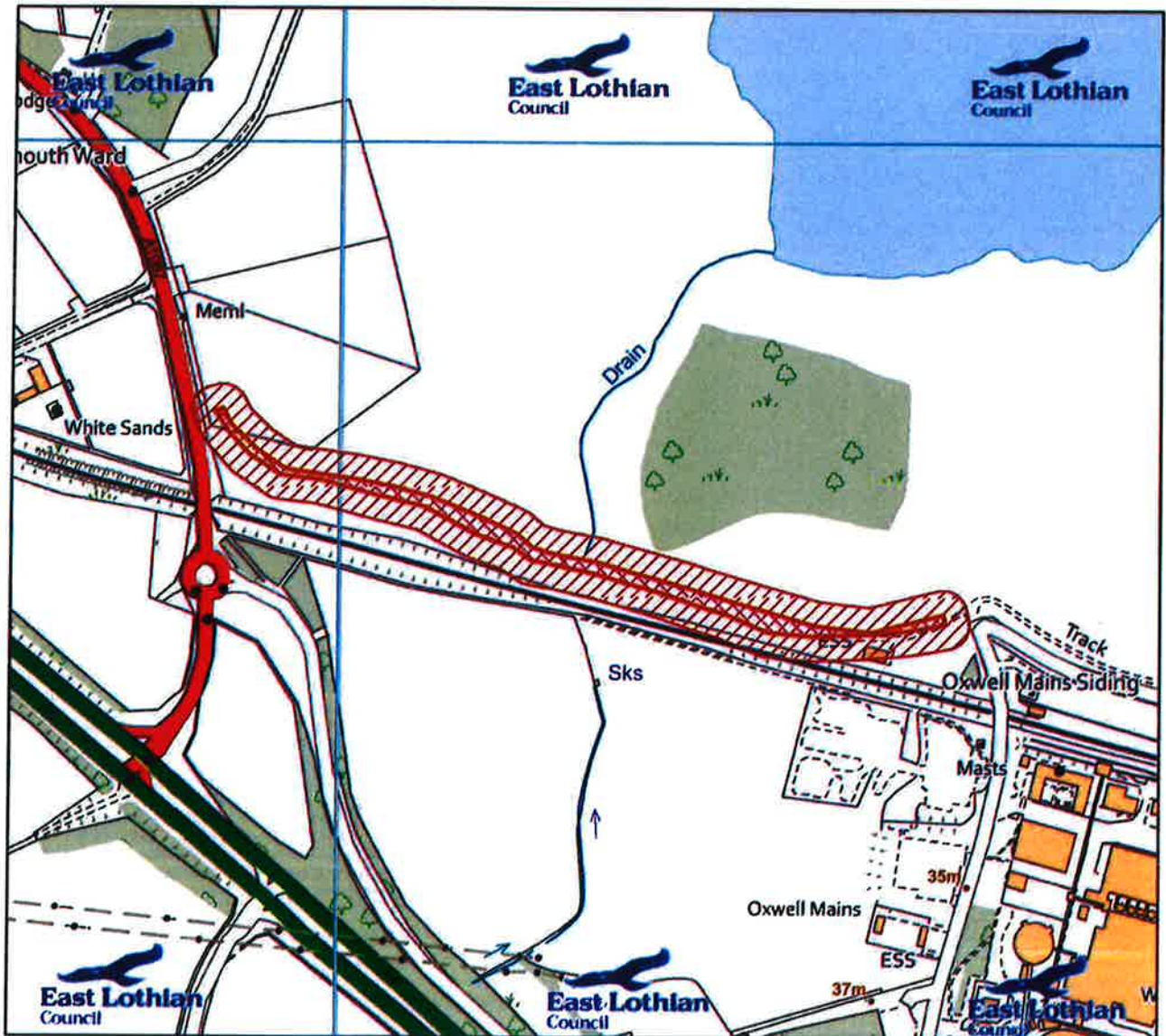
Drawn by: KS
Checked by:

DRG. NO.

21/00895/P

Not Set

Not Set



Scale : 1:5,000



Organisation	East Lothian Council
Department	Planning
Date	13/08/2021
SLA Number	100023381

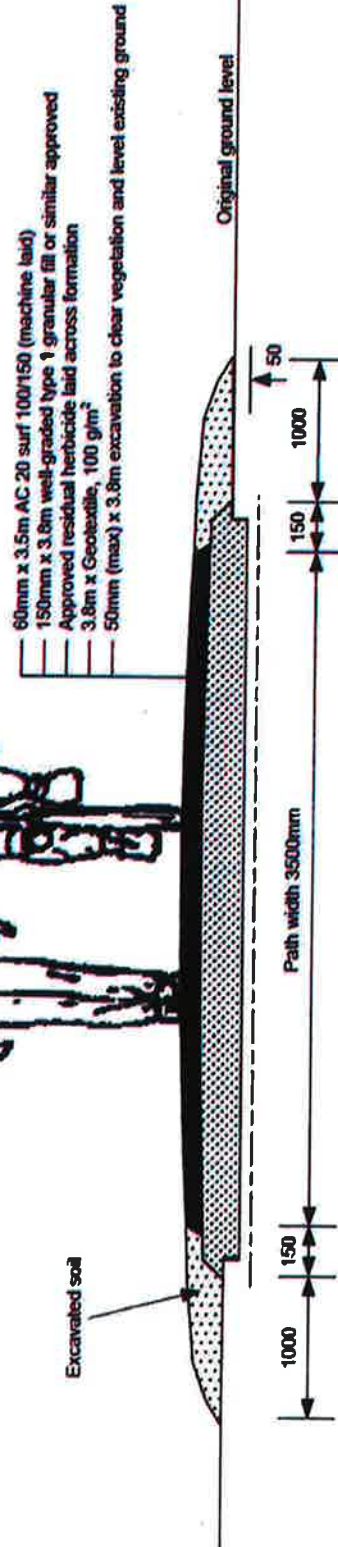
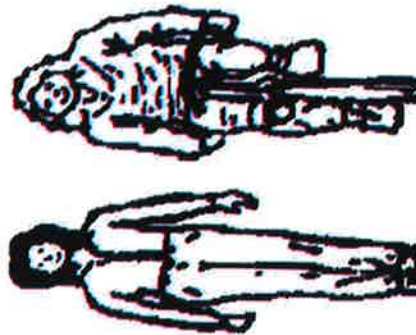
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Digital Mapping Solutions from Dotted Eyes. Crown Copyright 2005. All rights reserved. Licence number 100018918
 Registered Charity No. 326550 (England and Wales) SC038263 (Scotland)
 Do not scale from this drawing

Health and Safety Information:

Notes:

1. Centre line of path is as indicated on General Arrangement Plans.
2. Soft and woody vegetation to be cleared 2 metres from edges of path and 3.5 m above path surface. No works to specimen trees other than as directed by approved arboriculturalist.
3. All cleared vegetation to be chipped and spread locally on site. Larger timber to be supplied to land owner if required or stacked into habitat piles on site.
4. Excavation to level existing track to be kept to a minimum. Arisings to be temporarily stored for subsequent use as support to edges of path. Excess spoil to be spread locally on site.
5. Finished surface to be laid to 2.5 % cross fall/camber, to be free draining, free of undulations and / or steps and should not pond or hold water.
6. This drawing to be read in conjunction with all other drawings.
7. Asphalt to BS EN 13108-1



Standard DBM path cross section

B	Herbicide ref. updated	MMW	ZZ/10/10
A	Final issue	CHE	17/12/08
Rev	Description	Drawn	Date

sustrans
 JOIN THE MOVEMENT
 George Nut House
 119 Holloway Road
 Birmingham B1 1QP
 Tel: 0121 633 5500
 Fax: 0121 643 1214

Standard detail

Project:
 National Cycle Network

Title:
 Standard DBM path cross section

Drawn and designed by: CHE
Checked by: GE

Scale:
 Not to scale

Drawing No: SD/01
Revision: B