



**MINUTES OF THE MEETING OF
THE CABINET**

**TUESDAY 14 SEPTEMBER 2021
VIA A DIGITAL MEETING FACILITY**

Committee Members Present:

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

Other Councillors Present:

Councillor A Forrest
Councillor C McGinn
Councillor F O'Donnell

Council Officials Present:

Ms S Fortune, Executive Director for Council Resources
Ms L Brown, Executive Director for Education and Children's Services
Mr D Proudfoot, Executive Director of Place
Mr T Reid, Head of Infrastructure
Ms M Sullivan, Head of Development
Ms W McGuire, Head of Housing
Ms J Tait, Head of Children's Services
Ms N McDowell, Head of Education
Ms F Ferguson, Head of Corporate Support
Ms J Fraser, Service Manager – Children's Services
Ms A Stubbs, Service Manager – Roads
Ms E Clater, Service Manager – Children's Services
Mr S Cooper, Team Manager – Communications
Ms R Crichton, Committees Officer

Clerk:

Ms A Smith

Apologies:

Councillor W Innes

Declarations of Interest:

None

1. MINUTES FOR APPROVAL – CABINET 25 MAY 2021

The minutes of the meeting of the Cabinet of 25 May 2021 were approved.

2. KINSHIP CARE ALLOWANCES, CHILDREN'S SERVICES

A report was submitted by the Executive Director of Education and Children's Services seeking approval to changes in the allowances payable to kinship carers in relation to Part 13 of Children and Young People (Scotland) Act 2014.

Jen Fraser, Services Manager – Children's Services, presented the report. She informed Members that kinship care could be both formal and informal; the focus of this report was on informal care. Appendix 1 contained the Policy and Guidance. She drew attention to the existing position. She outlined the benefits of the proposal. It would ensure that all young people had the best start in life, were 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. She highlighted the financial implications, set out in the report.

Councillor Dugdale asked how this proposal would affect these kinship carers who looked after young people over the age of 16 but not yet turned 18. Ms Fraser advised that these carers had been contacted to check if their young people were staying on at school, so if they were eligible they would be allocated the allowance.

Responding to Councillor Hampshire, Ms Fraser confirmed that young people in part time employment would still qualify.

Councillor Dugdale thanked officers for this report; the importance of kinship care could not be overestimated. She gave thanks to all kinship carers for all they did. This proposal would provide benefits to the over 16s which would be of great assistance during a challenging life transition.

Councillor Goodfellow also expressed thanks to all kinship carers.

Decision

The Cabinet agreed, by roll call vote:

- i. to endorse and support the proposal to extend the length of time allowances were 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 were not in full-time employment; and
- ii. to note that this would align the Council with practice in other Scottish local authorities.

3. EAST LOTHIAN CORPORATE PARENTING PLAN 2021-2023

A report was submitted by the Chief Executive presenting the East Lothian Corporate Parenting Plan 2021-23 for discussion and approval.

Judith Tait, Head of Children's Services, presented the report. She took Members through the report outlining the legislative background and duties placed on Corporate Parents. The Corporate Parenting Plan detailed the Council's aspirations and actions to affect change for

care experienced community in the county over the next 2 years. It had been developed in partnership with the Champions Board and engagement had also taken place with partner agencies. The draft Plan had been out for consultation. The Corporate Parenting Board, chaired by the Council's Chief Executive, had approved the Plan on 10 August. She outlined the key priorities of the Plan, attached at Appendix 1. She concluded that a multi-agency steering group would lead implementation of the Plan along with the Champions Board.

Ms Tait and Emma Claton, Service Manager – Children's Services, responded to questions. In relation to a query from Councillor Akhtar, Ms Claton confirmed that considerable development work had been done on improving access to mental health services. Partnership work was ongoing with CAMHS and NHS Lothian. Work was also being carried out looking at how to address gaps in provision for young people in the older age group. There was recognition of the difficulties in accessing these services.

Councillor Dugdale asked for more details on how Children's Services and Housing were working together to meet the needs of care experienced young people. Ms Claton said there were a number of developments and partnerships ongoing. She referred to the My Place project which identified services that would best meet the needs of young people. Ms Tait stated that the essential, critical nature of housing to young people moving into adulthood was recognised. She informed Cabinet that the Who Cares Scotland Home and Belonging review report would shortly be lodged in the Members' Library Service. This was very much aligned to the Corporate Parenting Plan and to transforming the lives of young people.

Councillor Hampshire asked, in terms of engaging with communities, how links with organisations could be strengthened for these young people. Ms Tait said that the Champions Board already fulfilled this function; it was a meaningful voice and had made links with a range of partners, including the third sector. Further opportunities would however be explored. She added that a temporary post of Development Officer had been created and this officer would be pursuing this with partners.

Councillor McMillan welcomed this very worthwhile report and its aspiration. He referred to the link between numerous factors such as housing, employment, education, training and mental health to name but a few. He praised the Champions Board, thanking all involved.

Councillor Dugdale also welcomed this report. She was pleased to note the range and depth of all the aspirations. She acknowledged the range of Council and partner services involved. She expressed huge thanks to the Champions Board, stating this was a very important voice for young people. She looked forward to receiving further updates in due course.

Councillor Akhtar echoed her colleagues' comments. She welcomed the approach and priorities outlined. The Council was working closely with its partners. She wholly supported the Plan, especially the forum for young people. She noted that NHS Lothian had its own Corporate Parenting Plan, which aligned with the Council's one. She also commended the work of the Champions Board and the plethora of staff across the Council who worked with the Board to ensure services were supporting children and young people.

Decision

The Cabinet agreed, by roll call vote, to endorse and approve the Corporate Parenting Plan 2021-2023 and noted the responsibilities in the Children and Young People's (Scotland) Act 2014 to prepare, publish and review its Corporate Parenting Plan every three years.

4. FREEDOM OF INFORMATION (SCOTLAND) ACT 2002 AND DATA PROTECTION ACT 2018 – COMPLIANCE STATISTICS IN 2020

A report was submitted by the Executive Director for Council Resources on the Council's compliance with *a*) the 20 working day timescale laid down by the Freedom of Information (Scotland) Act 2002 and *b*) the one month timescale laid down by the Data Protection Act 2018 (GDPR), both for the calendar year 2020.

Morag Ferguson, Head of Corporate Support, presented this annual report. She informed Members that the decrease in the number of Freedom of Information (FOI) requests for the period stated was attributed to the pandemic. Invoking Business Continuity Plans was also a contributing factor. Overall however since the Act had come into force FOI requests were increasing and becoming more complex. She gave details of the Data Protection (DP) statistics, which also showing a decrease from the previous year. She stressed that the response times were testament to work carried out by officers across the Council in managing to meet deadlines.

In response to questions from Councillor Goodfellow, Ms Ferguson confirmed that the Council had a statutory duty to assist people in framing their FOI request.

Councillor McMillan asked about suspended DP 'subject access requests'. Ms Ferguson advised that when one of these was submitted officers had to be satisfied with the enquirer's identity; the Council was also able to ask for a small charge. In cases where there were issues, in either category, the request would be suspended meantime.

Councillor Akhtar stated that it was reassuring for the public to know that even when the Council was in Business Continuity mode that staff still managed to achieve the level of responses detailed in the report. It was acknowledged that requests were becoming more complex. The report showed the Council was an open and transparent organisation.

Councillor Goodfellow echoed that FOI was part of an open and democratic society. Providing information that people could get advice on framing their request was worthwhile.

Councillor Hampshire endorsed comments made by his colleagues. It was important as a Council that as much information as possible was published; the work done over the last few years had helped to impact on the requests received.

Decision

The Cabinet agreed to note the report.

5. 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

A report was submitted by the Executive Director of Place seeking approval to instigate the necessary procedures and approvals for the above stopping up Orders.

Alan Stubbs, Service Manager – Roads presented the report. He outlined the background to the recent request from Tarmac (Dunbar Cement Plant). He stated that the stopping up would allow Tarmac to introduce traffic calming measures and lower speed limits ensuring that the road was safer for their personnel, contractors and visitors alike. Access for public utility companies and Network Rail would be retained. To facilitate cyclists to still access the National Cycle Route (76) (NCN 76), Tarmac had 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.

Responding to a query from Councillor McMillan, Mr Stubbs clarified that discussions had taken place with Tarmac's Land Agent and work would commence on 24 September and take approximately 4 weeks. The shared cycle way would be constructed before the stopping up Order proceeded.

Councillor McMillan welcomed that work on this had been able to be progressed during the current pandemic.

Councillor Hampshire stated that this part of the cycle network was dangerous so provision of this new cycle path would be hugely welcomed by the local community, who had been requesting this for a long time. The new path would be an attractive route and was a good solution to the problem. He thanked officers for their work on this.

Decision

The Cabinet agreed, by roll call vote:

- i. that a section of the C122 was unnecessary as it only provided access to the Tarmac Cement Plant; and
- ii. that the U208 Kiln Cottages Road was unnecessary.

Signed

Councillor Norman Hampshire
Depute Council Leader and Depute Convener of the Cabinet