



## MINUTES OF THE MEETING OF THE POLICY AND PERFORMANCE REVIEW COMMITTEE

THURSDAY 19 SEPTEMBER 2024  
VIA A DIGITAL MEETING FACILITY

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### **Committee Members Present:**

Councillor R Bennett  
Councillor N Gilbert - Depute Convener  
Councillor J Findlay  
Councillor L Jardine - Convener  
Councillor S McIntosh  
Councillor C Yorkston

### **Other Councillors Present:**

Councillor C McFarlane  
Councillor T Trotter

### **Council Officials Present:**

Ms H Barnett, Head of Corporate Support  
Ms L Brown, Executive Director for Education and Children's Services  
Ms L Byrne, Head of Children's Services and Chief Social Work Officer  
Ms M Cockburn, Transformation and Digital Portfolio Manager  
Mr S Cooper, Service Manager, Communications  
Ms E Dunnet, Head of Finance  
Ms S Fortune, Executive Director, Council Resources  
Ms N McDowell, Head of Education  
Ms Z Rathe, Team Manager, Information Governance  
Mr T Reid, Head of Infrastructure  
Ms C Rodgers, Head of Communities  
Mr G Stewart, Policy Officer  
Ms F Wilson, Chief Officer East Lothian HSCP

### **Clerk:**

Ms L Gillie

### **Apologies:**

Councillor D Collins

### **Declarations of Interest:**

None

The clerk advised that the meeting was being held as a hybrid meeting, as provided for in legislation; that the meeting would be recorded and live streamed; and that it would be made available via the Council's website as a webcast, in order to allow public access to the democratic process in East Lothian. She noted that the Council was the data controller under

the Data Protection Act 2018; that data collected as part of the recording would be retained in accordance with the Council's policy on record retention; and that the webcast of the meeting would be publicly available for six months from the date of the meeting.

The clerk recorded the attendance of Members by roll call.

## **1. MINUTES FOR APPROVAL – PPRC, 07 MARCH 2024**

The clerk highlighted minor errors in the minutes and gave an example of the word household being used instead of households. She stated that there was no indication that the minutes were not an accurate reflection of the meeting.

### **Decision**

The committee agreed to approve the minutes.

## **2. 2023/24 Q4 and 2024/25 Q1 PERFORMANCE INDICATOR REPORTS**

A report was submitted by the Executive Director for Place and prior to Gary Stewart, Policy Officer, presenting the report Councillor Jardine explained that at the end of the presentation members would go through the appendix to the report page by page to raise questions. Mr Stewart began by stating that the report covered Q4 and Q1 and highlighted some of the performance results. He advised that in Q4 the number of days to rehouse from temporary accommodation reduced but that this had increased during Q1. He further advised that this included several long standing single homeless households. Mr Stewart continued by saying that fly tipping had increased in Q1. Attendances at sport centres for this quarter was slightly higher and visits to pools had increased during Q4 but were lower in Q1. Business rates collection was above target during Q1, and the service had provided support and advice to business owners with almost £5 million being awarded in small business bonus support relief. Mr Stewart stated that rent arrears had increased during Q4 and dropped back down in Q1. He continued by advising that financial gains had helped 845 clients over the year and that customer demand could be influenced by DWP campaigns and the change in eligibility for the winter fuel payment. Mr Stewart concluded by stating that for the first time the number of invoices paid on time was on target.

In response to a question from Councillor Findlay about the increase in food hygiene inspections from 0–100% Mr Stewart replied that previous recording had no planned inspections for the quarter and therefore it should have been 100%. He continued by saying that he believed high risk inspections were the focus going forward. Caroline Rodgers, Head of Communities, added that they always aim for 100% and agreed that the 0% was because of no inspections having been planned and therefore none being recorded and that it should have been 100%.

Councillor Menzies asked why no food inspections had been planned and added that there was a proud record of food and drink in East Lothian and that they needed to give confidence to the public. Ms Rodgers responded by stating that they carried out food hygiene checking of high-risk premises on a regular basis and that she would come back to Councillor Menzies offline with more detail.

Councillor Jardine questioned the figures on homelessness and asked about the number of cases and the high change in statistics. She asked if it was possible to look at the number of people rehoused in Q1. Wendy McGuire, Head of Housing, agreed with her comments and said that a review was needed as it was dependant on the number of long-standing cases and not meaningful. She continued by saying that a small number of cases can give a very different

and alarming picture. Ms McGuire advised that she would take this away and look at a more meaningful measure.

Councillor Jardine asked about homelessness assessments and the factors which impact on assessment time. Ms McGuire replied by advising that there had been a significant increase in the number of homeless presentations and that they have been understaffed, she also stated that the team had done exceptionally well. She concluded by saying that they have recruited and should see improvement in this area.

In response to a question from Councillor Gilbert about fly tipping and council collection systems Mr Reid explained that system changes had had an impact on fly tipping and advised that a booking system had been introduced. The clamping down on access to centres had increased the number of fly tipping instances. Mr Reid continued by stating that he gave credit to the community wardens and amenity teams and that the vast majority of instances are in the west of the county. He highlighted that there was no excuse for fly tipping and that people who have been caught have been made to remove and clear up the instances with enforcement action being taken. He concluded by saying that they are taking action as strongly as they can and that figures have decreased due to the clamp down.

Councillor McIntosh queried the number of vehicles accessing centres and whether the booking system would be a barrier. She also asked if other counties have been looked at to see what they are doing. Mr Reid replied by saying that other authorities have introduced a booking system to ensure people are from the area as cross boundary tipping has been experienced. He said the booking system has worked extremely well so far but advised that they are not able to introduce it for domestic customers at present. He concluded by saying that work is ongoing.

Councillor McIntosh raised a point about the use of cargo bikes and suggested that the Council cargo bikes could be used as one of the options, but ended by saying this could be a discussion for the future.

In response to a question from Councillor Findlay about fly tipping on private land and the use of the reporting system to map instances Mr Reid advised that the system allows the mapping of instances and the regularity. He continued by saying that the vast majority of instances are in the west of the county and that it was easy to identify hot spots and had built up a picture of the area. He continued by saying that they have several options including increased supervision and working with the wardens or the mobile CCTV to secure areas. The system will enable private landowners to report instances and the Council to work with landowners. Mr Reid ended by advising that the system was working well for the team and that once waste was identified it is removed quickly and investigated.

Councillor Menzies queried the Business Gateway startup rates and fewer jobs being created. She also asked if the Council could influence the number of jobs created, what type of businesses they were and whether they could be mapped to ensure we are fighting towards the one council plan in relation to poverty and inequality. Mr Stewart replied by saying that he had no further information at this point but that he would provide the information offline. Ms Fortune added that she was happy to take this request and provide the information.

In response to a question from Councillor McIntosh about attendance at pools and leisure centres and what had been planned to encourage attendance. Mr Reid replied by saying that Enjoy Leisure was an arm's length organisation and that it was up to them to decide on their marketing. He commented that there had been a glitch in the system, and they were not sure 100% of attendances had been recorded. Mr Reid also highlighted the loss of the Loch Centre pool and the impact this was having on figures. He further advised that Enjoy Leisure are looking at things, but their operating costs restrict what they could offer in terms of special offers. He concluded by saying he would be happy to have a conversation offline.

In response to a question from Councillor McIntosh about the care experienced children and the language used Lindsey Byrne, Head of Children's Services and Chief Social Work Officer, agreed that the language was not helpful. She explained that she believed the intention was to show that the circumstances were around one child not numerous children and ended by saying she will advise those who write the commentary about the language used.

Councillor McIntosh also asked about formal foster care and kinship care and if the reasons for this were known for the reduced numbers from Q4 to Q1. Ms Byrne replied by saying that they are trying to look after more children within their own families and advised that there had been a number of foster carers who had retired. Ms Byrne continued by noting that there was a cohort of young people who due to their behaviour were not suitable for foster care and had required a residential care place. Ms Byrne concluded by saying that they are looking to recruit more foster carers as this is the number one choice for children. Councillor McIntosh then asked about the 18 young people who had left foster care and whether they had moved on in a planned way. Ms Byrne advised that she would be happy to provide more detail offline. Councillor Jardine agreed that it would be useful to see the breakdown of information.

Councillor Findlay followed up on the last point and asked about foster carers fees and Ms Byrne replied by saying that due to the increase in fees this is not a barrier when compared to authorities like Edinburgh. She also advised that the new Service Manager is looking at ways to reach as many people as possible in the recruitment of foster carers.

Councillor Menzies asked about children on the child protection register and Ms Byrne, advised that nationally expectations have shifted. She stated that while previously the practice was to get children off the register quickly, it was now reasonable for a child to be on the register for more than six months. Councillor Menzies then asked how this indicator could be changed if it is no longer meaningful and Lesley Brown, Executive Director for Education and Children's Services, stated that it was the intention to do a full review as national changes have impacted on a number of indicators. Ms Brown further advised that a report would be brought back to the PPRC at a future date to make recommendations and that it was up to the committee to decide what indicators are included.

Councillor Jardine commented that it would be useful to see if things can be streamlined due to the resources needed for reports and Councillor Menzies agreed.

Councillor Menzies asked about under 18-year-olds being taken out of the prison system and if the Council was prepared for this. Ms Byrne replied by saying that this has not impacted on East Lothian yet but that it could in the future. Any under 18-year-old would now go to a secure centre, the costs of which would be met by the Scottish Government. There will be discussions on how these costs will be met going forward.

Councillor Jardine asked about the terminology of looked after and accommodated children and asked if the phraseology was being looked at nationally. Ms Byrne said that that this was not generally how they talked about children and a lot of work was being done but that these were legislative categories of children. She ended by saying that she was happy to look at the commentary.

Councillor Menzies asked about people being moved from hospital to their own homes and the care they are receiving. She stated that she was not concerned about the quality of the care more about the ability to put care into place. Fiona Wilson, Chief Officer East Lothian HSCP, advised that they are regulated, and the standards of care are monitored including regular reviews. She further advised that the recent homecare inspection had resulted in positive scores. Ms Wilson gave the example of the care at home huddle which is multi-disciplinary and looks at people in the community as well as in hospital. She continued by saying that there are measures in place to ensure accessibility but that there are still people stuck in hospital. She highlighted that there are measures in place to stretch what is available

and that financial pressures play a part. She concluded by saying that she was confident they had a very good system.

Councillor Jardine requested clarification on the terminology of standard delayed discharge and Ms Wilson explained that is against a suite of codes, care at home or care home and then onto complex cases.

Ms Wilson replied to a question on care at home providers from Councillor Jardine by advising that there was greater external provision and that the greatest challenge in East Lothian was around providers. Councillor Jardine asked about the target for a social care assessment and Ms Wilson advised that the aim was to assess within 24 hours if they are in hospital and that they prioritise those in the community. Councillor Jardine requested that targets are included in future.

Councillor Jardine asked about the number of adult social care cases which are completed on duty and Ms Wilson stated that it had not been highlighted to her as being a concern. She continued by advising that more work carried out on duty took time away from planned work but stated that they are not concerned about this. Ms Byrne agreed and added that she was confident that cases are prioritised, and that good governance was in place.

### **Decision**

The Committee agreed to note the report.

### **3. ANNUAL AND 'TOP 50' COUNCIL PLAN PERFORMANCE INDICATORS REPORT**

A report was submitted by the Executive Director for Place. The report was presented by Michelle Cockburn, Transformation and Digital Portfolio Manager, who began by advising that appendix 1 included Annual Indicators that might be of particular interest including that the percentage of houses that met the Scottish Housing Quality Standard had increased. She continued by advising that the number of people involved in Connected Communities has decreased slightly and that the average number of sickness days per teacher has increased but is below the Scottish average. Ms Cockburn continued by highlighting key Top 50 Indicators including that the percentage of children living in households with less than 60% of average income had increased slightly but that East Lothian was the ninth lowest in the 23 council areas. She advised that the number of participants on council operated employment schemes had increased but the number of participants who progressed into employment had reduced. Education indicators were then highlighted, and Ms Cockburn stated that progress had been made towards the stretch aims for reducing the poverty related attainment gap but that updated figures were not available. She concluded by noting that the number of affordable house completions had increased, and the total number of online transactions had exceeded the annual target.

Councillor Jardine suggested that questions were raised in the same way as the previous report but noted that she was aware that there may be some cross over with appendix 2 and the previous report.

Councillor McIntosh commented on case work she has had where council houses have been in a bad state of repair, and it had been agreed that the tenants would not pay rent and how this was captured. Wendy McGuire, Head of Housing, advised that this data is not captured and was separate but that she would take this away and provide the information.

Councillor Jardine asked whether reasons were known for the rent loss due to voids and Ms McGuire advised that rent loss was significantly higher due to a number of factors and that

new builds had had an impact as had labour and recruitment. She assured the committee that there was now a full complement of staff, and they should see improvement in this area.

Councillor McIntosh noted that the highest paid 5% of women in the Council was included and asked about the lowest paid 5%. Sarah Fortune, Executive Director of Council Resources, stated that she would take this away and provide the information.

In response to a question from Councillor Findlay about the reason for the drop off from bronze through to silver and gold for the Duke of Edinburgh Awards and whether there was anything that could be done to encourage participation Caroline Rodgers, Head of Communities, advised she would ask the team and find out the reasons.

Councillor Menzies asked how, when there are no figures for women or girls who experience domestic violence, it can be said that we are increasing community resilience. Ms Byrne agreed and said that the Equally Safe Strategy is in the process of being introduced and that the data was needed. Ms Byrne continued by advising of a leader's group which is being developed to look at national strategy and that elected members will be invited to attend. She advised that there are pockets of data but nothing that gives the full picture. Councillor Menzies also asked about women and girls who are subject to violence, including poverty and being pushed into prostitution, and whether any work was being done with expert agencies and if this data will be included and tracked. Ms Byrne advised of two recent training courses and that they are looking to make staff groups more aware. She concluded by saying that this was not something that could be easily tracked but that they are looking at it.

Councillor Jardine asked about a cross over with trauma informed practice and Ms Byrne stated that you can't have one without the other. She continued by saying that through the leaders group they are aiming to create an East Lothian which is vocal about not accepting violence and that there is a need to do better and come together collectively.

Councillor Menzies asked about the percentage of children living in poverty and whether political decisions can be made to help, she also asked whether any work has been done to look at how grants are administered in these communities. She stated that community partnership grants gave equal amounts to areas and asked whether we need to look at a more equality-based approach. Ms Rodgers replied by stating that area partnerships currently are renewing area plans and would be able to evidence outcomes. She also advised that the Poverty Plan has been recently approved by Council and included a number of actions on how communities can access funding. She concluded by saying that they are doing all they can to support young people in poverty.

In response to a question from Councillor Findlay about online transactions and whether once the number of garden waste transactions are removed it is still on target, Ms Cockburn stated that the number of online transactions had exceeded the target. She concluded by saying that she would bring back more information.

Councillor Jardine thanked officers for the report and repeated that she felt it would be useful to find ways of streamlining so that reporting was less onerous on officers.

## **Decision**

The Committee agreed to note the report.

## **4. EAST LOTHIAN IJB ANNUAL PERFORMANCE REPORT 2023/24**

A report was submitted by the Chief Officer East Lothian HSCP. Ms Wilson began by advising that this was the first time the report had been presented to PPRC. She continued by saying

that the main thing to highlight was that there are number of HSC indicators that are reported to the PPRC regularly, but these do not describe the breadth and depth of services. The annual performance report shows the context in which they are working and some of the challenges. Ms Wilson advised that from a performance overview perspective the annual performance report reports on the national integration measures required by Scottish Government. She continued by highlighting the case studies in the report and stated that these are key to describe how they respond to individual situations. Ms Wilson concluded by asking members to note the report and recognise the achievements.

In response to a question from Councillor Menzies about people re-admitted to hospital Ms Wilson advised that they have a strong multi-disciplinary approach. She stated that bed occupancy is looked at every day and meetings are held every morning to discuss people in hospital and how they could be supported to leave hospital with the right outcomes. Ms Wilson continued by saying that they look at people who are high risk and how they can be managed into the community. She also noted that they recognise that measures have been put in place to support people to stay at home. Ms Wilson added that she could assure members that they are looking at people as people and that it was no longer hospital staff making decisions, it was the health and social care staff who know which services are available and the challenges.

Councillor Menzies asked about the number of days people over 75 years of age are in hospital after they are ready to be discharged and queried whether it was a lack of staffing. Ms Wilson stated that East Lothian is one of the top performing authorities and that they need to get to people before they hit the delay. Because of the way delays are measured they don't get the detail for those aged 75 years plus. Ms Wilson advised that some of the challenges are around care at home provision and access to care home beds. She stated that they try to avoid delay and control the direction of where people go. She concluded by saying that care at home remains a challenge particularly in rural areas.

Councillor McIntosh questioned the 71% of people having a positive experience at their GP practice and stated that in Musselburgh people are not having a positive experience. She asked if the figure could be broken down by ward and questioned whether the 71% was hiding a large disparity within the county. Ms Wilson commented that people could be using hospital as an alternative to visiting a GP but that they are not picking that up. She also advised that there was continual work ongoing and that they were engaging with primary care. Ms Wilson also noted that there are challenges nationally around primary care and that in East Lothian they are trying to provide alternatives. Ms Wilson concluded by saying that she would provide more details.

Councillor Jardine noted that the best way to ensure health and wellbeing is to focus on prevention and that performance against national indicators and against the Scottish average is positive. She continued by questioning whether the focus on prevention had fallen back due to resource pressures. She also noted that while East Lothian was doing well against national indicators against its own previous performance they are not doing as well. Ms Wilson replied by stating that they have to make decisions around priorities and that at times the least worst decision had to be made. She also advised that the results of prevention can often not be seen straight away and that the challenge around prevention is a real issue in planning services.

Councillor Jardine commented that the report was really helpful and showed East Lothian in a good light at a national level, but that ward information would be useful.

## **Decision**

The Committee agreed to note the report.

## **5. CUSTOMER FEEDBACK REPORTING 2023/2024**

A report was submitted by the Executive Director for Council Resources. Zarya Rathe, Team Manager Information Governance, presented the report and stated that there had been a slight decrease in the number of complaints and an increase in the number of comments, with a total decrease on all items. She continued by advising that response time for stage 1 complaints was comparable with last year and that there had been an improvement with stage 2 complaints. Property maintenance had received the highest level of complaints at stage 1 and over half of these were resolved. Education received the highest level of complaints at stage 2 and around a third of these were not upheld. Customer Services received the highest level of compliments. It was highlighted that these services all have a high level of customer service interaction. Ms Rathe advised that the Customer Services Team is looking at new ways of extracting details to help services across all areas.

Councillor Menzies asked if information was available on the number of complainants as well as the number of complaints to identify if there were multiple complaints made by individuals. Ms Rathe stated that she would take this away and ask if this information could be provided. She continued by saying that anecdotally there are serial complainers but that they have to look at the complaint rather than the complainer. They are currently looking at making it clearer what actions could be taken regarding malicious or vexatious complaints and unacceptable behaviour. She highlighted the use of the unacceptable behaviour policy. Councillor Menzies stated that it would be useful to see the details as it could give a completely different picture.

Councillor Menzies continued by asking if a case worker system was used and commented that the biggest complaint is that people do not hear back. She also commented on the use of multiple systems and whether there was a clear way to provide feedback. Ms Rathe responded by saying that they do have a central feedback team who receive and assess complaints then pass them onto individual services after they are recorded centrally on the customer portal online system. Ms Rathe advised that service areas generally just respond to the complainant but continued by saying that they are struggling to get first line responses out. This is balanced against an improved performance at stage 2 where there is more likely to be a more detailed investigation and a case worker. Councillor Menzies added that if there were any systematic matters that make officers jobs more difficult it would be good to have the evidence.

In response to a question from Councillor Findlay about the number of bullying allegations which had not reached the formal complaint stage and the percentage not upheld Ms McDowell advised that she did not have that information but that it would be available as all cases were logged so she would be able to provide it.

Councillor Jardine asked for an explanation of what resolved looks like compared to upheld or not. Ms Rathe replied by giving an example of housing where a customer needs something fixed. She advised that previously complaints were upheld, partially upheld, or not upheld and the view was that this didn't reflect the circumstances when something simply needed fixed. She explained that upheld and not upheld were not as straightforward as it can be fixed.

Councillor Jardine commented on the low response rate to satisfaction surveys and asked if there were any know tensions with front line managers as a result of complaints. Ms Rathe replied that she would need to take this back to the team to look at the level of response and the factors impacting on this. She continued by stating that this was an area they were focussing on, looking at what the blockages to responses are. She added that she would not like to say if there were any feelings of managers getting into trouble and concluded that they needed to gather more data and increase engagement with service areas.

Councillor Menzies then asked if the Customer Services Team could call some users rather than sending a written questionnaire but added that she understood the resources required. Councillor Menzies further added that the number of complaints does not alarm her due to the size of the authority and stated that she would like to know how many complaints are being dealt with by officers which are linked to the decisions made by councillors.



Councillor McIntosh agreed with Councillor Menzies’s comments and added that it was human nature after a negative interaction people. She questioned whether it was known if other authorities have better rates to try and learn from them.

Councillor Jardine Commented that the whole process should be about continued improvement and thanked officers for the report.

**Decision**

The Committee agreed to note the report.

**6. WORK PROGRAMME – SESSION 2024/25**

Ms Cockburn shared an update on the work programme and proposed dates for 4 papers. Homelessness Update – December 2024, LDP2 - March 2025, 1140 Hours Update – June 2025, ASN - December 2025

Councillor McIntosh asked if it was possible to have the ASN paper brought forward, and Ms Brown stated that she would be happy to pick up any specifics on that. Ms McDowell added that a paper would be brought to the Education Committee in November.

Councillor Findlay asked if the paper on the 1140 hours could be brought forward, and Councillor Jardine commented that this may be due to timings and data availability. Ms Brown added that June was the end of the academic year therefore there would be more to report but stated that she was happy to discuss with Ms McDowell whether a paper in March was possible.

Ms Cockburn suggested that the Top 50 Indicator report be removed from December and that one report on the Top 50 and Annual Performance indicators is presented in June.

Ms Brown requested that the review of indicators was added to December to ensure that the committee were happy with the indicators. Councillor Jardine responded by voicing concern that December may not be enough time for the required changes and Councillor Menzies agreed saying that she would rather they got the changes right even if it took longer. Ms Brown then suggested that a progress report could be brought to committee in December with a more substantial report at a later date.

**Decision**

The Committee agreed to note the work programme and the emerging reports under consideration as a result of the meeting of the PPRC.

Signed .....

Councillor Lyn Jardine  
Convener of the Policy and Performance Review Committee