

# Notice of meeting and agenda

## Corporate Policy and Strategy Committee

**10.00am, Tuesday, 14 June 2016**

Dean of Guild Court Room, City Chambers, High Street, Edinburgh

This is a public meeting and members of the public are welcome to attend

### Contact

E-mail: [louise.p.williamson@edinburgh.gov.uk](mailto:louise.p.williamson@edinburgh.gov.uk)

Tel: 0131 529 4264

## **1. Order of business**

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- 1.1 Including any notices of motion and any other items of business submitted as urgent for consideration at the meeting.

## **2. Declaration of interests**

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- 2.1 Members should declare any financial and non-financial interests they have in the items of business for consideration, identifying the relevant agenda item and the nature of their interest.

## **3. Deputations**

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- 3.1 If any

## **4. Minutes**

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- 4.1 Minute of the Corporate Policy and Strategy Committee of 17 May 2016 (circulated) – submitted for approval as a correct record.

## **5. Forward planning**

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- 5.1 Corporate Policy and Strategy Committee Key Decisions Forward Plan August to October 2016 (circulated)
- 5.2 Corporate Policy and Strategy Committee Rolling Actions Log (circulated)

## **6. Business Bulletin**

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- 6.1 If any

## **7. Executive decisions**

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- 7.1 Edinburgh Schools – Independent Inquiry - report by the Chief Executive (circulated)
- 7.2 Appointments to the Welfare Reform Working Group – report by the Chief Executive (circulated)
- 7.3 Response to the Consultation on the Draft Regulations of the Community Empowerment Act – report by the Chief Executive (circulated)
- 7.4 Locality Working - Progress Report - report by the Chief Executive (circulated)
- 7.5 Gaelic Language Plan 2012/17 - Statutory Monitoring Report – report by the Chief Executive (circulated)

- 7.6 Business Case for the Management Transfer of Secondary School Sport Facilities to Edinburgh Leisure – report by the Acting Executive Director of Communities and Families (circulated)
- 7.7 Workplace Policy on Alcohol, Drug, and Substance Misuse – report by the Acting Executive Director of Resources (circulated)

## **8. Routine decisions**

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If any

## **9. Motions**

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If any

### **Kirsty-Louise Campbell**

Interim Head of Strategy and Insight

## **Committee Members**

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Councillors Burns (Convener), Ross (Vice-Convener), Barrie, Burgess, Child, Edie, Godzik, Ricky Henderson, Hinds, Lewis, Main, Mowat, Rankin, Rose and Rust.

## **Information about the Corporate Policy and Strategy Committee**

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The Corporate Policy and Strategy consists of 15 Councillors and is appointed by the City of Edinburgh Council. The Corporate Policy and Strategy Committee usually meets every four weeks.

The Corporate Policy and Strategy Committee usually meets in the Dean of Guild Court Room in the City Chambers on the High Street in Edinburgh. There is a seated public gallery and the meeting is open to all members of the public.

## **Further information**

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If you have any questions about the agenda or meeting arrangements, please contact Louise Williamson, Committee Services, City of Edinburgh Council, Business Centre 2.1, Waverley Court, 4 East Market Street, Edinburgh EH8 8BG, Tel 0131 529 4264, e-mail [louise.p.williamson@edinburgh.gov.uk](mailto:louise.p.williamson@edinburgh.gov.uk) .

A copy of the agenda and papers for this meeting will be available for inspection prior to the meeting at the main reception office, City Chambers, High Street, Edinburgh.

The agenda, minutes and public reports for this meeting and all the main Council committees can be viewed online by going to [www.edinburgh.gov.uk/cpol](http://www.edinburgh.gov.uk/cpol).

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## Corporate Policy and Strategy Committee

10.00 am, Tuesday, 17 May 2016

### Present

Councillors Burns (Convener), Ross (Vice-Convener), Barrie, Burgess, Child, Edie, Godzik, Ricky Henderson, Hinds, Lewis, Main, Mowat, Rose and Rust.

**Also present:** Councillor Day (for item 1)

### 1. **Museum of Fire, 76-78 Lauriston Place – Motion by Councillor Day**

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#### a) **Friends of the Museum of Fire – Deputation**

The deputation indicated that although there was no advertising, cafe facilities or commercial stock, the Museum of Fire still managed to attract 11,000 visitors over the past two years and had the advantage of being located on the Edinburgh tourbus route. The museum was appreciated throughout the worldwide fire fighting community who recognised Edinburgh as being the birthplace of firefighting engineering.

The deputation stressed that the artefacts and building itself at Lauriston Place were of historical importance and urged that the Chief Officer of the Scottish Fire and Rescue Service be asked to consider retaining the museum in its current location, possibly along the Glasgow model.

#### b) **Report by the Executive Director of Resources**

In response to a motion by Councillor Day on the future of the Museum of Fire, details were provided on the current status of the building at 76-78 Lauriston Place and options for the Museum's future.

#### **Decision**

- 1) To note the long and proud history of the Fire Service in Edinburgh and the national and international contribution the Service has made in the development of Fire and Rescue Services worldwide.
- 2) To agree that this history, and contribution to safer societies, should continue to be marked and celebrated by the maintenance of a Fire Service Museum in Edinburgh.
- 3) Whilst noting and welcoming the Scottish Fire & Rescue Service's commitment to relocate the museum within the city boundary, this Committee, on behalf of City of Edinburgh Council, urges the Scottish Fire and Rescue Service to negotiate any terms of sale of the building at

Lauriston Place that would allow this unique piece of social history to remain in its current home.

- 4) To note that the Council remained committed to securing the Fire Museum as an asset for the Capital City; and thus instruct the Council Leader to meet with the Chair of the Scottish Fire and Rescue Service to offer Council expertise to explore commercial or other solutions to protect the museum at Lauriston, or confirm an alternative suitable venue prior to selling off this asset.

(References – Act of Council No 15 of 4 February 2016; report by the Acting Executive Director of Resources, submitted)

## **2. Citywide Review of Council-owned Sports Facilities and Services: Management Transfer of School Sport Facilities to Edinburgh Leisure**

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### **a) Swimeasy – Deputation**

The deputation indicated that they had already suffered with a decrease in lets available to them since August 2015. They felt they were unable to plan for the future and were unable to take advance bookings.

They stressed that they provided an alternative choice for people and employment opportunities but that the current situation made them unable to plan for the year ahead.

### **b) UNISON – Deputation**

The deputation indicated that they supported the proposals to increase community access but felt that there had been a lack of consultation with the Trade Unions and staff.

They indicated that timescales appeared to have moved forward and felt that a number of issues were still to be addressed before delegated authority to negotiate a licence to operate/occupy for Edinburgh Leisure was approved.

### **c) Report by the Acting Executive Director of Communities and Families**

Details were provided on a business case which had been developed by Edinburgh Leisure (EL) in consultation with Council officers for the management transfer of secondary school sports facilities to EL.

#### **Decision**

- 1) To instruct Council officers to continue to work with Edinburgh Leisure to ensure that due diligence was exercised over the business plan and financial implications for the Council.
- 2) To note that consultation would continue with relevant stakeholders, including SportScotland, on the impact that the changes would have on existing funding of programmes and priorities.
- 3) To instruct a further report to be presented to the Committee on 14 June 2016 detailing the proposed way forward and timetable.

- 4) To note that the work would be taken forward by a Joint Implementation Steering Group of Council officers and Edinburgh Leisure personnel which would oversee the detailed proposals to implement the new arrangements.
- 5) To express concern with:
  - the delay of the report;
  - lack of reference to issues of the Mixed Economy Model;
  - the lack of consultation with interested parties;
  - the lack of information relating to the alternative savings proposals.
- 6) To call for the June 2016 report to Committee to address all the above issues.

(References – Corporate Policy and Strategy Committee of 29 September 2015 (item 2); report by the Acting Executive Director of Communities and Families, submitted)

#### **Declaration of Interests**

Councillor Lewis declared a non-financial interest in the above item as a member of Edinburgh Leisure.

### **3. Minute**

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#### **Decision**

To approve the minute of the Corporate Policy and Strategy Committee of 12 April 2016 as a correct record.

### **4. Corporate Policy and Strategy Committee Key Decisions Forward Plan June to September 2016**

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The Corporate Policy and Strategy Committee Key Decisions Forward Plan for June to September 2016 was presented.

#### **Decision**

To note the Key Decisions Forward Plan for June to September 2016.

(Reference – Key Decisions Forward Plan June to September 2016, submitted.)

### **5. Corporate Policy and Strategy Committee Rolling Actions Log**

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Details were provided of the outstanding actions arising from decisions taken by the Committee.

#### **Decision**

- 1) To agree to close the following actions:

Action 9	-	Citywide Review of Council-owned Sports Facilities and Services – Key Findings and Recommendations
Action 10	-	Proposals for a New Meadowbank – Improved Funding Package

Action 17 - Playing Out – motion by Councillor Burgess

2) To otherwise note the Rolling Actions Log.

(Reference – Rolling Actions Log, submitted.)

## 6. Edinburgh Schools

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In response to a motion by Councillor Burns, details were provided on the background to the recent school closures affected by structural issues together with the current position, planned activities and the Council's intention to instruct an independent inquiry into the matter.

### **Motion**

- 1) To note the report by the Chief Executive.
- 2) To refer the report to the Governance, Risk and Best Value Committee for scrutiny.
- 3) To instruct an independent inquiry into this matter as per paragraphs 3.3.2 to 3.3.5 of the report.
- 4) To call for an update report with terms of reference for and timescale of the inquiry within one cycle.

- moved by Councillor Burns, seconded by Councillor Ross

### **Amendment**

- 1) To note the report by the Chief Executive.
- 2) To refer the report to the Governance, Risk and Best Value Committee for scrutiny.
- 3) To note as a result of continuing school closures, the additional costs faced by the Council and also by the whole school community including schools, after-school clubs, sports clubs and parents.
- 4) To agree to a full, independently led inquiry into the recent failure of PPP1 school buildings with the overarching aim of establishing the reasons for the failure and any responsibility that the Edinburgh School Partnership (ESP) and the Council had in that failure so that any necessary steps could be taken to ensure that the Council could provide a safe, excellent environment for the health, wellbeing, education and attainment of all its school pupils, the inquiry to include:
  - a) Establishing whether ESP fulfilled its responsibilities in constructing and managing these schools;
  - b) Establishing whether the Council properly fulfilled its responsibilities in commissioning these schools and its responsibilities for ensuring these schools were properly constructed;
  - c) Establishing whether other remedial work and maintenance regimes undertaken since the schools opened were sufficiently thorough and should have identified the recently found failures earlier;

- d) Considering whether the current contractual arrangements with ESP were best fit for purpose, and could guarantee appropriate ongoing school provision in Edinburgh, making recommendations for the future management of the schools and other lessons learned.
- 5) To agree a report with recommendations for an independent chair, the terms of reference and timescale of the inquiry would be brought to full Council on 2 June 2016.
- 6) To agree to fully determine and then seek recovery of the wider costs of the school closures.

- moved by Councillor Main, seconded by Councillor Burgess

### **Voting**

The voting was as follows:

For the motion - 11 votes  
For the amendment - 2 votes

### **Decision**

To approve the motion by Councillor Burns.

(References – Corporate Policy and Strategy Committee 12 April 2016 (item 15); report by the Chief Executive, submitted.)

## **7. Welfare Reform - Update**

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An update was provided on the progress being made by the Council and partners to develop arrangements in regard to the UK Government's welfare reforms.

### **Decision**

- 1) To note the status of Universal Credit in Edinburgh.
- 2) To note the Council's ongoing activities relating to Welfare Reform.
- 3) To note the COSLA Paper Scotland's New Social Security Powers – Role of Local Authorities.
- 4) To note the current projection of spend on Discretionary Housing Payments.
- 5) To note the current projection on Council Tax Reduction Scheme.
- 6) To note the current projection of spend on Scottish Welfare Fund.
- 7) To recognise that welfare advice services were an investment by this Council that helped tackle poverty and assisted some of our most vulnerable citizens at a time of very significant reductions in Welfare, including helping citizens manage debt and maximise their income.
- 8) To note that although a saving of £1.242 m from 'Safer and Stronger Communities' (Ref. CF/ST10) was agreed in February's Council budget, however further note that it did not specify that £1m was to be cut from Welfare Advice Services.

- 9) To note that elected members of the Welfare Reform Working Group were surprised to learn of the intention to cut £1m from Welfare Advice Services.
- 10) To accept that a review of welfare advice services provided by the Council and other organisations may well identify efficiency savings, however recognise that a £1m cut would be a very significant part of the entire budget of the Council's own Welfare Advice Shop and funding from the Council that supported third-sector organisations delivering welfare advice.
- 11) To therefore agree that there should be no pre-determined cut to welfare advice services but that the review of services should take place in the absence of such a target.
- 12) To request that the findings and recommendations of the review into welfare advice services were then reported to this Committee.

(References – Corporate Policy and Strategy Committee 22 January 2013 (item 7); report by the Acting Executive Director of Resources, submitted.)

## **8. Nuclear Free Local Authorities - Membership**

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Details were provided on an invitation for the Council to renew its membership of the Nuclear Free Local Authorities organisation for 2016/17.

### **Motion**

To agree to the Council renewing its membership of Nuclear Free Local Authorities (NFLA) for 2016/17.

- moved by Councillor Burns, seconded by Councillor Ross

### **Amendment**

To take no action on the invitation.

- moved by Councillor Rose, seconded by Councillor Rust

### **Voting**

The voting was as follows:

For the motion	-	10 votes
For the amendment	-	3 votes

### **Decision**

To approve the motion by Councillor Burns.

(Reference – report by the Chief Executive, submitted.)

## **9 Update on Red Flag System for events**

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The Committee had continued consideration of a report submitted in response to a motion by Councillor Mowat on Festival Events, which provided an update on the Red Flag process, alerts and updates which had been issued in the past two years since its implementation, together with their content and frequency, to allow officers to have discussions with Councillor Mowat. Details of the outcome of discussions with Councillor Mowat were included in the amended report.

## **Decision**

- 1) To note the Red Flag system had been in active use since 2014.
- 2) To note that a communication protocol had been adopted to ensure that local Councillors and the public were alerted as swiftly as possible to any late changes to access to public areas.

(References – Act of Council No 14 of 4 February 2016; Corporate Policy and Strategy Committee 12 April 2016 (item 7); report by the Executive Director of Place, submitted.)

## Corporate Policy and Strategy Committee

August to October 2016

Item	Key decisions	Expected date of decision	Wards affected	Director and lead officer	Coalition pledges and Council outcomes
1.	Welfare Reform	9 August 2016		Acting Executive Director of Resources Lead officer: Sheila Haig, Acting Council Income Manager <a href="mailto:sheila.haig@edinburgh.gov.uk">sheila.haig@edinburgh.gov.uk</a>	CO24-26
2.	Chief Social Work Annual Report	9 August 2016		Chief Executive Lead officer: Michelle Miller, Head of Safer and Stronger Communities and Chief Social Work Officer <a href="mailto:michelle.miller@edinburgh.gov.uk">michelle.miller@edinburgh.gov.uk</a>	CO24-26
3.	Annual Public Protection Report	9 August 2016		Chief Executive Lead officer: Michelle Miller, Head of Safer and Stronger Communities and Chief Social Work Officer <a href="mailto:michelle.miller@edinburgh.gov.uk">michelle.miller@edinburgh.gov.uk</a>	CO24-26

Item	Key decisions	Expected date of decision	Wards affected	Director and lead officer	Coalition pledges and Council outcomes
4.	Physical Activity for Health Pledge	9 August 2016		Chief Officer, Edinburgh Health and Social Care Partnership Lead officer: David Bruce <a href="mailto:david.bruce2@edinburgh.gov.uk">david.bruce2@edinburgh.gov.uk</a>	CO24-26
5.	Policies - Assurance Statement - HR	9 August 2016		Acting Executive Director of Resources Lead officer: Stewart Cassie <a href="mailto:stewart.cassie@edinburgh.gov.uk">stewart.cassie@edinburgh.gov.uk</a>	CO24-26

## Corporate Policy and Strategy Committee

14 June 2016

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
1	06.11.12	The Future Management and Ownership of Easter Craiglockhart Hill Local Nature Reserve (LNR) – motion by Councillor Burns  <a href="#">(Agenda for 6 November 2012)</a>	To provide information on the possibility of community ownership and management of the woodland and open space in the area in the longer term and how this might be achieved, with ownership transferring to the Council as an interim measure, with a view to the eventual transfer of ownership and management, to a community organisation.	Executive Director of Place	Spring 2017		The agreement was to transfer the land “once the Council was satisfied with the landscaping works in the woodland areas (within 12 months of the start of the site development)”. There has been some confusion regarding this, as some work commenced in 2015, however, it wasn’t enough work to fulfil the

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
							<p>“notice of initiation” which would kick start the “formal commencement of work”.</p> <p>In short, the contractors initial notice of initiation is now void and they will be required to submit another one. Once that has been submitted and approved then formal commencement of work can take place.</p>
2	22.01.13	<a href="#">Welfare Reform - Further Update</a>	To ask the Director to provide members with update briefings on a regular basis.	Acting Executive Director of Resources	Ongoing		Bi monthly updates to the Committee. Changed to quarterly reports on 30 September 2014.

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
3	12.05.15	<a href="#">Follow-up Report 2014 Edinburgh People Survey</a>	To request that regular reports are made to the relevant Committees on each of the areas of concern detailing improvements and that the Transport and Environment Committee considers how street cleanliness can be measured because current measures show a static or improving situation whilst the survey shows growing dissatisfaction with the cleanliness of streets.	Chief Executive	Ongoing		The draft 2015 survey has been issued for consultation. Following an initial overview report to this Committee, specific reports will be submitted to the Executive committees. The one for the Transport and Environment Committee will address the issue of street cleanliness measurement.
4	12.05.15	<a href="#">Physical Activity for Health Pledge</a>	To note that an update on progress will be presented to this Committee in May 2016.	Chief Officer, Edinburgh Health and Social Care Partnership	August 2016		

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
5	09.06.15 <a href="#">Minute of 9 June 2015</a> (items 6 and 16) 01.09.15	<a href="#">Safecall CEC 114 - Update Report on Management Action</a>  B Report	<p>1) To note the report by the Chief Executive and to accept all the recommendations in Appendix 2 and that progress on their implementation be reported to the Education, Children and Families Committee.</p> <p>2) To recognise that no further disciplinary action would be instigated in relation to these matters until all relevant information was available.</p>	Chief Executive		1 March 2016 (Education, Children and Families Committee)	The Education, Children and Families Committee on 1 March 2016 agreed to close Action (1), having considered this <a href="#">Education Complaints Improvement Update</a> report.
				Chief Executive	Ongoing		

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
			3) To agree that a further report would thereafter be considered by Committee advising of any further management action.	Chief Executive	Ongoing		
6	09.06.15	<a href="#">Sustainable Edinburgh 2020 Annual Report 2014-15</a>	To acknowledge the work programme for SE2020 for the coming year 2015/16, and add a request to the Edinburgh Sustainable Development Partnership that a clear Action Plan setting out aims, objectives, targets, timescales and responsibilities from the present to 2020 be developed and presented as soon as possible.	Chief Executive	Autumn 2016		The Partnership's 2015/16 Action Plan can be found <a href="#">HERE</a> . Future updates will be reported to Committee, in tandem with the development of the new Community Plan.

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
7	04.08.15	<a href="#">Policies - Assurance Statement</a>	To note that a further report on wider Council policies would be submitted to Committee in due course.	Acting Executive Director of Resources	Ongoing		Policies are reviewed on an ongoing basis. Policies Assurance Statements are produced when there are little or no changes proposed to a policy.
8	04.08.15	<a href="#">Common Good Assets Register</a>	<p>1) To note that further reports would be brought to Committee:</p> <p>a) once Scottish Ministers' guidance about common good registers had been issued; and</p> <p>b) to consider the implications arising from</p>	Acting Executive Director of Resources	Autumn 2016		<p>Scottish Ministers guidance is not expected until summer 2016.</p> <p>Reports to Committee will not be able to be submitted until Q3 2016 earliest. Consequently, completion of the register itself will not take place until sometime 2017.</p>

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
			<p>compliance with the Land Registration (Scotland) Act 2012.</p> <p>2) To note that the common good definition in Section 3 of the report by the Acting Director of Services for Communities was not intended to be exclusive and that there would be clarification of the definition with the next report to Committee.</p>				
9	29.09.15	<a href="#">Citywide Review of Council-owned Sports Facilities and Services - Key Findings and Recommendations</a>	To request a progress report within six months, including a timeline for a phased changeover.	Acting Executive Director of Communities and Families	17 May 2016	17 May 2016	This action was closed on 17 May 2016

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
	17.05.16	<a href="#">Citywide Review of Council Owned Sports Facilities and Services</a>	To instruct a further report to be presented to the Committee on 14 June 2016 detailing the proposed way forward and timetable.	Acting Executive Director of Communities and Families	14 June 2016	14 June 2016	Report submitted to Corporate Policy and Strategy Committee on 14 June 2016.  <b>Recommended for closure</b>
10	29.09.15	<a href="#">Managing Customer Contact in a Fair and Positive Way - Annual Review</a>	To agree to receive an annual update.	Chief Executive	Ongoing		
11	29.09.15	<a href="#">Public Bodies Climate Change Duties Report 2014-15</a>	To note the omission from the Council's Climate Change Duties Report of any carbon reduction projects and therefore request an update report on these projects once they were devised.	Chief Executive	Ongoing		

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
12	03.11.15	<a href="#">Carbon, Climate &amp; Sustainability Policies - Assurance Statement</a>	To agree to update the Fair Trade and Resource Use Policy for Committee consideration within 12 months	Chief Executive	November 2016		
13	03.11.15	<a href="#">ICT Acceptable Use Policy - Annual Review</a>	To note that the next review should be undertaken with a view to reporting to Committee in November 2016	Chief Executive	November 2016		
14	01.12.15	<a href="#">E-cigarettes (Vapourisers) - Update on Health Considerations</a>	<p>1) To note that any material changes which developed, such as Scottish or UK Government advice or significant public health research findings, would be reported to Committee, together with any implications for the Smoke Free Policy.</p> <p>2)</p>	Acting Executive Director of Resources	6 December 2016		

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
			2) To note that an annual report on the policy would be provided by the end of 2016 which should explicitly highlight any developments on e-cigarettes with regard to additional evidence on health issues.	Acting Executive Director of Resources	6 December 2016		
14	01.12.15	<a href="#">Workplace Policy on Alcohol, Drug and Substance Misuse</a>	To agree that a further report be submitted to the Committee with possible additional guidance for managers on the recording and onward reporting of policy breaches.	Acting Executive Director of Resources	14 June 2016	14 June 2016	Report submitted to Corporate Policy and Strategy Committee on 14 June 2016.  <b>Recommended for Closure</b>
15	23.02.16	<a href="#">Avoidance of Bullying and Harassment at Work Policy - Review</a>	To note that the next review should be undertaken with a view to reporting to Committee in February 2017.	Acting Executive Director of Resources	February 2017		

No	Date	Report Title	Action	Action Owner	Expected completion date	Actual completion date	Comments
16	12.04.16	<a href="#">2015 Edinburgh People Survey Headline Results</a>	To note that an update would be provided in 6 months as part of the Council's Business plan.	Chief Executive	October 2016		
17	17.05.16	<a href="#">Edinburgh Schools</a>	To call for an update report with terms of reference for and timescale of the inquiry within one cycle	Chief Executive	14 June 2016	14 June 2016	Report submitted to Corporate Policy and Strategy Committee on 14 June 2016.  <b>Recommended for Closure</b>
18	17.05.16	<a href="#">Welfare Reform - Update</a>	To request that the findings and recommendations of the review into welfare advice services be then reported to this Committee.	Acting Executive Director of Resources	Ongoing		

# Corporate Policy and Strategy Committee

10.00am, Tuesday 14 June 2016

## Edinburgh schools – independent inquiry

Item number 7.1  
Report number  
Executive/routine  
Wards

### Executive summary

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At the meeting of Corporate Policy and Strategy Committee on 17 May 2016 it was agreed that an independent inquiry (“Inquiry”) be held into matters relating to the closure of Edinburgh schools following on from the wall collapse at Oxfords Primary in January 2016; and called for an update report with terms of reference for and timescale of the Inquiry within one cycle

### Links

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Coalition pledges  
Council outcomes  
Single Outcome Agreement

## Edinburgh schools – independent inquiry

### Recommendations

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- 1.1 It is recommended that the Committee note the content of this report.

### Background

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- 2.1 On 29 January 2016, an external wall leaf at Oxfords Primary School, part of phase 2 of the PPP1 project, partially collapsed during extreme adverse weather. This resulted in the temporary closure of the school.
- 2.2 Subsequent investigative works identified certain construction defects across the PPP1 estate resulting in the temporary closure of multiple schools pending remediation works being undertaken by the Edinburgh Schools Partnership (ESP).

### Main report

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#### Inquiry

- 3.1 The Council has called for an independent Inquiry into this matter.
- 3.2 As agreed at the May meeting of this Committee, the Chief Executive has consulted with the Group Leaders on the scope of the Inquiry. The draft terms of reference, appended to this report, take into account the comments expressed by Group Leaders but remain subject to agreement by the chair of the Inquiry.
- 3.3 The Inquiry chair appointment is in the process of being made by the Chief Executive as agreed.
- 3.4 It is intended that the Inquiry will commence in the early Autumn once the schools are fully back into operation and the contractual position with ESP has been concluded. In the meantime the chair will familiarise himself with background to this matter.
- 3.5 A document data room will be set up for elected members during the Inquiry.

### Measures of success

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- 4.1 The Inquiry provides the Council with assurance as to the reasons for the unfortunate incident and that any lessons which can be learned or changes implemented are both learned and implemented.

## **Financial impact**

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- 5.1 The cost of the Inquiry is expected to be in the region of £150,000 - £250,000.

## **Risk, policy, compliance and governance impact**

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- 6.1 There is a risk that the Inquiry identifies weaknesses in the Council's involvement in the contracting and/or management of the PPP1 project.

## **Equalities impact**

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- 7.1 There are no direct equalities impacts arising from this report.

## **Sustainability impact**

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- 8.1 There are no direct sustainability impacts arising from this report.

## **Consultation and engagement**

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- 9.1 Parents, Elected Members, the Scottish Government and various other interested parties have been kept apprised of all developments throughout this incident.

## **Background reading/external references**

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- 10.1 None.

### **Andrew Kerr**

Chief Executive

Nick Smith, Acting Head of Legal and Risk

E-mail: [nick.smith@edinburgh.gov.uk](mailto:nick.smith@edinburgh.gov.uk) | Tel: 0131 529 4377

## **Links**

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**Coalition pledges**

**Council outcomes**

**Single Outcome  
Agreement**

**Appendices**

Appendix 1 – Draft Terms of Reference

## **Edinburgh Schools Inquiry – Draft Terms of Reference**

### **Background**

As a result of a wall collapse at Oxfangs Primary School in Edinburgh in January 2016, structural issues were identified at all schools built under the Public Private Partnership programme (“PPP1”) in Edinburgh between 2002 and 2005. This led to the temporary closure of the affected schools and alternative arrangements for children in nearly all the schools having to be urgently put into place.

### **Purpose and scope**

To inquire into and report on the following matters:

- The rationale for the Council entering into the PPP1 contract for schools and the effect this financing arrangement may have had on the construction process;
- The contractual arrangements between the Edinburgh Schools Partnership and Edinburgh Council;
- The role of the Council with regard to the quality assurance of the construction of the buildings, including the granting of completion certificates to allow the buildings to become operational, the management of risks to the Council; and if standard practice regarding quality assurance provided adequate checks and balances for all parties to the contract;
- The management and maintenance of the buildings since construction, including advising on whether the current defects should have been found earlier;
- The management of the contract by the relevant parties since construction; and the quality of the contract undertaken;
- Establish the reason(s) for, and necessity of, the schools closures, including a review of the reasons for the Oxfangs Primary School wall collapse;
- A review of Edinburgh Council’s handling of the incident from January 2016 to the reopening of the schools in Summer 2016;
- Provide advice and recommendations on any specific or wider lessons which can be learned from these unfortunate events for Edinburgh Council and any other bodies; and
- Any further matters the Chair of the inquiry wishes to pursue relevant to this matter.

**Method**

The inquiry will examine and review all documents as the inquiry Chairman shall determine appropriate.

The inquiry will receive such oral and written evidence as the inquiry Chairman shall determine appropriate.

The Council will endeavour to ensure that all third parties cooperate with the inquiry chairman but recognises that the Chairman will not have statutory powers in this regard.

**Report**

The inquiry will report to the Chief Executive as soon as practicable.

**Timescales**

It is currently anticipated that the inquiry report will be delivered by December 2016.

# Corporate Policy and Strategy Committee

10am, Tuesday, 14 June 2016

## Appointments to the Welfare Reform Working Group 2016-17

Item number	7.2
Report number	
Executive/routine	
Wards	

### Executive summary

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The Corporate Policy and Strategy Committee is required to annually re-appoint the membership of the Welfare Reform Working Group. The current membership is detailed in the report.

### Links

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Coalition pledges
Council outcomes
Single Outcome Agreement

## Appointments to the Welfare Reform Working Group 2016-17

### Recommendations

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- 1.1 To appoint the membership of the Welfare Reform Working Group.

### Main report

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#### Appointments to Sub-Committees and Working Groups, etc

- 2.1 The Corporate Policy and Strategy Committee on 1 September 2015 appointed membership to its Welfare Reform Working Group for 2015/16.
- 2.2 The current membership of the Working Group is Councillors Ricky Henderson (Convener), Aldridge, Burgess, Day, Howat, Rose and Work (2 Labour, 2 Scottish National Party, 1 Conservative, 1 Green and 1 Liberal Democrat).
- 2.3 The Committee is requested to re-appoint the membership of the Working Group.

### Measures of success

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- 3.1 Not applicable

### Financial impact

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- 4.1 Not applicable

### Risk, policy, compliance and governance impact

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- 5.1 Not applicable.

### Equalities impact

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- 6.1 Not applicable

### Sustainability impact

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- 7.1 Not applicable

### Consultation and engagement

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- 8.1 Not applicable

## Background reading / external references

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Minute of 1 September 2015

### Andrew Kerr

Chief Executive

Contact: Louise Williamson, Assistant Committee Officer

E-mail: [louise.p.williamson@edinburgh.gov.uk](mailto:louise.p.williamson@edinburgh.gov.uk) | Tel: 0131 529 4264

## Links

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**Coalition pledges**

**Council outcomes**

**Single Outcome  
Agreement**

**Appendices**            None

# Corporate Policy and Strategy Committee

10am, Tuesday, 14 June 2016

## Response to the consultation on the draft regulations of the Community Empowerment Act

Item number	7.3
Report number	
Executive/routine	
Wards	All

### Executive Summary

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This report summarises the Council's position on the draft regulations for the implementation of Community Empowerment Act. Committee are asked to approve this document as the Council's official response to the Scottish Government's consultation.

The Council is supportive of the aims of the Act and feels that the draft regulations provide useful definitions and reference points.

The Council is concerned that: in seeking specificity around making requests, reporting outcomes and size of locality; and in emphasising physical locations rather than people, the regulations may create a burden that restricts rather than empowers. Due to this it is the Council's view that most of these decisions should be made locally and on a case-by-case basis.

The Council agrees that 30 days to respond to participation requests is reasonable, but would like to see the time period for involving additional organisations increase to 30 days (currently this is proposed to be 14 days).

### Links

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Coalition Pledges	P33
Council Priorities	CP4, CP13
Single Outcome Agreement	SO4

## The City of Edinburgh Council response to the consultation on the draft regulations of the Community Empowerment Act

### 1. Recommendations

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- 1.1 To approve the response to the Scottish Government consultation on the draft regulations for the Community Empowerment Act.

### 2. Background

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- 2.1 [The Community Empowerment Act](#) was agreed by the Scottish Parliament in 2015 and the majority of its provisions will come into force by late summer 2016. The express aim of the Act is to "help to empower community bodies through the ownership or control of land and buildings, and by strengthening their voices in decisions about public services."
- 2.2 As part of the implementation process, the Scottish Government are consulting on the draft regulations. Specifically this response relates to the consultations on [Community Planning](#), [Participation Requests](#) and [Asset Transfer](#).
- 2.3 The City of Edinburgh Council was consulted on the drafting of the Act and supports the aims of the legislation. The full text of the [Council's response to the 2013 consultation on the bill](#) is available online.

### 3. Main report

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- 3.1 The following is a summary of the key areas relating to community planning and participation requests. The full Scottish Government response documents are included at the end of this report.

#### **Community Planning**

- 3.2 The Council agrees with the principles for effective community planning as defined by the draft guidance on community planning. The Council welcomes the statutory duty placed on all partners, the need to focus on prevention, and the renewed emphasis on community which aligns closely to the transformation operating model which has a focus on enhanced partnership working.

- 3.3 The Council is committed to fairness and improving the overall prosperity of Edinburgh, in line with the Scottish Government's approach to inclusive growth. As a result of ongoing work to understand how these goals can best be achieved, the Council has concerns that the guidance places too much emphasis on the identification of "poor areas." Poverty is a reality for many people who are in part or full time employment, and are living in areas that would not normally be associated with poverty. An area of strong focus for the Council is working to mitigate the effects of poverty on children. Children are the group most likely to be in poverty and this poverty is not geographically confined. Recognition needs to be given to the fact that most people who are affected by poverty do not live in "poor areas". In Edinburgh relative affluence and poverty exist in close proximity and defeat even small area geographic analysis and it is therefore especially important that the focus of engagement can be clear, without being always constrained to any geography.
- 3.4 Similarly, the focus on community bodies has the potential to disadvantage those individuals in communities who are not necessarily involved with community bodies. While the Council accepts that a community body may be necessary to begin a process, it is important that this process is inclusive and that the burden of ensuring inclusion does not fall solely on any one organisation.
- 3.5 The Act requires that Community Planning Partners (CPPs) review progress of outcomes and plans and revise these where appropriate. The Council does not feel it is ideal for the statutory guidance to specify a period of time for such review activity or to specify the maximum date for the publication of progress reports. Instead the guidance should suggest appropriate timescales, but require timescales to be defined through local agreement amongst CPPs - and where set timescales vary from those suggested there should be a stated rationale for this.
- 3.6 The Council does not feel the draft regulation on community planning should define the maximum size of a locality. Locality structures are not easily agreed by CPPs and frequently require years of planning to ensure operational services are aligned to local plans. The City of Edinburgh Council, Police Scotland, NHS Lothian and other partners have agreed co-terminus boundaries and all local planning arrangements will be arranged around these.
- 3.7 A fixed definition of locality by population could also serve to divide existing communities - for example, the Leith Neighbourhood Partnership covers a distinct community within Edinburgh which has its own strong identity and effective network of CPPs. Leith is composed of two electoral wards whose combined population is greater than the maximum of 30,000 proposed. While a proposed maximum of 30,000 residents or one electoral ward may be a reasonable restriction for more rural areas, in areas of dense population this may lead to the creation of artificial boundaries.

## **Participation Requests**

- 3.8 The Council recognises that public bodies must have a formal process through which participation requests must be submitted. The guidance should state what information must be provided as part of participation requests as a minimum. However the guidance should not prevent public bodies from gathering information they feel is necessary and expedient. To assist with early implementation a form produced by Scottish Government would be useful.
- 3.9 The draft guidance specifies a maximum of 30 days for public bodies to assess initial request for participation and respond to the request. The Council agrees this timescale is reasonable and achievable.
- 3.10 The draft guidance sets a maximum of 14 days for additional CPPs to respond to participation requests. The Council feels this timescale is too restrictive given that some requests may relate to complex provision by many agencies. The Council suggests that 30 days would be a reasonable timescale.
- 3.11 The Council recognises the need to promote and support the Act, and in particular to engage with disadvantaged groups (including but not limited to younger people, those with disabilities, ethnic minorities, those with addiction issues, and those with learning difficulties) and to make particular effort to build capacity within those groups to better enable their participation in local democracy. While local communications and networks will be of use in achieving these goals, the Council feels that national awareness-raising of best-practice examples by community groups would help to stimulate currently inactive residents to become more active in their communities.
- 3.12 The publication of any outcome plan should be a process co-produced and agreed with all CPPs.

## **Asset Transfer**

- 3.13 The Council agrees that the regulations with regard to asset transfer set out reasonable timescales for decision-making and provision of information, however the Council observes that it is in the interest of both Local Authorities and community organisations that approved asset transfer be accomplished quickly. While the guidance specifies six months as a length of time available to make decisions, individual local authorities would want to expedite this process wherever possible to minimise cost of asset retention.
- 3.14 The outline process for notification and registering objections to asset transfer may result in several problems. The requirement to post notice online and at the site to be transferred could effectively exclude large numbers of residents who may have a view. In practical terms, it may be for local authorities to take other measures to ensure wider community awareness, but such a duty could usefully be required and defined in the guidance.
- 3.15 The online posting of objections to asset transfer may deter some individuals and organisations from engaging in discussion over use of community assets. This

highlights the larger issue that further guidance may be needed on how to manage competing and non-complimentary demands on an asset. There is significant potential for delay if several organisations request the same asset, these delays may pose significant risk to community organisations and result in additional costs for public bodies.

- 3.16 Further guidance may also be necessary for how a public body - or specifically a local authority with regard to any transferred asset - should behave where community organisations are not financially viable and there would be clear community benefit from asset recovery and / or redistribution to alternative community organisations.
- 3.17 Excluding those issues highlighted above, the Council takes no view on the effectiveness or robustness of the proposed appeals mechanism, but such measures should be reviewed after a reasonable time to ensure they are not unreasonably burdensome on either public bodies or community organisations.

#### **4. Measures of success**

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- 4.1 The Act creates a presumption that community requests will be met, unless there are sufficient reasons for refusal. The Council will monitor its overall response to requests and integrate this into performance reporting.

#### **5. Financial impact**

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- 5.1 The total financial impact of the Act is difficult to determine, as this depends on the extent to which communities use the powers which have been given to them. However centralised monitoring of requests, responding to requests and participation in engagement need to be treated as mainstream activities for all services.

#### **6. Risk, policy, compliance and governance impact**

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- 6.1 Participation requests will be monitored for adherence to timescale, refusals and outcomes (through separately agreed arrangements). There are potential local and national reputation risks by failing to meet timescales and by refusing a high proportion of participation requests.

#### **7. Equalities impact**

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- 7.1 The powers given to communities by the Act apply to broad definitions of community, which are not necessarily geographically defined. The Act and the draft regulations empower equalities groups and there are no onerous obligations required by the Act to be considered a group, but the emphasis on groups within

the draft regulations has the potential to disadvantage individuals not engaged with local groups.

## 8. Sustainability impact

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- 8.1 It is hoped that through local democratic arrangements and the transfer of under-used assets to community ownership that the overall sustainability of services and assets in the city can be improved.

## 9. Consultation and engagement

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- 9.1 This is an officer-based response to the draft regulations. Invitations were made to all officers directly involved in Edinburgh Partnership support, and those officers were asked to seek views from their service areas. The consultation is open to the public, therefore no partner or public responses form part of the Council's response.

### Andrew Kerr

Chief Executive

Contact: David Porteous, Lead Insight and Engagement Officer

E-mail: [david.porteous@edinburgh.gov.uk](mailto:david.porteous@edinburgh.gov.uk) | Tel: 0131 529 7127

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## 10. Links

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<b>Coalition Pledges</b>	P33 - Strengthen Neighbourhood Partnerships and further involve local people in decisions on how Council resources are used
<b>Council Priorities</b>	CP4 - Safe and empowered communities CP13 - Transformation, workforce, citizen & partner engagement, budget
<b>Single Outcome Agreement</b>	SO4 - Edinburgh's communities are safer and have improved physical and social fabric
<b>Appendices</b>	

# Community Planning under the Community Empowerment (Scotland) Act 2015: Consultation on Draft Guidance and Regulation



## RESPONDENT INFORMATION FORM

**Please Note** this form **must** be returned with your response.

Are you responding as an individual or an organization? (required)

- Individual  
 Organisation

What is your name or your organisation's name? (required)

The City of Edinburgh Council

What is your phone number?

What is your address?

Waverley Court  
4 East Market Street

What is your postcode?

EH8 8BG

What is your email?

david.porteous@edinburgh.aov.uk

The Scottish Government would like your permission to publish your consultation response. Please indicate your publishing preference: (required)

- Publish response with name  
 Publish response only (anonymous)  
 Do not publish response

We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

- Yes

No

## **Community Planning under the Community Empowerment (Scotland) Act 2015: Consultation on Draft Guidance**

### **Questions**

Q1: The guidance identifies a series of principles for effective community planning. Do you agree with them? Should there be any others?

Please explain why.

We agree the principles.

Q2: The draft guidance sets out common long-term performance expectations for all CPPs and community planning partners. Each CPP will adopt its own approach towards meeting these expectations, reflecting local conditions and priorities. Even so, do you think there are common short- or medium-term performance expectations which every CPP and partner should be expected to meet? If so, what are they?

No.

Q3: The 2015 Act requires CPPs to keep under review the question of whether it is making progress in the achievement of each local outcome in their LOIP and locality plan(s). CPPs must from time to time review their LOIP and locality plan(s) under review, and to revise them where appropriate. Even with this, do you think the statutory guidance should require CPPs to review and if necessary revise their plans after a specific period of time in every case? If so, what should that specific period be?

Yes  No

Please explain why.

There needs to be flexibility to review in light of changing local circumstances.

Q4: What should the statutory guidance state as the latest date by which CPPs must publish progress reports on their local outcomes improvement plans and locality plans?

4 months  6 months  Other

If other please provide timescale. Please explain why.

The Council does not feel it is ideal for the statutory guidance to specify a period of time for such review activity or to specify the maximum date for the publication of progress reports. Instead the guidance should suggest appropriate timescales, but require timescales to be defined through local agreement amongst CPPs - and where set timescales vary from those suggested there should be a stated rationale for this.

Q5. Do you have any other comments about the draft Guidance?

The Council agrees with the principles for effective community planning as defined by the draft guidance on community planning. The Council welcomes the statutory duty placed on all partners, the need to focus on prevention, and the renewed emphasis on community which aligns closely to the transformation operating model which has a focus on enhanced partnership working.

Q6. We propose that the draft regulation for locality planning should set one criterion only, which is a maximum population permissible for a locality. Do you agree? What are your reasons?

The Council does not feel the draft regulation on community planning should define the maximum size of a locality. Locality structures are not easily agreed by CPPs and frequently require years of planning to ensure operational services are aligned to local plans. The City of Edinburgh Council, Police Scotland, NHS Lothian and other partners have agreed co-terminus boundaries and all local planning arrangements will be arranged around these.

Q7: The draft regulation sets a maximum population size for localities subject to locality planning of 30,000 residents. It also proposes an exception which allows a CPP to designate a local authority electoral ward as a locality even where its population exceeds 30,000 residents. Are there circumstances in which these criteria would prevent a CPP from applying a reasonable approach to locality planning? What difference would it make to how localities were identified for the purposes of locality planning in the CPP area(s) in which you have an interest, if the maximum population size were set at (a) 25,000 residents or (b) 20,000 residents?

A fixed definition of locality by population could also serve to divide existing communities - for example, the Leith Neighbourhood Partnership covers a distinct community within Edinburgh which has its own strong identity and effective network of CPPs. Leith is composed of two electoral wards whose combined population is greater than the maximum of 30,000 proposed. While a proposed maximum of

30,000 residents or one electoral ward may be a reasonable restriction for more rural areas, in areas of dense population this may lead to the creation of artificial boundaries.

Q8: Do you have any other comments about the draft Regulation?

The Council is committed to fairness and improving the overall prosperity of Edinburgh, in line with the Scottish Government's approach to inclusive growth. As a result of ongoing work to understand how these goals can best be achieved, the Council has concerns that the guidance places too much emphasis on the identification of "poor areas." Poverty is a reality for many people who are in part or full time employment, and are living in areas that would not normally be associated with poverty.

An area of strong focus for the Council is working to mitigate the effects of poverty on children. Children are the group most likely to be in poverty and this poverty is not geographically confined.

Recognition needs to be given to the fact that most people who are affected by poverty do not live in "poor areas". In Edinburgh relative affluence and poverty exist in close proximity and defeat even small area geographic analysis and it is therefore especially important that the focus of engagement can be clear, without being always constrained to any geography.

Q9: Are there any equality issues we should be aware of in respect of local outcomes improvement plans and locality plans?

The focus on community bodies has the potential to disadvantage those individuals in communities who are not necessarily involved with community bodies. While the Council accepts that a community body may be necessary to begin a process, it is important that this process is inclusive and that the burden of ensuring inclusion does not fall solely on any one organisation.

# Consultation on the Draft Participation Request (Procedure)(Scotland) Regulations 2016



## RESPONDENT INFORMATION FORM

**Please Note** this form **must** be returned with your response.

Are you responding as an individual or an organization?

- Individual  
 Organisation

Full name or organisation's name

The City of Edinburgh Council

Phone number

Address

Waverley Court  
4 East Market Street  
Edinburgh

Postcode

EH8 8BG

Email

David.porteous@edinburgh.gov.uk

The Scottish Government would like your permission to publish your consultation response. Please indicate your publishing preference:

- Publish response with name  
 Publish response only (anonymous)  
 Do not publish response

We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

- Yes  
 No

# Participation Requests under the Community Empowerment (Scotland) Act 2015: Consultation on Draft Regulations

## Questionnaire

Q1: Should the use of a statutory form be required in the regulations?

Yes  No

Please give reasons for your response.

The Council recognises that public bodies must have a formal process through which participation requests must be submitted. The guidance should state what information must be provided as part of participation requests as a minimum. However the guidance should not prevent public bodies from gathering information they feel is necessary and expedient. To assist with early implementation a form produced by Scottish Government would be useful.

Q2: Should it be possible for a community body to put in a participation request without using a form?

Yes  No

Please give reasons for your response.

The information required could not be efficiently collected without a form.

Q3: What else might a statutory form usefully cover beyond the example set out in Annex B?



Q4: Is 14 days a reasonable amount of time for additional public service authorities to respond?

Yes  No

If not, please suggest an alternative timescale and explain reasons for the change.

The Council feels this timescale is too restrictive given that some requests may relate to complex provision by many agencies. The Council suggests that 30 days would be a reasonable timescale.

Q5: What, if any, are the particular/specific ways that public service authorities should promote the use of participation request?

Share examples of effective and innovative practice demonstrating a positive impact on outcomes. Ensure that disadvantaged and under-represented groups, including young people, are made aware of the possibilities of participation requests. Some national publicity would be helpful, as would a toolkit for public service bodies.

Q6: What are the ways that public service authorities should support community participation bodies to make a participation request and participate in an outcome improvement process that should be set out in the regulations?

The regulations should emphasise the need for capacity building support to community participation bodies to make participation requests but this has resource implications which need to be addressed on a partnership basis.



Q7: What types of communities could the regulations specify that may need additional support? Please give reasons for your response.

Disadvantaged and under-represented groups, including young people, people with learning disabilities, people with mental health issues, people suffering from drug and alcohol misuse could be specified as potentially needing additional support.

Q8: How long should the public service authority have to assess the participation request and give notice to the community participation body? Is 30 days a reasonable amount of time?

Yes  No

If not, how long should the period for making a decision be? Please give reasons for your response.

Q9: Are there any additional information requirements that should be included in connection with a decision notice? Please give reasons for your response.

The impact on other parts of the community needs to be taken into account, especially in relation to people with protected characteristics.

Q10: What other information, if any, should the regulations specify should be published in relation to the proposed outcome improvement process? Please give reasons for your response.

The publication of any outcome plan should be a process co-produced and agreed with all CPPs.

Q11: What other information, if any, should the regulations specify should be published in relation to the modified outcome improvement process? Please give reasons for your response.

None.

Q12: Section 31 sets out the aspects that the report of the outcome improvement process must contain. What other information, if any, should the regulations require the report include? Please give reasons for your response.

None.

Q13: : Do you have any other comments on the draft Participation Request (Procedure)(Scotland) Regulations 2016?

The Council recognises the need to promote and support the Act, and in particular to engage with disadvantaged groups (including but not limited to younger people, those with disabilities, ethnic minorities, those with addiction issues, and those with learning difficulties) and to make particular effort to build capacity within those groups to better enable their participation in local democracy. While local communications and networks will be of use in achieving these goals, the Council feels that national awareness-raising of best-practice examples by community groups would help to stimulate currently inactive residents to become more active in their communities.

# Asset Transfer under the Community Empowerment (Scotland) Act 2015: Consultation on Draft Regulations



## RESPONDENT INFORMATION FORM

**Please Note** this form **must** be returned with your response.

Are you responding as an individual or an organisation? (required)

- Individual  
 Organisation

What is your name or your organisation's name? (required)

The City of Edinburgh Council

What is your phone number?

What is your address?

Waverley Court  
4 East Market Street  
Edinburgh

What is your postcode?

EH8 8BG

What is your email?

David.borteous@edinburgh.gov.uk

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 Publish response only (anonymous)  
 Do not publish response

We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for the Scottish Government to contact you again in relation to this consultation exercise?

- Yes  
 No

# Asset Transfer under the Community Empowerment (Scotland) Act 2015: Consultation on Draft Regulations

## Questionnaire

Q1: Do you agree that the types of land set out in the draft Community Empowerment (Registers of Land) (Scotland) Regulations 2016 need not be included in relevant authorities' registers?

Yes X No

If not, please explain what you would change and why.

Q2: Are there any other types of land that relevant authorities should not have to include in their register? Please explain what should not be included and why.

No.

Q3: Do you have any comments on the proposals for guidance on what information registers should contain and how they should be published?

No.

Q4: Is there any information you think a community transfer body should be able to request from a relevant authority, that it would not be able to obtain under FOISA or the EIRs?

No.

Q5: Do you think the proposed additional requirements for making an asset transfer request are reasonable?

Yes X No

If not, please explain what you would change and why.

Q6: Is there any other information that should be required to make a valid request?

No.

Q7: Do you have any comments on the proposals for acknowledgement of requests?

None.

Q8: Do you have any comments on the proposed requirements for notification and publication of information about a request?

Objectors to an application may be deterred if their comments are attributed to them online. The publication of the Notice only on line and at the site could exclude members of the community without access to online facilities.

Q9: Do you think 6 months is a reasonable length of time for the relevant authority to make a decision on an asset transfer request? (This time may be extended if agreed with the community transfer body.)

Yes  No

If not, how long should the period for making a decision be?

It would be in the Authority's interest to expedite the decision making process to reduce any financial costs of retaining the Asset. Therefore, the Authority must invest in a robust procedure and sufficient resources.

Q10: Do you agree with the proposals for additional information to be included in a decision notice?

Yes  No

If not, please explain what you would change and why.

Q11: Do you agree that the Scottish Ministers should be required to appoint a panel of 3 people to consider reviews of Ministers' own decisions?

Yes X No

If not, how do you think these reviews should be carried out?

Q12: Do you agree that a local authority should be required to make a decision on a review within 6 months?

Yes X No

If not, how long should the period for making a decision be?

Q13: Do you have any other comments about the draft Asset Transfer Request (Review Procedure) (Scotland) Regulations 2016 or draft Asset Transfer Request (Appeals) (Scotland) Regulations 2016?

Further guidance may be required for instances when there is competing demands from different community transfer bodies for the same Asset.

Q14: Do you agree that the Scottish Ministers should appoint a single person to consider an appeal where no contract has been concluded?

Yes  No

If not, how do you think these reviews should be carried out?

No comment.

Q15: Do you agree that the documents should not be published in relation to appeals where no contract has been concluded?

Yes  No

Please explain your reasons.

No comment.

Q16: Do you agree that no third party representations should be allowed in relation to appeals where no contract has been concluded?

Yes  No

Please explain your reasons.

No comment.

Q17: Do you have any comments on the proposed procedures for appeals where no contract is concluded?

No.

Q18: Do you have any comments on the proposed procedures for applications to Ministers for Directions?

None.

# Corporate Policy and Strategy Committee

Tuesday 14 June 2016; 1000 hrs

## Locality Working – Progress Report

Item number 7.4

Report number

Executive/routine

Wards

### Executive summary

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This report provides the Corporate Policy and Strategy Committee with an update on the implementation of locality working. This work is key to the Council's Transformation Programme, the updated Strategic Planning Framework and Edinburgh Partnership activity. Importantly, it also describes a range of new opportunities for elected members, citizens and communities to engage, support and scrutinise localities working.

### Links

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Coalition pledges All

Council outcomes All

Single Outcome Agreement All

## Locality Working – Progress Report

### Recommendations

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- 1.1 To note the good progress with regard to locality working, and the enhanced opportunities for elected members and citizens to engage with, support and scrutinise locality working through Neighbourhood Partnerships, the Communities and Neighbourhoods Committee and the Edinburgh Partnership Board.
- 1.2 Note the establishment of the Locality Leadership Teams and their role in providing better strategic support to local partnership activity.
- 1.3 Note the legal requirement, under the Community Empowerment (Scotland) Act 2015, to define localities and develop Locality Improvement Plans, and the role of neighbourhood partnerships and elected members in developing and approving these plans.
- 1.4 Agree to further engagement events on locality working with elected members, partner agencies, and community and third sector groups to discuss the development of Locality Improvement Plans.
- 1.5 Note the key challenges and dependencies identified for the next 12 months, and the work underway to address these.
- 1.6 Agree to refer this report in full to the Communities and Neighbourhoods Committee for information.

### Background

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- 2.1 Locality working is key to the Council's Strategic Framework and Business Plan 2016/20, the Edinburgh Partnership Community Plan 2015/18 and the Council's Transformation Programme.
- 2.2 The rationale for locality working was agreed by Council as part of the Organise to Deliver reports, and BOLD Business cases, approved in late 2014 and early 2015. Key elements of the rationale for locality working include:
  - (i) The findings of the Christie Commission, namely, placing more focus on prevention, partnership, designing services around citizens and communities, and improving performance.
  - (ii) The need to develop a new operating model for Council services in light of ongoing financial and service demand pressures, and learning from the Total Place projects. Specifically, devolving resources and decision

making closer to the frontline, reducing bureaucracy, improving service access and placing more focus on establishing local integrated multi agency teams, to improve work with families/households in need, and improve place making.

- (iii) Improving joint resourcing at a locality level with a focus on sharing budgets and assets, and progressing multi agency co-location.
- (iv) Simplifying and strengthening locality planning and performance reporting arrangements, and strengthening community engagement and consultation.
- (v) Designing in more agility and flexibility within the Council operating model, to enable local services to be more responsive to changing local needs.

2.3 Locality working has a focus on the following strategic objectives: (i) empowering citizens and communities and improving partnership working, (ii) implementing a lean and agile locality operating model, (iii) delivering better outcomes and improving citizen experiences, and (iv) embedding values and developing culture. These objectives are being reviewed as part of the refresh of the Council Transformation Programme objectives.

2.4 The table below indicates the key milestones which have been reached with regard to locality working to date:

Date	Milestones
Pre Jan 15	Neighbourhood Partnerships + Local Community Plans embedded across the City. Various innovative projects on neighbourhood and locality working (including Total Place) delivered. Council approves the 'Organise to Deliver' reports which set out the principles of locality working.
Jan 15	"Citizens and Neighbourhoods Services" BOLD Business Case agreed by the Finance and Resources Committee. Mandate for locality transformation is approved involving the 'scaling up' previous innovative work.
Mar 15	Edinburgh Partnership Board approves plans for improved locality working and four coterminous operational boundaries. A renewed local partnership focus on tackling poverty and prevention is approved.
Jun 15	Finance and Resources Committee approves the new Council Operating Model. The Citizens and Localities Services Project enters organisational review phase to re-design Council services in line with this model.
Sep 15- Oct 15	Corporate Leadership Team, Edinburgh Partnership Board and Communities and Neighbourhoods Committee sign off the initial Locality Transformation Plan. Community Empowerment (Scotland) Act 2015 comes into force.

<b>Dec 15- Jun 16</b>	Engagement with Neighbourhood Partnerships, community councils and third sector forums on locality working. Partnership engagement events held in late 2015 involving over 200 representatives from Council and partner agencies.
<b>Jan 15- May 16</b>	The Council embarks upon a number of major organisational reviews, to re design services in line with locality strategic objectives. Defined Council services plan to align to the four coterminous areas.
<b>Feb 16- Apr 16</b>	Corporate Leadership Team and Edinburgh Partnership Board agree next steps for locality working. This includes establishing an internal Locality Management Board and four Locality Leadership Teams. Key service developments are to set up multi agency teams around 'place' and 'families / households'. Scottish Government release guidance on defining localities and locality planning, and initial discussions start with partners about the structure and contents of Locality Improvement Plans are underway.
<b>April 16</b>	Establishment of the Integrated Joint Board / Edinburgh Health and Social Care Partnership. The Integration Joint Board is the body responsible for the strategic planning of the services delegated by the legislation, the majority of which are managed on a day to day basis by the Edinburgh Health and Social Care Partnership, led by the Chief Officer. The IJB issues directions to the Council and NHS setting out how services will be delivered. Service re-design and organisational review of services continues

- 2.5 It is important to note the role elected members have played with regard to approving key elements of locality working to date, and the opportunities described in this report for further engagement, support and scrutiny during the next phase of this work.

## Main report

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### Governance and Partnership

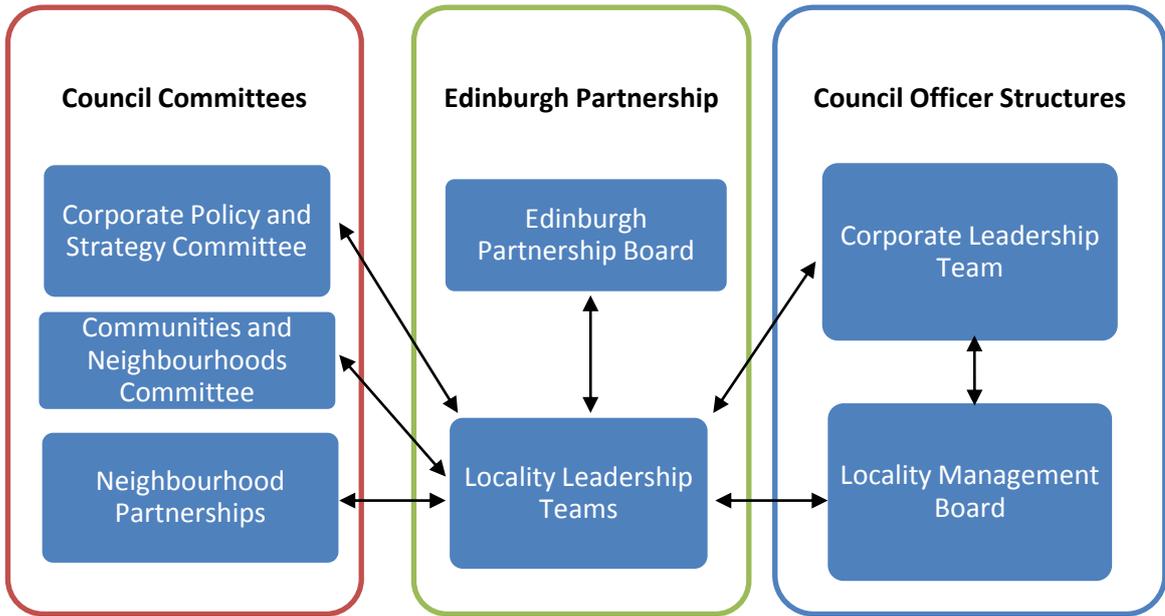
#### Committee Leadership

- 3.1 It is proposed that the Communities and Neighbourhoods Committee and Neighbourhood Partnerships start to receive more information on locality working in order to improve elected member engagement and scrutiny.
- 3.2 Key items for consideration will be locality service developments, locality service performance, locality planning, and locality partnership activities.

#### Locality Leadership Teams

- 3.3 A Locality Leadership Team has been set up in each of the four locality areas. Membership of the four teams is made up of Council and partner agencies, including third sector, police, fire and rescue, NHS, and Edinburgh College. Each team is chaired by a Council Chief Official. The primary purpose of these teams is to improve the oversight and tactical coordination of local joint service delivery, and improve local partnership working.

- 3.4 These teams will bring together a range of existing partnership arrangements into one consolidated work programme in each locality. For example, Community Improvement Partnerships, Children’s Services Management Groups, and the proposed Edinburgh Health and Social Care Partnership Hubs and Clusters, will all work with each Locality Leadership Team in their respective area. They will also have a role in overseeing spatial planning in their respective areas, and in this regard the Council’s development and planning function will engage with each team.
- 3.5 These teams will also improve support to the 12 Neighbourhood Partnerships, and related local partnership activity through their respective sub-groups. They will assist in the delivery of aligned local community plan priorities, which are due to be reviewed and refreshed during 2016/17.
- 3.6 It is proposed, that from April 2016 to March 2017, meetings of these teams should be monthly, and that they regularly report into the Communities and Neighbourhoods Committee on locality improvement planning, provide updates to Neighbourhood Partnerships on progress and challenges and report into the Corporate Policy and Strategy Committee on strategic matters. The position of Locality Leadership Teams within wider Council and city governance and partnership arrangements’ is indicated below:



Council Locality Management Board

- 3.7 To support the successful implementation of locality working across the Council, a Locality Management Board has been established. Members of this board include the Executive Director of Place as the Chair, all four Council Locality Managers, Health and Social Care Locality Managers, and other senior officers involved in transformation and community planning work.

- 3.8 The Board will report into the Corporate Leadership Team and the Corporate Policy and Strategy Committee on a regular basis on locality working, and will also coordinate the work of the Council with regard to Locality Leadership Teams.

### **Strategic and Operational Alignment**

#### Co-terminous Operational Management Areas

- 3.9 The Council and partner agency services have all committed to aligning their operational service delivery arrangements to the four co-terminous locality areas (agreed by the Edinburgh Partnership Board in March 2015) by early June 2016.
- 3.10 In this regard, the following Council services will be aligned to the four co-terminous locality areas (i) early years, (ii) schools, (iii) lifelong learning services, (iv) children's services, (v) transport and planning, (vi) community justice (including community safety and criminal justice), (vii) family, household and homelessness support, (viii) environment, and (ix) city strategy and economy. In addition, services managed by the Edinburgh Health and Social Care Partnership are also aligned to the four co-terminous locality areas. Some Council services will continue to be managed on a city wide basis, but they will be deployed locally and ensure connectivity with locally managed services (e.g. waste services).

#### Council Organisational Reviews

- 3.11 As of June 2016, eight out of the nine locality organisational reviews will have commenced the implementation phase, with the Communities, Sports and Lifelong Learning review due to be concluded by the end of December 2016.
- 3.12 These reviews are designed to release £42M savings over the period 2015-18. Monitoring of savings targets is being undertaken by the Council Transformation Programme Management Office and the Finance Division, with regular reporting into the Finance and Resources Committee. Once complete, these reviews will provide the essential building blocks for the Locality Operating Model.
- 3.13 As each review concludes, the Council Transformation Team is leading on developing a series of 'Embedding Service Plans' with each Head of Service and their respective operational managers. These plans will cover key areas including customer and client needs, business continuity, ICT requirements, assets, staff engagement and development, impact assessment and finance. They will also ensure that future service delivery is aligned to locality objectives.
- 3.14 Ongoing engagement with elected members and partners, led by each Head of Service, will be a central feature of the development of these plans and service development.

#### Locality Managers

- 3.15 As a result of Council organisational reviews and integrated health and social care interim management arrangements, four Council and four Health and Social

Care Locality Manager posts have been identified. These senior officers are aligned to each of the four locality areas. Each of these managers will also sit on their respective Locality Leadership Teams.

- 3.16 Locality Managers are critical to the success of locality working, and are a key resource for Neighbourhood Partnerships and other local partnership activity. They will liaise directly and frequently with elected members on key cross cutting and partnership themes relating to locality working.
- 3.17 The role and responsibilities of locality managers are identified at Appendix 1, which will be operationally 'live' in early June 2016. All Council Locality Managers will report to the Executive Director of Place to ensure direct Corporate Leadership Team support. They will also receive professional supervision and support from the Council's Chief Social Work Officer/Head of Safer and Stronger Communities and other relevant senior managers.

#### Integrated Health and Social Care Services

- 3.18 The Scottish Government recently published guidance on 'localities' for integrated health and social care partnerships:  
<http://www.gov.scot/Resource/0048/00481100.pdf>
- 3.19 Consequently, the Edinburgh Health and Social Care Partnership is developing a proposed organisational structure in which services will be delivered and managed in each locality through one 'hub' and two 'clusters'.

### **Locality Planning and Performance**

#### Locality Improvement Plans

- 3.20 Locality planning is required as a consequence of the Community Empowerment (Scotland) Act 2015. The Council has agreed that Locality Improvement Plans will sit as part of the strategic framework identified in the Council Business Plan 2016/20, as indicated below:



- 3.21 Draft Scottish Government guidance on defining localities and the contents of locality plans has been released for consultation. A high level summary of the draft guidance is provided below:

**Localities Duty** – a community planning partnership (in Edinburgh this is the Edinburgh Partnership Board, which is comprised of elected members, partner agency representatives and chief officials as advisors) must identify localities within their area of operation.

**Locality Planning Duty** – based on the agreed localities, a community planning partnership and its partners must develop and implement an approach to locality planning. Locality planning can take place across all areas and/or smaller areas. This planning must ensure that priority outcomes are informed by (i) community and citizen engagement and participation, and (ii) analysis of citizen and community needs, circumstances and aspirations. A key focus of such plans must be tackling socio- economic inequalities and plans must be in place by 1 October 2017. In addition, plans will have to identify how resources will be deployed to achieve stated outcomes, and what arrangements will be put in place for public performance reporting and review arrangements.

- 3.22 The Council and its community planning partners will submit a response to this draft guidance through the Edinburgh Partnership, and this will also be the subject of a future report to the Communities and Neighbourhoods Committee.
- 3.23 To assist in meeting the draft localities duty, the Council and its partners propose to use the 12 Neighbourhood Partnerships aligned to the four wider locality areas, as the geographic basis for localities. To assist in meeting the draft locality planning duty, the Council and its partners plan to develop four Locality Improvement Plans, within which will sit smaller area local community plans. These plans are all due for review in 2016/17, and this review will provide citizens and communities across Edinburgh with a unique opportunity to influence the design of local services and to define local priorities. Each Locality Improvement Plan will also act as a vehicle to integrate other local planning mechanisms. For example, the Edinburgh Health and Social Care Partnership, Edinburgh College, Edinburgh COMPACT Partnership, Police Scotland 'E' Division and Edinburgh Fire and Rescue Service have all agreed to merge existing or planned local planning arrangements into the new Locality Improvement Plans (e.g. Police Scotland Multi Member Ward Plans and Fire and Rescue Service Local Operating Plans). This approach will simplify and strengthen locality planning arrangements in the City, and importantly, reduce the burden placed on citizens and communities to engage in, and be consulted on, the development of all these different plans. It is also important to note that the discussion with partners to date about priority outcomes has indicated a desire to place tackling deprivation and advancing equality, improving community safety and improving public health at the heart of all Locality Improvement Plans. These plans will be developed and approved by 1 June

2017. Elected members, through Neighbourhood Partnerships and Communities and Neighbourhoods Committee, will have a key role in developing and approving Locality Improvement Plans.

- 3.24 The following draft sections for each of the four Locality Improvement Plans is currently proposed:
- (i) **context** to locality working and locality planning;
  - (ii) **citizen and community empowerment** arrangements to ensure citizens and communities are engaged and empowered, and are at the heart of designing local services;
  - (iii) **insight** into each locality, and the results and findings from elected member, citizen and community engagement, service data analysis and customer and citizen contact;
  - (iv) **priority outcomes** based on insight data and influenced by the review of local community plan priorities during 2016/17;
  - (v) **partnership action** (including preventative action and action to tackle poverty and inequality) to ensure the delivery of priority outcomes;
  - (vi) **joint resourcing** arrangements within each of the four localities, with a focus on establishing multi agency teams to support families / households and improve places, improving information sharing, delivering joint learning and development programmes, establishing joint budgets, and sharing assets (including co-location); and
  - (vii) **reporting performance** to elected members, citizens and communities on an annual basis.

3.25 As indicated above, central to these plans will be the ambition to better tackle deprivation and advance equality, economic well being, community safety and public health. It is important to note that these are currently central themes within the Council's Business Plan 2016/20, and the Edinburgh Partnership Community Plan 2015/18.

3.26 Approval for these plans will be sought from each Neighbourhood Partnership and the Communities and Neighbourhoods Committee. In addition, as the duties apply to community planning partnerships, final approval for all four plans will be required from the Edinburgh Partnership Board.

#### Locality Performance Framework

3.27 Critical to the success of the citizens and localities project is the requirement to evidence improvements in the social, economic and environmental outcomes for citizens, families and communities across the City, specifically in areas of concentrated social deprivation, inequality and poor public health.

- 3.28 It is proposed the following elements provide for a basic performance framework for locality working and Locality Improvement Plans:
- (i) Locality Improvement Plan priority outcomes and key performance indicators.
  - (ii) Partner agency and Council staff feedback.
  - (iii) Elected member feedback.
  - (iv) Edinburgh People's Survey findings.
  - (v) Agreed public service key performance indicators, including service user and citizen satisfaction ratings.
  - (vi) Citizen and community engagement feedback derived from pupil and parent councils, community councils, tenants and residents associations, community bodies and neighbourhood partnerships

### **Community Empowerment**

- 3.29 The Community Empowerment (Scotland) Act 2015 places a range of new legal duties on community planning partnerships, and the organisations which make up such partnerships.
- 3.30 Many of the new duties are designed to empower community organisations through rights to request transfer of public assets, rights to buy land or buildings, and rights to participate in improving outcomes or services where a community body identifies consistently poor outcomes or services (known as community participation requests).
- 3.31 It is proposed that the requirement to receive and record community participation requests sit with the Council's Strategy and Insight Division (Information Governance Unit), who would develop a standard request template, and receive and log such requests on behalf of the Edinburgh Partnership.
- 3.32 Thereafter, the responsibility within the Council to respond to community participation requests that relate to local services could sit with Neighbourhood Partnerships, and for those that relate to citywide services, responsibility could sit with the Communities and Neighbourhoods Committee, working in partnership with the relevant Council Executive Committee.
- 3.33 In some instances such requests may relate to partner agency services, and in such cases the request would be referred to the relevant partner agency by the Strategy and Insight Division.
- 3.34 If the community participation request leads to an agreement to further engage communities to improve services or outcomes, specific project teams will be established to ensure good partnership and co-production work takes place.

- 3.35 The role of the Edinburgh Partnership Board, Neighbourhood Partnerships and Communities and Neighbourhoods Committee in overseeing implementation of the Act is critical. Specifically, the Act requires an annual report to be published on all requests received, and the outcomes from such requests. This annual report could be approved by the Communities and Neighbourhoods Committee and referred onto the Edinburgh Partnership Board for approval.
- 3.36 Locality Leadership Teams will provide extra resources in localities to assist in work to meet the duties. In addition, the role of lifelong learning services (community learning and development services, sports services, arts and culture services, library services and the Local Community Planning Team) will also be important, as will the Third Sector, through the seven local voluntary sector forums in the City.

### **Key Challenges and Dependencies**

- 3.37 A number of key challenges and dependencies have been identified for the next 12 months, which are described in Appendix 2.
- 3.38 It should be noted that a key dependency is the level of engagement and support from elected members, both through their ward councillor functions, and their role on Neighbourhood Partnerships and other community bodies.
- 3.39 The development of citizens and locality working is now at a point where engagement with elected members through political groups, through Executive Committees and through the Neighbourhood Partnerships requires to be strengthened. Specifically, enhanced elected member input into locality insight projects, support for locality governance and partnership arrangements, and informing locality planning and locality performance frameworks is proposed.

### **Conclusion**

- 3.40 The Council's and the City's approach to locality working continues to progress well, with a clear focus on improving service delivery and partnership working, and empowering citizens and communities.
- 3.41 Although much of the current energy is focused on Council organisational service reviews, ongoing engagement with elected members, staff and partner agencies is critical in order to gain support for, and feedback on, locality working.
- 3.42 Finally, it should be noted that locality working is in iterative and evolving process, and whilst significant progress has been made over recent months, many challenges remain. In this regard, the establishment of the Council Locality Management Board and Locality Leadership Teams are critical milestones. They will work ensure challenges are addressed through improved partnership working and embedding new operational practices.

## Measures of success

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- 4.1 A draft performance management framework is being developed for locality working. Initial work is identified at paragraph 3.28 above.

## Financial impact

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- 5.1 There is an overall savings target of £42m for 2015-2018 across Council front line service areas, largely related to employee cost savings as a result of organisational reviews. £21m identified savings are planned to take place in 2016/17. The remainder of the savings targets are budgeted for in 2017/18. Regular detailed reports on progress are taken to the Finance and Resources Committee. It is important to note that these savings are spread across a mixture of locality services (services delivered and managed in localities) and city-wide services (services delivered in localities but managed centrally). Consequently, it is difficult to extract precise savings achieved to date from locality working.
- 5.2 In addition, it should be noted that locality working has the potential to release further savings. For example, a focus on preventative action, service integration, channel shift, empowering citizens and communities, and co-location will release further cashable and efficiency savings over time. Locality Leadership Teams and the Council's Locality Management Board will maintain an oversight of such activity, and will attempt to record and report any consequent savings that arise.

## Risk, policy, compliance and governance impact

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- 6.1 All matters of risk, policy, compliance and governance are noted and managed through the Council Transformation Programme - Programme Management Office. These matters are regularly reported to Finance and Resources Committee.

## Equalities impact

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- 7.1 The recommendations in this report will enable the Council and its partners to better meet the public sector equality duties described under the Equality Act 2010.

## Sustainability impact

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- 8.1 The recommendations in this report have been considered with regard to the Climate Change (Scotland) Act 2009. This process has indicated that the recommendations will contribute towards the delivery of the public body duties under the Act.

## Consultation and engagement

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- 9.1 There has been extensive engagement with all community planning partners on all aspects of locality working, including the Edinburgh Partnership Board. In addition, there have been engagement events on locality working at

Neighbourhood Partnerships, the Edinburgh Association of Community Councils and various local voluntary sector forums. Further citizen and community engagement is planned as a result of the development of Locality Improvement Plans.

## Background reading / external references

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None.

### **Paul Lawrence**

#### **Executive Director of Place**

Contact: Paul Lawrence

E-mail: [paul.lawrence@edinburgh.gov.uk](mailto:paul.lawrence@edinburgh.gov.uk) | Tel: 0131 529 7325

Contact: Kirsty-Louise Campbell; Head of Strategy and Insight (Interim)

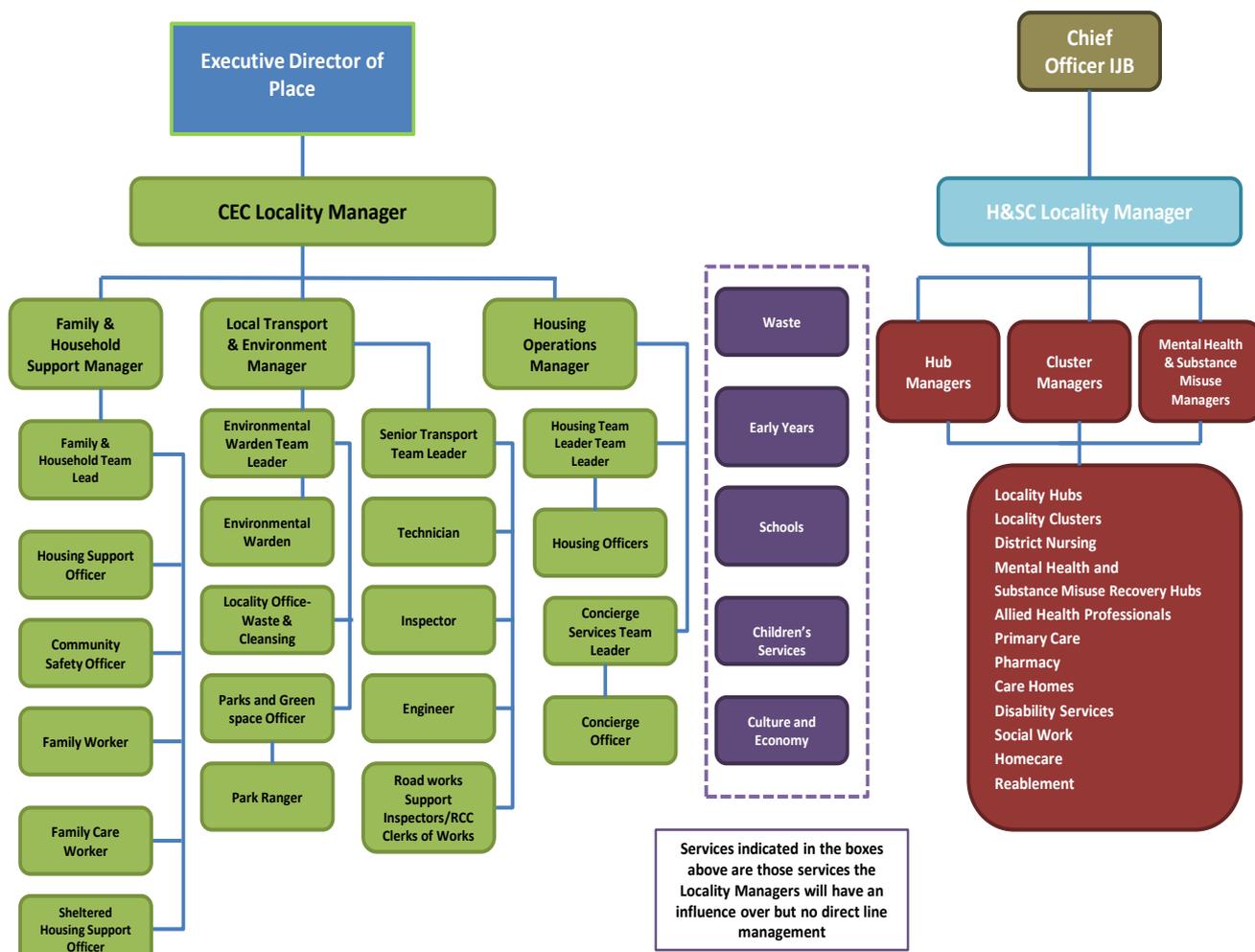
E-mail: [kirsty-louise.campbell@edinburgh.gov.uk](mailto:kirsty-louise.campbell@edinburgh.gov.uk) | Tel: 0131 529 3654

## Links

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<b>Coalition pledges</b>	All
<b>Council outcomes</b>	All
<b>Single Outcome Agreement</b>	All
<b>Appendices</b>	Appendix 1 - Roles and Responsibilities of Council and Health and Social Care Locality Managers Appendix 2 - Key Challenges and Dependencies

# The Roles and Responsibilities of Council and Health and Social Care Locality Managers



## Locality Working – Key Challenges and Dependencies

### 1 Our Customers

Channel Shift provides various tools to support the operation of locality working. For many citizens the development of online transaction types available 24/7 will provide a more flexible and consistent customer experience when accessing council services. These developments will also free up resources for other communication channels for citizens who require more intensive support (e.g. face to face and phone).

These tools can also provide better insight and management information to assist with service and locality planning in each locality area. In developing the new model there will continue to be strong liaison with elected members, Neighbourhood Partnerships and Locality Leadership Teams.

### 2 Asset Management

The Asset Management Strategy identifies an office portfolio, which is based on a central hub and locality spoke model. Key 'hub' buildings are: the City Chambers complex and Waverley Court, and a leased office at 1A Parliament Square. . The key 'spokes' are the local offices, with each Locality having a slightly different configuration. Currently, these are:

- North West – Neighbourhood Office (Pilton)
- South West – Neighbourhood Campus (Wester Hailes)
- North East – East Neighbourhood Centre (Craigmillar)
- South East – South Neighbourhood Office (Captains Road and City Chambers)

It is anticipated that the move to the localities model will increase reliance on, and occupation of, the local offices. The intention will be to support collaboration opportunities between council teams and with partner agencies through these assets.

The Estate Remodelling Team will be working closely with each Locality Leadership Team to develop strategies for property solutions across the four localities. To date, they have facilitated a number of locality workshops with the transformation team, council managers and partners (such as Police Scotland) to scope how the asset estate can best support locality working. This work also supports the attainment of budgets savings through co-location, rationalisation and disposal of properties where appropriate.

### 3 Finance

There is scope to develop a financial planning model and budget management model that better supports locality working. A recent Locality Management Workshop of key council staff identified key issues to be addressed in support of such an approach:

- Ensuring consistent service across city, avoiding a “postcode lottery”.
- Ensuring that budgets are devolved and flexible enough to meet local needs and priorities, but are controlled enough to ensure spending remains within agreed parameters.
- Identification of the most appropriate person to authorise expenditure for any given service.
- Clarity on budgets the Locality Managers will be held accountable for.
- The need to avoid creating a locality budget management industry.
- Ensuring the (new) council ICT systems support any new budget management arrangements.

Over the coming months, finance colleagues will work to address the above matters. Importantly, they will circulate information on the realignment of budgets to new council service areas, and identify opportunities and requirements for devolved budgets. Further work will also focus on the challenges of participatory budgeting.

### 4 Payments to Third Parties (PT3P)

The PT3P in scope expenditure includes £78M p.a. for the delivery of services through third parties, often to the City’s most vulnerable citizens and communities. Many such services are preventative in nature, and are closely linked to services delivered in localities.

The PT3P Project has now identified £7.8M savings from such grants and contracts over 2015/16/17/18, through a range of co-produced new grant and contract programmes.

This has been a very challenging and difficult process, and has placed an undoubted strain on third sector relations. A detailed update on learning to date, specifically practice relating to co-production, will be captured in a report to Finance and Resources Committee in June 2016.

# Corporate Policy and Strategy Committee

10am, Tuesday, 14 June 2016

## Gaelic Language Plan 2012/17 - Statutory Monitoring Report

Item number	7.5
Report number	
Executive/routine	
Wards	All

### Executive Summary

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This report seeks approval of the Council's Gaelic Language Plan 2012/17 Statutory Monitoring Report, for the period November 2013 to May 2016, and to submit this report to Bòrd Na Gàidhlig for their comment and approval.

### Links

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Coalition pledges	P2, P4
Council priorities	CO4, CO23, CO26
Single Outcome Agreement	SO3

## Gaelic Language Plan 2012/17 - Statutory Monitoring Report

### Recommendations

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- 1.1 To approve the Monitoring Report at Appendix 1, and submit this to Bòrd Na Gàidhlig (the Bòrd) for their comment and approval.
- 1.2 To note the commitments for further developments, specifically, the commitments to (i) establish a Coproduction Group, under the auspices of the Gaelic Implementation Group, to develop the Council's second Gaelic Language Plan, (ii) to develop a Gaelic Medium Education (GME) strategy for 0-18 year olds as part of the Council's second Gaelic language Plan, and (iii) engage with the Bòrd on the development of the Council's second Gaelic Language Plan.

### Background

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- 2.1 In June 2008 the Council was notified by Bòrd Na Gàidhlig (the Bòrd) of its statutory requirement to produce a Gaelic Language Plan (GLP) for Edinburgh and to carry out a public consultation on the draft Plan.
- 2.2 The Bòrd was established in 2006 as a result of the Gaelic Language (Scotland) Act 2005 and is accountable to, and directly funded by, Scottish Ministers. It is responsible for developing the Plàna Cànan Nàiseanta Gàidhlig 2012/17 (the National Gaelic Language Plan 2012/17).
- 2.3 The Council's Gaelic Language Plan 2012/17 (GLP) was approved by the Policy and Strategy Committee on 4 September 2012. In accordance with Section 5 (1) (a) of the Gaelic Language Act (Scotland) 2005, the plan was submitted to the Bòrd, and was approved by the Bòrd on 18 September 2012.
- 2.4 As a result of the Act, the Council is also required to approve and publish a statutory monitoring report. On 5 November 2013, the Council approved its first statutory monitoring report. In addition, the Council must submit this report to the Bòrd for their comment and approval.
- 2.5 Following submission of this first progress report, the Bòrd indicated that it was satisfied with progress described against key commitments in the Plan. However, the Bòrd requested further information on key matters relating to; (i) the specific council FTE resource allocated to delivering the Plan; (ii) the number of council staff attending Gaelic language classes; (iii) the number of pupils enrolled at Taobh na Pàirce (the new Gaelic primary school) and projections for future enrolment; (iv) a strategy for expansion of Gaelic education at primary and secondary level; (v) additional extra curricular activities offered to children at

Taobh na Pàirce; (vi) training initiatives for pre-school staff on Gaelic; (vii) opportunities for engaging in Gaelic education across the whole primary and secondary school estate; (viii) support for, and engagement with, Gaelic community and arts groups, and (ix) progress on integrating Gaelic signage across the Council's estate.

- 2.6 Council officers provided much of this information to the Bòrd. The only outstanding matters relate to items (iv) a strategy for expansion of Gaelic education, and (ix) progress on integrating Gaelic signage across the Council's estate. Work during 2013 to 2016 has attempted to address these matters, and further action is indicated in this report.

## Main report

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- 3.1 Attached at Appendix 1 is the Council's second statutory monitoring report covering the period November 2013 to May 2016. This report has been compiled in partnership with an independent advisor, who has expertise in Gaelic education.
- 3.2 The monitoring report was also compiled in partnership with various council officers, Gaelic community groups, and members of the Gaelic Implementation Group. This group was established by the Council to oversee implementation of the Council's Gaelic Language Plan 2012/17, and is currently chaired by the Councillor Lewis Ritchie.
- 3.3 The monitoring report indicates GLP commitments, progress against these commitments, and future developments, aligned to the four themes of the plan; (i) language acquisition; (ii) language usage; (iii) language status; and (iv) language corpus.
- 3.4 Key highlights indicated in the monitoring report are:
- 3.4.1 Significant progress against education commitments, specifically the growth in early years and primary school provision.
  - 3.4.2 Continued community development work and community activities, including the establishment of a Gaelic Community Hub at Taobh na Pàirce.
  - 3.4.3 Expansion of opportunities for Gaelic language and cultural learning across all primary schools.
  - 3.4.4 Continued provision of secondary school GME at James Gillespies High School, and the enhancement of the Gaelic provision which already exists at Tynecastle High School.
- 3.5 Key challenges and future developments indicated in the monitoring report are:
- 3.5.1 The urgent need to recruit and retain early years and primary school teachers to meet growing demand.

3.5.2 The need to develop expansion options for Gaelic Medium Education from 0 to 18 years.

3.5.3 The need to deliver on agreed commitments to improve the profile and status of the Gaelic language through signage and customer contact at Council buildings.

3.5.4 Ensure Gaelic arts developments are progressed through the new Culture service and new Culture Strategy.

3.6 In addition to the above, the Bòrd has now formally contacted the Council to indicate that a new Gaelic Language Plan will be required from November 2017 onwards. Initial discussions should take place with the Bòrd to ensure alignment to national priorities, identified in the Plàna Cànan Nàiseanta Gàidhlig (the national Gaelic Language Plan).

### **Measures of success**

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4.1 Delivery of commitments described in the Gaelic Language Plan 2012/17.

4.2 Census data indicating the number of people in Edinburgh who consider themselves to be fluent in Gaelic.

### **Financial impact**

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5.1 There are no direct financial impacts as a consequence of this report. However, any further expansion of Gaelic education will require additional capital and revenue funding. Some of this could be met by the Scottish Government's specific funds for Gaelic, or via Bòrd Na Gàidhlig specific funding streams. Any additional funding requirements will be reported to committee in due course.

### **Risk, policy, compliance and governance impact**

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6.1 Publication of this annual report enables the Council to meet its statutory duties under the Gaelic Language Act (Scotland) 2005.

### **Equalities impact**

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7.1 The contents of this report have been assessed in light of the Equality Act 2010 public sector equality duty and the various human rights obligations placed on the Council. This assessment has indicated many positive impacts with regard to advancing equality, fostering good relations and ensuring rights to education and participation are enhanced.

### **Sustainability impact**

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8.1 The contents of this report have been assessed in light of the Climate Change (Scotland) Act 2009. This assessment has indicated many positive impacts with regard to enhancing social sustainability.

## Consultation and engagement

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- 9.1 There was extensive consultation and engagement with a wide array of stakeholders to develop the Council's first GLP 2012/17. This engagement has continued through the Gaelic Implementation Group (GIG), including the compilation of this report. The Council is committed to ongoing engagement with parents and pupils to improve educational provision at early years, primary and secondary levels. The Council is also committed to engagement with a wide variety of Gaelic stakeholders to develop the Council's second GLP.

## Background reading/external references

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- 10.1 None.

### Andrew Kerr

Chief Executive

Contact: Kirsty-Louise Campbell; Acting Head of Service – Strategy and Insight; Chief Executive; 0131 529 3654

E-mail: [kirstylouise.campbell@edinburgh.gov.uk](mailto:kirstylouise.campbell@edinburgh.gov.uk)

Contact: Nick Croft; Corporate Policy and Strategy Manager; Chief Executive; 0131 469 3726

E-mail: [nick.croft@edinburgh.gov.uk](mailto:nick.croft@edinburgh.gov.uk)

## Links

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<b>Coalition pledges</b>	P2 - Hold the maximum P1 class size at 25 and seek to reduce class sizes in line with Scottish Government recommendations P4 - Draw up a long-term strategic plan to tackle both over-crowding and under use in schools
<b>Council priorities</b>	CO4 - Our children and young people are physically and emotionally healthy CO23 – Well engaged and well informed – Communities and individuals are empowered and supported to improve local outcomes and foster a sense of community CO26 – The Council engages with stakeholders and works in partnership to improve services and deliver on agreed objectives
<b>Single Outcome Agreement</b>	SO3 – Edinburgh's children and young people enjoy their childhood and fulfil their potential
<b>Appendices</b>	Appendix 1 - City of Edinburgh Council - Gaelic Language Plan



## City of Edinburgh Council - Gaelic Language Plan 2012/17

### Statutory Monitoring Report - November 2013 to May 2016

#### A Language Acquisition

##### Commitment 1:

**Opening the new Gaelic Medium Education (GME) school at Taobh na Pàirce and sustaining publicity campaigns on its behalf over the next four years of the Plan.**

##### Progress:

Since the opening of Bun-sgoil Taobh na Pàirce the overall roll of the school has grown each year, with a pupil roll of 287 including 57 pupils in P1 as at the September 2015 census. Therefore, demand for places at Bun-sgoil Taobh na Pàirce continues to be very healthy, with 64, as at March 2016, registered pupils for the P1 intake in August 2016 including four from outwith Edinburgh.

The table below shows an analysis of the pupil roll at Bun-sgoil Taobh na Pàirce as at the September 2015 census. This shows, by year group, the total pupils by locality and shows a growing trend emerging of a significant proportion of the pupils attending the school coming from the north of the city, particularly the North East which is the locality in which the primary school is located. Analysis provided by Cròileagan on the locality statistics indicates that the location of Taobh na Pàirce in the north-east of the City is a factor in few parents from the south and west of Edinburgh choosing GME.

Within the P1 intake in August 2015, 63.1% of the pupils were from the North East locality with 82.5% being from the north of the city. Of the 60 Edinburgh pupils registered for P1 in August 2016, 38.3% are from the North East locality with 73.3% being from the north of the city.

Locality	P1	P2	P3	P4	P5	P6	P7	Total	% Total
North East	36	20	16	8	4	3	5	92	35.1%
North West	11	16	16	10	5	8	10	76	29.0%
South East	7	13	10	9	9	9	5	62	23.7%
South West	2	5	8	5	4	5	3	32	12.2%
<b>Sub-Total CEC</b>	<b>56</b>	<b>54</b>	<b>50</b>	<b>32</b>	<b>22</b>	<b>25</b>	<b>23</b>	<b>262</b>	<b>100.0%</b>
Out of Council	1	9	6	1	3	4	1	25	
<b>Total</b>	<b>57</b>	<b>63</b>	<b>56</b>	<b>33</b>	<b>25</b>	<b>29</b>	<b>24</b>	<b>287</b>	

Additional analysis provided by Cròileagan indicates that although registrations for C1 have been level since Taobh na Pàirce opened, the experience of Cròileagan families is that registrations for next year's C1 intake are likely to be higher and indeed over the

reported maximum intake of 66 pupils per year. Many 3-year olds currently attending Cròileagan have been unable to access places at sgoil-àraich and this is leading to anxiety over the availability of school places. Data for the number of pre-school children attending sgoil-àraich and then transferring into primary one at Bun-sgoil Taobh na Pàirce is available for the last three years as shown in the following table.

	number of pre-school children in nursery	number transferring to P1 in following year
2013-14	59	48
2014-15	53	47
2015-16	45	38

Data from the school indicates that for sgoil-àraich 49 children will return in August 2016 as pre-school with and additional 16 children applying to start as pre-school attendees. There are also 18 children applying to start ante pre-school in August 2016 taking the projected demand for places to 83 children. This suggests there will be an expected waiting list of 3 children in August 2016. A further 18 children have been identified by the school as eligible to commence nursery in either January or April 2017 and as things stand these children will be unable to access a place in sgoil-àraich.

The success of Bun-sgoil Taobh na Pàirce has been most apparent and contributed greatly to this demand. Teacher supply however remains an issue. Council officers continue to work closely with the school and partners, including Comann nam Pàrant and Bòrd na Gàidhlig, to strategically address levels of GME staffing.

#### **Future Development:**

The potential demand and capacity issues identified above at both Bun-sgoil Taobh na Pàirce and sgoil-àraich require to be linked to a broader 3-18 GME strategy, which will be a central feature of the Council's second Gaelic Language Plan. The capacity of the Bun-sgoil Taobh na Pàirce has been assessed in line with the Scottish Government's Primary Capacity Guidance published in October 2014 which has confirmed the school currently has a 15 class capacity which is sufficient to cope with regular intakes of 66. An initial visit to the school suggests that there could be options to increase the capacity through reconfiguration or alternative use of existing space. However, any changes would require detailed discussion with the school community involving a working group with staff and representatives of the Parent Council. Within this context, as the number of children in sgoil-àraich has a direct relationship with the numbers progressing into C1 the impact, in terms of future years C1 registrations, of any increase in capacity for sgoil-àraich would require careful consideration, particularly if by increasing capacity of sgoil-àraich future options to increase capacity at Bun-sgoil Taobh na Pàirce were limited. Any review would require to consider further use of the partner care provider, 'Òganán Dhùn Èideann', to cope with demand for pre-school children's immersion in Gaelic and address the issue of the need for pre-school certification for staff in consultation with Òganán.

In relation to the recruitment of teaching staff there is a possibility of considering advertising in Ireland, for teacher vacancies in GME in Edinburgh.

The preparation of a 3-18 GME strategy would align with Section 5 (1) of the recently introduced Education (Scotland) Act 2016, which indicates that a person who is the parent of a child who is under school age and has not commenced attendance at a

primary school may request the education authority in whose area the child is resident to assess the need for Gaelic medium primary education.

## **Commitment 2:**

### **Identify potential means of expanding pre-school Gaelic Medium Education (GME) across the city.**

#### **Progress:**

Cròileagan is a Gaelic medium playgroup for children aged 0-5 years and their carers. The aim is to facilitate and support Gaelic learning for both children and their carers in a fun, relaxed environment and to provide information on Gaelic medium education. There are currently six sessions a week, in Leith, Taobh na Pàirce and Tollcross, with around 150 children attending regularly. Families travel from across the city and from East, West, Midlothian and Fife to attend. As mentioned above, there is much concern amongst Cròileagan parents that children are being denied access to pre-school Gaelic medium education in Edinburgh as demand for places increases.

Six play-group leaders (part-time) help with language immersion in groups. This provides stability and progression in the pre-3 groups. Òganan Dhùn Èideann, the wraparound care provider for Taobh na Pàirce, facilitates the learning and use of Gaelic outside the classroom, thus promoting essential fluency. This provision is delivered from 8.00am-6.00pm. Both children and parents are supported in the early stages of GME. The numbers expected to attend and be on the waiting list for the nursery class at Bun-sgoil Taobh na Pàirce are provided above in the progress update for commitment 1 and there is limited provision for ante-pre-schoolers (3 yr olds) next session. Fourteen Gaelic-speaking staff are qualified in, or working towards, the SVQ3 in Child Care. These staff are potentially an ideal seed-bed for projected growth in Gaelic Medium nursery education, whether at Taobh na Pàirce or elsewhere in the city.

#### **Future Development:**

There seems to be a growing body of evidence to indicate the need to look at options to expand early years GME provision. Òganan has the capacity to offer an additional 32 nursery children places, to relieve pressure on Taobh na Pàirce. This offering could be at another convenient locus in the city and there is a need for a Cròileagan to be re-established in the west of the city. Further development of the partnership with Òganan to meet the growing demand for pre-school GME in other areas of the City will be critical. Importantly, as stated above, the development of 3-18 GME strategy will have to take account of any expansion of early years capacity and careful consideration of the impact this will have on future demand for C1 places at Bun-sgoil Taobh na Pàirce.

## **Commitment 3:**

### **Work towards the inclusion of the desirability of Gaelic language skills for staff involved in GLP implementation and non-teaching staff in GME schools and early years services.**

#### **Progress:**

Two office staff have been involved in Ùlpan and other classes. Issues of teacher fluency have been addressed for the teachers through courses with Sabhal Mòr Òstaig (University of the Highlands and Islands). Successful in service opportunities for Taobh

na Pàirce staff were provided by a national expert in Gaelic language. The Gaelic Development Officer for Iomairt Ghàidhlig Dhùn Èideann has arranged for lunchtime classes for teachers who are learners of Gaelic at James Gillespie's High School. Newbattle Abbey College provides for a National Certificate in Celtic Studies and funding can be offered through a bursary from the College.

#### **Future Development:**

Encourage uptake by staff of the above provision, working with partners in Newbattle (NAC), Iomairt na Gàidhlig and others.

#### **Commitment 4:**

##### **Monitor Gaelic admission statistics and review GME uptake.**

#### **Progress:**

Data on current school rolls and early years is provided above.

#### **Future Development:**

The monitoring of demand and take up of places from 3-18 will influence the shape and commitments in the to be developed 3-18 GME strategy, which will sit at the heart of the Council's second GLP.

#### **Commitment 5:**

##### **Assess future delivery models for Gaelic education at secondary school level and develop appropriate options.**

#### **Progress:**

##### James Gillespie's High School (JGHS) - Gaelic Medium Education (GME) development

- Currently 81 young people in the GME programme.
- GME is delivered through till the end of the Broad General Education
- There is an option to continue into the Senior Phase (S4 – S6) and onto certificate level (National 5, Higher and Advanced Higher).
- There is good uptake of GME in the Senior Phase (Nat 5/ Higher/ Advanced Higher). The vast majority of students go on to complete Higher Gàidhlig, and many also continue to do AH Gàidhlig (data available on request). Attainment is strong and above national average.
- Subjects being taught through the medium of Gaelic are P.E, Art, Modern Studies and RME.
- No subjects are currently taught through the medium of Gaelic at SQA qualification level.
- National 5 Modern Studies (N5 Nuadh-Eolas) through the medium of Gaelic is being offered as a choice for session 2016/2017. This class is expected to run.

##### JGHS Gaelic (Learners) Education (GLE) development

- GLE is being delivered across all JGHS cluster primaries with input at either P4 or P5 across the cluster.
- Preston Street Primary is delivering Gaelic as a main 1+2 Language (L3).
- S1 and S2 cohort all experience taster blocks of Gaelic for learners which provide progression from primary cluster input.

- JGHS have developed an S3 Languages for Life and Work Award for learners. This has run in previous years but there is no current uptake.
- JGHS also offer Gaelic Learner Education (GLE) courses in the Senior Phase. No current uptake.

#### JGHS Wider Achievement in Gaelic

- Gaelic has been embedded into the school's life and ethos with a visible profile in multi cultural events.
- Students participate in various creative writing and cultural competitions at national level including Scottish Book Trust Young Writers' Award, the 'National Gàidhlig Debate and the National Mod.
- Partnerships include Comunn na Gàidhlig (CNAG), Historic Scotland and Glasgow Gaelic School.

#### Tynecastle High School Cluster - Gaelic Medium Education (GME) development

There is currently no provision of GME in the Tynecastle Cluster or Tynecastle High School.

#### Tynecastle High School Cluster - Gaelic Learner Education (GLE) development

- 2 of the Tynecastle cluster primary schools currently deliver GLE; Stenhouse Primary from nursery onwards and P5 to P7 in Balgreen Primary.
- Since August 2015, GLE is delivered in S1 and S2 for all learners at Tynecastle.
- GLE provision at the school has doubled in 2015/2016 with provision now continuing into S2. It is planned for this model to progress into S3.
- Half the year group continues with a progressive programme of GLE from primary and the other half (who have previously studied Mandarin) follow a beginners GLE programme.
- Staffing is shared across Tynecastle High School and JGHS. This is a consideration for Tynecastle in moving forward and planning for the development of S3 courses.
- Gaelic has been embedded very successfully into the life and ethos of many of the schools delivering both GME and GLE provision. Stenhouse Primary school has visible Gaelic signage throughout the school and a Gaelic choir.

#### Tynecastle Wider Achievements GLE and GME

A range of GLE projects include partnership projects with Historic Scotland in both Stenhouse Primary and Tynecastle High School.

#### **Future Development:**

There has been an increase in families choosing Gaelic Medium Education for their children since Taobh na Pairce opened in 2013. This has led to an increase in demand for GME places at JGHS. A Working Group involving elected members, Council officers and key stakeholders was established to enable Council to engage with key stakeholders to consider options to address the projected capacity issues at JGHS and allow a sustainable position to be reached.

The Working Group met four times between 31 March 2016 and 17 May 2016 and a report which provides an update regarding the matters considered by the Working Group, the conclusions reached and the proposed way forward was considered by the Education, Children and Families Committee on 24 May 2016.

The report identified that since 1 March 2016 excellent progress has been made and a clear way forward established. Based on current projections, a solution has been found to the potential capacity issue at JGHS for August 2017. This allows time to more fully consider the best medium term solution which is likely to be a proposal to establish the Darroch facility as a permanent annexe of both James Gillespie's High School and Boroughmuir High School. This would allow the capacity issues at both JGHS and BHS to be addressed whilst retaining the provision of secondary GME at JGHS until 2021 (estimated).

Based on the latest roll projections, even with the use of Darroch as a permanent annexe of both James Gillespie's High School and Boroughmuir High School, a capacity issue is very likely to arise beyond 2021. The use of Darroch would therefore represent a short to medium term solution and a long term solution for secondary GME would still require to be identified which would be informed by the work which is planned to be undertaken on a strategy for 3-18 Gaelic Medium Education.

The future strategy for the provision of GME at early years, nursery, primary and secondary levels will be considered and will form part of the wider revised Council Gaelic Language Plan. This strategy will be co-produced between Council officers from Communities and Families and representatives of the Gaelic community through the Gaelic Implementation Steering Group and will be taken to a future meeting of the Education, Children and Families Committee for consideration.

This strategy will assist in informing the future provision of GME at all levels allowing the Council to consider ways in which the provision of GME in the City can be further enhanced.

Gaelic Learners Provision will continue to be developed at Tynecastle High School. Currently GLE provision is up to S2, and the aim is extend this to ensure that those pupils currently studying Gaelic Language have the opportunity to continue in later years.

#### **Commitment 6:**

**Consider additional curriculum provision taught through Gaelic for current secondary school classes.**

#### **Progress:**

One Gaelic-speaking teacher of PE hired for JGHS. PE, History, Geography, Art and RMPE through Gaelic were available in S1 and S2.

#### **Future Development:**

The shortage of GME staff at secondary requires intervention by the Scottish Government to identify which subjects would receive priority support, and to encourage teachers into GM. Until then, the GIFT scheme, which currently includes one CEC teacher training in GME, should be used to encourage suitable subject teachers to train. Senior education managers will review the GIFT scheme with senior HR managers in consultation with relevant Head Teachers.

#### **Commitment 7:**

**Support the Development, in co-operation with Comman nam Pàrant of increased extra-curricular activities through Gaelic.**

**Progress:**

In addition to the success of Ògannan Dhùn Èideann, a new Youth and Community Officer has been appointed for Iomairt Ghàidhlig Dhùn Èideann. It is planned to offer work-shops, fiddle classes and fun hours at Taobh na Pàirce for children of different ages in primary. At secondary level, The Iomairt officer plans to run a weekly lunch-club for Gaelic Medium pupils. Drama and extra reading is also planned for the new session, using the services of a former pupil who will work with the two teachers of Gaelic. A trip to Canada is currently being investigated.

**Future Development:**

Monitor the uptake of the above activities as they are important as a means of keeping the Gaelic school community together.

**Commitment 8:**

**Continue to raise the status of GME across the whole school estate (secondary) through Gaelic cultural and arts events.**

**Progress:**

At the official opening of the new James Gillespies High School, Scottish Government Minister, Alasdair Allan MSP, and Head Teacher Donald Macdonald, addressed the audience in Gaelic. As a locus for Gaelic cultural activity, the school hosted a pipe band, clarsach, fiddle and accordion lessons; also a shinty club and a Gaelic choir.

**Future Development:**

Proceed with intention to increase Gaelic signage in the school; offer more Gaelic classes for staff and consider offering more Gaelic classes for parents.

**Commitment 9:**

**Assess the potential impact of the introduction of appropriately qualified Gaelic-speaking nursery support workers at the GM nursery; assess progression routes to full nursery-nursing status.**

**Progress:**

Partner providers Òganán Dhùn Èideann have 14 (full and part-time) workers, all Gaelic speakers, assisting with early years education. They have been or will be trained to SVQ3 level. These staff are 'multipliers' and may move into other branches of GME, for example into the Nursery at Taobh na Pàirce. Òganán has capacity to offer an additional 32 nursery children places, to relieve pressure on Taobh na Pàirce. This offering could be at another convenient locus in the city.

**Future Development:**

The Council will monitor and make best use of the trained workers emerging through Òganán.

**Commitment 10:**

**Publicise the advantages of Gaelic Learner Education (GLE) among head teachers through cluster meetings of secondary and associated primary schools. Continue with annual training in GLPS to reinforce cluster provision.**

**Progress:**

GLE provision has increased. The Council now has a good offering for two clusters, JGHS and THS. Scottish Government funded the training of teachers. Pupils learning Gaelic through the scheme at Stenhouse PS are now 'Tour Guides' at Edinburgh Castle, using simple Gaelic. GLE pupils from Stenhouse Primary have been in the finals of the Education Scotland 'Education Awards'. Stenhouse Primary have also been in the finals of the Education Scotland Education Awards for their work in 1+2 Language provision. The Iomairt Development Officer has involved learners at Tynecastle High School in preparing a Gaelic script on the theme of the Iolair, in conjunction with the National Library of Scotland. This play has been performed for the community, and involves a trip for the pupils to Lewis and Harris. 20 GLE pupils from Stenhouse PS with strong parental support participated in the local Mod at Taobh na Pàirce. GLE pupils taught the audience a Gaelic song in a Christmas event at Newbattle College.

**Future Development:**

Council officers continue to promote and develop GLE in line with both Gaelic and 1+2 Languages strategic planning. A range of GLE training opportunities are to be promoted across the City, with particular focus in the Tynecastle and JGHS clusters, where the need is greatest. These will include taster sessions, short courses and the full GLPS course. Publicise the advantages of GLE among head teachers through cluster meetings of secondary and associated primary schools. Continue with annual training in GLPS to reinforce cluster provision.

**Commitment 11:**

**Council to input into the production of nationally approved Gaelic educational material.**

**Progress:**

Additional Support Needs material created by a retired CEC Gaelic speaker is to be published by Storlann. The course for GLPS teachers created by a CEC teacher/tutor has been accredited by the General Teaching Council of Scotland.

**Future Development:**

Continue to identify best practice with ideas for publication among the Gaelic teachers and others.

**Commitment 12:**

**Teachers are supported to attend annual national GME conferences.**

**Progress:**

All teachers from the newly qualified to the highly experienced are enabled to attend relevant conferences. Cover for teachers, however, is a constant constraint.

**Future Development:**

Publicise opportunities in teaching as a career among senior GME students in JGHS.

**Commitment 13:**

**Establish baseline levels of Gaelic usage in GME homes with reference to levels of fluency and uptake of learning opportunities.**

**Progress:**

20 parents attended day and evening classes provided by Newbattle Abbey College at Taobh na Pàirce for one term. Taster-Gaelic was provided for six weeks before Christmas at Newbattle. 'Christmas at Newbattle' involved GME parents, the Gaelic Choir and clarsach-players from TnP. Classes in Gaelic for parents featured. Ùlpan classes in Gaelic were available at 6 levels in Leith Academy for parents and others. The Iomairt DO offers classes in Gaelic for parents both during and after the school day.

**Future Development:**

The Council is to consider financial assistance, using the Specific Grant or the Gaelic Language Additional Implementation Funding, to allow parents to attend classes in the Gaelic language. Bun-sgoil Taobh na Pàirce have identified this as a key issue when engaging with parents.

**Commitment 14:**

**Liaison with adult learning delivery groups and partners, participation in Community Learning and Development Review Group and work towards co-ordinated city-wide provision.**

**Progress:**

The various groups have worked well together to establish the provision mentioned above at Newbattle, Leith Academy and Taobh na Pàirce. National Certificate Celtic Studies and Access to Higher Education Celtic studies (SWAP) is available at Newbattle. These courses include Gaelic language. SWAP was a pilot with 5 students in 2014, with 9 students likely in next year's class

**Future Development:**

CLD Review Group to continue to monitor and fine-tune Gaelic provision for adults across the city. CLD Review Group to agree relevant action after consulting the National Gaelic Strategy for Adults, expected shortly.

**Commitment 15:**

**Audit of Council Staff to determine Gaelic speakers, readers, writers and potential learners.**

**Progress:**

Because of priorities for action related to developing Gaelic education, this audit has not been done.

**Future Development:**

To avoid collecting information that may or may not be used, restrict activity in this area to encouraging staff learners. Interest in learning Gaelic learning and usage amongst council employees should be canvassed through a circular approved by Corporate Communications.

**Commitment 16:**

**Gaelic Awareness Training (GAT) offered to reception and call centre staff and to those involved in GLP implementation.**

**Progress:**

This action is scheduled to be delivered during 2016/17.

**Future Development:**

Identify personnel to offer training on the subject of the importance of Gaelic influence on Scotland's history and culture. A circular approved by Corporate Resources to go to all customer contact staff to elicit interest in GAT.

**Commitment 17:**

**Provide Ùlpan courses as an open opportunity for Council staff.**

**Progress:**

Since the Ùlpan course cannot be run on less than two sessions per week, lessons devised by the tutor have been run for a group of adults, which has included four employees and two ex-employees of the Council.

**Future Development:**

As above: a circular to be approved by Corporate Resources to go to relevant council staff to gauge interest in learning Gaelic.

**B. Language Usage****Commitment 18:**

**Develop Gaelic Medium social provision for young people based on GME activities.**

**Progress:**

Sradagan (youth clubs) have monthly sessions for upper primary in Taobh na Pàirce. These will extend into secondary in 2015-2016. GME pupils participated in debates, sessions on film-making, football and shinty.

**Future Development:**

Monthly meetings in JGHS proposed for parents of GME pupils are planned for session 2015-2016. In addition to promoting interest among parents at secondary level, these sessions can be a springboard for promoting other social activity among pupils e.g. football teams. The Iomairt Development Officer will link with the DO in Glasgow to mount a quiz competition for GME pupils. She is also planning go-karting, singing workshops, football competitions and a Halloween Party. St Mary's Music School will present a Gaelic Christmas Concert in their chapel. The Gaelic Officer at Edinburgh University together with the Iomairt DO is planning a Gaelic Week for Edinburgh for 19<sup>th</sup>-24<sup>th</sup> October. This 'Week' has already been successfully run for two consecutive years.

**Commitment 19:**

**Develop Gaelic Medium community activities and investigate the development of the current Gaelic community office as a meeting place and seek resources for a new location if the need is identified.**

**Progress:**

The Gaelic community office has been established at Taobh na Pàirce in the former taigh an dorsair. It has been officially opened with a cheese and wine evening. It has been decorated as a result of the efforts of the Iomairt DO. There is a small community library. Events already include community singing (weekly) led by a Gaelic singer, and Tai Kwan Do classes through Gaelic. The venue will be most useful for Ùlpan classes. Ideas for community events are being shared under the direction of the Iomairt DO who will circularise the Gaelic community in fortnightly e-mails. Connections with the local community are growing. Events include coffee mornings, run by parents, involvement in Leith Links Fair. Links established with Leith and Newhaven Community Councils and the Friends of Pilrig Park.

**Future Development:**

The council should continue to support the good work of the Iomairt DO in promoting the community office as a centre for Gaelic community activity

**Commitment 20:**

**Develop a Gaelic Information Network.**

**Progress:**

Iomairt DO is currently setting this up for the community. The “fortnightly e-mails” mentioned above will be sent to a growing number of addressees based on lists of those interested in Gaelic held by the various Gaelic organisations in Edinburgh.

**Future Development:**

Council community engagement and development officers will be made more aware of the emergent network.

**Commitment 21:**

**Investigate further use of community rooms in libraries for community activities.**

**Progress:**

Assisted by playgroup leaders, the 'Gaelic Bookbug' sessions are organised at various libraries in Edinburgh. Bookbug Bags, comprising Gaelic translations of the books in the regular 'Bookbug Bags', are distributed for children under five and their families to enjoy together.

**Future Development:**

This innovative work will continue in partnership with the Library service.

**Commitment 22:**

**Advertise GME opportunities bilingually for school places, utilising GME posters and leaflets.**

**Progress:**

GME is advertised in mainstream Council pre-school and primary literature and on the Council's website. There is a Gaelic section in CEC's website, with up-to-date information on Gaelic provision and with links to Gaelic organisations. There is local advertising to inform parents of the opportunities for GME pre-3 children.

**Future Development:**

These current arrangements will be maintained

**Commitment 23:**

**Investigate the scope for Gaelic-related articles and photographs in Council publications and other local media.**

**Progress:**

National reporting of the opening of the new JGHS buildings, referenced speeches in Gaelic made by the Head Teacher, Donald Macdonald, and Scottish Government Minister, Alasdair Allan MSP. Communications network are being set up and being refreshed by the Iomairt DO to publicise Gaelic events

**Future Development:**

Iomairt DO and Council Communications Service to liaise in order to identify the best media channels for promoting Gaelic within the Council.

**Commitment 24:**

**Implement the Council's Gaelic Arts Strategy.**

**Progress:**

The appointment of a Gaelic Arts Officer is on hold for the moment as there is a major review of the Council's Cultural Strategy underway, in addition to an organisational review of the culture service.

**Future Development:**

Raise the issue of the importance of a Gaelic Arts Officer, and implementation of the Gaelic Arts Strategy, during the review of the culture strategy and service. Ensure full reporting of all Gaelic arts activities in the third statutory monitoring report. Ensure that the new Executive Director of City Strategy and Economy is fully briefed on the Gaelic Arts Strategy and related matters.

**Commitment 25:**

**Develop more Gaelic youth arts projects.**

**Progress:**

See above references to Gaelic community arts projects under commitment 17, specifically the Gaelic Week for Edinburgh, 19th- 24th October, 2015. This has been successfully run for the last two years. In addition, there have been ad hoc activities organised by Iomairt Ghàidhlig Dhùn Èideann, Comann nam Pàrant, and the schools where GME and Gaelic for Learners are provided.

**Future Development:**

Expand provision of arts activities for young people. The Council's GLP has a commitment to try and secure the Mod for Edinburgh 2023-2024 (the only available year identified by the MOD Committee). Initial discussions with the Mod Committee Chair have indicated problems about the prohibitive cost of venue hire and accommodation in the city centre in Edinburgh, for MOD acts and participants. Further discussions resulted in the Leith area being identified as a possible location. Discussions are ongoing in this regard. Critical to the progression of this commitment will be the appointment of a Gaelic Arts Officer, or Gaelic arts remit within another arts officer role, to ensure co-ordination of future efforts.

#### **Commitment 26:**

##### **Support for local artists / diversification / festivals development**

###### **Progress:**

The visual arts and crafts awards are promoted via various networks and organisations which include organisations where Gaelic-speakers can access the information in English, e.g. the Scottish Story-telling Centre, Creative Scotland. These awards are for individuals, not for groups. Gaelic speakers have applied.

###### **Future Development:**

Include Gaelic organisations on the distribution list for promotion of the awards.

#### **Commitment 27:**

##### **Explore options in incorporating Gaelic activity as part of the Edinburgh Pilot Project Ticketing Portal.**

###### **Progress:**

This was a pilot project in nature and was reviewed and closed in 2013

###### **Future Development:**

To prepare an options paper for opportunities to develop a Gaelic artistic hub/base, working in partnership with community groups, City Strategy and Economy Directorate to enable improved advertising of Gaelic arts events. It may be possible to better utilise the Gaelic community office which has been established at Taobh na Pàirce in this regard.

#### **Commitment 28:**

##### **Work with partners to identify current links to Gaelic in tourism policies and strategies.**

###### **Progress:**

It has not been possible to do this within the current available level of council staffing. However, discussions at a national level are taking place between Visit Scotland and Scottish Government in this regard.

###### **Future Development:**

Ensure the Council works more closely with other bodies in Edinburgh to share best practice and better pool resources to implement GLPs.

**Commitment 29:**

**Gaelic usage in council reception, telephones, e mails, complaints and public meetings and audit the number of Gaelic-speaking staff in HQ with a view to utilising those staff that are willing to offer reception or telephone assistance to enquirers who want to use Gaelic.**

**Progress:**

This work has not been possible due to a lack of staff resources to design and conduct this audit, and other demands on staff engagement resources relating to staff engagement of organisational changes.

**Future Development:**

Review the purpose of such an audit.

**Commitment 30:**

**To improve signs offering assistance in Gaelic at council receptions and other council buildings.**

**Progress:**

Signs are on display at Taobh na Pàirce. Also, within the GME Department at JGHS.

**Future Development:**

Facilities Management Service is currently undergoing a significant organisational review, after which, it will assess different models, and this provision will improve, with plans for City Chambers and Waverley Court. Signage will be developed by pupils at Taobh na Pàirce.

**Commitment 31:**

**GME school offices and reception areas are to increase the availability of Gaelic speaking staff through a voluntary programme and appropriate signage.**

**Progress:**

This is already achieved - see Commitment 3 above'.

**Future Development:**

Continue to ensure signage in school offices and reception areas.

**Commitment 32:**

**Simultaneous interpretation will take place at Gaelic specific events.**

**Progress:**

This is common practice now at all major council Gaelic specific events.

**Future Development:**

Ensure that this remains common practice.

**Commitment 33:**

**Introduce bilingual messages on personal voice-mail for Gaelic speakers doing Gaelic-related work.**

**Progress:**

There has been no progress with this commitment. However, the Gaelic pages on the Council's website will include Gaelic translations.

**Future Development:**

The Council's Interpretation and Translation Service will continue to work with staff that show an interest in including Gaelic straplines to emails

**Commitment 34:**

**Introduce bilingual e-mail signatures and generated messages for staff involved in GME and GLP work.**

**Progress:**

Appropriate council staff who are regularly involved in Gaelic Language Plan work now have Gaelic straplines attached to their emails.

**Future Development:**

The Council's Interpretation and Translation Service will continue to work with staff that show an interest in including Gaelic straplines to emails.

## **C. Language Status.**

**Commitment 35:**

**At the time of the next Council rebranding exercise the Council commits to including a Gaelic translation into the main Council logo.**

**Progress:**

The Council has committed to this. GLAIF funding was secured for Waverley Court but a new officer must be designated to ensure completion

**Future Development:**

Produce a version of the council's logo which has the strap line translated into Gaelic. There are Gaelic translations for all relevant straplines. Incorporation of straplines into relevant Council materials when replacing stock.

**Commitment 36:**

**Consult with other partner local authorities on their views regarding the addition of 'welcome to Edinburgh' signs in Gaelic.**

**Progress:**

There has been an initial meeting between the Council and Transport Edinburgh about improving the usage and profile of Gaelic signage, but nothing has resulted as yet.

**Future Development:**

A nominated senior officer within the Transport and Planning Service will be identified to progress this work.

**Commitment 37:**

**Include bilingual signage in Gaelic at relevant Council facilities such as GME buildings, on a replacement basis.**

**Progress:**

Signage has been designed by pupils for Taobh na Pàirce.

**Future Development:**

Consider further provision at JGHS and main council buildings. The new Facilities Management Service should consider using pupils' work on this to 'roll out' elementary Gaelic messages for reception areas. Work with partners to identify potential for bilingual signage at major cultural/tourist sites e.g. Edinburgh Castle, Scottish Parliament, Railway Stations and National Libraries. Bòrd na Gàidhlig's published advice on effective signage practice will be utilised.

**D. Language Corpus****Commitment, Progress and Future Development**

Actions in this area have been largely delivered and referenced in the first statutory monitoring report.

# Corporate Policy and Strategy Committee

10am, Tuesday 14 June 2016

## Business Case for the Management Transfer of Secondary School Sport Facilities to Edinburgh Leisure

Item number	7.6
Report number	
Executive/routine	
Wards	All

### Executive summary

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This report provides an update on progress in relation to the recommendations contained in the committee report, 'Citywide review of Council-owned sports facilities and services: key findings and recommendations' presented on 29 September 2015 to Corporate Policy and Strategy Committee.

Following approval by the Corporate and Policy Strategy Committee on 29 September 2015, and further to the report to this committee on 17 May 2016, a Joint Implementation Group consisting of Council Officers and Edinburgh Leisure executives has been working to take forward the transition of secondary schools sports facility management to Edinburgh Leisure outwith core school hours.

Consistent with the Committee's decision, the Joint implementation Group will focus on the management transfer of school sports facilities together with the delivery of £500k approved savings. It is essential that all Council costs are met prior to any additional income generated being allocated toward the achievement of the savings. There will be no detriment to the education provided to pupils or their ability to access school facilities; with no financial detriment to the Council or Edinburgh Leisure and to ensure a mixed economy of delivery.

### Links

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Coalition pledges	<a href="#">P24</a> , <a href="#">P42</a> , <a href="#">P43</a>
Council outcomes	<a href="#">C04</a> , <a href="#">C10</a> , <a href="#">C20</a>
Single Outcome Agreement	<a href="#">S02</a>

## **Business case for the Management Transfer of Secondary School Sports Facilities to Edinburgh Leisure**

### Recommendations

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Committee is asked to:

- 1.1 Note the Joint Implementation Group is working in partnership to review detailed operational requirements for each school to ensure any risks posed to both the City of Edinburgh Council (CEC) and Edinburgh Leisure (EL) are recognised and managed.
- 1.2 Note that Council priorities must be included as part of any 'conditions of transfer,' including:
  - 1.2.1 Ensuring flexibility within the revised arrangements where school requirements for the use of these facilities is prioritised and continues to be met, up to and in some instances beyond 6pm, from Monday to Friday and at weekends;
  - 1.2.2 Maintaining and supporting the development of a range of Active Schools programmes and activities;
  - 1.2.3 Supporting the provision and future development of school based Community Sports hubs and ensuring the delivery of the Council's commitment to delivering a mixed economy of sporting provision, including swimming lessons, across the city.
- 1.3 Note that priority will be given to identifying how the achievement of £500k savings from the integration of sports services can be accelerated through the ongoing work being undertaken by Council officers and Edinburgh Leisure staff. This will include revising current staffing and pricing arrangements in some facilities and identifying new income streams from all new and existing school sports facilities.
- 1.4 Note that implementation of the revised arrangements will result in EL supporting the Council to achieve the identified savings target of £500k.

- 1.5 Note that a change programme will be developed to ensure the range of current arrangements in place in schools (for example, external funding agreements for sport and related activity and the continuation of a 'mixed economy' of provision) are clarified and continue to be supported under the new management arrangements.
- 1.6 Agree that the transfer of the management of school sports facilities to EL, outwith core school hours, will commence from August 2016 with the transfer of school sports facilities in three new Council high schools: James Gillespie's High School, Portobello High School, and Boroughmuir High School from when each is open.
- 1.7 Note that at the time of preparing the business case for the proposal, EL were advised that sports facilities in the primary and special schools were not deemed to be in scope. It is intended to examine the feasibility of including these facilities in the new arrangements after the successful transfer of secondary school facilities to EL. If this is progressed it would ultimately ensure a single point of access to all school sports facilities.

## Background

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- 2.1 Following the Committee decision in September 2015 EL created a project proposal setting out timescales for the development of the business case to transfer the management of community access to secondary school sports facilities from CEC to EL. A range of information was collated and provided to EL by CEC staff and a programme of visits and meetings with various stakeholders was facilitated by Community Access to Schools (CATS) staff and school based staff, to inform the development of the business case. The business case was presented to, and approved in principle, by the EL board on 7 March 2016. Following receipt of the EL board report to CEC, CEC then received the business case on 14 March. Following a meeting between CEC officers and EL on 16 March a slightly amended version of the business case was received on 22 March. Supplementary information has continued to be shared within the Joint Implementation Group which has informed an implementation process for the transfer of sports facilities in James Gillespie's High School detailed in Appendix 1. The implementation process will also inform the development of a full implementation plan for the transfer of sports facilities to Edinburgh Leisure in the remaining secondary schools.

## Main report

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- 3.1 A Joint Implementation Group consisting of City of Edinburgh Council officers and Edinburgh Leisure executives was established in May 2016 to work in partnership to take forward the business case and associated tasks.
- 3.2 The Joint Implementation Group proposes that the process for the initial transfer of secondary school sports facilities to EL begins from August 2016, with the transfer of school sports facilities in three new Council high schools: James Gillespie's High School, Portobello High School, and Boroughmuir High School from when they open.

The benefits of this proposal are to:

- 3.2.1 Develop new ways of working that support greater access to school sports facilities and maximise community access to, and income generation from, sports facilities in the three new schools;
  - 3.2.2 Identify the success of the model in the three new schools by developing agreed annual targets based on industry benchmarks for: usage, income and customer satisfaction. These benchmarks were referred to in Appendix 1 a report by Max Associates contained in the committee report: 'Citywide review of Council-owned sports facilities and services: key findings and recommendations' to the Corporate Policy and Strategy Committee, 29 September 2015;
  - 3.2.3 Initiate the collation of baseline data in the three selected new build schools which evidences an effective contribution to the achievement of the key ambitions contained within city's physical activity and sports strategy targets;
  - 3.2.4 Build momentum in achieving the Council's ambition to deliver savings targets from the transfer of secondary school sports facilities at the earliest possible opportunity.
- 3.3 The development of a change programme will be required, necessitating engagement with key stakeholders such as: schools, community groups, sports clubs, **Sportscotland** and commercial providers. This will ensure that current arrangements, e.g. external funding agreements and the continuation of a 'mixed economy' of provision are clarified and supported prior to the new management model being implemented. Engagement with a range of stakeholders has already commenced including: Headteachers of the initial three schools, some staff in scope of the transfer arrangements and **Sportscotland** and Trade Union representatives.
  - 3.4 In addition to the transfer, a due diligence examination of the remaining nineteen secondary schools (See Appendix 2) will be undertaken. Council officers and Edinburgh Leisure staff will continue to work closely together to give detailed consideration to a range of issues arising from the operational requirements ensuring all risks and benefits have been fully assessed and can be managed.

- 3.5 A series of workshops for CEC and EL staff are being developed to ensure all operational requirements and associated issues are identified in the initial three schools to ensure the successful transfer of the management of the sports facilities to EL. It is anticipated that this will result in the following:
- 3.5.1 Development and implementation of an engagement strategy that will involve all relevant stakeholders, including: Head Teachers, Parent Councils, customers and the voluntary and commercial sector who utilise school sports facilities, (for example; SwimEasy and Aquatic Learning);
  - 3.5.2 Development of a 'community use agreement' for each school that shall contain programming information that will inform the operation of these facilities by EL. The community use agreement will aid a shared understanding of, and underpin a partnership approach to planning the use of these facilities. This will also support the 'mixed economy' model of sports provision including: school use, Active Schools programmes, school based Community Sports Hubs and commercial provision, within school sports facilities;
  - 3.5.3 Development of robust plans to ensure the Council's saving target of £500k is delivered from the implementation of the new arrangements. All additional costs that the Council may incur as a result of the new arrangements will be met prior to any additional income generated being allocated toward the achievement of the saving target;
  - 3.5.4 Identification of the Facilities and Asset Management implications and an agreement on how the additional associated costs of the transfer will be met and/or funded;
  - 3.5.5 Give due consideration to the Council's transformation programme and the impact any organisational reviews of related Council service areas will have upon the revised management and operational arrangements for school sports facilities. This is required to ensure the proposals are fully implemented and work successfully;
  - 3.5.6 All Council staffing issues will be identified and future staffing arrangements/requirements to support the transfer. Any staff transfers required under TUPE will be consulted upon with all relevant stakeholders including Trade Unions. It should be noted that there are no TUPE implications relating to the transfer of facilities in the three new schools;
  - 3.5.7 The initiation of formal engagement with the Edinburgh Schools Partnership and Axiom Education Limited who manage the schools within the PPP school estate, with a view to renegotiating the existing secondary school PPP contracts. Current arrangements are identified as constraining the usage of these schools because of the associated costs. The management and operational support from PPP providers is critical to the success of the Council's desire to increase access to school facilities.

- 3.6 By taking into account all the points detailed above, and to ensure that any risk to the Council and Edinburgh Leisure is minimised, it is proposed that the implementation process is applied to the remaining secondary school sports facilities and that the transfer of will be fully achieved by August 2017. The benefits this approach will bring are:
- 3.6.1 All necessary due diligence will have been undertaken systematically within a realistic timeframe ensuring any business case assumptions have been addressed, and all risks have been identified and/or mitigated;
  - 3.6.2 All staff resources required to support the model are identified and accounted for;
  - 3.6.3 All asset management issues, including reconfiguration of school entrances and associated minor works and on-going maintenance proposals would be fully costed, planned and systematically implemented and all associated risks identified and managed.

### **Governance and Management**

- 3.7 A steering group will be established from the membership of the Joint Implementation Group and will become the body responsible for identifying and taking forward all tasks required to ensure the successful transfer of secondary school sports facilities to Edinburgh Leisure. Regular update reports will be provided to both the Corporate Leadership Team and Edinburgh Leisure board. Progress reports will also be provided to the Council's Corporate Policy and Strategy Committee and Education Children and Families Committee as requested by elected members.

### **Measures of success**

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- 4.1 By January 2017 Edinburgh Leisure will be managing sports facilities in at least three new Council secondary schools.
- 4.2 By August 2017 all secondary school sports facilities will have transferred to Edinburgh Leisure.
- 4.3 A mixed economy of sports provision will continue to be available to residents of Edinburgh in secondary schools.
- 4.4 All additional costs to the Council will have been identified and will be met from additional income generated from the new arrangements.
- 4.5 The Council's savings target of £500k will have been realised from the successful implementation of the new arrangements.
- 4.6 Data collected will show high levels of customer satisfaction and high levels of participation. Income generated will compare favourably to current levels of income for use of sports facilities in other secondary schools e.g. Forrester/St. Augustine's High Schools.

## Financial impact

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- 5.1 The original business case indicated that delivery of £500k approved savings (effective from 2016/17) would not begin to be delivered until year three (2018/19) of a six year operational plan. The Joint Implementation Group is progressing the review of all income and cost assumptions to seek to identify where savings can be accelerated. This could include operational changes to the existing management model, ahead of full handover to Edinburgh Leisure. The outcome of these considerations will be reported in due course as part of the Council revenue monitoring arrangements.

## Risk, policy, compliance and governance impact

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- 6.1 The main recommendation of this report is for a substantive change in the management of community access to school sports facilities which, while not without risk, would support the Council's existing policies on improving health and well-being through greater participation in physical activity and sport, in line with national priorities and policies.
- 6.2 Any delay to the planned opening of the new schools would have a negative impact on the benefits of the transfer as detailed in paragraphs 3.2.1 – 3.2.4.
- 6.3 The Council is taking comprehensive advice on the legal and procurement aspects of this proposal to ensure legislative compliance.

## Equalities impact

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- 7.1 The main recommendation would widen access to all of the Council's sport facilities. If Council approves the recommendation to transfer management of school sport facilities to Edinburgh Leisure, the development of an equalities and rights impact assessment will be an integral part of the ongoing work with Edinburgh Leisure.

## Sustainability impact

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- 8.1 Carbon, climate change adaptation and sustainable development impacts assessments have enabled consideration of the public body duties under the Climate Change (Scotland) Act 2009. The findings of these assessments will also help to achieve a sustainable Edinburgh with regard to progressing climate change, social justice and community wellbeing objectives.

## Consultation and engagement

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9.1 As stated in paragraphs 2.1 and 3.2 above, some initial engagement work has taken place. ClubSportEdinburgh also facilitated engagement with a range of sports clubs throughout the city who are currently using EL and CEC school sport facilities. Further engagement has also commenced with Headteachers, staff in scope of the revised arrangements, **Sportscotland** and Trade Unions. As the transfer progresses the Joint Implementation Group will continue to engage with a range of Council staff and other stakeholders who utilise secondary school sports facilities.

## Background reading/external references

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[Corporate Policy and Strategy Committee Report 17 May 2016](#)

[Corporate Policy and Strategy Committee Report 29 September 2015](#)

[Culture and Sport Committee Report 11 March 2014](#)

[Scottish Government; Active Scotland Outcomes Framework](#)

### Alistair Gaw

Acting Executive Director Communities and Families

Contact: Andy Gray, Head of Schools and Lifelong Learning

E-mail: [Andy.Gray@edinburgh.gov.uk](mailto:Andy.Gray@edinburgh.gov.uk) | Tel: 0131 529 2217

### Links

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<b>Coalition pledges</b>	P24 Maintain and enhance support for our world famous festivals and events; P42 Continue to support and invest in our sporting infrastructure; P43 Invest in healthy living and fitness advice for those most in need.
<b>Council outcomes</b>	CO4 - Our children and young people are physically and emotionally healthy ; CO10 - Improved health and reduced inequalities; CO20 Culture, sport and major events – Edinburgh continues to be a leading cultural city where culture and sport play a central part in the lives and futures of citizens; CO26 The Council engages with stakeholders and works in partnership to improve services and deliver on agreed objectives.
<b>Single Outcome Agreement</b>	SO2 Edinburgh's citizens experience improved health and wellbeing, with reduced inequalities in health
<b>Appendices</b>	Appendix 1: Implementation process for the transfer of school sports facilities Appendix 2: Secondary School sports facilities to be transferred to Edinburgh Leisure by August 2017

## APPENDIX 1

Implementation Process for transferring management of secondary school sports facilities at James Gillespie's High School.

This implementation process has been designed to consider and evaluate all the business and operational requirements necessary for the successful transfer of the management of secondary school sports facilities outwith the core school day in James Gillespie's High School to Edinburgh Leisure.

Activity	Proposed Timeline	Who
Form and activate work groups to identify all operational requirements	02/06/2016	CEC/EL
Update EL Board on progress in relation to initial transfer arrangements and keep updated with developments to ensure their continued support for implementation of the proposal	27/06/2016	CEC/EL
Implement communication and engagement strategy with all relevant stakeholders.	Commence from w/c 6/06/2016	CEC/EL
Confirm sports facilities available to Edinburgh Leisure	30/06/2016	CEC/EL
Assess net income assumptions and agree net income projections (includes identification of all additional costs)	15/08/2016	CEC/EL
Agree opening hours available	30/06/2016	CEC/EL
Confirm arrangements for janitor and cleaning cover	31/07/2016	CEC/EL
Assess and evaluate all implications for managing the Council's assets: Day to day maintenance, lifecycle works, insurance cover etc	15/08/2016	CEC/EL
Assess proposed changes for new Facilities Management Service Level Agreement	15/08/2016	CEC/EL
Edinburgh Leisure communication with Head Teacher	17/06/2016	CEC/EL
Confirm community use agreement	30/08/2016	CEC/EL
Assess implications of current mixed economy arrangements and agree new arrangements	30/08/2016	CEC/EL
Assess implications for adult education	30/08/2016	CEC/EL
Agree equipment ownership and replacement	31/07/2016	CEC/EL
Agree customer contact and booking process ( Ensuring that the customer has a single point of contact)	30/08/2016	CEC/EL
Agree Pricing structure	31/07/2016	CEC/EL

**APPENDIX 1**

Agree Process for Receiving and Transferring Income	15/08/2016	
Agree Principles on Financial Arrangements	15/08/2016	CEC/EL
Agree Terms and Conditions of Transfer	28/08/2016	CEC/EL
Formalise Transfer Arrangements	30/08/2016	CEC/EL

This Implementation Process will be used to inform the development of a full implementation plan for the transfer of all management of secondary school sports facilities school outwith the core school day to Edinburgh Leisure by September 2017.

**SECONDARY SCHOOL SPORTS FACILITIES TO BE TRANSFERRED TO  
EDINBURGH LEISURE BY AUGUST 2017**

BALERNO COMMUNITY HIGH SCHOOL
BROUGHTON HIGH SCHOOL (PPP2)
CASTLEBRAE COMMUNITY HIGH SCHOOL
CRAIGMOUNT HIGH SCHOOL (PPP1)
CRAIGROYSTON COMMUNITY HIGH SCHOOL (PPP2)
CURRIE COMMUNITY HIGH SCHOOL
DRUMMOND COMMUNITY HIGH SCHOOL (PPP1)
FIRRHILL HIGH SCHOOL (PPP1)
FORRESTER HIGH SCHOOL (PPP2)
GRACEMOUNT HIGH SCHOOL (PPP1)
HOLYROOD R.C. HIGH SCHOOL (PPP2)
LEITH ACADEMY COMMUNITY HIGH SCHOOL
LIBERTON HIGH SCHOOL
St AUGUSTINE'S R.C. HIGH SCHOOL (PPP2)
St THOMAS of AQUIN'S R.C. HIGH SCHOOL
THE ROYAL HIGH SCHOOL (PPP1)
TRINITY ACADEMY
TYNECASTLE HIGH SCHOOL (PPP2)
WESTER HAILES EDUCATION CENTRE
N.B. Edinburgh Leisure currently operate the sports facilities in Queensferry Community High School

# Corporate Policy and Strategy Committee

10.00am, Tuesday 14 June 2016

## Workplace Policy on Alcohol, Drug and Substance Misuse

Item number 7.7  
Report number  
Executive/routine  
Wards

### Executive summary

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This is an existing Council Policy, which provides a positive and constructive approach to dealing with employees' alcohol and substance misuse problems. It was recently reviewed and approved in December 2015, to ensure that it is still fit for purpose.

At that time, while approving the policy, elected members asked for advice for managers to be produced, outlining the action they can take when dealing with employees who are found under the influence of drugs, alcohol or other substances at the workplace. This is attached at appendix 2.

The Policy offers support to employees who seek help for alcohol or drug-related problems, the consequences for employees who do not seek help or who take drugs and alcohol in the workplace have been highlighted, in line with feedback from HR and Organisational Development colleagues, managers and the trades unions.

### Links

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Coalition pledges	P27
Council outcomes	CO27
Single Outcome Agreement	SO1

## Workplace Policy on Alcohol, Drug and Substance Misuse

### Recommendations

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- 1.1 The Corporate Policy and Strategy Committee are asked to approve the new guidance for managers and note this report.

### Background

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- 2.1 The Workplace Policy on Alcohol, Drug and Substance Misuse was approved by the Corporate Policy and Strategy Committee on 1 December 2015. At that time, elected members asked for fuller guidance for managers to be produced, highlighting the action they can take when dealing with employees who are found under the influence of drugs, alcohol or other substances at work.

### Main report

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- 3.1 The guidance attached in Appendix 2, sets out the actions available to managers to take when they discover employees are under the influence of drugs, alcohol or other substances at work.
- 3.2 The policy itself aims to create a climate that encourages employees who may be misusing drugs or alcohol to come forward and seek help and provides a framework to enable instances of substance misuse by employees to be handled in an appropriate, fair and consistent manner. The guidance sits alongside this and supports managers when they find themselves dealing with incidents involving employees under the influence of drug, alcohol or other substances. A copy of the policy is attached at Appendix 1.

### Measures of Success

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- 4.1 Fewer instances of misuse of drugs and alcohol in the workplace, due to early management intervention and successful resolution.
- 4.2 Improved employee satisfaction, as drug and alcohol issues are dealt with consistently and fairly across the Council.

## Financial impact

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5.1 There are no costs associated with this procedure.

## Risk, policy, compliance and governance impact

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6.1 None.

## Equalities impact

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7.1 There are no adverse equality issues arising from this report which will impact on employee groups with protected characteristics as defined by the Equality Act 2010.

## Sustainability impact

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8.1 No impact.

## Consultation and engagement

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9.1 The additional guidance has been agreed with the Corporate Leadership Team (CLT) and Council Trades Unions. The policy itself is a Local Collective Agreement and has been similarly agreed. The policy and guidance will be placed on the Orb as well as the Council's external website.

## Background reading/external references

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None.

## Hugh Dunn

Acting Executive Director of Resources

Contact: Katy Miller, Head of Human Resources

E-mail: [katy.miller@edinburgh.gov.uk](mailto:katy.miller@edinburgh.gov.uk) | Tel: 0131 469 5522

## Links

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<b>Coalition pledges</b>	P27: Seek to work in full partnership with Council staff and their representatives
<b>Council outcomes</b>	CO27: The Council supports, invests in and develops our people.
<b>Single Outcome Agreement</b>	SO1: Edinburgh's economy delivers increased investment, jobs and opportunities for all.
<b>Appendices</b>	Appendix 1 – Workplace Policy on Alcohol, Drug and Substance



# Workplace Policy on Alcohol, Drug and Substance Misuse

**Implementation date:**

## Control schedule

**Approved by**

**Approval date**

**Senior Responsible Officer** Katy Miller

**Author** Stewart Cassie

**Scheduled for review** Annually following Committee approval

## Version control

Version	Date	Author	Comment
0.1	26 May 2016	Stewart Cassie	

## Committee decisions affecting this policy

Date	Committee	Link to report	Link to minute
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# Workplace Policy on Alcohol, Drug and Substance Misuse

## Policy statement

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- 1.1 The Council recognises that alcohol and drug misuse are primarily matters of health and social concern. As a responsible employer, the Council recognises the importance of having appropriate strategies and arrangements in place to help and support to employees.
- 1.2 The inappropriate use of alcohol or drugs can damage the health and well-being of employees and have far-reaching effects on their personal and working lives. At work, alcohol or drug misuse can result in reduced levels of attendance, sub-standard work performance and increased health and safety risks. These risks concern not only the individual but also work colleagues, members of the public, contractors and service users. Furthermore, the effects of alcohol or drug misuse are likely to be detrimental to the organisation's reputation, image and its ability to deliver high-quality services.
- 1.3 The Council's aim is to provide a positive and constructive approach to dealing with the effects the misuse of alcohol and drugs have on employees and their performance in workplace. The policy encourages employees to take responsibility for their alcohol and drug related problems by offering support to employees through a range of options, whilst ensuring appropriate standards of attendance, conduct and performance are maintained.
- 1.4 The Council will provide support when an employee comes forward and asks for help. However, where an alcohol or drug-related problem has been identified and employees refuse support or fail to conclude the treatment they were given, then managers have the right to take all appropriate action, up to and including dismissal.
- 1.5 Where no alcohol or drug-related problem has been identified or it is found that employees have been taking drugs or alcohol at work or are under the influence of drugs or alcohol while undertaking their duties, again, appropriate action, up to and including dismissal, will be taken, in line with Council policy.
- 1.6 The Council is committed to providing a safe and productive work environment and to promoting the health, safety and well-being of its employees. This Policy is designed to ensure that employees are aware the consequences, including the legal consequences, of their actions and of the risks associated with alcohol and drug misuse in the workplace.
- 1.7 The Council wants all managers to be aware that support is available online (see [Section 6](#) and [Section 7](#) below) and from HR to help them support and manage

employees who have declared an addiction and to take appropriate action where alcohol, drugs or other substances issues form part of a disciplinary investigation.

- 1.8 Managers should contact their HR Business Partner team for advice and assistance whenever they have to deal with any issues covered by this policy.
- 1.9 No employees should be under the influence of alcohol or drugs at work.

## Scope

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- 2.1 The Council defines substance misuse as the continual or intermittent use of alcohol or any drugs (including New Psychoactive Substances (NSPs), which adversely affects an employee's health and welfare, social interaction at work, conduct or work performance.
- 2.2 In this Policy, the term 'drugs' will include:
  - any illegal drugs (Class A, B, and C);
  - any prescription drugs (whether prescribed for self or others) which have been knowingly misused;
  - any over-the counter remedy or prescription drug taken in excess of the stated dose;
  - New Psychoactive Substances (NPS) previously referred to as legal highs, these can any substance which has had or is intended to have a psychoactive effect on the user;
  - any volatile substances or solvents, including lighter gas refills, aerosols, glues, paint thinners, and correcting fluids (other than where employees use these substances for their intended purpose as part of their job).
- 2.3 The policy applies to all employees, including chief officers, teachers, fixed-term employees and casual workers. Agency staff and contractors are also required to comply with this policy with any conduct issues being dealt with under their own organisation's policies, unless their contract specifies otherwise.

## Definitions

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- 3.1 See Appendix 1 for definitions.

## Policy content

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### Background

- 4.1 The Health and Safety at Work etc Act 1974 and Misuse of Drugs Act 1971 place a duty of care on the Council to ensure the health, safety and welfare of all employees. The Health and Safety at Work Act also places a duty of care on employees to consider their own health and safety and that of their colleagues. This duty includes the need to address issues of alcohol and drug misuse in order to protect employees, their colleagues, and members of the public.

## **Identifying Alcohol or Drugs Problems**

- 4.2 There are many ways in which alcohol or drug problems are discovered, for example:
- employees may tell their manager or a colleague that they have a problem;
  - managers, colleagues, service users or any other person can raise a concern about behaviour in the workplace; and
  - employees making a disclosure during our performance management or sickness absence processes.
- 4.3 Once a problem has been identified, the action taken will depend on the circumstances of the case. However, in all cases, staff with an alcohol or drug problem will be referred to Occupational Health. If Occupational Health finds that the employee has a dependency issue, the support mechanisms noted in Section 6, below, will normally be put in place.
- 4.4 If an employee is going through a disciplinary process, a performance management process or an attendance management process, and says their behaviour was a result of alcohol or drug dependency, the formal process will be put on hold until the employee has been assessed by Occupational Health. If the employee refuses to engage with Occupational Health, then the formal process will continue. If the employee is undergoing treatment or has been recommended for treatment, the process can continue while that is taking place, provided the employee is fit enough to take part in the process.
- 4.5 Employees can be subject to action under more than one procedure at the same time. Disciplinary, Managing Work Performance, Managing Attendance and any professional support (i.e. referral to a counselling agency) can all take place at the same time, if the particular circumstances of the case need that to happen.
- 4.6 If gross misconduct is alleged and established and the employee admits to alcohol or drug dependency, that will be taken into consideration as part of the disciplinary process and may require further medical advice being sought.

### **Where an Alcohol or Drug related problem is identified**

- 4.7 Employees who:
- admit that they have an alcohol or drug problem; or
  - whose manager has identified that they have an issue; or
  - have had alcohol or drugs problems confirmed

will be treated as sensitively and as confidentially as possible. However, employees must be aware that it may be necessary to involve other line managers or Human Resources. Employees are encouraged to seek help from their GP, Occupational Health or other appropriate agencies.

- 4.8 Employees may attend agencies either by referring themselves or by being referred by Occupational Health or their GP. If employees are referred to agencies by Occupational Health, their managers will receive updates on their progress through the Occupational Health reports. Further information on the Occupational Health Service referral process is [available on the Council's Intranet](#).

- 4.9 If an employee is referred for counselling or treatment, this will not normally affect their ability to do their job unless:
- they are unfit to fulfil their job;
  - their being at work would be a health and safety risk;
  - there is a conflict between their job and the long-term resolution of a drug or alcohol problem.
- 4.10 If an employee needs a reasonable amount of time off work to attend a programme to help with their drug or alcohol problem, managers should make every effort to accommodate their request, in order to give the employee the support this Policy aims to provide, as detailed below.
- 4.11 If an employee has acknowledged that they have a drug or alcohol problem, the Council's offer to refer for help and treatment is made on the following basis:
- short-term absences can be covered by flexi-time; annual leave; temporarily changing shift patterns or working hours; use of TOIL; or unpaid leave;
  - if the treatment results in the employee being off work long-term, this will be considered to be sickness absence. The employee must cover the absence with medical certificates;
  - if the employee is absent from work while undergoing treatment or has had to stop doing certain duties while being treated, they will return to their substantive post and their full duties when the treatment is finished.
- 4.12 If the treatment has finished and has not been successful, the employee's manager will carry out a risk assessment to see whether the employee can return to their normal duties safely. If the employee is not able to do some of their normal duties, this will be considered as them being unable to fulfil their full contractual duties.
- 4.13 If employees' standard of work performance, attendance or conduct remains unsatisfactory after the treatment has finished, the employee will normally be subject to the Council's Managing Work Performance, Managing Attendance or Disciplinary procedures. This is also the case if similar issues occur once the treatment finishes.
- 4.14 If, following return to employment during or after treatment, work performance, absence levels or conduct is again affected as a result of alcohol or drug-related problems, each case will be considered on its own merits. In exceptional circumstances, a further opportunity for assistance and treatment may be offered. In this respect, advice will be sought from the Occupational Health Service.
- 4.15 A programme of support/treatment does not, however, remove the requirement for employees to be able to competently undertake the contractual duties of their post free from the adverse effects of alcohol or drugs.
- 4.16 No employees should be under the influence of alcohol or drugs at work and should not consume alcohol or drugs at work. See Section 4.21 and 4.22 below.

#### **Where support is refused**

- 4.17 If an employee has a dependency issue but refuses help, they will normally be subject to the Council's Disciplinary or the Managing Work Performance Procedures as appropriate.
- 4.18 This applies in situations where the employee:

- denies that alcohol or drug misuse is the cause of their problems;
- does not accept the offer of referral for assessment or a programme of treatment;
- stops a programme of treatment before it has ended satisfactorily; or
- continues to underperform once the treatment has finished.

### **No Alcohol or Drug problem**

- 4.19 If an employee who does not have an alcohol or drug-related problem is found to be unfit to do their job due to consumption of drugs or alcohol, they will be sent home for the rest of that working day. This also applies to employees who become unfit while at work, having initially appeared fit for work. If necessary, they may be accompanied if it is judged that they are not capable of making their way home on their own. The matter will be dealt with in accordance with the Council's Disciplinary Procedure when the employee is fit to return to work. The employee will be paid for the remainder of the day.
- 4.20 If Occupational Health indicate there is not a dependency issue and the employee confirms there is not a dependency issue, then the situation will be managed under the Council's Disciplinary Procedure.

### **Alcohol and Drugs in the Workplace**

- 4.21 Employees are not allowed to consume alcohol or drugs in the workplace during normal working hours. Exceptionally, alcohol may be permitted as part of an approved workplace event, such as retirements or other notable events. These events should be held outwith normal working hours and must be approved by the Chief Executive or an appropriate service area Director.
- 4.22 Employees need to be aware that if they have consumed alcohol in their own time, then they may be unfit for work and may be asked to go home. Managers will take appropriate action once the employee returns to work.
- 4.23 Many over-the-counter medical remedies and prescription drugs can have side effects which can impair an individual's performance and ability to carry out their work in a safe manner. Employees are responsible for checking with their GP or pharmacist whether the medication they are taking has the potential to cause any such impairment and to inform their manager accordingly.

## **Implementation**

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- 5.1 Senior management are responsible for cascading this information to their management teams and ensuring that it is brought to the attention of all employees in their service area. This policy forms part of the induction programme for all new employees.
- 5.2 In addition, the Council will provide employees with information on the adverse health effects of alcohol and drugs and information on sensible drinking as part

of ongoing health and wellbeing activities.

## **Roles and responsibilities**

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- 6.1 Line managers are responsible for enforcing this policy. Support and advice is available from Human Resources. [There is information on the Orb](#) for managers on how to initiate potentially difficult conversations. There is also an e-learning module on CECiL called Advanced Communication which gives advice on skills and techniques to help with assertive conversations.
- 6.2 Training is available to assist managers in how to recognise alcohol and drug problems, so that these can be addressed in a consistent manner across the Council. Details are available from the Council's Learning and Development Team. There is also an information sheet for managers, advising on help and support available.

## **Related documents**

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- 7.1 [Workplace Policy on Alcohol, Drug and Substance Misuse Toolkit](#)
- 7.2 [Information Sheet on Alcohol Abuse](#)
- 7.3 [Information Sheet on Drug Abuse](#)

## **Equalities impact**

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- 8.1 There are no adverse equality issues arising from this report which will impact on employee groups with protected characteristics as defined by the Equality Act 2010.

## **Sustainability impact**

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- 9.1 No impact.

## **Risk assessment**

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- 10.1 There is no risk associated with this policy.

## **Review**

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- 11.1 This policy will be reviewed annually.

## Workplace Policy on Alcohol, Drug and Substance Misuse

### Definitions

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<b>Intoxicating substance</b>	A substance that changes the way the user feels mentally or physically. It includes alcohol, illegal drugs, legal drugs, prescription medicines (for example tranquillisers, anti-depressants, over-the-counter medicines), solvents, glue, lighter fuel.
<b>Controlled drugs</b>	Drugs covered by the Misuse of Drugs Act 1971. They include both drugs with no current medical uses as well as medicinal drugs that are prone to misuse. All are considered likely to result in substantial harm to individuals and society.
<b>Substance misuse</b>	Use of an intoxicating substance or some other substances that harms health, physical, psychological, social or work performance but without dependency being present
<b>Dependency</b>	A compulsion to keep taking an intoxicating substance either to avoid effects of withdrawal (physical dependence) or to meet a need for stimulation or tranquillising effects or pleasure (psychological dependence).
<b>Addiction</b>	A state of periodic or chronic intoxication produced by the repeated intake of an intoxicating substance. This means that a dependency has developed to such an extent that it has serious detrimental effects on the user and often their family as well, and the individual has great difficulty discontinuing their use. The substance has taken over their life.

**WORKPLACE POLICY ON ALCOHOL, DRUGS AND SUBSTANCE MISUSE – SUPPLEMENTARY GUIDANCE**

1. The purpose of this document is to provide guidance to managers on how to deal with employees where the manager suspects they may be under the influence of drugs, alcohol or other substances in the workplace.
2. In any case involving alcohol, drugs or substance misuse in the workplace, managers should contact either the HR & Payroll Service Centre or their HR Business Partner team for advice and guidance in the first instance. HR should also be contacted for advice on whether any other authority should be alerted to the situation, including the Police.
3. If a manager feels that an employee is under the influence of alcohol, drugs or other substances in the workplace and unfit to do their job, then the employee should be sent home. If the employee is unable to make their own way home, they should be accompanied home or an emergency contact called to pick them up. When the employee returns to work, the matter should be investigated as a disciplinary matter.
4. It is appreciated that it may be difficult for managers to deal with cases involving alcohol, drugs or other substances. There is help for managers on how to initiate potentially difficult conversations on the Orb (see links below). There is also an e-learning module on CECiL called Advanced Communication which gives advice on skills and techniques to help with assertive conversations.
5. Training is available to assist managers in how to recognise alcohol and drug problems, so that these can be addressed in a consistent manner across the Council. Details are available from the Council's Learning and Development Team.
6. As well as the information in this document, managers should also look at the following documents for further advice and information:
  - [Workplace Policy on Alcohol, Drug and Substance Misuse Toolkit](#)
  - [Information Sheet on Alcohol Abuse](#)
  - [Information Sheet on Drug Abuse](#)
  - [How to manage difficult conversations](#)