

# Minutes

## Policy and Sustainability Committee

10.00 am, Tuesday 21 March 2023

### Present

Councillors Day (Convener), Aston (substitute for SNP Vacancy), Beal, Biagi, Campbell, Dijkstra-Downie, Duggart, Griffiths, Lang, Macinnes, McFarlane (substituting for Councillor McVey items 17-33), McVey (items 1-16), Meagher, Miller (substituting for Councillor Mumford items 19-26), Mumford (items 1-18 and 27-33), Parker, Staniforth, Watt and Whyte.

**Also present:** Councillor Burgess (item 10)

### 1. Deputation – Unite the Union CEC Branch

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To note that the request for a deputation from Unite the Union CEC Branch had been withdrawn.

### 2. Minutes

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#### Decision

To approve the minute of the Policy and Sustainability Committee of 17 January 2023 as a correct record.

### 3. Policy and Sustainability Committee Work Programme

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The Policy and Sustainability Committee Work Programme for 21 March 2023 was presented.

#### Decision

- 1) To remove the following items from the work programme and note that updates could be requested by members at any time:
  - Item 7 – Welfare Reform – Annual Update
  - Item 13 – Contract Centre Performance – Update Report
  - Item 14 – Digital and Smart City Strategy – Annual Report
- 2) To otherwise note the Work Programme.

(Reference – Work Programme 21 March 2023, submitted.)

### 4 Policy and Sustainability 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 1** – Independent Review and Whistleblowing Culture Review Update

**Action 3** – Air Quality in Primary Schools – Motion by Councillor Caldwell

**Action 4** – Extreme Heat, Climate Adaptation and Resilience – Motion by Councillor Parker

**Action 5** – Response to motion by Councillor Cameron – Improving Accessibility and Inclusion for Edinburgh Citizens

**Action 7** – Edinburgh Health and Social Care Partnership - System Pressures Update

**Action 16** – Bringing the Big Hoose Project to Edinburgh – Motion by Councillor Arthur

**Action 19** – Transgender Day of Remembrance - Motion by Councillor Heap

**Action 21** – Support for Ukrainian Refugees - Motion by Councillor Day

**Action 22** – Community Drug Checking - Motion by Councillor McFarlane

**Action 25** – Performance – 17 November Policy and Strategy Committee addendum report; Key Service KPI's and KPI's covering our responsibilities as an employer

2) To otherwise note the Rolling Actions Log.

(Reference – Rolling Actions Log, submitted.)

## 5. Business Bulletin

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The Policy and Sustainability Committee Business Bulletin for 21 March 2023 was submitted.

## Decision

To note the Business Bulletin.

(Reference – Business Bulletin 21 March 2023, submitted.)

## 6. Police Scotland - Local Police Plan 2023-2026 and City of Edinburgh Division Update

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**Tuesday, 21st March, 2023**

The Local Police Plan 2020-2023 was provided together with an update for April to December 2022 on Police Scotland's Edinburgh City Division city-wide plans, policies and performance.

Chief Superintendent Sean Scott and Superintendent Sam Ainslie spoke to the report and responded to members' questions.

### **Decision**

To note the report.

(Reference – report by the Executive Director of Corporate Services, submitted.)

## **7. Independent Inquiry and Whistleblowing Culture Review**

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The City of Edinburgh Council Committee had referred a report on The Independent Inquiry and Whistleblowing Culture Review to the Policy and Sustainability Committee for noting.

The report provided an update on the programme of work underway to address the recommendations and observations agreed by Council and the progress against timelines made across all five themes – Policy, Investigations, Learning, Systems & Processes, and the Redress Scheme.

### **Decision**

- 1) To note the report by the Executive Director of Corporate Services.
- 2) To note the report by the Policy and Sustainability Committee.

(References – Act of Council No. 12 of 9 February 2023; report by the Executive Director of Corporate Services; referral from the City of Edinburgh Council, submitted.)

## **8. Stonewall Diversity Champions Programme**

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In response to a motion by Councillor Staniforth, an update was provided on the Council's agreed Diversity and Inclusion Strategy and Action Plan including further information regarding the programme and costs.

### **Motion**

To continue with the current membership of Employers Network for Equality and Inclusion and benchmarking tool until the end of our current 4-year D&I strategy and Plan with a view to reviewing the organisations with whom the Council partners and accesses benchmarking, including the Stonewall Champions Programme, post 2024.

- moved by Councillor Day, seconded by Councillor Watt

### **Amendment 1**

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- 1) To continue with the current membership of Employers Network for Equality and Inclusion and benchmarking tool until the end of our current 4-year D&I strategy and Plan with a view to reviewing the organisations with whom the Council partners and accesses benchmarking and agrees in principle to sign up to the Stonewall Diversity Champions Programme.
- 2) Recognising that a small amount of additional resources are needed to cover the membership fee and any associated implementation costs, requests a report to May 2023 full council with a recommendation for these costs to be taken from unallocated reserves or any other appropriate available sources officers identify. Agrees officers will produce the report in a way that allows the council to sign up to Stonewall Diversity Champions Programme immediately upon the decision being confirmed.

- moved by Councillor Staniforth, seconded by Councillor McVey

In accordance with Standing Order 22(12), Amendment 1 was accepted as an amendment to the motion.

At this point in the meeting the following Amendment 2 was proposed:

### **Amendment 2**

To approve the motion by Councillor Day as originally submitted.

- moved by Councillor Whyte, seconded by Councillor Doggart

### **Voting**

The voting was as follows:

For the motion (as adjusted)	-	15 votes
For the Amendment 2 (motion as originally submitted)	-	2 votes

(For the motion (as adjusted): Councillors Beal, Biagi, Campbell, Day, Dijkstra-Downie, Lang, Griffiths, Macinnes, McVey, Meagher, Mumford, Parker, Staniforth and Watt.

For Amendment 2: Councillors Doggart and Whyte.)

### **Decision**

To approve the following adjusted motion by Councillor Day:

- 1) To continue with the current membership of Employers Network for Equality and Inclusion and benchmarking tool until the end of the current 4-year D&I strategy and Plan with a view to reviewing the organisations with whom the Council partnered and accessed benchmarking and agree in principle to sign up to the Stonewall Diversity Champions Programme.

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- 2) To recognise that a small amount of additional resources was needed to cover the membership fee and any associated implementation costs, and to request a report to May 2023 full council with a recommendation for these costs to be taken from unallocated reserves or any other appropriate available sources officers identified. To agree officers would produce the report in a way that allowed the council to sign up to Stonewall Diversity Champions Programme immediately upon the decision being confirmed.

(Reference – Act of Council No. 14 of 9 February 2022; report by the Executive Director of Corporate Services, submitted.)

## **9. Equality and Diversity Framework 2021-2025: Equality Outcomes and Mainstreaming Interim Progress Report**

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A summary was provided on the progress made in implementing the Equality and Diversity Framework 2021-2025, together with proposals for next steps in how the Council would take forward its approach to equalities.

### **Decision**

- 1) To note the Interim Progress report on the Equality and Diversity Framework attached as an appendix to the report by the Executive Director of Corporate Services.
- 2) To agree the proposed revisions to the framework outcomes as set out in paragraph 4.4 of the report.

(Reference – report by the Executive Director of Corporate Services, submitted.)

## **10. The City of Edinburgh Council Gaelic Language Plans: 2017-22 and 2023-27-**

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Details were provided on a draft of the Council's third Gaelic Language Plan, for the period 2023-27, which described progress to date and the priorities and a draft implementation plan for the next four years. As required by the Act, the draft plan must be subject to public consultation, and approval was sought for the draft plan (Appendix 1 to the report by the Executive Director of Corporate Services) ) to form the basis of this consultation.

An overview of the final statutory annual monitoring report for its last Gaelic Language Plan 2018-22 (shown in full at Appendix 2 of the report), which was due to be submitted to Bòrd na Gàidhlig by 22 March 2023 was also provided.

### **Motion**

- 1) To approve the draft Gaelic Language Plan for 2023-27, the Council's third plan, for public consultation.

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- 2) To approve the fourth and final statutory annual progress report on the Council's second Gaelic Language Plan 2018-22, covering the period from 6 December 2021 to 6 December 2022, as required by Bòrd na Gàidhlig, and due to be submitted to the Bòrd by 22 March 2022.

- moved by Councillor Day, seconded by Councillor Meagher

### **Amendment**

- 1) To note the draft Gaelic Language Plan for 2023-27, and also comments from Comann nam Pàrant that the current draft appeared to lack specific, measurable outcomes for Gaelic, in particular for Gaelic Medium Education, and that the plan did not appear to include principles which will guide the council in its promotion of Gaelic.
- 2) To note paragraph 6.1 of the report dealt with funding for Gaelic-specific posts, and to call for a briefing note to members setting out how it was expected that these posts would be secured in order to carry out the 'many actions' in the draft plan.
- 3) To approve the draft Gaelic Language Plan for 2023-27, the Council's third plan, for public consultation, subject to the following:
  - a) that, as part of the consultation, at least one workshop (with in-person and online options) would be held with members of the Gaelic community, including but not limited to members of the Gaelic Implementation Group, to examine the draft plan, and in particular whether the right level of detail and specific, measurable, achievable, realistic and timebound actions and outcomes were included.
  - b) that "Questions for consultation" on the implementation plan, page 7, were amended to insert a new question 4 as follows, and renumber the existing questions accordingly:

"4. Do you support the proposed actions to support Gaelic development as set out in the draft implementation plan? If no, please outline what should change."
- 4) To approve the fourth and final statutory annual progress report on the Council's second Gaelic Language Plan 2018-22, covering the period from 6 December 2021 to 6 December 2022, as required by Bòrd na Gàidhlig, and due to be submitted to the Bòrd by 22 March 2023.

- moved by Councillor Parker, seconded by Councillor Mumford

In accordance with Standing Order 22(12) the amendment was accepted in place of the motion.

### **Decision**

To approve the amendment by Councillor Parker.

(References – report by the Executive Director of Corporate Services, submitted.)

## **11. Updated Planning and Performance Framework 2023-2027**

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An update was provided on the Planning and Performance Framework together with the initial suite of measures to reflect the Council's updated Business Plan 2023-2027. The framework also included the development of a Public Performance Scorecard to further enhance performance monitoring across the Council.

### **Decision**

- 1) To note the Business Plan measures (Appendix C to the report by the Executive Director of Corporate Services) had been updated to align with the amended Business Plan which would be submitted to Full Council on 16 March 2023. If required, any additional changes approved by Full Council that impacted on the business plan measures would be reflected in Appendix C to the report (Business Plan Measures).
- 2) To note that the Business Plan measures (Appendix C to the report) and the Public Performance Scorecard measures (Appendix D to the report) reflected feedback received from Elected Members APOG sessions on the Planning and Performance Framework.
- 3) To approve the updated Planning and Performance Framework to reflect the Council's updated Business Plan 2023-2027, Our Future Council, Our Future City, including the initial suite of Key Performance Indicators (KPIs) and the proposed Public Performance Scorecard.

(References – Act of Council No. 7 of 15 December 2022; report by the Executive Director of Corporate Services, submitted.)

## **12. Internal Audit: Swift System - Application Technology Controls Internal Audit Report**

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The Governance, Risk and Best Value Committee had referred a report on Swift – Application Technology Controls completed in November 2022 to the Policy and Sustainability Committee for ongoing scrutiny of relevant activity supporting delivery of agreed management actions.

### **Decision**

- 1) To note the report by the Executive Director of Corporate Services.
- 2) To request that officers provided a briefing to members on concerns which had been raised on the recording of information on the Swift System and any alternatives for recording information which may have been available with particular reference to confidential information and whistleblowing.

(Reference – report by the Executive Director of Corporate Services, submitted.)

### **13. McCrae's Battalion Trust: Commemorative Service at Contalmaison Cairn - 1 July 2023**

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Approval was sought for Bailie Jason Rust to attend the commemorative service at Contalmaison Cairn on 1 July 2023.

#### **Decision**

To approve the attendance of Bailie Jason Rust at the Commemorative Service at Contalmaison Cairn on 1 July 2023.

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

### **14. Risk Management Policy**

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Details were provided on the Council's refreshed Risk Management Policy (the Policy) which superseded the existing policy dated 30 November 2021. The Policy described the Council's overarching risk management approach and was supported by a risk management framework that described how the policy would be applied by all Council directorates and divisions. The operational risk assessment tool used by Services to assess Service risks had been revised following feedback from officers on challenges using the existing tool.

#### **Motion**

- 1) To approve the Council's updated Risk Management Policy as set out in Appendix 1 to the report by the Executive Director of Corporate Services.
- 2) To refer the report to the Governance, Risk and Best Value (GRBV) Committee for information.

- moved by Councillor Day, seconded by Councillor Watt

#### **Amendment**

- 1) To review the Council's updated Risk Management Policy as set out in Appendix 1 to the report by the Executive Director of Corporate Services.
- 2) To note the concerns raised at GRBV around risk reporting formats and the lack of detailed information provided to councillors, particularly in relation to mitigating actions. Recognises that at section there is very little detail of the role of elected members in managing risk.
- 3) To note that GRBV members have agreed to hold a workshop to look at how to improve risk reporting to committee and escalation routes should members have concerns which they believe should be considered by executive committees or full Council.



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- 4) To refer the report to the Governance, Risk and Best Value (GRBV) Committee for information.
- 5) To agree to bring back the report for approval in two cycles, with a more detailed assessment of elected member involvement, roles, reporting and escalation following the workshop with GRBV members.

- moved by Councillor Campbell, seconded by Councillor McVey.

In accordance with Standing Order 22(12), the amendment was adjusted and accepted as an amendment to the motion.

### **Decision**

To approve the following adjusted motion by Councillor Day:

- 1) To review the Council's updated Risk Management Policy as set out in Appendix 1 to the report by the Executive Director of Corporate Services.
- 2) To note the concerns raised at GRBV around risk reporting formats and the lack of detailed information provided to councillors, particularly in relation to mitigating actions. Recognises that at section 5 there is very little detail of the role of elected members in overseeing risk.
- 3) To note that GRBV members have agreed to hold a workshop to look at how to improve risk reporting to committee and escalation routes should members have concerns which they believe should be considered by executive committees or full Council.
- 4) To refer the report to the Governance, Risk and Best Value (GRBV) Committee for information.
- 5) To agree to bring back the report for approval in two cycles, with a more detailed assessment of elected member involvement, roles, reporting and escalation following the workshop with GRBV members.

(Reference – report by the Executive Director of Corporate Services, submitted.)

## **15. Multi-agency Domestic Abuse Policy**

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Details were provided on the Multi-Agency Domestic Abuse Policy, which included a definition of domestic abuse as per the Domestic Abuse (Scotland) Act 2018 and adopted a gendered analysis of domestic abuse as per the Equally Safe strategy. This was a significant update to the policy, which had been revised for the first time since 2013.

### **Decision**

**Tuesday, 21st March, 2023**

- 1) To note the content of the City of Edinburgh Council Multi-Agency Domestic Abuse Policy which had been updated in line with Equally Safe: Scotland's strategy for preventing and eradicating violence against women and girls.
- 2) To approve the updated Multi-Agency Domestic Abuse Policy for use from 1 April 2023.

(Reference – report by the Executive Director of Children, Education and Justice Services, submitted.)

## **16. Carbon Impact of International Travel**

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In response to a motion by Councillor McVey, details were provided on the emissions associated with flights and trains booked by the Council, as well as current measures to limit flights.

### **Motion**

- 1) To note the emissions associated with flights and trains booked by the Council, as well as current measures to limit flights.
- 2) To agree that, going forward, a standalone report on international travel should not be brought to Committee annually as originally requested, given this data was already monitored via existing reporting frameworks such as the Public Bodies Climate Change Duties report.

- moved by Councillor Day, seconded by Councillor Watt

### **Amendment 1**

- 1) To note the emissions associated with flights and trains booked by the Council, as well as current measures to limit flights.
- 2) To note that data on travel emissions is included in summary in the Public Bodies Climate Change Duties report.
- 3) To continue to receive an annual report on the impact of international travel booked by the Council, including travel by the Lord Provost and other flights booked via externally funded partners.

- moved by Councillor Dijkstra-Downie, seconded by Councillor Lang

### **Amendment 2**

- 1) To note the emissions associated with flights and trains booked by the Council, as well as current measures to limit flights.
- 2) To agree that, going forwards, a standalone report on international travel should not be brought to Committee annually as originally requested, given this

data was already monitored via existing reporting frameworks such as the Public Bodies Climate Change Duties report.

- 3) Regrets that international travel by the Lord Provost office is not captured in this report and therefore requests a briefing note outlining a list of international travel bookings from the Lord Provost office for 2021-2022 to be supplied in the same format as Table 1 included in the report, as well as comparative data for trips from the Lord Provost office from previous years to be supplied in the same format as Figure 1 at 4.7.

- moved by Councillor Parker, seconded by Councillor Staniforth

In accordance with Standing Order 22(12) Amendment 1 was accepted as an amendment to the Motion and Amendment 2 was accepted as an addendum to the Motion.

### **Decision**

To approve the following adjusted motion by Councillor Day:

- 1) To note the emissions associated with flights and trains booked by the Council, as well as current measures to limit flights.
- 2) To note that data on travel emissions was included in summary in the Public Bodies Climate Change Duties report.
- 3) To continue to receive an annual report on the impact of international travel booked by the Council, including travel by the Lord Provost and other flights booked via externally funded partners.
- 4) To regret that international travel by the Lord Provost office was not captured in the report by the Executive Director of Corporate Services and therefore request a briefing note outlining a list of international travel bookings from the Lord Provost office for 2021-2022 to be supplied in the same format as Table 1 included in the report, as well as comparative data for trips from the Lord Provost office from previous years to be supplied in the same format as Figure 1 at 4.7 in the report.

(References – Act of Council No. 8 of 21 November 2019; report by the Executive Director of Corporate Services, submitted.)

## **17. Extreme Heat, Climate Adaptation and Resilience**

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In response to a motion by Councillor Parker, details were provided on the Council's response to extreme heat, climate adaptation and resilience.

### **Motion**

**Tuesday, 21st March, 2023**

- 1) To note the resilience measures that were being taken to future proof the city from the effects of extreme heat and climate change.
- 2) To note that a Draft Climate Ready Edinburgh Plan for consultation was under development and expected to be presented to the Committee in August.

- moved by Councillor Day, seconded by Councillor Watt

### **Amendment**

- 1) To note the resilience measures that were being taken to future proof the city from the effects of extreme heat and climate change.
- 2) To note that a Draft Climate Ready Edinburgh Plan for consultation was under development and expected to be presented to the Committee in August.
- 3) Notes the large number of cross-cutting strategies and policies relevant to this work, many of which are due for update and/or review.
- 4) Requests a briefing note in table format to cover, for each of these:
  - a) Timescales for anticipated updates and/or review;
  - b) Governance arrangements including committee reporting schedules and scrutiny; how the various strategies and policies interrelate; and relevant directorate leading on the work;
  - c) How climate adaptation will be profiled within these strategies and/or policies as part of updates and/or review going forward.

- moved by Councillor Parker, seconded by Councillor Staniforth

In accordance with Standing Order 22(12), the amendment was accepted as an addendum to the motion.

### **Decision**

To approve the following adjusted motion by Councillor Day:

- 1) To note the resilience measures that were being taken to future proof the city from the effects of extreme heat and climate change.
- 2) To note that a Draft Climate Ready Edinburgh Plan for consultation was under development and expected to be presented to the Committee in August.
- 3) To note the large number of cross-cutting strategies and policies relevant to this work, many of which were due for update and/or review.
- 4) To request a briefing note in table format to cover, for each of these:
  - a) Timescales for anticipated updates and/or review;

- b) Governance arrangements including committee reporting schedules and scrutiny; how the various strategies and policies interrelate; and relevant directorate leading on the work;
- c) How climate adaptation would be profiled within these strategies and/or policies as part of updates and/or review going forward.

(Reference – Act of Council No. 30 of 25 August 2022; report by the Executive Director of Corporate Services, submitted.)

## **18. Driving For the Council – Telematics Policy**

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An update was provided on further work that had taken place since January to address the action points raised by Union representatives in regard to the draft Driving for the Council – Telematics Policy which defined how telematics would be managed and used in Council operated fleet assets.

### **Decision**

To continue consideration of the report by the Executive Director of Place to the next meeting of the Policy and Sustainability Committee to allow further discussions to take place with union representatives.

(References – Policy and Sustainability Committee of 17 January 2023 (item 15); report by the Executive Director of Place Services, submitted.)

## **19. City Strategic Investment Fund - Allocations**

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An update was provided on the City Strategic Investment Fund (CSIF) and approval sought to adjust the allocations in the CSIF Strategic Programme to further advance the business case for the North/South Tram Line (ESSTS2), and allocate CSIF Loan Fund money to the Powderhall Stables block project.

### **Decision**

- 1) To allocate monies from the City Strategic Investment Fund (Strategic Programme Fund) as set out in the report by the Executive Director of Place.
- 2) To allocate monies from the City Strategy Investment Fund (Loan Fund) as set out in the report.
- 3) To refer the report to the City of Edinburgh Council for final approval.

(Reference – report by the Executive Director of Place, submitted.)

## **20. Edinburgh Slavery and Colonialism Legacy Review Implementation Group**

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**Tuesday, 21st March, 2023**

Details were provided on the proposed composition, remit and governance arrangements of the Edinburgh Slavery and Colonialism Legacy Implementation Group and approval sought to appoint Irene Mosota as Chair.

### **Decision**

- 1) To approve the nomination of Irene Mosota as Chair of the independent Implementation Group.
- 2) To note that the Implementation Group would oversee delivery of the recommendations contained in the Edinburgh Slavery and Colonialism Legacy Review Report.
- 3) To note the outline terms of reference for the Implementation Group, including its commitment to open and inclusive recruitment, governance, resourcing and reporting arrangements.

(References – Policy and Sustainability Committee on 30 August 2022 (item 8); report by the Executive Director of Place, submitted.)

## **21. Health and Social Care Contracts**

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In response to a motion by Councillor Miller further information was provided on social care contracts.

### **Decision**

To continue consideration of the report to the next meeting of the Policy and Sustainability Committee on 23 May 2023.

(References – Act of Council No. 39 of 9 February 2023; report by the Chief Officer, Edinburgh Health and Social Care Partnership, submitted.)

## **22. Edinburgh Health and Social Care Partnership – System Pressures Update**

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Details were provided on the continued significant pressures being experienced in relation to social care in Edinburgh and the risk to people relating to this. The pressures had arisen from the continued long-term impacts of the covid pandemic, EU exit and cost of living crisis, alongside a decreasing availability of care due to vacancies in the care sector.

### **Decision**

- 1) To note the current pressures on the Edinburgh Health and Social Care Partnership (EHSCP).
- 2) To endorse the actions being taken to mitigate the increasing risk to people.

(Reference – report by the Chief Officer, Edinburgh Health and Social Care Partnership, submitted.)

## 23. Assessing the Feasibility of an Edinburgh Drug Checking Project

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In response to a motion by Councillor McFarlane, details were provided on an assessment of the feasibility of Drug Checking in Edinburgh which would be delivered alongside the already commissioned feasibility assessment on Drug Consumption Rooms which the (Edinburgh Alcohol and Drugs Partnership (EADP) had commissioned.

### Decision

To note the planned feasibility assessment and agree to receive further reports on its progress.

(References – Act of Council No. 13 of 15 December 2022; report by the Chief Officer, Edinburgh Health and Social Care Partnership, submitted.)

## 24. Response to Motion by Councillor Day - Ukraine Support

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In response to a motion by Councillor Day, an update was provided on Edinburgh's ongoing Ukraine Support which included the Scottish Government plans for onward housing, access to health provision and public health plans on the ship and costs incurred to date and costs reimbursed by the UK and Scottish Governments.

### Motion

To note the report by the Executive Director of Place.

- moved by Councillor Day, seconded by Councillor Watt

### Amendment

- 1) To note the report by the Executive Director of Place
- 2) To request a Business Bulletin update in one cycle, covering in any case - discussions about a year 2 (2023/24) UK and Scottish Governments funding agreement:
  - Resettlement Fund projects in the city region; and
  - The continuation and funding of short-term accommodation options within the city, including the MS Victoria

- moved by Councillor Dijkstra-Downie, seconded by Councillor Beal

In accordance with Standing Order 22(12), the amendment was accepted as an addendum to the motion.

### **Decision**

To approve the following adjusted motion by Councillor Day:

- 1) To note the report by the Executive Director of Place
- 2) To request a Business Bulletin update in one cycle, covering in any case - discussions about a year 2 (2023/24) UK and Scottish Governments funding agreement:
  - Resettlement Fund projects in the city region; and
  - The continuation and funding of short-term accommodation options within the city, including the MS Victoria.

(References – Act of Council No. 11 of 15 December 2022; report by the Executive Director of Place, submitted.)

## **25 Employment Policies - HR Assurance Statement**

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Details were provided on the Human Resources (HR)/employment policies, which had been developed, consulted on and approved by Policy and Sustainability Committee in the last 12 months together with and outline of the remaining policy work required in response to the Independent Inquiry and Whistleblowing Culture Review as well as a proposed programme of policy review for 2023/24.

### **Motion**

- 1) To note the Council's HR/employment policies and guidance which had been reviewed in the last year.
- 2) To note the commitment to complete a programme of HR policy review and approval for 2023/24, taking into account the recommendations from the Independent Inquiry and Whistleblowing Culture Review reported to the City of Edinburgh Council on 28 October 2021.

- moved by Councillor Day, seconded by Councillor Griffiths

### **Amendment**

- 1) To note the Council's HR/employment policies and guidance which had been reviewed in the last year.
- 2) To note the commitment to complete a programme of HR policy review and approval for 2023/24, taking into account the recommendations from the Independent Inquiry and Whistleblowing Culture Review reported to the City of Edinburgh Council on 28 October 2021.



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- 3) Notes that Policy and Sustainability Committee are due a report at the next meeting on “progress towards development of robust harassment prevention and action policies which address sexual and sexist harassment, racial harassment, homophobia, biphobia and transphobia, harassment towards disabled people, and other forms of harassment” and regrets that this isn’t mentioned in the report by the Executive Director of Corporate Services..
- 4) Further notes that on International Women’s Day 2023, the STUC affirmed that sexual harassment at work remains endemic for women, and has called on the Health and Safety Executive to regulate sexual harassment as a serious health and safety risk.
- 5) Therefore requests that the scheduled report includes this updated information, and how this will be integrated with programme of HR policy review and approval for 2023/24 mentioned in the report

- moved by Councillor Parker, seconded by Councillor Watt

In accordance with Standing Order 22(12), the amendment was accepted as an addendum to the motion.

### **Decision**

To approve the following adjusted motion by Councillor Day;

- 1) To note the Council’s HR/employment policies and guidance which had been reviewed in the last year.
- 2) To note the commitment to complete a programme of HR policy review and approval for 2023/24, taking into account the recommendations from the Independent Inquiry and Whistleblowing Culture Review reported to the City of Edinburgh Council on 28 October 2021.
- 3) To note that Policy and Sustainability Committee were due a report at the next meeting on “progress towards development of robust harassment prevention and action policies which address sexual and sexist harassment, racial harassment, homophobia, biphobia and transphobia, harassment towards disabled people, and other forms of harassment” and regret that this wasn’t mentioned in the report by the Executive Director of Corporate Services.
- 4) To further note that on International Women’s Day 2023, the STUC affirmed that sexual harassment at work remained endemic for women, and had called on the Health and Safety Executive to regulate sexual harassment as a serious health and safety risk.
- 5) To therefore request that the scheduled report include this updated information, and how this would be integrated with programme of HR policy review and approval for 2023/24 mentioned in the report.

(Reference – report by the Executive Director of Corporate Services, submitted.)

## 26. Policy for the Transition from Children to Adult Support

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As part of the Edinburgh's Health and Social Care Partnership's Transformation programme, a project was identified to focus on 'Transitions' which had identified four key areas, one of which was developing a revised policy on transitions. The proposed policy replaced the previous version that expired in 2015 and determined how both children's and adult services delivered the transition for young people between their services.

### Decision

- 1) To approve the updated policy for the transition between Children's and Adults services for young people with a disability.
- 2) To call for a report in 2 cycles providing an update on the policy and addressing the issues raised by members including why the policy had not been updated before now, the impact not having an updated policy had had on young people affected and consultation with young people making the transition.

(Reference – report by the Chief Officer, Edinburgh Health and Social Care Partnership, submitted.)

## 27. Best Value Assurance Audit - Update

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Details were provided on the progress with the implementation of actions from the key recommendations for the Council from the Council's Best Value Assurance Audit Report. Approval had been sought for further updates to be through the arrangements in place for each workstream which provided an update on the progress made to respond to the Best Value Assurance Audit recommendations.

### Motion

- 1) To note the progress made to date to respond to the Best Value Assurance Audit Report recommendations.
- 2) To agree that reporting on the Best Value recommendations would be through the relevant committee/body for each workstream.
- 3) To refer the report by the Executive Director of Corporate Services to the Governance Risk and Best Value Committee for consideration and scrutiny.

- moved by Councillor Day, seconded by Councillor Watt

### Amendment

- 1) To note the progress made to date to respond to the Best Value Assurance Audit Report recommendations.

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- 2) To agree that reporting on the Best Value recommendations would be through the relevant committee/body for each workstream with an overview of overall progress reported to the Policy and Sustainability Committee bi-annually.
- 3) To refer the report by the Executive Director of Corporate Services to the Governance Risk and Best Value Committee for consideration and scrutiny.

- moved by Councillor Beal, seconded by Councillor Lang

In accordance with Standing Order 22(12), the amendment was accepted as an addendum to the motion.

### **Decision**

To approve the following adjusted motion by Councillor Day:

- 1) To note the progress made to date to respond to the Best Value Assurance Audit Report recommendations.
- 2) To agree that reporting on the Best Value recommendations would be through the relevant committee/body for each workstream with an overview of overall progress reported to the Policy and Sustainability Committee bi-annually.
- 3) To refer the report by the Executive Director of Corporate Services to the Governance Risk and Best Value Committee for consideration and scrutiny.

(Reference – report by the Executive Director of Corporate Services, submitted.)

## **28. Re-deployment – Motion by Councillor Day**

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The following motion by Councillor Day was submitted in terms of Standing Order 17:

“Notes: The advice circulated by Head of Democracy, Governance and Resilience on 03/03/2023, stating that a budget proposal does not change the council’s Managing Change Policy nor the commitment to no compulsory redundancies; and

Further notes: That employees with redeployment status are often doing useful work within the council; and that there is an expectation they should be receiving support towards finding a new role.

Therefore, asks for a report to this Committee in two cycles providing information about the current redeployment arrangements and how they could be made more effective in transitioning employees into appropriate permanent roles.”

### **Motion**

To approve the motion by Councillor Day.

- moved by Councillor Day, seconded by Councillor Meagher

## Amendment

To replace paragraph 3 of the motion by Councillor Day with:

- “3) Committee notes that Labour, Conservative and Liberal Democrat Councillors voted for a Liberal Democrat budget which included ‘savings’ from the redeployment pool by ending the policy of no compulsory redundancies.
- 4) Therefore requests a report to Policy and Sustainability Committee in one cycle setting out the process officers will follow on the implementation of the Liberal Democrat Budget, including consideration and analysis of all policy changes within the budget that was passed and an assessment as to whether any further decisions are required from committee or council for each policy change and budget line. The report must include the process by which each decision could be revisited if there were majority support to do so, based on Council Standing Orders, Financial Regulations and other documents governing council decision making
- 5) This report must include specific information on free tram travel for under 22s, ending of no compulsory redundancies, privatising waste and cleansing services and the removal of Education Welfare Officers specifically.
- 6) Committee notes that reversing some of the budget lines will require additional savings to be made elsewhere and therefore requests the Director for Corporate Services examine any actions required which would avoid undermining potential savings in the areas of communication, the Lord provost budget or property services and specifically consider the immediate halting of the recruitment of new SPAs.”

- moved by Councillor Macinnes, seconded by Councillor Mumford

## Voting

The voting was as follows:

For the motion	-	9 votes
For the amendment	-	8 votes

(For the motion – Councillors Beal, Day, Dijkstra-Downie, Doggart, Lang, Griffiths, Meagher, Watt and Whyte.

For the amendment: Councillors Aston, Biagi, Campbell, Macinnes, McFarlane, Miller, Parker and Staniforth.)

## Decision

To approve the motion by Councillor Day.

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## **29. Urban Wildlife Management – Motion by Councillor Parker**

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### **Decision**

To note that the motion by Councillor Parker had been withdrawn.

## **30. Edinburgh Community Climate Fund – Motion by Councillor Mumford**

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The following motion by Councillor Mumford was submitted in terms of Standing Order 17:

- “1) Welcomes the many applications submitted by community groups to the Edinburgh Community Climate Fund;
- 2) Notes that the fund has been significantly oversubscribed and considers this a testament to its success, and commends the hard work of officers to publicise it and community groups for getting involved;
- 3) Requests a report from officers after applications have been judged and awards made outlining:
  - a) The total amount of funding applied for by groups;
  - b) The total amount of funding available from the fund, and therefore the level of oversubscription;
  - c) The key themes emerging from project applications and successfully funded projects;
  - d) A geographical break down of the submitted and awarded projects;
  - e) Consideration of how unsuccessful projects could continue to receive support from the Council to further their community action to tackle climate change;
  - f) Proposals for how the fund could be continued and expanded in future years to meet demand.”

- moved by Councillor Mumford, seconded by Councillor Parker

### **Decision**

To approve the motion by Councillor Mumford.

## **31. Budget Setting Process and Climate Impact Statement – Motion by Councillor Parker**

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The following motion by Councillor Parker was submitted in terms of Standing Order 17:

- “1) Notes that on 17th November 2022, Committee unanimously approved an amendment to item 7.3 “Public Bodies Climate Change Duties Report 2021/2022” requesting that “officers provide high level guidance for political groups to complete a climate impact assessment of proposed budgets in the run up to the Council’s budget setting process in February”, and agreed the recommendation that “all budget motions should include an accompanying statement to their proposals which sets out how their spending plans align with the Council’s climate strategies, including this as an appendix”;
- 2) Further notes that, despite the guidance and template document being received in December 2022, only one budget put forward at the Council’s budget meeting on 23rd February included a climate impact statement as an Appendix;
- 3) Therefore, requests that, as part of the post-budget review processes undertaken by officers, feedback is sought from groups on their experience of using the climate impact statement template. For those groups who did use the impact statement template, officers should explore what was helpful about it and what could be improved about it for future years. For those groups who chose not to use the impact statement template, officers should explore what barriers groups experienced to using it and how they could be supported in future years to make use of the template.”

- moved by Councillor Parker, seconded by Councillor Mumford

### **Decision**

To approve the motion by Councillor Parker.

## **32. Filmhouse - Emergency Motion by Councillor McFarlane**

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The Convener ruled that the following item, notice of which had been given at the start of the meeting, be considered as a matter of urgency to allow the Committee to give early consideration to this matter.

The following motion by Councillor McFarlane was submitted in terms of Standing Order 17 and verbally adjusted in terms of Standing Order 22.5:

“Committee notes that while the Council isn’t formally part of the decision making process, the Council does have a stake in making sure the cultural ecosystem of the City is retained and enhanced.

Notes reports of discussions that the Filmhouse may be sold by administrators for a non-cultural purpose following the administrator’s preferred bidder reportedly withdrawing their bid.

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Further notes there were previous bids submitted in the previous competitive bid process which would have retained a cultural film presence on a sustainable commercial basis.

Committee reiterates the Council's position in favour of retaining cultural film and film education as the central use for the Filmhouse.

Committee agrees officers will engage with Screen Scotland, the Administrators and any potential bidders who can keep the Filmhouse as a centre of film culture in Edinburgh, to try and meet the City's expectations and protect Edinburgh's cultural landscape. Requests that the Convener makes contact with the Administrators to reaffirm the Council's preferred position.

Agrees that Officers will provide a briefing to all elected members no later than April 17<sup>th</sup> to update Councillors on the situation as known.

Requests that officers include information as to the terms of previous financial funding for CMI in the report and in the event of a sale to a non-cultural bid requests CEC officers makes a formal request to obtain cultural assets from within The Filmhouse up to and including the collection of rare film posters, memorabilia and technical equipment so that it may be passed over to any future cultural community cinema offer in the city.

### **Motion**

To approve the motion by Councillor McFarlane.

-moved by Councillor McFarlane, seconded by Councillor Macinnes

### **Amendment**

To insert a new paragraph at the end of the motion by Councillor McFarlane as follows:

"Instructs the Convener to write to the Scottish Government within 24 hours of the passage of the motion reiterating previous requests for financial support for bids seeking to retain a cultural cinema on the site and making clear that a successful bid for the site from a non-cultural cinema operator will severely jeopardise the future of cultural cinema in Scotland's capital."

- moved by Councillor Staniforth, seconded by Councillor Parker

In accordance with Standing Order 22(12), the amendment was accepted as an addendum to the motion.

### **Decision**

To approve the following adjusted motion by Councillor McFarlane:

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- 1) To note that while the Council wasn't formally part of the decision making process, the Council did have a stake in making sure the cultural ecosystem of the City was retained and enhanced.
- 2) To note reports of discussions that the Filmhouse might be sold by administrators for a non-cultural purpose following the administrator's preferred bidder reportedly withdrawing their bid.
- 3) To further note there were previous bids submitted in the previous competitive bid process which would have retained a cultural film presence on a sustainable commercial basis.
- 4) To reiterate the Council's position in favour of retaining cultural film and film education as the central use for the Filmhouse.
- 5) To agree officers would engage with Screen Scotland, the Administrators and any potential bidders who could keep the Filmhouse as a centre of film culture in Edinburgh, to try and meet the City's expectations and protect Edinburgh's cultural landscape. To request that the Convener make contact with the Administrators to reaffirm the Council's preferred position.
- 6) To agree that Officers would provide a briefing to all elected members no later than April 17<sup>th</sup> to update Councillors on the situation as known.
- 7) To request that officers include information as to the terms of previous financial funding for CMI in the report and in the event of a sale to a non-cultural bid request CEC officers makes a formal request to obtain cultural assets from within The Filmhouse up to and including the collection of rare film posters, memorabilia and technical equipment so that it might be passed over to any future cultural community cinema offer in the city.
- 8) To instruct the Convener to write to the Scottish Government within 24 hours of the passage of the motion reiterating previous requests for financial support for bids seeking to retain a cultural cinema on the site and making clear that a successful bid for the site from a non-cultural cinema operator would severely jeopardise the future of cultural cinema in Scotland's capital.

#### **Declaration of interests**

Councillor Aston declared a non-financial interest in the above item as an employee of an MP who had expressed an interest in the subject matter and left the meeting during the Committee's consideration of the above item

### **33. Four Seasons Healthcare – North Merchiston and Castlegreen Care Homes – referral from the Finance and Resources Committee**

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The Committee in terms of Section 50(A)(4) of the Local Government (Scotland) Act 1973, excluded the public from the meeting during consideration of the following item of business for the reason that it involved the likely disclosure of exempt information as defined in Paragraphs 8 and 9 of Part 1 of Schedule 7A of the Act.

The Finance and Resources Committee had referred a report which provided background information on a decision made by the Council Chief Executive under urgency powers in relation to two care homes to the Policy and Sustainability committee for scrutiny.

### **Motion**

To note the report from the Finance and Resources Committee.

- moved by Councillor Watt, seconded by Councillor Day

### **Amendment 1**

- 1) To note the report from the Finance and Resources Committee
- 2) Notes that this ongoing situation is as a result of the withdrawal of the private care provider contracted to operate two council-owned care homes;
- 3) Believes that the council's role as a care provider is best met through council owned and operated care homes, in line with the Council Business Plan principles around in-house provision and community wealth building;
- 4) Welcomes the move to bring both care homes in-house, agrees that CECs presumption going forward should be in favour of an in-house model, and asks the Convenor to communicate this council position to EIJB;
- 5) Requests a report and presentation to Policy and Sustainability Committee within 2 cycles updating members on future plans for social care provision, including any instances where it is anticipated that this presumption may be challenging.

- moved by Councillor Mumford, seconded by Councillor Parker

In accordance with Standing Order 22(12), the Amendment 1 was accepted as an addendum to the motion.

At this point in the meeting the following Amendment 2 was proposed:

### **Amendment 2**

To agree the motion as moved by Councillor Watt.

- moved by Councillor Lang, seconded by Councillor Whyte

### **Voting**

The voting was as follows:

For the Motion (as adjusted)	-	8 votes
For Amendment 2 (the motion as originally submitted)	-	5 votes

### **Decision**

To approve the following adjusted motion by Councillor Watt:

- 1) To note the report from the Finance and Resources Committee
- 2) To note that this ongoing situation was as a result of the withdrawal of the private care provider contracted to operate two council-owned care homes.
- 3) To believe that the council's role as a care provider was best met through council owned and operated care homes, in line with the Council Business Plan principles around in-house provision and community wealth building.
- 4) To welcome the move to bring both care homes in-house, to agree that the Council's presumption going forward should be in favour of an in-house model, and to ask the Convenor to communicate this Council position to the Edinburgh Integration Joint Board.
- 5) To request a report and presentation to Policy and Sustainability Committee within 2 cycles updating members on future plans for social care provision, including any instances where it was anticipated that this presumption may be challenging.