

Policy and Sustainability Committee

10.00 am, Tuesday 23 May 2023

Present

Councillors Day (Convener), Beal, Bennett, Biagi, Campbell, Dalgleish (substituting for Councillor Day (Item 14)), Macinnes, McVey Meagher, Mowat (substituting for Councillor Daggart), Mumford, Nicolson (substituting for Councillor Aston), Osler (substituting for Councillor Lang), Parker, Staniforth, Thornley (substituting for Councillor Dijkstra-Downie), Watt and Whyte.

Also present: Councillor McKenzie (item 26)

1. Deputations

a) Street Assist (in relation to item 10 – Response to Motion by Councillor Staniforth – Night Time Coordinator)

The deputation supported the recommendations in the report by the Executive Director of Place in regard to the proposal for the role and remit of a Night-Time Coordinator for Edinburgh and offered their help in gathering evidence to support the case given their knowledge of the subject matter and research they had previously carried out into other initiative in the UK and beyond.

The deputation indicated that there were areas which could be enhanced, many of which had been highlighted in 2010 and still existed today. They wanted to see a more coordinated approach in managing the city's night-time economy as they felt that it was a bit disjointed at the moment.

(see item 10 below)

b) Unison (in relation to item 26 - Motion by Councillor McKenzie – Care Homes)

The deputation expressed concern that the remit of the public consultation had changed from being the future of care homes to the closure of care homes. They felt that the public consultation in its present form was a deliberate misdirection of what was happening with care homes in ~Edinburgh.

The deputation fully supported the motion by Councillor McKenzie and urged the Committee to do the same in order to protect the care homes.

(see item 26 below)

c) Edinburgh TUC (in relation to item 26 - Motion by Councillor McKenzie – Care Homes)

The deputation were in support of the motion by Councillor McKenzie but felt that more time was needed for the consultations to be completed and analysed. They expressed concern that no consultation review meetings had been held since March 2023.

The deputation were also concerned that the private sector would be the ones to benefit from the closure of any publicly run care homes and believed that this was the wrong approach for the provision of quality health and social care services.

(see item 26 below)

2. Minutes

Decision

To approve the minute of the Policy and Sustainability Committee of 21 March 2023 as a correct record.

3. Policy and Sustainability Committee Work Programme

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

Decision

- 1) To agree that officers would provide an update on the Climate Ready Edinburgh report to the next meeting.
- 2) To agree that officers would confirm whether reports listed for November 2023 would be submitted in October 2023 or January 2024.
- 3) To otherwise note the Work Programme.

(Reference – Work Programme 23 May 2023, submitted.)

4 Policy and Sustainability Committee Rolling Actions Log

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** – City of Edinburgh Council - Keep Safe Spaces - Motion by Councillor Nicolson
 - Action 3** – Education and Children’s Services Structure
 - Action 4** - End Poverty in Edinburgh Annual Report
 - Action 10** – City of Edinburgh Council: Adopting Definition of Islamophobia - Motion By Councillor Kumar

Action 12 – City of Edinburgh Council: Night Time Coordinator - Motion by Councillor Staniforth

Action 14 – Employee Code of Conduct

Action 18 – Driving for the Council – Telematics Policy

Action 19 – Energy Management Policy for Operational Buildings – Update Report

Action 20 – Independent Inquiry and Whistleblowing Culture Review

Action 21 – 16 Days of Activism Against Gender Based Violence

Action 26 (1), (2) and (3) - City of Edinburgh Council Self Directed Support – Motion by Councillor Nicolson

Action 28 – The City of Edinburgh Council Gaelic Language Plans: 2017-22 and 2023-27

Action 33 – Response to Motion by Councillor Day - Ukraine Support

Action 39(1) – Drug and Alcohol Recovery Services in Niddrie and Craigmillar

2) To otherwise note the Rolling Actions Log.

(Reference – Rolling Actions Log, submitted.)

5. Business Bulletin

The Policy and Sustainability Committee Business Bulletin for 23 May 2023 was submitted.

Decision

To note the Business Bulletin.

(Reference – Business Bulletin 23 May 2023, submitted.)

6. Local Government Benchmarking Framework 2021/22 – Edinburgh Overview

An overview of the 2021/22 benchmarking data provided by the Scottish Local Government Benchmarking Framework (LGBF) was provided which reflected the impact of the second year of Covid-19 together with an overview of Edinburgh's recovery as Covid-19 restrictions eased and how this was reflected in the data during 2021/22 as well as a longer-term comparison with pre-Covid performance.

Motion

- 1) To note the report setting out the detailed analysis of the Local Government Benchmarking Framework (LGBF) dataset for the 2021/22 financial year.
- 2) Committee regrets the absence of a homelessness benchmark which would reveal the extent of Edinburgh's homelessness challenge.

- 3) Committee asks officers to investigate if homelessness indicators can be added to the Local Government Benchmarking Framework via the steering group and therefore be included as part of future reports.

- moved by Councillor Watt, seconded by Councillor Meagher

Amendment 1

- 1) To note the report setting out the detailed analysis of the Local Government Benchmarking Framework (LGBF) dataset for the 2021/22 financial year.
- 2) Requests that the different sections of the report for each service area are appended to the Business Bulletin(s) of the next meeting(s) of each relevant Executive Committee to allow for additional scrutiny.

- moved by Councillor Parker, seconded by Councillor Mumford

Amendment 2

- 1) To note the report setting out the detailed analysis of the Local Government Benchmarking Framework (LGBF) dataset for the 2021/22 financial year.
- 2) Committee notes with concern the relatively poor performance compared with Family Group Councils, and sometimes against the City average, in many service areas with pertinent examples being:
 - the deprivation related school attainment gap;
 - satisfaction with performance and delays in delivering social care;
 - Street cleanliness despite the higher costs of the service by population size;
 - The percentage of A, C and U class roads that require treatment.
- 3) Committee considers that this is the direct legacy of the former SNP led administration which paid little attention to performance management and scrutiny of the important and core Council services on which the public rely.
- 4) Committee therefore agrees that:
 - the report should be subdivided and provided to the relevant service area Executive Committees to allow greater scrutiny of performance and the actions required to instil a culture of continuous improvement, learning lessons from the better performance in Family Group Councils;
 - The Education, Children and Families Committee be asked to investigate in detail why the deprivation related attainment gap is increasing and is stubbornly high compared to comparator councils, drawing up an action plan with appropriate performance reporting to address this;
- 5) Committee recommends:
 - A quarterly performance report is provided to this Committee as part of the Health and Social Care improvement plan to allow scrutiny of performance against comparator Councils, as well as internally, as actions to resolve the

Inspection report recommendations, budgeting issues and poor service performance are taken forward;

- A quarterly performance report is provided to the Transport and Environment Committee so that further increased spend in street cleanliness, refuse collection and recycling can be monitored to ensure that the desired improvements are achieved when greater spend alone does not seem to be an entirely reliable indicator of service performance;
- A report is provided to the Finance and Resources Committee detailing a costed plan to improve A, C and U class road conditions to at least the Family Group level by the end of this Council term in order that this can be considered for future budgeting and implementation processes.

- moved by Councillor Whyte, seconded by Councillor Mowat

Amendment 3

To note the report setting out the detailed analysis of the Local Government Benchmarking Framework (LGBF) dataset for the 2021/22 financial year.

- moved by Councillor McVey, seconded by Councillor Biagi

In accordance with Standing Order 22(12), Amendments 1 and 2 were accepted as addendums to the motion.

In accordance with Standing Order 22(12), the Motion and Amendment 1 were accepted as addendums to Amendment 3, and Amendment 2 was adjusted and accepted as an addendum to Amendment 3.

Voting

The voting was as follows:

For the motion (as adjusted)	-	12 votes
For Amendment 3 (as adjusted)	-	5 votes

(For the Motion (as adjusted): Councillors Beal, Bennett, Day, Meagher, Mowat, Mumford, Osler, Parker, Staniforth, Thornley, Watt and Whyte.

For Amendment 3 (as adjusted): Councillors Biagi, Campbell, Macinnes, McVey and Nicolson.)

Decision

To approve the following adjusted motion by Councillor Watt:

- 1) To note the report setting out the detailed analysis of the Local Government Benchmarking Framework (LGBF) dataset for the 2021/22 financial year.
- 2) To regret the absence of a homelessness benchmark which would reveal the extent of Edinburgh's homelessness challenge.
- 3) To ask officers to investigate if homelessness indicators could be added to the Local Government Benchmarking Framework via the steering group and therefore be included as part of future reports.

- 4) To request that the different sections of the report for each service area be appended to the Business Bulletin(s) of the next meeting(s) of each relevant Executive Committee to allow for additional scrutiny.
- 5) To note with concern the relatively poor performance compared with Family Group Councils, and sometimes against the City average, in many service areas with pertinent examples being:
 - the deprivation related school attainment gap;
 - satisfaction with performance and delays in delivering social care;
 - Street cleanliness despite the higher costs of the service by population size;
 - The percentage of A, C and U class roads that require treatment.
- 6) To consider that this was the direct legacy of the former SNP led administration which paid little attention to performance management and scrutiny of the important and core Council services on which the public relied.
- 7) To therefore agree that:
 - the report should be subdivided and provided to the relevant service area Executive Committees to allow greater scrutiny of performance and the actions required to instil a culture of continuous improvement, learning lessons from the better performance in Family Group Councils;
 - The Education, Children and Families Committee be asked to investigate in detail why the deprivation related attainment gap is increasing and is stubbornly high compared to comparator councils, drawing up an action plan with appropriate performance reporting to address this.
- 8) To recommend that quarterly performance report be provided to this Committee as part of the Health and Social Care improvement plan to allow scrutiny of performance against comparator Councils, as well as internally, as actions to resolve the Inspection report recommendations, budgeting issues and poor service performance are taken forward.
- 9) To recommend that a quarterly performance report be provided to the Transport and Environment Committee so that further increased spend in street cleanliness, refuse collection and recycling could be monitored to ensure that the desired improvements were achieved when greater spend alone did not seem to be an entirely reliable indicator of service performance.
- 10) To recommend that a report be provided to the Finance and Resources Committee detailing a costed plan to improve A, C and U class road conditions to at least the Family Group level by the end of this Council term in order that this could be considered for future budgeting and implementation processes.

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

7. Impact of Poverty on Women and Girls

Details were provided of an analysis of available evidence on the impact of poverty on women and girls in Edinburgh which showed evidence of higher risk and deeper experience of poverty for women, with these risks strongly associated with inequities in the distribution of childcare responsibilities, and in women's experience in the workplace. A number of Council actions currently in place, including steps to raise awareness of gendered impacts of poverty, actions to increase incomes for women in poverty, and actions to improve access to affordable childcare were highlighted.

Decision

- 1) To note the findings of the analysis of the impact of poverty on women in Edinburgh presented in the report by the Executive Director of Corporate Services.
- 2) To note the analysis of Council led actions currently in place which were expected to prevent and mitigate these impacts.
- 3) To note that further analysis of these actions, and priority next steps, would be reported to Committee as part of the Council's annual End Poverty in Edinburgh progress report in October 2023.

(References – Policy and Sustainability Committee 3 of 17 November 2022; report by the Executive Director of Corporate Services, submitted.)

8. Response to Adopting Definition of Islamophobia

In response to a motion by Councillor Kumar, an update was provided on the proposal to adopt the All-Party Parliamentary Group definition of Islamophobia and use it to embed and drive change both in the Council and across Edinburgh.

Motion

- 1) To note the action to address the motion to adopt the definition of Islamophobia.
- 2) To agree to the establishment of a short life Task and Finish Group to deepen the Council's understanding of the impacts of Islamophobia.

- moved by Councillor Day, seconded by Councillor Watt

Amendment 1

- 1) To note the action to address the motion to adopt the definition of Islamophobia.
- 2) To agree to the establishment of a short life Task and Finish Group to deepen the Council's understanding of the impacts of Islamophobia.
- 3) To agree to engage with council's BME staff network around Islamophobia.
- 4) To agree to provide data around number of incidents reported based on racial prejudice.

- moved by Councillor McVey, seconded by Councillor Macinnes

Amendment 2

- 1) To note the action to address the motion to adopt the definition of Islamophobia.
- 2) To agree to the establishment of a short life Task and Finish Group to deepen the Council's understanding of the impacts of Islamophobia and this group be formed of one councillor representative from each political group and at least three external representatives from the Muslim community.

- moved by Councillor Bennett, seconded by Councillor Osler

In accordance with Standing Order 22(12), Amendments 1 and 2 were accepted as addendums to the Motion.

Decision

To approve the following adjusted motion by Councillor Day:

- 1) To note the action to address the motion to adopt the definition of Islamophobia.
- 2) To agree to the establishment of a short life Task and Finish Group to deepen the Council's understanding of the impacts of Islamophobia and this group be formed of one councillor representative from each political group and at least three external representatives from the Muslim community.
- 3) To agree to engage with council's BME staff network around Islamophobia.
- 4) To agree to provide data around number of incidents reported based on racial prejudice.

(Reference – Act of Council No 17 of 24 November 2022; report by the Executive Director of Corporate Services, submitted.)

9. Response to Motion by Councillor Nicolson – Keep Safe Spaces

In response to a motion by Councillor Nicolson, an update was provided on the activities currently in place and proposals for promoting and raising awareness of the Keep Safe Spaces scheme.

Decision

To note the update by the Executive Director of Place on Keep Safe Spaces and the actions which would be progressed by the Edinburgh Health and Social Care Partnership and partners.

(Reference – Act of Council No 16 of 25 August 2022; report by the Executive Director of Place, submitted.)

10. Response to Motion by Councillor Staniforth – Night Time Coordinator-

In response to a motion by Councillor Staniforth, details were provided on the potential to introduce a Night Time Co-ordinator for the city, the information gathered so far and on the proposed next steps.

The Committee had heard a deputation from Street Assist on this issue (see item 1(a) above).

Motion

- 1) To note that officers were researching the role of the Night-Time Advisers in the City of London, Greater Manchester and Bristol Council's to better understand the benefits, opportunities and current successes of these roles and impact on the Night-time economy.
- 2) To agree to consult with the Night-Time Economy workforce and the wider sector and to carry out further analysis of the activities carried out by Night-Time Advisers in other cities.
- 3) To note that a detailed proposal for the role and remit of a Night-Time Coordinator for Edinburgh would be developed following conclusion of the research and consultation and would be reported to Committee on 12 March 2024.

- moved by Councillor Day, seconded by Councillor Watt

Amendment 1

- 1) To note that officers were researching the role of the Night-Time Advisers in the City of London, Greater Manchester and Bristol Council's to better understand the benefits, opportunities and current successes of these roles and impact on the Night-time economy.
- 2) To agree to consult with the Night-Time Economy workforce and to carry out further analysis of the activities carried out by Night-Time Advisers in other cities.
- 3) To note that a detailed proposal for the role and remit of a Night-Time Coordinator for Edinburgh would be developed following conclusion of the research and consultation and would be reported to Committee by end of 2023.
- 4) Agrees to further report in 3 cycles on how implementation of the recommendations in the 'Get Me Home Safely' campaign might be progressed.

- moved by Councillor Beal, seconded by Councillor Bennett

Amendment 2

- 1) To note that officers were researching the role of the Night-Time Advisers in the City of London, Greater Manchester and Bristol Council's to better understand the benefits, opportunities and current successes of these roles and impact on the Night-time economy.
- 2) To agree to consult with the Night-Time Economy workforce and to carry out further analysis of the activities carried out by Night-Time Advisers in other cities.
- 3) Notes that though the night time coordinator position should be an independent post the council may wish to fund or part fund it.

- 4) Therefore resolves that the detailed proposal for the role will be submitted to this committee on 9th Jan 2024 to give the opportunity for such funding in the 24/25 budget.

- moved by Councillor Staniforth, seconded by Councillor Mumford

In terms of Standing Order 22(12), Amendment 1 was accepted as an amendment to the Motion and Amendment 2 was adjusted and accepted as an addendum to the Motion.

Decision

To approve the following adjusted motion by Councillor Day:

- 1) To note that officers were researching the role of the Night-Time Advisers in the City of London, Greater Manchester and Bristol Council's to better understand the benefits, opportunities and current successes of these roles and impact on the Night-time economy.
- 2) To agree to consult with the Night-Time Economy workforce and the wider sector and to carry out further analysis of the activities carried out by Night-Time Advisers in other cities.
- 3) To note that a detailed proposal for the role and remit of a Night-Time Coordinator for Edinburgh would be developed following conclusion of the research and consultation and would be reported to Committee by end of 2023.
- 4) To note that though the night time coordinator position should be an independent post the council might wish to fund or part fund it.
- 5) To agree to a further report in 3 cycles on how implementation of the recommendations in the 'Get Me Home Safely' campaign might be progressed.

(References – Act of Council No 24 of 24 November 2022; report by the Executive Director of Place, submitted.)

11. The UK's Real Estate, Infrastructure and Investment Forum (UKREiiF) - Attendance

Details were provided on the attendance of the Council Leader at the UKREiiF (the UK's Real Estate, Infrastructure and Investment Forum) event held in Leeds on 16 and 17 May, following consultation with other political group leaders in advance.

Decision

- 1) To note that the Council Leader attended UKREiiF (the UK's Real Estate, Infrastructure and Investment Forum) on 16 and 17 May 2023, having consulted other political group leaders in advance.
- 2) To request a follow-up report providing full details of the event, including whether expected outcomes were achieved.

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

12. Response to Consultation on the Scottish Parliament's draft Gaelic Language Plan 2023-28

Details were provided on the Council's response to Scottish Parliament's consultation on its draft Gaelic Language Plan, 2023-28, which was open from 20 February until 3 April 2023. The response was supportive of the commitments made in the draft plan and made some suggestions for further development.

Decision

To note the response to the Scottish Parliament's consultation on their draft Gaelic Language Plan for 2023-28, approved by the Chief Executive in consultation with the Deputy Leader under urgency provisions set out in A4.1 of the Committee Terms of Reference and Delegated Functions so as to meet the consultation deadline.

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

13. Chair

At this point in the proceedings Councillor Day left the meeting and Councillor Watt was appointed to the Chair.

14. Driving for the Council – Telematics Policy

Details were provided on the Telematics Policy, how it defined how telematics, and other systems which provided live location on vehicles, would be managed and used in Council operated fleet assets together with actions taken to address concerns raised by Union representatives about the introduction of the policy and why a local collective agreement could not be reached.

Motion

- 1) To approve the Driving for the Council - Telematics Policy.
- 2) To note that despite action taken to address the concerns raised by Union representatives, there would not be a local collective agreement between the employer and the joint trade unions on this policy.
- 3) To note a report would be presented to the Partnership at Work Forum and the Policy and Sustainability Committee in six months' time to provide an update on the implementation of the policy.
- 4) To note that there were currently a number of systems providing telemetry data for fleet assets that had been in place for several years and were being used across the Council, however there was no specific Telematics Policy in place for management of these systems.

- moved by Councillor Watt, seconded by Councillor Meagher

Amendment

- 1) To approve the Driving for the Council - Telematics Policy.

- 2) To note that despite action taken to address the concerns raised by Union representatives, there would not be a local collective agreement between the employer and the joint trade unions on this policy.
- 3) To note a report would be presented to the Partnership at Work Forum in six months' time to provide an update on the implementation of the policy and an update provided to the Policy and Sustainability Committee in the business bulletin.
- 4) To note that there were currently a number of systems providing telemetry data for fleet assets that had been in place for several years and were being used across the Council, however there was no specific Telematics Policy in place for management of these systems. Therefore requests a report to committee within 2 cycles outlining the steps that would be needed in order to produce an overarching telematics and digital surveillance policy for the Council, and how this could be incorporated into the current policy creation schedule.
- 5) Notes that this policy will be reviewed annually and requests that this happens through the Policy & Sustainability Committee for at least the first year.
- 6) Additionally requests that a dashboard detailing information about requests is brought to each Policy & Sustainability Committee for the first year of the policy. This dashboard should include information about why the request was made and if it was granted, and details of the date, time, and concerned parties relating to the request; as far as is permissible under GDPR regulations. This can either be included in the Business Bulletin, or as a standalone dashboard report.
- 7) Finally, notes that this policy "also covers any other system the Council may use which provides live data on Council vehicles locations" and therefore requests a briefing note to Committee Members in advance of the next committee meeting detailing which other systems that will be impacted by this policy and the next steps and timescales for implementation.

- moved by Councillor Mumford, seconded by Councillor Staniforth

In terms of Standing Order 22(12) the amendment was adjusted and accepted as an addendum to the motion.

Decision

To approve the following adjusted motion by Councillor Watt:

- 1) To approve the Driving for the Council - Telematics Policy.
- 2) To note that despite action taken to address the concerns raised by Union representatives, there would not be a local collective agreement between the employer and the joint trade unions on this policy.
- 3) To note a report would be presented to the Partnership at Work Forum and the Policy and Sustainability Committee in six months' time to provide an update on the implementation of the policy and an update provided to the Policy & Sustainability Committee in the business bulletin.

- 4) To note that there were currently a number of systems providing telemetry data for fleet assets that had been in place for several years and were being used across the Council, however there was no specific Telematics Policy in place for management of these systems. Therefore to request a report to committee within 2 cycles outlining the steps that would be needed in order to produce an overarching telematics and digital surveillance policy for the Council, and how this could be incorporated into the current policy creation schedule.
- 5) To note that this policy would be reviewed annually and request that this happens through the Policy and Sustainability Committee for at least the first year.
- 6) Additionally to request that a dashboard detailing information about requests be brought to the next Policy and Sustainability Committee for the first year of the policy. This dashboard should include information about why the request was made and if it was granted, and details of the date, time, and concerned parties relating to the request; as far as was permissible under GDPR regulations. The covering report should outline how regular reporting was brought to committee (via Business Bulletin/email updates, etc.).
- 7) Finally, to note that this policy “also covers any other system the Council may use which provides live data on Council vehicles locations” and therefore to request a briefing note to Committee Members in advance of the next committee meeting detailing which other systems that would be impacted by this policy and the next steps and timescales for implementation.

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

Declaration of Interests

Councillor Day declared a non-financial interest in the above item as his brother was a Trade Union representative and left the meeting during the Committee’s consideration of the item.

15. Chair

At this point in the proceedings Councillor Day resumed the Chair.

16. Response to Scottish Government Community Wealth Building Consultation

Details were provided on the Council’s response to a Scottish Government public consultation on proposed legislation for Community Wealth Building (CWB) which had closed for submissions on 9 May 2023.

Motion

- 1) To note the Council’s response to the Scottish Government’s consultation on proposed Community Wealth Building Legislation.

- 2) To note that, in order to meet Scottish Government consultation deadlines, submission of the response had been approved by the Chief Executive in consultation with the Council Leader under urgency provisions set out in A4.1 of the Committee Terms of Reference and Delegated Functions.

- moved by Councillor Day, seconded by Councillor Watt

Amendment

- 1) Notes that the consultation opened on January 31st, and the deadline for submission was May 9th, providing ample opportunity for elected members to feed into the consultation response.
- 2) Committee regrets that the consultation response was submitted without committee approval, despite a long period of open consultation.
- 3) Further regrets answers 1.a, 4 and 7 and agrees these do not reflect the Council's position.
- 4) Agrees that the Chief Executive will write to the Government within 5 working days:
 - a) to revise answer 1.a to option c.
 - b) to expand on areas currently devolved that could advance the Council's support for community wealth building and confirm the Council's support for the devolution of all employment law to the Scottish Parliament to allow this to be advanced further.
 - c) Agrees officers will make contact with local groups, including financial institutions, in Edinburgh to explore question 7 in more depth and submit information which could be helpful to encourage more finance availability in support of community wealth building projects and wider economic approaches.

- moved by Councillor McVey, seconded by Councillor Macinnes

Amendment 2

- 1) To note the Council's response to the Scottish Government's consultation on proposed Community Wealth Building Legislation.
- 2) To note that, in order to meet Scottish Government consultation deadlines, submission of the response had been approved by the Chief Executive in consultation with the Council Leader under urgency provisions set out in A4.1 of the Committee Terms of Reference and Delegated Functions.
- 3) Regrets that this issue was not brought to Committee for approval of the broad principles in the consultation, and believes this could and should have been done within the time constraints.
- 4) Requests a paper be brought within 2 cycles outlining the Council's broad position on the introduction and streamlining of Duties, to enable Elected Members to consider whether this is still the correct position to be taking.

- 5) Further requests a report within 3 cycles setting out how the council is embedding and maximising a Community Wealth Building Approach across our work including but not limited to:
- Relevant sections of the Economic Strategy and Business Plan
 - How CEC works with social enterprises and cooperatives
 - How food systems are currently, and could be in future, considered under CWB in Edinburgh
 - How procurement systems could be utilised to support a CWB approach
 - How CEC's commitment to participatory budgeting interacts with CWB.

- moved by Councillor Mumford, seconded by Councillor Parker

In accordance with Standing Order 22(12), Amendment 2 was accepted as an addendum to the motion.

In accordance with Standing Order 22(12), Amendment 2 was accepted as an addendum to Amendment 1.

Voting

The voting was as follows:

For the Motion (as adjusted)	-	9 votes
For Amendment 1 (as adjusted)	-	8 votes

(For the Motion (as adjusted): Councillors Beal, Bennett, Day, Meagher, Mowat, Osler, Thornley, Watt and Whyte.

For Amendment 1 (as adjusted): Councillors Biagi, Campbell, Macinnes, McVey, Mumford, Nicolson, Parker and Staniforth.)

Decision

To approve the following adjusted motion by Councillor Day:

- 1) To note the Council's response to the Scottish Government's consultation on proposed Community Wealth Building Legislation.
- 2) To note that, in order to meet Scottish Government consultation deadlines, submission of the response had been approved by the Chief Executive in consultation with the Council Leader under urgency provisions set out in A4.1 of the Committee Terms of Reference and Delegated Functions.
- 3) To regret that this issue was not brought to Committee for approval of the broad principles in the consultation, and believe this could and should have been done within the time constraints.
- 4) To request a paper be brought within 2 cycles outlining the Council's broad position on the introduction and streamlining of Duties, to enable Elected Members to consider whether this was still the correct position to be taking.

- 5) Further to request a report within 3 cycles setting out how the council was embedding and maximising a Community Wealth Building Approach across its work including but not limited to:
- Relevant sections of the Economic Strategy and Business Plan
 - How CEC works with social enterprises and cooperatives
 - How food systems are currently, and could be in future, considered under CWB in Edinburgh
 - How procurement systems could be utilised to support a CWB approach
 - How CEC's commitment to participatory budgeting interacts with CWB.

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

17. Energy for Edinburgh – Option Appraisal

Decision

To note that the report had been withdrawn.

18. Alcohol and Drugs Policy

Details were provided on a recommendation from the Independent Inquiry and Whistleblowing Culture Review to review conduct related employment policies and, where appropriate to revise. The refreshed policy of Alcohol and Drugs was presented.

Motion

- 1) To approve the new Alcohol and Drugs Policy.
- 2) To note that this policy had been reviewed and revised to address the recommendations agreed following the Independent Inquiry and Whistleblowing Culture Review by Susan Tanner QC, with Pinsent Mason in 2021.

- moved by Councillor Day, seconded by Councillor Watt

Amendment 1

- 1) To approve the new Alcohol and Drugs Policy.
- 2) To note that this policy had been reviewed and revised to address the recommendations agreed following the Independent Inquiry and Whistleblowing Culture Review by Susan Tanner QC, with Pinsent Mason in 2021.
- 3) Notes that drug and alcohol testing at work is invasive and unnecessary.
- 4) Therefore resolves that, in contrast to paragraph 4.7 of the report by the Executive Director of Corporate Services, drug and alcohol testing will not ever be reviewed unless a motion requesting such a review is passed at full council or there is a legal requirement to do so.

- 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.

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 Mowat

Voting

The voting was as follows:

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

(For the Motion (as adjusted): Councillors Beal, Bennett, Biagi, Campbell, Day, Macinnes, McVey, Meagher, Mumford, Nicolson, Osler, Parker, Staniforth, Thornley and Watt.

For Amendment 2 (the motion as originally submitted): Councillors Mowat and Whyte.)

Decision

To approve the following adjusted motion by Councillor Day:

- 1) To approve the new Alcohol and Drugs Policy.
- 2) To note that this policy had been reviewed and revised to address the recommendations agreed following the Independent Inquiry and Whistleblowing Culture Review by Susan Tanner QC, with Pinsent Mason in 2021.
- 3) To note that drug and alcohol testing at work was invasive and unnecessary.
- 4) To therefore resolve that, in contrast to paragraph 4.7 of the report by the Executive Director of Corporate Services, drug and alcohol testing would not ever be reviewed unless a motion requesting such a review was passed at full council or there was a legal requirement to do so.

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

19. Harassment Policies – Amendment Update

The Committee had agreed to a report on Council 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. An update was provided on the work undertaken to date.

Decision

- 1) To note the progress towards developing a robust approach to the prevention of harassment in the workplace.
- 2) To welcome the involvement of the Equally Safe at Work Subgroup of the Council's Women's Network and the Equally Safe Edinburgh Committee.

- 3) To confirm that a separate gender informed sexual harassment policy, with appropriate training and toolkits, was expected to be put in place within two years and to request that an update of progress towards that goal be provided to this Committee within 12 months.

(References – Policy and Sustainability Committee of 17 January 2023 (item 9); report by the Executive Director of Corporate Services, submitted.)

20. Gaelic Implementation Steering Group

Details were provided on a proposal that ownership of the Gaelic Implementation Steering Group be transferred from the Education, Children and Families Committee to the Policy and Sustainability Committee, to bring oversight in line with that of the Gaelic Language Plan.

Motion

- 1) To agree to transfer ownership of the Gaelic Implementation Steering Group from the Education, Children and Families Committee to the Policy and Sustainability Committee.
- 2) To consider the membership of the Gaelic Implementation Steering Group.
- 3) To refer this report to the Education, Children and Families Committee for joint approval.

- moved by Councillor Day, seconded by Councillor Watt

Amendment

Committee agrees:

- 1) To transfer ownership of the Gaelic Implementation Steering Group from the Education, Children and Families Committee to the Policy and Sustainability Committee;
- 2) The membership of the Gaelic Implementation Steering Group is as set out in appendix 1 to the report by the Executive Director of Corporate Services, with the following changes:
 - a) Remove "1 Labour Member", insert "Council Leader";
 - b) The group will be convened by the Council Leader;
 - c) Any elected member may appoint a substitute from within their political group;
 - d) All other membership is as set out in Appendix 1 to the report by the Executive Director of Corporate Services.
- 3) To refer this report to the Education, Children and Families Committee for joint approval."

- moved by Councillor Parker, seconded by Councillor Staniforth

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 transfer ownership of the Gaelic Implementation Steering Group from the Education, Children and Families Committee to the Policy and Sustainability Committee.
- 2) To agree the membership of the Gaelic Implementation Steering Group as set out in appendix 1 to the report by the Executive Director of Corporate Services, with the following changes:
 - a) Remove "1 Labour Member", insert "Council Leader";
 - b) The group will be convened by the Council Leader;
 - c) Any elected member may appoint a substitute from within their political group;
 - d) All other membership is as set out in Appendix 1 to the report by the Executive Director of Corporate Services.

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

21. Self Directed Support – Direct Payments

Details were provided on what outcomes Self Directed Support (SDS), and specifically direct payments could be used to support.

Decision

- 1) To note that briefing sessions had recently been provided to staff on Self Directed Support, including direct payments.
- 2) To note that officers had committed to revising information for recipients of direct payments by September 2023 and publish this on the Edinburgh Health and Social Care Partnership website.

(References – Act of Council No 10 of 16 March 2023; report by the Chief Officer, Edinburgh Health and Social Care Partnership, submitted.)

22. 16 Days of Activism Against Gender-Based Violence

Details were provided on a proposed a range of interventions and communication methods to raise awareness of power imbalances and gender-based violence (GBV) within the political settings of the City Chambers and Waverley Court, how to report GBV, as well as how to access support together with an update on actions to be undertaken by the Equally Safe Edinburgh Committee (ESEC) in order to improve communications with the public on Violence Against Women and Girls (VAWG) and other forms of Gendered violence.

Decision

- 1) To note the report by the Chief Executive which set out the context for the recommended activities, and the ways in which those aligned with a multitude of Council priorities, such as Equally Safe and Stonewall's Diversity Champions Programme.
- 2) To approve the action plan proposed within the report, which involved both direct development activities as well as written communications and information posters being distributed which raised awareness of inappropriate conduct, gender-based violence, reporting mechanisms and sources of support both with Elected Members as well as staff members working directly with them.

(References – Act of Council No 15 of 9 February 2023; report by the Chief Executive, submitted.)

23. Women's Safety in Public Places

In response to motions by Councillors Osler and Watt, an update was provided on the work of the Women's Safety in Public Places Community Improvement Partnership, as together with an overview of the work undertaken by the Partnership between November 2022-March 2023, as well as a plan for next steps and anticipated impacts of the work.

Motion

To note the report by the Executive Director of Children, Education and Justice Services which provided an update on the work of the Women's Safety in Public Places Community Improvement Partnership.

- moved by Councillor Watt, seconded by Councillor Meagher

Amendment 1

- 1) To note the report by the Executive Director of Children, Education and Justice Services which provided an update on the work of the Women's Safety in Public Places Community Improvement Partnership.
- 2) Thanks officers for their continued hard work on this.
- 3) Notes the report and amended recommendations of 7.4 Guidance on Park Lighting agreed by Culture and Communities Committee on 11th May 2023.
- 4) Agrees to liaise with officers designing the above lighting strategy and feed any relevant responses as outlined in 5.3 of the report, to address concerns raised and inform innovative solutions as far as possible.

- moved by Councillor Osler, seconded by Councillor Thornley

Amendment 2

- 1) To note the report by the Executive Director of Children, Education and Justice Services which provided an update on the work of the Women's Safety in Public Places Community Improvement Partnership.

- 2) Notes that on 4th May 2023 Edinburgh Council passed a motion on "Edinburgh as a feminist city" which commends the work of the Women's Safety in Public Places Community Improvement Partnership and will lead to a report on how a feminist town planning approach and gendered lens can be adopted across the Council, which must necessarily cover issues covered in this report.
- 3) Further notes that ongoing conversations and decisions around a Night-Time Co-ordinator and the Get Me Home Safely campaign may also have an impact on women's safety in public places.
- 4) Therefore requests that the Women's Safety in Public Places Community Improvement Partnership engages with the officers and external agencies involved in the work around feminist town planning, a night-time coordinator post, and the Get Me Home Safely campaign, as this project progresses to ensure women's safety in Edinburgh is embedded across all these strands of work.

- moved by Councillor Mumford, seconded by Councillor Staniforth

In accordance with Standing Order 22(12), Amendments 1 and 2 were accepted as addendums to the motion.

Decision

To approve the following adjusted motion by Councillor Watt:

- 1) To note the report by the Executive Director of Children, Education and Justice Services which provided an update on the work of the Women's Safety in Public Places Community Improvement Partnership.
- 2) To thank officers for their continued hard work on this.
- 3) To note the report and amended recommendations of 7.4 Guidance on Park Lighting agreed by Culture and Communities Committee on 11th May 2023.
- 4) To agree to liaise with officers designing the above lighting strategy and feed any relevant responses as outlined in 5.3 of the report, to address concerns raised and inform innovative solutions as far as possible.
- 5) To note that on 4th May 2023 Edinburgh Council passed a motion on "Edinburgh as a feminist city" which commended the work of the Women's Safety in Public Places Community Improvement Partnership and would lead to a report on how a feminist town planning approach and gendered lens could be adopted across the Council, which must necessarily cover issues covered in the report.
- 6) To further note that ongoing conversations and decisions around a Night-Time Co-ordinator and the Get Me Home Safely campaign might also have an impact on women's safety in public places.
- 7) To therefore request that the Women's Safety in Public Places Community Improvement Partnership engage with the officers and external agencies involved in the work around feminist town planning, a night-time coordinator post, and the Get Me Home Safely campaign, as this project progressed to

ensure women's safety in Edinburgh was embedded across all these strands of work.

(References – Act of Council No 8 of 29 April 2021: Act of Council No 16 of 26 August 2021; report by the Executive Director of Children, Education and Justice Services, submitted.)

24. EUROCITIES Urban Summit 2023 - Brussels

Details were provided on the EUROCITIES AGM which was being held in Brussels in June 2023 as a part of the Brussels Urban Summit (BUS).

Decision

- 1) To agree to the Lord Provost, accompanied and supported by one Council officer, representing Edinburgh at the EUROCITIES AGM and Brussels Urban Summit (BUS) between 12th and 15th June 2023.
- 2) To note that the Brussels Urban Summit would bring together three international city conferences: the 14th Metropolis World Congress, the EUROCITIES Annual Conference and the sixth OECD Champion Mayors Summit for Inclusive Growth Initiative.
- 3) To note the focus of the summit would be on themes including climate change, migration, urban growth, and inequality.

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

25. International Travel - Place

Details were provided on the proposed international travel for officers in the Place Directorate in 2023/24 together with a small number of visits which had already been approved under delegated authority due to urgency.

Decision

- 1) To note the international travel for officers in the Place Directorate which had been agreed under delegated authority due to urgency.
- 2) To agree the remaining international travel for officers within the Place Directorate in 2023/24.

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

26. Motion by Councillor McKenzie – Care Homes

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

“Committee:

- 1) Notes that on 21 March 2023, Policy & Sustainability Committee agreed that:
 - a) 'the council's role as a care provider is best met through council owned and operated care homes'

- b) 'CECs presumption going forward should be in favour of an in-house model'
- 2) Is concerned that the upcoming Care Home Public Consultation may focus specifically on proposals to decommission four council care homes, with no consideration given to options for replacement care provision.
 - 3) Believes that consideration of the decommissioning of the four care homes in isolation risks a significant reduction in the council's ability to provide care through council owned and operated care homes.
 - 4) Requests that the Chief Executive intervenes to broaden the scope of the consultation to include the development of options for replacement care provision in the event that any council care homes are decommissioned.
 - 5) Requests a report to this committee within 2 cycles, outlining options for expanding council provision of long term care, including upgrading existing care homes, building new care homes and acquiring care homes from private providers."

The Committee had heard deputations from Unison and Edinburgh TUC on this issue (see items 1(b) and (c) above).

Motion

To approve the motion by Councillor McKenzie.

- moved by Councillor McKenzie, seconded by Councillor Mumford

Amendment 1

- 1) To amend point 4 of the motion by Councillor McKenzie to read:
"Requests that the IJB intervenes to broaden the scope of the consultation to include the development of options for replacement care provision in the event that any council care homes are decommissioned."
- 2) To amend point 5 of the motion to read:
"Asks the Convener to write to the IJB requesting an outline of the options for expanding council provision of long-term care, including upgrading existing care homes, building new care homes and acquiring care homes from private providers."

- moved by Councillor Day, seconded by Councillor Watt

Amendment 2

- 1) To add additional text at the end of point (2) in the motion by Councillor McKenzie as follows:
"and invites the Unions (Unison and GMB) to reconnect with the consultation process."
- 2) To add a new point 5 to the motion by Councillor McKenzie as follows:

“5) Requests a report to this committee within 2 cycles, outlining options for expanding council provision of long term care, including upgrading existing care homes, building new care homes and acquiring care homes from private providers and explaining the decision making process around the changes to the consultation and why voting members of the EIJB Board weren’t informed i.e. why the process will now identify how to decommission care homes rather than focus on the future of Edinburgh’s care homes.”

- moved by Councillor Nicolson, seconded by Councillor McVey

Amendment 3

1) To add additional text at the end of point (2) in the motion by Councillor McKenzie as follows:

"and notes with concern that the consultation approach which was approved by the Edinburgh Integration Joint Board on 13 December 2023 to consult broadly on older peoples' care has not been taken"

2) To add additional text at point (4) in the motion after the words "Requests that the Chief Executive intervenes to broaden the scope of the consultation":

"as originally approved on 13 December and"

3) To add a new point (6) to the motion:

"6) Requests officers urgently communicate and engage with all affected care home residents, their families, and workers in these care homes to assure them of the council's policy of support for publicly owned and managed care homes, and that their feedback will be at the heart of all improvements made to residential care."

- moved by Councillor Parker, seconded by Councillor Staniforth

In accordance with Standing Order 22(12), Amendment 1 was adjusted and accepted as an amendment to the motion and Amendments 2 and 3 were adjusted and accepted as addendums to the motion.

Decision

To approve the following adjusted motion by Councillor McKenzie:

1) To note that on 21 March 2023, Policy and Sustainability Committee agreed that:

a) 'the council’s role as a care provider is best met through council owned and operated care homes'

b) 'CECs presumption going forward should be in favour of an in-house model'

2) To note concern that the upcoming Care Home Public Consultation might focus specifically on proposals to decommission four council care homes, with no consideration given to options for replacement care provision and note with concern that the consultation approach which was approved by the Edinburgh

Integration Joint Board on 13 December 2023 to consult broadly on older peoples' care had not been taken.

- 3) To believe that consideration of the decommissioning of the four care homes in isolation risked a significant reduction in the council's ability to provide care through council owned and operated care homes.
- 4) To request that the Chief Executive intervene to advocate for council policy by formally requesting that the IJB broaden the scope of the consultation, as originally approved on 13 December 2022, to include the development of options for replacement care provision in the event that any council care homes were decommissioned and the unions (Unison and GMB) should be invited to reconnect with the consultation process.
- 5) To request a report from the IJB to this committee within 4 cycles outlining options for expanding council provision of long-term care, including upgrading existing care homes, building new care homes and acquiring care homes from private providers.
- 6) To request that the IJB explain the decision-making process around the consultation and why voting members of the Board weren't informed that the process would identify how to decommission care homes rather than focus on the future of Edinburgh's care homes.
- 7) To request officers urgently communicate and engage with all affected care home residents, their families, and workers in these care homes to assure them of the council's policy of support for publicly owned and managed care homes, and that their feedback would be at the heart of all improvements made to long-term care.