



West Lothian Council

West Lothian Civic Centre
Howden South Road
LIVINGSTON
EH54 6FF

16 May 2018

A meeting of West Lothian Council will be held within the **Council Chambers, West Lothian Civic Centre, Livingston on Tuesday 22 May 2018 at 10:00am.**

For Chief Executive

BUSINESS

Public Session

1. Apologies for Absence
2. Declarations of Interest - Members should declare any financial and non-financial interests they have in the items of business for consideration at the meeting, identifying the relevant agenda item and the nature of their interest.
3. Order of Business, including notice of urgent business and declarations of interest in any urgent business
4. Minutes -
 - (a) Confirm Draft Minute of Meeting of West Lothian Council held on Tuesday 20 March 2018 (herewith)
 - (b) Confirm Draft Minute of Special Meeting of West Lothian Council held on Tuesday 03 April 2018.
 - (c) Confirm Draft Minute of Special Meeting of West Lothian Council held on Tuesday 01 May 2018 (herewith)
 - (d) Correspondence Arising from Previous Decisions (herewith)
 - (e) Note Minute of Meeting of Employee Appeals Committee (Private) held on Friday 15 December 2017 (herewith)

- (f) Note Minute of Meeting of Employee Appeals Committee (Private) held on Friday 02 February 2018 (herewith)
- (g) Note Minute of Meeting of Education (Quality Assurance) Committee held on Tuesday 30 January 2018 (herewith)
- (h) Note Minute of Meeting of Education (Quality Assurance) Committee held on Tuesday 27 February 2018 (herewith)
- (i) Note Minute of Meeting of Audit Committee held on Monday 18 December 2017 (herewith)
- (j) Note Minute of Meeting of Governance and Risk Committee held on Monday 22 January 2018 (herewith)
- (k) Note Minute of Meeting of West Lothian Council Planning Committee held on Wednesday 25 April 2018 (herewith)
- (l) Note Minute of Meeting of West Lothian Council (Planning) held on Wednesday 25 April 2018 (herewith)
- (m) Note Minute of Meeting of Joint Consultative Group (Private) held on Monday 12 February 2018 (herewith)

Public Items for Decision

- 5. Election Business
- 6. Edinburgh and South East Scotland City Deal Joint Committee - Report by Chief Executive (herewith)
- 7. Scheme of Administration - West Lothian Leisure Advisory Committee - Report by Chief Executive (herewith)
- 8. Notice of Motion - GP Services in Stoneyburn - Submitted by Councillor Cathy Muldoon (herewith)
- 9. Notice of Motion - Minimum Unit Price - Submitted by Councillor Harry Cartmill (herewith)
- 10. Notice of Motion - Commonwealth Games Athletes - Submitted by Councillor Pauline Clark (herewith)
- 11. Notice of Motion - Use of Unallocated General Fund Balance - Submitted by Councillor Frank Anderson (herewith)
- 12. Documents for Execution

Public Items for Information

- 13. Livingston Libraries - Question to the Executive Councillor for Culture and

DATA LABEL: Public

Leisure - Submitted by Councillor Andrew Miller (herewith)

14. Committee Vacancies - Question to the Leader of the Council - Submitted by Councillor Andrew McGuire (herewith)
15. Community Alarms - Question to the Executive Councillor for Social Policy - Submitted by Councillor Sarah King (herewith)
16. Roads Funding - Question to Executive Councillor for the Environment - Submitted by Councillor Frank Anderson (herewith)

NOTE **For further information contact Anne Higgins, Tel: 01506 281601 or email: anne.higgins@westlothian.gov.uk**

MINUTE of MEETING of the WEST LoTHIAN COUNCIL held within Council Chambers, West Lothian Civic Centre, Livingston, on 20 March 2018.

Present – Provost Tom Kerr (Chair), Depute Provost Dave King (Vice-Chair), Councillors Alison Adamson, Frank Anderson, William Boyle, Diane Calder, Janet Campbell, Harry Cartmill, Pauline Clark, Tom Conn, Robert De Bold, David Dodds, Angela Doran, Lawrence Fitzpatrick, Peter Heggie, Chris Horne, Carl John, Peter Johnston, Charles Kennedy, Dave King, Sarah King, Andrew McGuire, Dom McGuire, Andrew Miller, Cathy Muldoon, George Paul, Moira Shemilt, Kirsteen Sullivan, David Tait and Damian Timson

Apologies – Councillors Stuart Borrowman, Jim Dickson, Bruce Fairbairn and John McGinty

1. DECLARATIONS OF INTEREST

Councillor Janet Campbell declared an interest in that she was a paid employee of NHS Lothian; and

Agenda Item 7 (Notice of Motion – Paediatric Services) – Councillor Andrew McGuire declared an interest in that he was a paid employee of Neil Findlay MSP so would not participate in the item of business.

2. ORDER OF BUSINESS, INCLUDING NOTICE OF URGENT BUSINESS AND DECLARATIONS OF INTEREST IN ANY URGENT BUSINESS

The Provost invited Councillors Robert de Bold and Carl John to make a statement to Council.

Councillors Robert De Bold and Carl John wished to record a note of congratulations to 2535 Air Training Corps Squadron, based in Craigshill, for winning the national drill competition and which would allow them to lead the parade for Airforce 100 taking place in June 2018.

Decision

To record a note of congratulations to 2535 Air Training Corp Squadron for winning the national drill competition.

3. MINUTES -

- a) The Council approved the minute of the meeting of West Lothian Council held on 16 January 2018;
- b) The Council approved the minute of the special meeting of West Lothian Council held on 13 February 2018;
- c) The Council noted correspondence arising from previous decisions;
- d) The Council noted the minute of the meeting of the Education

(Quality Assurance) Committee held on 21 September 2017;

- e) The Council noted the minute of the meeting of Education (Quality Assurance) Committee held on 21 November 2017
- f) The Council noted the minute of the meeting of Joint Consultative Group (Teaching) held on 15 February 2017;
- g) The Council noted the minute of the meeting of the Joint Consultative Group held on 6 November 2017;
- h) The Council noted the minute of the meeting of the Audit Committee held on 25 September 2017; and
- i) The Council noted the minute of the meeting of the Governance and Risk Committee held on 9 October 2017.

4. ELECTION BUSINESS

Culture and Leisure Policy Development and Scrutiny Panel (PDSP)

The Council was informed that the SNP wished to replace Councillor Willie Boyle with Councillor Carl John as their representative on the Culture & Leisure PDSP.

West Lothian Leisure Advisory Committee

The Council was informed that the SNP wished to appoint Councillor David Tait to the vacancy on the West Lothian Leisure Advisory Committee

Governance and Risk Committee

The Council was informed that the SNP wished to appoint Councillor Pauline Clark to the vacancy on the Governance and Risk Committee

Decision

To agree that :-

- 1. Councillor Willie Boyle be replaced by Councillor Carl John as the SNP Group Member to the Culture and Leisure PDSP;
- 2. Councillor David Tait be appointed as the SNP Group Member to the West Lothian Leisure Advisory Committee; and
- 3. Councillor Pauline Clark be appointed as the SNP Group Member to the Governance and Risk Committee

5. SCHEME OF ADMINISTRATION - ASSET TRANSFER REQUESTS AND REVIEWS

The Council considered a report (copies of which had been circulated) by

the Chief Executive asking for consideration to be given to changes to the Scheme of Administration to deal with asset transfer requests and reviews under the Community Empowerment (Scotland) Act 2015.

The report explained that the Community Empowerment (Scotland) Act 2015 gave community bodies a right to make requests for the transfer of council land or buildings to their control. The community transfer body could ask to buy, lease, manage or use any land or buildings which belonged or were leased to the council. It was required to set out what it planned to do with the property and how much it was prepared to pay.

The council's policy and procedures had been reviewed in light of the 2015 Act and associated regulations and guidance. A new Asset Transfer Policy and amended procedures were approved by Council Executive on 28 November 2017. Part of that committee report concerned decision-making arrangements.

Different options in relation to making committee decisions were considered at PDSP and committee with the following advice provided :-

- Decisions were likely to be seen by the Standards Commission as a form of regulatory business and so different procedural considerations and different rules in the Code of Conduct applied;
- Two committees were needed with separate membership;
- Council Executive was a policy debating and policy-making committee and it was not set up to deal with regulatory decisions and was not used to doing so. It was also the pre-eminent decision-making committee and having decisions there reviewed by another committee was not appropriate; and
- Existing regulatory committees had their own particular areas of business and expertise and establishing new committees would keep those areas separate and allow new expertise and experience to be developed.

Council Executive accepted that two new committees should be established. However changes to the Scheme of Administration could only be made by full council.

For initial decisions it was proposed that an Asset Transfer Committee was established with further details contained in Appendix 1 attached to the report. It would broadly follow the same arrangements as those followed for Development Management Committee. For the review of decisions an Asset Transfer Review Body was proposed, with further details contained in Appendix 2 attached to the report. This would broadly follow the same arrangements as those followed for the Local Review Body.

Standing Orders required that a Chair and Vice Chair were appointed for each committee. It was for council to do so and to determine how many ordinary members should be appointed and what the political mix should

be.

Should a vote be required on membership and/or composition then voting would follow the standard voting procedure in Standing Orders 15 and 16. In relation to voting to appointing members a roll call vote was not automatic and would be as per the procedure in Standing Order 3.

Meetings would be timetabled for each committee on a monthly basis, but would only take place if there was business to be done. Officers would consult with the Chairs when they were appointed and identify dates through to and including July 2019. It was proposed that the Chief Executive makes those arrangements through delegated powers, rather than reporting back to Council Executive for approval.

It was recommended that council :-

1. Notes the requirement for separate decision-making bodies for asset transfer requests and for applications for review of decisions on those requests;
2. Notes that on 28 November 2017 Council Executive accepted a recommendation that two new committees be formed and requested that council be asked to agree to amend the Scheme of Administration accordingly;
3. Approves the changes proposed to the Scheme of Administration to establish those new committees, as set out in the appendices, subject to any changes that be made later following the review of the decision-making structure instructed by council on 13 February 2018;
4. Notes the requirement for training before members may take part at meetings;
5. Considers and agrees membership of those committees, and to appoint Chairs, Vice-Chairs and ordinary members; and
6. Delegates to the Chief Executive the power, after consultation with the respective Chairs, to add appropriate dates and times for committee meetings to the calendar of meetings through to July 2019.

Motion

“Council agrees as regards B Recommendations:-

To note recommendations 1 ,2 and 4 and agree recommendations 3 and 6

In relation to recommendation 5:

- To agree that 7 members are appointed to the Asset Transfer Committee, made up of 4 Labour members, 2 Conservative members and 1 SNP member and that 5 members are appointed

to the Asset Transfer Review Body, made up of 3 Labour members, 1 Conservative member and 1 SNP member

- To appoint the Chair and Vice-Chair of each committee
- To appoint the remaining members of the two committees”
- Moved by the Council Leader and seconded by Councillor Kirsteen Sullivan

Amendment

“That the composition of both committees more accurately reflect the composition of the council and therefore agree that 9 members were appointed to the Asset Transfer Committee, made up of 4 SNP members, 3 Labour members and 2 Conservative members and that 9 members were appointed to the Asset Transfer Review Body, made up of 4 SNP members, 3 labour members and 2 Conservative members.”

- Moved by Councillor Peter Johnston and seconded by Councillor Frank Anderson

A roll call vote was taken which resulted as follows :-

Motion

Alison Adamson
Harry Cartmill
Tom Conn
David Dodds
Angela Doran
Lawrence Fitzpatrick
Peter Heggie
Chris Horne
Charles Kennedy
Tom Kerr
Dave King
Andrew McGuire
Dom McGuire
Cathy Muldoon
George Paul
Kirsteen Sullivan
Damian Timson

Amendment

Frank Anderson
William Boyle
Diane Calder
Janet Campbell
Pauline Clark
Robert De Bold
Carl John
Peter Johnston
Sarah King
Andrew Miller
Moira Shemilt
David Tait

Decision

Following a vote the Motion was successful by 17 votes to 12 votes, with 4 members absent and it was agreed accordingly.

Asset Transfer Committee - Chair

Nominations

Dom McGuire – Proposed by the Council Leader and seconded by

Councillor Kirsteen Sullivan

David Tait – Proposed by Councillor Peter Johnston and seconded by Councillor Frank Anderson

Decision

A vote was taken by a show of hands which resulted as follows: - Dom McGuire 17 votes, David Tait 12 votes and it was agreed that Dom McGuire be appointed as Chair.

Asset Transfer Committee – Vice-Chair

Nominations

David Dodds – Proposed by the Council Leader and seconded by Councillor Kirsteen Sullivan

Maira Shemilt – Proposed by Councillor Peter Johnston and seconded by Councillor Frank Anderson

Decision

A vote was taken by a show of hands which resulted as follows:- David Dodds 17 votes, Maira Shemilt 12 votes and it was agreed that David Dodds be appointed as Vice-Chair.

Asset Transfer Review Body - Chair

Nominations

Tom Conn - Proposed by the Council Leader and seconded by Councillor Kirsteen Sullivan

Pauline Clark - Proposed by Councillor Peter Johnston and seconded by Councillor Frank Anderson

Decision

A vote was taken by a show of hands which resulted as follows:- Tom Conn 17 votes, Pauline Clark 12 votes and it was agreed that Tom Conn be appointed as Chair.

Asset Transfer Review Body – Vice-Chair

Nominations

Andrew McGuire - Proposed by the Council Leader and seconded by Councillor Kirsteen Sullivan

Carl John - Proposed by Councillor Peter Johnston and seconded by Councillor Pauline Clark

Decision

A vote was taken by a show of hands which resulted as follows:- Andrew McGuire 17 votes, Carl John 12 votes and it was agreed that Andrew McGuire be appointed as Vice-Chair.

The Council then appointed the following members to the Asset Transfer Committee:-

Councillors Lawrence Fitzpatrick and Dave King

The Council then appointed the following member to the Asset Transfer Review Body :-

Councillor Angela Doran

It was noted that remaining nominations from the SNP and Conservative Groups would be communicated at the earliest opportunity.

6. NOTICE OF MOTION - PAEDIATRIC SERVICES WEST LoTHIAN - SUBMITTED BY COUNCILLOR JANET CAMPBELL

Councillor Andrew McGuire having previously declared an interest in the following item of business, left the room and took no part in the discussion or vote.

The Council considered a motion (copies of which had been circulated) submitted by Councillor Janet Campbell in the following terms :-

“West Lothian Council agrees that the provision of 24/7 Children’s services at St John’s Hospital is essential to the well-being of the West Lothian community and agrees to write to NHS Lothian re-iterating this view.

Council further welcomes the news that there has been some recent success with regards to NHS Lothian’s recruitment drive with the announcement that an additional two Consultant Paediatricians have been employed by the Health Board.

Council further agrees that the integration of children’s health and social care services is essential to the well-being of the West Lothian community and instructs the Chief Executive to request an urgent meeting with the Chief Executive of NHS Lothian to seek agreement to:-

1. Discuss a possible timetable for the full integration of children’s services under the control of the West Lothian Integration Joint Board.
 2. Prepare a report for both West Lothian Council and NHS Lothian on a plan to integrate services at St John’s under the control of the West Lothian Integration Joint Board”
- Moved by Councillor Janet Campbell and seconded by Councillor Peter Johnston

Amendment

“Council notes the council’s policy position is that only adults’ services should be integrated with all optional services being left with council and health board. That was agreed with the health board and public consultation took place on that basis. The Integration Scheme was prepared and approved by the Scottish Ministers on that same basis

Council notes that any further integration as called for in the motion would require the Integration Scheme to be amended and that amending the Integration Scheme can only be done after a statutory process. The statutory process requires that integration planning principles and national health and wellbeing outcomes are taken into account, and requires consultation with designated professional and user groups. The views expressed must be taken into account before making decisions and the Public Sector Equality Duty requirements would have to be applied before making any decision. Council notes that the motion fails to address any of the above requirements and seeks to by-pass a statutory process by making a judgment now that further integration is necessary or desirable.

Current collaborative working across children and families services in West Lothian is taken forward with key partners including Social Policy, Education, Lothian Health, third and independent sector, Police, and the Children’s Reporter under the governance of the Children and Families Strategic Planning Group. This existing governance mechanism supported the successful Joint Children’s Services Inspection in 2017 and is taking forward key strategic developments within West Lothian’s Children’s Services Plan and Corporate Parenting Plan

Council agrees that no evidence or reasons have been provided to demonstrate that further integration would benefit West Lothian and its residents. There is in particular no evidence that further integration would assist in managing children’s services at St John’s Hospital. The recent closures of the children’s ward have been and are the responsibility of NHS Lothian and the Scottish Government

Council further agrees that recent council decisions accept the premise that NHS Lothian can only provide a permanent resolution with the absolute urgent commitment of Scottish Government and that further integration will not address this. Council agrees that the priority should be for NHS Lothian and the Scottish Government to address issues regarding paediatric services as a matter of urgency

Council agrees that no change should be made to the health and social care functions delegated to the IJB”

- Moved by Councillor Lawrence Fitzpatrick and seconded by Councillor Harry Cartmill

A roll call vote was taken which resulted as follows :-

Motion

Amendment

Frank Anderson
William Boyle
Diane Calder
Janet Campbell
Pauline Clark
Robert De Bold
Carl John
Peter Johnston
Sarah King
Andrew Miller
Moirá Shemilt
David Tait

Alison Adamson
Harry Cartmill
Tom Conn
David Dodds
Angela Doran
Lawrence Fitzpatrick
Peter Heggie
Chris Horne
Charles Kennedy
Tom Kerr
Dave King
Dom McGuire
Cathy Muldoon
George Paul
Kirsteen Sullivan
Damian Timson

Decision

Following a vote the Amendment was successful by 16 votes to 12 votes, with 4 members absent and 1 member having left the room after declaring an interest. The Amendment was agreed accordingly.

7. NOTICE OF MOTION - EXCEPTIONAL WEATHER AND RED WARNINGS - SUBMITTED BY COUNCILLOR PETER JOHNSTON

The Council considered a motion (copies of which had been circulated) submitted by Councillor Peter Johnston in the following terms :-

“In response to the exceptional weather and the Red warnings issued covering the 28th February and 1st March, Council agrees to ensure that all staff are credited with full working days and that no council staff lose financially during this period”.

- Moved by Councillor Peter Johnston and seconded by Councillor Sarah King

Amendment

“Council accepts that the Red Weather warnings from 28th February to 1st March 2018 and the period of severe weather experienced until the 5th March 2018 was unprecedented and presented significant difficulties for many staff in attending work.

Council agrees that it is to the credit of our staff that a significant number were able to attend their normal place of work or alternative work location, which enabled the council to respond to the extreme weather conditions and continue to deliver essential services during this period.

It is the case that the council’s Severe Weather Policy, approved in October 2011, was invoked for this period which provided staff with a

range of options where the adverse weather conditions prevented them from attending work or complying fully with their normal working arrangements.

Council notes that :-

1. a key principle of the policy is that there will be no deduction of pay if a member of staff was either delayed in arriving at work, authorised to leave early and/or was instructed not to attend their workplace.
2. where staff were unable to attend work they are able to use annual leave, flexi-leave (where applicable), take unpaid leave or make up the lost hours, in the period to 30th June 2018 or claim for special paid leave.

Council instructs the Chief Executive to undertake a thorough review of communication procedures between managers and staff, engage with recognised Trade Unions to establish clear lines of communication for adverse weather conditions and explore options in identifying ways to recognise staff who went above and beyond to attend work in such difficult weather conditions and undertake to bring a report to Partnership & Resources PDSP”.

- Moved by Councillor Lawrence Fitzpatrick and seconded by Councillor Tom Conn

Prior to a vote being conducted a request was made from the Conservative Group for the amendment to also include an instruction to the Chief Executive to undertake a review of the existing Severe Weather Policy. This was agreed by the mover of the Amendment.

A roll call vote was taken which resulted as follows :-

<u>Motion</u>	<u>Amendment</u>
Frank Anderson	Alison Adamson
William Boyle	Harry Cartmill
Diane Calder	Tom Conn
Janet Campbell	David Dodds
Pauline Clark	Angela Doran
Robert De Bold	Lawrence Fitzpatrick
Carl John	Peter Heggie
Peter Johnston	Chris Horne
Sarah King	Charles Kennedy
Andrew Miller	Tom Kerr
Moir Shemilt	Dave King
David Tait	Andrew McGuire
	Dom McGuire
	Cathy Muldoon
	George Paul
	Kirsteen Sullivan
	Damian Timson

Decision

Following a vote the Amendment was successful by 17 votes to 12, with 4 members absent and it was agreed accordingly.

8. NOTICE OF MOTION - BEAST FROM THE EAST - SUBMITTED BY COUNCILLOR LAWRENCE FITZPATRICK

The Council considered a Motion (copies of which had been circulated) submitted by Councillor Lawrence Fitzpatrick in the following terms :-

“Councillors express their deep appreciation and thanks on behalf of the West Lothian community for the herculean effort by our officers in clearing our highways, ensuring most of our schools being operative by Monday 5th March 2018 and maintaining our essential social services to those in need.

This appreciation extends to our partners in Police Scotland and the Scottish Fire and Rescue Service and also the volunteers including those with sturdy vehicles who assisted in cases of essential social support.

It is recognised that the very heavy snowfalls and drifting snow over a short period of time created huge challenges. Our officers and partners with their dedication and resilience proved they were up to the task for which we are most grateful”.

Decision

To unanimously agree the terms of the motion

9. NOTICE OF MOTION - CELEBRATING 100 YEARS OF WOMEN'S SUFFRAGE - SUBMITTED BY COUNCILLOR ANDREW MCGUIRE

The Council considered a Motion (copies of which had been circulated) submitted by Councillor Andrew McGuire in the following terms:-

“Council notes that 2018 marks the 100th anniversary of some women first getting the vote in the United Kingdom. Council notes that the vote was given to women following a long campaign by women from all backgrounds across the country.

Council further notes the progress that has been made in the past 100 years in many areas of life where women now occupy senior positions including in the UK and Scottish Government where the current First Minister and Prime Minister are women. Although Council welcomes this it notes that there is much more to be done as currently only 30% of MP's are women; 35% of MP's and 29% of Councillors.

Council welcomes the funds set up by the Scottish and UK Government to commemorate the centenary of women's suffrage. Council instructs the Chief Executive to write to the Scottish and UK Government's to seek

further information on these funds and to arrange an event in West Lothian to celebrate the centenary of women getting the vote”.

Decision

To unanimously approve the terms of the motion.

10. NOTICE OF MOTION - CHILD POVERTY - SUBMITTED BY COUNCILLOR KIRSTEEN SULLIVAN

The Council considered a Motion (copies of which had been circulated) submitted by Councillor Kirsteen Sullivan in the following terms:-

“Council is saddened by recent reports into child poverty in Scotland which have uncovered the scale of the issue both nationally and at a local level.

In Scotland, more than 260,000 children are recognised as living in poverty (an increase of 40,000 from 2014/15), whilst here in West Lothian that figure is 10,500. In Craigshill, over 35% of children are identified as living in poverty, over twice the national average of 16.9%.

Council recognises that the effects of living in lower income households can be devastating and long lasting in terms of lower education attainment, poorer mental and physical health and reduced lifetime opportunities.

Council believes that every child has the right “to obtain the type of diet, participate in the activities and have the living conditions and amenities” which are the norm in 21st century Scotland.

In a recent report, Scotland’s Poverty & Inequality Commission identified 3 key area as those likely to have the greatest impact on reducing childhood poverty: work & earnings, housing costs and social security.

Whilst Council recognises the limitations of the local authority to act directly in some of these areas, there are many areas where Council has a direct and positive influence on the lives and future outcomes for our children. As such, Council acknowledges the positive measures introduced by the previous Administration including the establishment of free breakfast clubs for all primary children and for secondary students in receipt of free school meals; the pilot of holiday activity and lunch clubs, and the targeted identification of families entitled to free school meals and school clothing grants. This minority Labour Administration remains passionately committed to improving the life chances of all children.

Council therefore instructs officers to:

Compile a comprehensive report for Council Executive to include:

- A current snapshot of child poverty in West Lothian including a breakdown by ward

- An account of the underlying causes/drivers of child poverty as experienced in West Lothian
- The measures currently undertaken by West Lothian Council to tackle both the causes of child poverty and the resulting effects
- To identify any new activities that could be undertaken locally that would effectively tackle the issue and increase the wellbeing and future prospects of our children

Council further instructs the Chief Executive to write to Equalities Secretary Angela Constance MSP:

- To request detail on the plans for the Scottish Government to meaningfully tackle childhood poverty
 - To urge the Scottish Government to enact the report recommendations and use the social security powers of the Scottish Parliament to top up the child element of Universal Credit; to remove the punitive benefit cap on families; and to remove the two-child limit”
- Moved by Councillor Kirsteen Sullivan and seconded by Councillor Dom McGuire

Amendment

1. “CHILD POVERTY AS A HUMAN RIGHT

Council notes that growing up in poverty is the most pressing human rights issue facing our children in Scotland. Poverty can not only damage our children's ability to achieve an adequate standard of living but also affects other rights, including their right to fully access education and to participate in the social and cultural life of their community. It can affect their health, development, family relationships and their ability to realise their aspirations.

Under Articles 26 and 27 of the UN Convention on the Rights of the Child, children have the right to help from government if they are living in poverty or in need and have the right to a standard of living that is good enough to meet their physical and mental needs.

Council recognises that reframing conceptions of child poverty as an infringement of human rights, challenges the societal stereotypes of the children affected by it.

2. CHILD POVERTY: A TALE OF TWO GOVERNMENTS

The proportion of children living in poverty in Scotland rose from 22 per cent to 26 per cent during 2014/2015.¹ During 2015/16, 260,000 children

¹ <http://www.gov.scot/Topics/Statistics/Browse/Social-Welfare/IncomePoverty>

were reported to be living in relative poverty in Scotland, after housing costs. Revised figures are expected to be announced on 22 March 2018.

UK Government

Council recognises that the rise in the number of our children in Scotland who are in poverty is a direct consequence of the UK Conservative Government austerity measures and Welfare Reform. The Institute of Fiscal Studies (IFS) projects that current welfare reforms, particularly the 2 child limit on tax credits, the benefits freeze and the removal of the family element from tax credits and Universal Credit for new births are likely to have a negative impact across the UK, including Scotland.²

Council believes that the Tory Government at Westminster is trying to sweep rising child poverty under the carpet by scrapping child poverty targets, as well as abolishing its child poverty unit and taking away the child poverty part of its social mobility commission.³

Council is also disappointed to note that an analysis of the Labour party's 2017 manifesto revealed that at least £7bn of proposed welfare cuts would still have gone ahead, should it have won the election.⁴ Council notes that 184 Labour MPs abstained on the second reading of the Conservatives Welfare Reform and Work Bill – which reduced the welfare cap, abolished child poverty targets and introduced the 2 child cap and subsequent rape clause.

SNP Scottish Government

The Child Poverty (Scotland) Act 2017 made Scotland the only part of the UK with statutory targets to reduce child poverty by 2030 and commits the government to publishing regular Child Poverty Delivery Plans which will be reported on annually. This legislation builds upon the significant long-term investments the SNP Government is making to give Scotland's children the best possible start in life – including the Best Start Grant, the Baby Box, a transformational increase in good-quality childcare provision, ensuring every P1-P3 is entitled to a healthy free school meal and putting extra money and teachers into schools in the poorest areas.

The Scottish Government has also ensured that the two child cap would not be implemented in Scotland's Council Tax Reduction Scheme.⁵ In a UK first, public bodies in Scotland will be required to put reducing poverty and inequality at the heart of their decision making as the socio-economic duty comes into effect this year.

Council recognises and commends the work that has and is being done by the Scottish Government, working within the fiscal constraints imposed

² Andrew Hood & Tom Waters, Living standards, poverty and inequality in the UK: 2017-18 to 2021-22 (Institute for Fiscal Studies, 2017) <https://www.ifs.org.uk/publications/10028>

³ <http://www.cpag.org.uk/ending-child-poverty-by-2020>

⁴ <http://www.resolutionfoundation.org/media/blog/labours-manifesto-lets-focus-on-the-big-choices-not-the-small-change/>

⁵ <https://www.sfha.co.uk/news/news-category/sector-news/news-article/social-security-minister-families-with-children-hardest-hit-by-uk-welfare-changes>

by Westminster, to alleviate child poverty in Scotland. The Joseph Rowntree Foundation found that poverty in Scotland is lower than in the rest of the UK.⁶

The Child Poverty (Scotland) Act 2017

The Child Poverty (Scotland) Act 2017 sets in law four targets relating to child poverty which are to be met by 2030. The Scottish Government is required to publish three Child Poverty Delivery Plans over the period to 2030 that set out the actions that the Scottish Government will take in order to meet the targets. The Poverty and Inequality Commission has been asked by the Scottish Government to provide advice on its first Child Poverty Delivery Plan 2018.⁷

The Commission identified some general principles that should underpin the Scottish Government's Delivery Plan. These are focused around five themes:

- **Linking actions to impact:** being clear what the impact of each action is expected to be and committing to monitoring and evaluating the impact
- **A cross-portfolio approach focusing on actions that will have the biggest impact:** ensuring every part of government is clear about its contribution, while making sure the Delivery Plan focuses particularly on core actions that are likely to have the biggest impact on the child poverty targets.
- **Focusing on people as well as numbers:** recognising some households have a higher risk of poverty or require additional income or support to achieve the same standard of living
- **Reducing the poverty gap in the long term:** taking action to improve prospects that will have an impact beyond 2030
- **Considering the geography of poverty:** taking account of concentrations of poverty in particular areas, while recognising most people living in poverty do not live in areas of multiple deprivation

The Commission's recommendations encompassed four themes:

1. **Work and Earnings**
2. **Social Security**
3. **Housing**
4. **Improving Quality of Life and Helping Families Manage the Impacts of Poverty.**

⁶ <https://www.jrf.org.uk/report/poverty-scotland-2017>

⁷ <https://povertyinequality.scot/wp-content/uploads/2018/02/Child-Poverty-Delivery-Plan-advice-Final-Version-23-February-2018.pdf>

3. CHILD POVERTY AND WEST LoTHIAN STRATEGY

At the time of writing this motion, West Lothian Council is conducting a consultation which should inform its revised Anti-Poverty Strategy and will, in time, report to Council. In addition, it is anticipated that the Cabinet Minister for Equalities will announce shortly the Government's first Child Poverty Delivery Plan.

Taking due cognisance of the above reports Council instructs officers to:

- **Compile a comprehensive report on its strategic direction and plans to eradicate child poverty in West Lothian.**
- **The report will be compiled in partnership with members of a cross party, multi-agency committee (see iii a.) and presented to a special all party council meeting for consideration and review.**
- **The subsequent plan will dovetail with the Scottish Government's Child Poverty Delivery Plan and take account of the recommendations of the advice of the Poverty and Inequality Commission. The strategic plan should:**
 - I. Recognise that child poverty is a human rights issue and should be set within the context of the UN Convention of the Rights of the Child
 - II. **Link Actions to Impact:**
 - a. Take account of general and specific duties re the socio-economic duty;
 - b. Learn from experiences of other local councils that have incorporated the socioeconomic duty in their strategic planning and integrated impact assessments, in spite of the UK Government's refusal to trigger this duty.
 - c. Consider procedures to measure the impact of budget decisions on child poverty and the implications for the physical, social, cultural and mental health and wellbeing and educational attainment on children. for example:
 - i. Closure of Family Centres
 - ii. Closure of libraries which are constantly used by schools in areas of deprivation
 - iii. Changes to the Instrumental Music Tuition Service
 - iv. Reduction of School Meals Service
 - v. Additional costs for families – the Blue Badge cost
 - vi. Reduction in staff delivering front line benefit, financial and debt advice.
 - vii. Reduction in financial support to voluntary agencies
 - III. **A cross-portfolio approach focusing on actions that will have the biggest impact:**
 - a. Consider the development of a cross party, cross portfolio committee. Recognising the role that needs to be played by all elected members, council officials, the wider public sector, the private sector and the third sector.
 - i. Understand that the eradication of child poverty in

West Lothian supersedes entrenched party loyalties and that a concerted, joint effort is required.

- b. Understand that communities affected by poverty have the right to participate in decision-making and that such communities can generate practical and cost-effective policy solutions.
 - c. Continue to include the voices of those in communities affected by poverty in all strategic decision making.
- IV. **Focusing on people as well as numbers:** data from the Anti-Poverty Strategy group should provide information on which households in West Lothian have a much higher risk of poverty than others. The strategy should be clear as to how actions will support children from high risk households.
- V. **Reducing the poverty gap in the long term:** the strategy should include actions which might not have a short term impact but will improve outcomes and reduce inequalities in the longer term.
- VI. **Considering the geography of poverty:** Compile a comprehensive report on the areas of most deprivation in West Lothian, utilising a range of data sources, including but not exclusive to SIMD. Understanding that pockets of deprivation can exist in areas of affluence.

The West Lothian Council Child Poverty Eradication Delivery Plan should adopt the themes laid out by the Poverty and Inequality Commission. While due cognisance must be given to the anticipated West Lothian consultation and the Scottish Government's Delivery Plan, actions might include:

1. Work and Earnings

- a. Ensure early years childcare is of high quality and able to support parents into employment
- b. Set out how the Inclusive Growth agenda and City Deals will contribute to delivering child poverty targets

2. Social Security

- a. Support Advice Agencies to ensure take up rates are high

3. Housing

- a. The plan should explore ways of reducing housing costs for families with children living in poverty
- b. Continue to deliver affordable housing in line with the Scottish Government target of 35,000 new homes for social rent
- c. Ensure accessibility in new housing stock

4. Improving Quality of Life and Helping Families Manage the Impacts of Poverty.

- a. Find ways of making the application for Educational Maintenance Allowance is as easy and as quick as possible. Ensure pick up of the allowance is maximised. Currently 27% of young people in the age range has applied for the allowance. It is not known as to how many who are eligible for but who have not applied for the allowance.
- b. Provide Family Financial Health Checks, aimed at those on low incomes in order to support income maximisation.

- c. Ensure that all delivery of public services is respectful, person-centred and preserve the dignity of the people in our communities who find themselves to be in poverty.
- d. Provide pre-employment and in-service training that includes the importance of avoiding stigma and developing an understanding of the challenges of living on a very low income.”

- Moved by Councillor Moira Shemilt and seconded by Councillor Pauline Clark

A roll call vote was taken which resulted as follows :-

Motion

Alison Adamson
Harry Cartmill
Tom Conn
David Dodds
Angela Doran
Lawrence Fitzpatrick
Peter Heggie
Chris Horne
Charles Kennedy
Tom Kerr
Dave King
Andrew McGuire
Dom McGuire
Cathy Muldoon
George Paul
Kirsteen Sullivan
Damian Timson

Amendment

Frank Anderson
William Boyle
Diane Calder
Janet Campbell
Pauline Clark
Robert De Bold
Carl John
Peter Johnston
Sarah King
Andrew Miller
Moira Shemilt
David Tait

Decision

Following a vote the Motion was successful by 17 votes to 12 votes, with 4 members absent, and it was agreed accordingly.

11. DOCUMENTS FOR EXECUTION

The Chief Solicitor presented 110 documents for execution.

Decision

That the deeds be executed.

12. WEST LOTHIAN HOUSING STOCK - QUESTION TO THE EXECUTIVE COUNCILLOR FOR SERVICES FOR THE COMMUNITY - SUBMITTED BY COUNCILLOR ALISON ADAMSON

A question to the Executive Councillor, Services for the Community was submitted by Councillor Alison Adamson in the following terms :-

“What is the number of houses within West Lothian Housing stock that are deemed to be below tolerable standards?”

The Executive Councillor for Services for the Community provided a verbal answer to the written question.

Councillor Adamson indicated that she wished to put a supplementary question as provided for in Standing Orders. She did so and the Executive Councillor provided a verbal response.

Decision

1. To note the written question put and the verbal answer given; and.
2. To note the supplementary question put and the verbal answer given

13. VOLUNTARY ORGANISATIONS PDSP - QUESTION TO THE EXECUTIVE COUNCILLOR FOR VOLUNTARY ORGANISATIONS - SUBMITTED BY COUNCILLOR CHRIS HORNE

A question to the Executive Councillor, Voluntary Organisations was submitted by Councillor Chris Horne in the following terms :-

“Why was the Voluntary Organisations PDSP scheduled for 7th December 2017 cancelled?”

The Executive Councillor for Voluntary Organisations provided a verbal answer to the written question.

Councillor Horne indicated that he wished to put supplementary questions as provided for in Standing Orders. He did so and the Executive Councillor provided verbal responses.

Decision

1. To note the written question put and the verbal answer given; and.
2. To note the supplementary questions put and the verbal answers given

14. CAPITAL BUDGET - QUESTION TO THE LEADER OF THE COUNCIL - SUBMITTED BY COUNCILLOR ANDREW MCGUIRE

A question to the Leader of the Council was submitted by Councillor Andrew McGuire in the following terms :-

“Can the Leader of the Council advise what the effect of having £15 million less in the capital budget for the coming financial year would be?”

The Leader of the Council provided a verbal answer to the written question.

Decision

To note the written question put and the verbal answer given.

15. COSLA'S POSITION ON COUNCIL CUTS - QUESTION TO THE LEADER OF THE COUNCIL - SUBMITTED BY COUNCILLOR ANDREW MCGUIRE

A question to the Leader of the Council was submitted by Councillor Andrew McGuire in the following terms :-

“Can the Leader of the Council advise COSLA’s position on cuts to council budgets?”

The Leader of the Council provided a verbal answer to the written question.

Decision

To note the written question put and the verbal answer given.

16. FAMILY SUPPORT SERVICE - QUESTION TO THE EXECUTIVE COUNCILLOR FOR SOCIAL POLICY - SUBMITTED BY COUNCILLOR SARAH KING

A question to the Executive Councillor, Social Policy was submitted by Councillor Sarah King in the following terms :-

“How will the family support service be delivered following the closure of the two family centres in Whitburn and Livingston, a budget cut of £1.183m over five years and the loss of 29.9 FTE staff?”

The Executive Councillor for Social Policy provided a verbal answer to the written question. Councillor King indicated that she wished to put a supplementary question as provided for in Standing Orders. She did so and the Executive Councillor provided a verbal response.

Decision

1. To note the written questions put and the verbal answer given; and
2. To note the supplementary question put and the verbal answer given.

17. INDIVIDUALS RECEIVING CARE - QUESTION TO EXECUTIVE COUNCILLOR FOR SOCIAL POLICY - SUBMITTED BY COUNCILLOR SARAH KING

A question to the Executive Councillor, Social Policy was submitted by Councillor Sarah King in the following terms :-

- 1) How many individuals in West Lothian are currently assessed as having moderate needs and are receiving care?
- 2) What assessment has been undertaken on the impact of withdrawing care from these individuals on a) the individuals themselves and b) on acute services?

The Executive Councillor for Social Policy provided verbal answers to the written questions.

Councillor Sarah King indicated that she wished to put supplementary questions as provided for in Standing Orders. She did so and the Executive Councillor for Social Policy provided a verbal answer to one and undertook to provide an answer to the second supplementary question in due course.

Decision

1. To note the written questions put and the verbal answers given; and
2. To note the supplementary questions put and that Councillor Sarah King would be provided with an answer to the second supplementary question in due course.

18. ELECTED MEMBERS - DISCHARGING THEIR PUBLIC SECTOR EQUALITY DUTY - QUESTION TO THE LEADER OF THE COUNCIL - SUBMITTED BY COUNCILLOR PETER JOHNSTON

A question to the Leader of the Council was submitted by Councillor Peter Johnston in the following terms :-

“The 2010 Act imposes a heavy burden upon public authorities in discharging the PSED and in ensuring that there is evidence available, if necessary, to demonstrate that discharge. In the absence of evidence of a “structured attempt to focus upon the details of equality issues” a decision maker is likely to be in difficulties if his or her subsequent decision is challenged.

The duty of due regard under the statute requires public authorities to be properly informed before taking a decision. If the relevant material is not available, there will be a duty to acquire it and this will frequently mean that some further consideration with appropriate groups is required.

A decision-maker must assess the risk and extent of any adverse impact and the ways in which such risk may be eliminated before the adoption of a proposed policy and not merely as a “rear-guard action”, following a concluded decision.

Please explain how it was possible for elected members to properly discharge our Public Sector Equality Duty, in respect of the decision taken on 13th February 2018 to axe the West Lothian Taxi Card, when in

response to a question from myself asking how many vehicles Dial a Ride operate no answer was forthcoming”.

The Leader of the Council provided a verbal answer to the written question.

Councillor Peter Johnston indicated that he wished to put supplementary questions as provided for in Standing Orders. He did so and the Leader of the Council undertook to provide answers to the supplementary questions in due course.

Decision

1. To note the written questions put and the verbal answers given; and
2. To note the supplementary questions put and that Councillor Peter Johnston would be provided with written answers to his supplementary questions in due course.

19. COMMUNITY RECYCLING CENTRES - QUESTIONS TO EXECUTIVE COUNCILLOR FOR ENVIRONMENT - SUBMITTED BY COUNCILLOR DIANE CALDER

A question to the Executive Councillor, Environment was submitted by Councillor Diane Calder in the following terms :-

- 1) What are the revised opening times for all 5 Community Recycling Centres and when will this revision be scheduled?
- 2) What assessment has been undertaken to consider to cease the rural road end bin collections?

The Executive Councillor for Environment provided verbal answers to the written questions.

At this stage in the meeting the Provost indicated that the 30 minutes allocated for questions and answers had elapsed.

Decision

To note the written questions put and the verbal answers given

20. USAGE OF "BOB CATS" - QUESTION TO THE LEADER OF THE COUNCIL - SUBMITTED BY COUNCILLOR PETER JOHNSTON

The question to the Leader of the Council was not considered as the 30 minutes allowed for questions and answers had elapsed.

21. CARMONDEAN LIBRARY - QUESTIONS TO THE EXECUTIVE COUNCILLOR FOR CULTURE AND LEISURE - SUBMITTED BY

COUNCILLOR ANDREW MILLER

The question to the Executive Councillor for Culture and Leisure was not considered as the 30 minutes allowed for questions and answers had elapsed.

MINUTE of SPECIAL MEETING of the WEST LOTHIAN COUNCIL held within Council Chambers, Civic Centre, Livingston, on 3 April 2018.

Present – Provost Tom Kerr (Chair), Depute Provost Dave King (Vice-Chair), Councillors Alison Adamson, Frank Anderson, Stuart Borrowman, William Boyle, Diane Calder, Janet Campbell, Harry Cartmill, Pauline Clark, Tom Conn, Robert De Bold, David Dodds, Angela Doran, Lawrence Fitzpatrick, Carl John, Peter Johnston, Charles Kennedy, Sarah King, Andrew McGuire, Dom McGuire, Andrew Miller, Cathy Muldoon, George Paul, Moira Shemilt, David Tait and Damian Timson

Apologies – Councillors Bruce Fairbairn, Peter Heggie, Chris Horne, John McGinty, Kirsteen Sullivan

Absent – Councillor Jim Dickson

1. DECLARATIONS OF INTEREST

Notice of Motion – Instrumental Music Service (Agenda Item 4)

Councillor Pauline Clark declared an interest in that her daughter currently played strings at West Calder High School and her son played instrumental music (brass) at his primary school.

2. NOTICE OF MOTION - INSTRUMENTAL MUSIC SERVICE

Prior to making a ruling on the item of business, the Provost informed the Council that he had carefully considered three specific Standing Orders. The Provost quoted each of the three Standing Orders and provided an explanation in support of his ruling as undernoted:-

Standing Order 20 (5):-

“Motions which, if approved, would have financial consequences for the council must:-

- *Contain information regarding those consequences*
- *Confirm that the Head of Finance and Property Services has verified the financial implications of the motion.”*

The Provost considered that the motion was not in breach of Standing Order 20 (5).

Standing Order 28

“A decision cannot be changed within six months unless the Chair rules that there has been a material change of circumstances. If asked the Chair shall explain the reason for the ruling.”

The Provost considered that, at the Budget Setting meeting when IMS was discussed, the paper presented was ambiguous. The paper was silent on two aspects:- (1) on charges, and (2) the word “free” did not

appear in the decision. The Provost held both of these points significant. Subsequently, a report by officers regarding the future of IMS was considered by the Education Policy Development and Scrutiny Panel (PDSP). At that meeting, the Chair of the PDSP had accepted a suggestion by the Provost that the report to the Executive should include a question on charging and a point on a specific method of charging.

The Provost judged that the principle on charging was a material change of circumstances. Accordingly, Standing Order 28 did not apply to the motion.

Standing Order 11 and Standing Order 20 (2)

SO11 – *“On all points of order, relevance or competency, order of business, interpretation of these Standing Orders and in relation to urgent business under Standing Order 7, the ruling of the Chair is final.”*

SO 20 (2) - *“If the Chair rules under Standing Order 11 that the motion deals with a matter already being dealt with, the motion shall not be considered.”*

It was the Provost’s judgement that the matter in question, particularly with the addition of the principle of charging, was a matter which was in the process of being dealt with, had been partially dealt with by the PDSP, and would move on to Education Executive for decision.

The Provost ruled that the motion be not considered under Standing Order 20 (2).

In response to Points of Order the Provost clarified that the matter partially dealt with through PDSP was not only charging but the council’s whole decision on 13 February on instrumental music. The decision as a whole was the matter in hand and charging was just one aspect of that.

MINUTE of SPECIAL MEETING of the WEST LOTHIAN COUNCIL held within **Council Chambers, West Lothian Civic Centre, Livingston**, on 1 May 2018.

Present – Provost Tom Kerr (Chair), Depute Provost Dave King (Vice-Chair), Councillors Alison Adamson, Frank Anderson, Stuart Borrowman, William Boyle, Diane Calder, Harry Cartmill, Pauline Clark, Tom Conn, Robert De Bold, Jim Dickson, David Dodds, Angela Doran, Bruce Fairbairn, Lawrence Fitzpatrick, Peter Heggie, Chris Horne, Carl John, Peter Johnston, Charles Kennedy, Dave King, Sarah King, John McGinty, Andrew McGuire, Dom McGuire, Andrew Miller, Cathy Muldoon, George Paul, Moira Shemilt, Kirsteen Sullivan and Damian Timson

Apologies – Councillors Janet Campbell and David Tait

1. DECLARATIONS OF INTEREST

No declarations of interest were made.

2. ORDER OF BUSINESS

The Provost ruled that the motion at Item 04 could be amended by Councillor Johnston to delete the reference to Performance Committee and the amended Motion was circulated.

3. NOTICE OF MOTION - WEST LOTHIAN COUNCIL POLITICAL BALANCE AND SUBSEQUENT CHANGES TO THE SCHEME OF ADMINISTRATION

The Council considered a motion submitted by Councillor Peter Johnston in the following terms:-

“West Lothian Council notes the 2017 Council election delivered the following first preference votes for those parties with elected councillors;

	SNP		Labour		Conservative		Independent		Total
Votes	23218	39.5%	18082	30.70%	14449	24.60%	3088	5.20%	58837

Council accepts that it is essential for the votes cast by our electorate to be most accurately reflected throughout the council's decision making process to ensure genuine local democracy actually plays a full role in determining all decisions made.

Council therefore agrees to change the composition of the following council bodies, with the number of seats allocated to each party being determined by the votes cast for each by our local electorate and to amend the Scheme of Administration accordingly.

Council agrees that the committee membership change will apply to any meeting for which the agenda is issued after determination of this motion.

Council invites parties to nominate their members of each body at the conclusion of the debate on this motion or to the clerk following the meeting.

1. Council Executive

Members 14 SNP 6 Labour 4 Conservatives 3 Others 1

2. Education Executive

Members 20 SNP 8 Labour 6 Conservatives 5 Others 1

3. Policy Development & Scrutiny Panels

Members 9 SNP 4 Labour 3 Conservatives 2 Others 0

4. Local Review Body

Members 9 SNP 4 Labour 3 Conservatives 2 Others 0

5. Audit Committee

Members 7 SNP 3 Labour 2 Conservatives 2 Others 0

6. Government & Risk Committee

Members 7 SNP 3 Labour 2 Conservatives 2 Others 0

7. Education Quality Assurance

Members 14 SNP 6 Labour 4 Conservatives 3 Others 1

8. Employee Appeals Committee

Members 14 SNP 6 Labour 4 Conservatives 3 Others 1

9. Miscellaneous Appeals Committee

Members 10 SNP 4 Labour 3 Conservatives 2 Others 1

10. Avoidance of Disputes Committee

Members 7 SNP 3 Labour 2 Conservatives 2 Others 0

11. Development Management Committee

Members 11 SNP 4 Labour 3 Conservatives 3 Others 1

12. Licensing Committee

Members 7 SNP 3 Labour 2 Conservatives 2 Others 0

13. Senior Officer Appointments

Members 7 SNP 3 Labour 2 Conservatives 2 Others 0

14. West Lothian Leisure Advisory Committee

Members 7 SNP 3 Labour 2 Conservatives 2 Others 0

Moved by Councillor Peter Johnston and seconded by Councillor Frank Anderson

Amendment

“Council agrees to retain the Scheme of Administration as regards composition of its committee arrangements and to continue with the arrangement agreed at the Council meetings on 25th May 2017, 7th June 2017 and 20th March 2018”

Moved by the Leader of the Council and seconded by Councillor Kirsteen Sullivan

A roll call vote was taken which resulted as follows :-

<u>Motion</u>	<u>Amendment</u>	<u>Abstain</u>
Frank Anderson	Stuart Borrowman	Alison Adamson
William Boyle	Harry Cartmill	Bruce Fairbairn
Diane Calder	Tom Conn	Peter Heggie
Pauline Clark	David Dodds	Chris Horne
Robert De Bold	Angela Doran	Charles Kennedy
Jim Dickson	Lawrence Fitzpatrick	Tom Kerr
Carl John	Dave King	Damian Timson
Peter Johnston	John McGinty	
Sarah King	Andrew McGuire	
Andrew Miller	Dom McGuire	
Moir Shemilt	Cathy Muldoon	
	George Paul	
	Kirsteen Sullivan	

Decision

Following a vote the amendment was successful by 13 votes to 11, with 7 abstentions and 2 members absent and it was agreed accordingly.

4. ELECTED MEMBERS - DISCHARGING THEIR PUBLIC SECTOR
EQUALITY DUTY: TAXICARD SCHEME - QUESTION TO THE LEADER

OF THE COUNCIL - SUBMITTED BY COUNCILLOR JOHNSTON

A question to the Leader of the Council was submitted by Councillor peter Johnston in the following terms :-

“On 20th March I asked you, through a formal written question giving 14 days notice,

“Please explain how it was possible for elected members to properly discharge our Public Sector Equality Duty in respect of the decision taken on 13th February to axe the West Lothian Taxi Card, when, in response to a question from myself asking how many vehicles Dial A Ride operate no answer was forthcoming”

Your verbal answer to this question on 20th March completely failed to even address my question.

In a supplementary question, as allowed by Standing Orders, I therefore asked the same question again. You committed to providing me with a written answer.

On 9th April, having been reminded by myself of your commitment to provide me with a written answer to my question, you emailed me an answer;

“The decision taken at the council meeting on 13 February was with regards to the taxicard scheme rather than the Dial-A-Ride Scheme. The withdrawal of the taxicard scheme removes the financial subsidy provided by the council and does not reduce the capacity of taxi services available to users which can continue to be booked directly with taxi suppliers. West Lothian Council regularly liaises with HcL as a subsidised transport supplier. The Public Transport Unit is coordinating with HcL with regards to agreed budget proposal and any potential impact this may have on their operation”.

As your written answer again clearly fails to address and answer the question asked, I again reminded you of the question I had asked, and again asked for an answer.

On 10th April you responded,

“In accordance with Standing Order, I gave a verbal answer at the council meeting to your written question. I have now provided answer to the two supplementary questions. I would refer you to those answers, in particular the verbal answer given on the day”.

I again responded to you asking that you answer the actual question that I had asked.

On 11th April you responded

“As I have said already, I answered your written question at the council meeting and I have now given written answers to your supplementary

questions. It may well be that my answers are not to your satisfaction, but the requirements in Standing Orders have been met. I do not see any value in continuing to exchange emails about it”.

For the 5th time I now ask;

“Please explain how it was possible for elected members to properly discharge our Public Sector Equality Duty in respect of the decision taken on 13th February to axe the West Lothian Taxi Card, when, in response to a question from myself asking how many vehicles Dial A Ride operate no answer was forthcoming”

The Leader of the Council provided a verbal answer to the written question. Councillor Johnston indicated that he wished to put supplementary questions as provided for in Standing Orders. He did so and the Leader of the Council provided a verbal answer.

Decision

1. To note the written question put and the verbal answer given; and
2. To note the supplementary questions put and the verbal answers given.

5. SMART CITY EVENT IN TAIPEI - QUESTION TO THE EXECUTIVE COUNCILLOR FOR DEVELOPMENT AND TRANSPORT - SUBMITTED BY COUNCILLOR PETER JOHNSTON

A question to the Executive Councillor for Development and Transport was submitted by Councillor Peter Johnston in the following terms :-

“Please detail for the council all the benefits to be delivered to West Lothian as a direct result of your recent attendance at the Smart City event in Taipei”.

The Executive Councillor for Development and Transport provided a verbal answer to the written question.

Decision

To note the written put and the verbal answer given.

Cabinet Secretary for Communities, Social Security and
Equalities
Angela Constance MSP



Scottish Government
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Mr Graham Hope
Chief Executive
West Lothian Council
West Lothian Civic Centre
Howden South Road
Livingston
West Lothian
EH54 6FF

Your ref: CEO/CH
Our ref: 2018/0010282

18 April 2018

Thank you for your letter of 23 March regarding a meeting of West Lothian Council held on 20 March.

The Scottish Government shares the belief that children deserve the best start in life, and that is why I was proud to launch **'Every Child Every Chance: The Tackling Child Poverty Delivery Plan 2018-2022'** on 29 March.

This comprehensive Delivery Plan sets out, in detail, our plans to tackle child poverty and make progress towards our ambitious targets. It can be viewed on the Scottish Government website at: www.gov.scot/everychild.

The latest poverty statistics show that, after housing costs, 24% of children in Scotland were living in relative poverty in 2014-17, approximately 230,000 children. Indeed, our own projections show the numbers are set to rise by 2030 if further action is not taken. In a country as prosperous as Scotland no child should have their chances limited by poverty.

That is why we will take action to increase household incomes and reduce costs, supporting children and families here and now. And we will tackle the longer term impacts of poverty, and improve life chances – ensuring that children living in poverty now never have to be parents of children in poverty. We know that this is not an issue that can be solved by one policy or portfolio – our plan will be taken forward right across government. Collectively, we will tackle child poverty and ensure the very best outcomes for children today, and generations to come.

We have made a firm commitment in the Delivery Plan to develop a new income supplement, which will provide financial support to families who need it most. While the

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Commission did not recommend the Scottish Government top-up a specific benefit, its advice based on IPPR Scotland modelling suggests that increasing the child element of Universal Credit, in conjunction with removing the Benefit Cap and Two-child limit would be the most cost effective policy option. However, this assumes that there is a 100% take-up of Universal Credit and the Commission notes the challenges associated with its roll out. The Commission did not consider the behavioural change any such top-up would have nor the administrative costs and complexities and these are issues they recommended we consider carefully.

We will therefore examine all options including the Commission's advice in relation to topping up Universal Credit as well as the feasibility of what our own Social Security Agency could do to introduce a Scottish supplement. Decisions on a delivery model will be based on analysis which demonstrates the most effective use of resources in lifting the maximum number of children out of poverty. We will provide an update in the first progress report due next year.

The Scottish Government has limited powers over certain administrative aspects of Universal Credit and we are using those powers to give people in Scotland more choice about how they manage their household budget by making Universal Credit more flexible. The Scottish Government does not have the power to remove the punitive benefit cap on families or the two child limit. In the long term, only full devolution of social security will allow us to build a system that meets Scotland's needs and supports our long-term ambitions.

We're investing in a whole host of ways to deliver the targets, including a new Tackling Child Poverty Fund, worth £50 million. We have already committed to using this fund to support some of Scotland's most vulnerable families, for example by investing £1 million in delivering support for children experiencing food insecurity during school holidays.

This Plan is an important step in our journey. It builds on the determination we showed by bringing the Child Poverty Act to Parliament and gaining unanimous support. It will take all of Scotland to deliver on our ambition to eradicate child poverty, and that is why the annual reporting duty on local authorities and health boards is of the utmost importance.

To help local partners on the ground, we are funding a new national co-ordinator post which will have a particular focus on the planning and reporting duties under the Child Poverty Act. We are also providing funding for the new Scottish Poverty & Inequality Research Unit to provide analytical expertise to help better understand how poverty is experienced by people in their local communities and the types of action that can make a difference.

We are clear that action must be taken at all levels to reduce poverty and improve the quality of lives for the children of Scotland. There are no quick fixes – we simply need to do all that we can with the powers and the resources we have available. This will inevitably take time, but this plan offers a strong and determined start. By taking this action now, we can transform Scotland, and offer every child the best chance to succeed.

Kindest Regards
Angela Constance

ANGELA CONSTANCE

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Cabinet Secretary for Finance and the Constitution
Derek Mackay MSP



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Mr Graham Hope
Chief Executive, West Lothian Council
Howden South Road
LIVINGSTON
West Lothian
EH54 6FF



Your ref: CEO/CH
Our ref: 2018/0007400
15 March 2018

Dear Graham,

Thank you for your letter of 19 February, on behalf of West Lothian Council, about the Council's Revenue budget for the period 2018-23.

I note that the Council has agreed its budget for 2018-19 and it is encouraging that it has also agreed a long-term financial plan covering the period through to 2022-23.

On the question of multi-year funding settlements for local government I must point out that the United Kingdom's exit from the European Union and the introduction of the 2016 Scotland Act powers alongside the associated Fiscal Framework have created significant uncertainty and higher levels of volatility with respect to the funding available to the Scottish Government. As a result it has only been possible to provide single year spending plans in recent years.

The Scottish Government fully recognises that this has in turn created uncertainty for communities across Scotland who rely heavily on the Scottish Government funding and are unable to plan beyond the United Kingdom's exit from the European Union. The Scottish Government is continuing to engage with HM Treasury regarding European Union funding and related issues, and will continue our efforts to ensure that both the financial implications of the European Union exit and appropriate future funding arrangements for Scotland are fully considered, in order to ensure Scotland's public finances are protected. In addition the Chancellor of the Exchequer has announced a full UK Spending Review in 2019.

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In line with recent recommendations from the Parliamentary review of the budget process, the Scottish Government will seek to publish a multi-year budget in response to that UK Spending Review. Ministers are also committed to publishing a Medium Term Financial Strategy in the Spring, setting out a high level analysis of the financial position going forward for the next 5 years. Notwithstanding this, we have provided multi-year commitments for individual budget elements where possible, as is the case for housing, childcare and city deals.

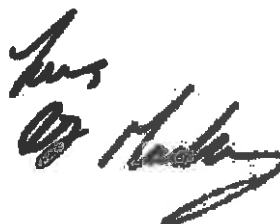
I must take exception to the Council's claims of "brutal cuts" in funding for local government. Local government finance settlements were maintained in Scotland on a like for like basis over the period 2012-16 with extra money for new responsibilities.

Then in 2016-17, taking into account the addition of the £250 million to support the integration of health and social care, the overall reduction in funding equated to less than 1 per cent of local government's total estimated expenditure in 2016-17.

In 2017-18, including the reforms to the council tax this provided increased overall support for services of £383 million or 3.7% in cash terms. It is interesting to note that the Council decided to forego more than £2.2 million of additional support for services this year by not increasing its council tax levels by the allowable 3 per cent.

As far as 2018-19 is concerned the increased funding of £5.4 million for West Lothian Council that I announced on 31 January as part of Stage 1 of the Budget Bill process means that West Lothian Council will receive a total revenue settlement next year of £316.7 million and as the Council has taken up the opportunity to increase council tax levels by the maximum allowable 3 per cent this will provide an increase of £12.2 million in support of services compared to this year which equates to an increase of 4 per cent.

Finally, I can confirm that the Council's other points may be discussed as part of my negotiations with COSLA in relation to future local government finance settlements.



DEREK MACKAY

Scottish Ministers, special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. see www.lobbying.scot

St Andrew's House, Regent Road, Edinburgh EH1 3DG
www.gov.scot





West Lothian Council

Chief Executive Office

West Lothian Civic Centre
Howden South Road
Livingston
West Lothian
EH54 8FF

Our Ref: CEO/CH
Your Ref:

Contact: Graham Hope
Tel: 01506 281697
e-mail: graham.hope@westlothian.gov.uk

Private & Confidential
The Rt Hon Amber Rudd MP
Minister for Women and Equalities
Government Equalities Office
Ministerial and Public Communications Division
Department for Education
Piccadilly Gate
Store Street
Manchester
M1 2WD

22 March 2018

Dear Minister

West Lothian Council – Celebrating 100 Years of Women's Suffrage

A meeting of West Lothian Council was held on 20 March 2018, at which the council unanimously agreed a Notice of Motion in relation to the above.

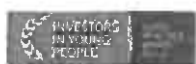
At the meeting, it was agreed that I write to the Scottish and UK Governments to seek further information on the fund set up to commemorate the centenary of women's suffrage, which I understand is known as the Women's Vote Centenary Grant Scheme.

A copy of the Notice of Motion unanimously agreed by West Lothian Council is enclosed for your information and I would welcome your response.

Yours sincerely

for *Graham Hope*
Graham Hope
Chief Executive

Encl.



westlothian.gov.uk

WEST LoTHIAN COUNCIL LABOUR GROUP

Notice of Motion from Councillor Andrew McGuire for the Council Meeting on 20th March 2018

Celebrating 100 Years of Women's Suffrage

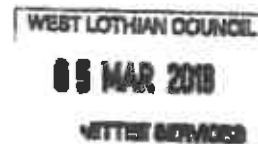
Council notes that 2018 marks the 100th anniversary of some women first getting the vote in the United Kingdom. Council notes that the vote was given to women following a long campaign by women from all backgrounds across the country.

Council further notes the progress that has been made in the past 100 years in many areas of life where women now occupy senior positions including in the UK and Scottish Government's where the current First Minister and Prime Minister are women. Although Council welcomes this it notes that there is much more to be done as currently only 30% of MPs are women; 35% of MSPs and 28% of Councillors.

Council welcomes the funds set up by the Scottish and UK Governments to commemorate the centenary of women's suffrage. Council instructs the Chief Executive to write to the Scottish and UK Governments to seek further information on these funds and to arrange an event in West Lothian to celebrate the centenary of women getting the vote.



Councillor Andrew McGuire
West Lothian Council Labour Group



Atkinson
11.56 am



West Lothian Council

Chief Executive Office

West Lothian Civic Centre
Howden South Road
Livingston
West Lothian
EH54 6FF

Our Ref: CEO/CH
Your Ref:

Contact: **Graham Hope**
Tel: 01506 281697
e-mail: graham.hope@westlothian.gov.uk

Private & Confidential
Angela Constance MSP
Cabinet Secretary for Communities, Social Security
and Equalities
T3.21
The Scottish Parliament
Edinburgh
EH99 1SP

23 March 2018

Dear Cabinet Secretary

West Lothian Council – Child Poverty

A meeting of West Lothian Council was held on 20 March 2018, at which the council agreed an Amendment in relation to the above.

At the meeting, it was agreed that I write to you in the following terms

1. To request detail on the plans of the Scottish Government to meaningfully tackle childhood poverty; and
2. To urge the Scottish Government to enact the report recommendations and use the social security powers of the Scottish Parliament to top up the child element of Universal Credit, to remove the punitive benefit cap on families, and to remove the two-child limit.

A copy of the Amendment agreed by West Lothian Council is enclosed for your information and I would welcome your response.

Yours sincerely

Graham Hope
Chief Executive

Encl.



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West Lothian Council

Chief Executive Office

West Lothian Civic Centre
Howden South Road
Livingston
West Lothian
EH54 8FF

Our Ref: CEO/CH
Your Ref:

Contact: Graham Hope
Tel: 01508 281897
e-mail: graham.hope@westlothian.gov.uk

Private & Confidential
Angela Constance MSP
Cabinet Secretary for Communities, Social Security
and Equalities
T3.21
The Scottish Parliament
Edinburgh
EH99 1SP

22 March 2018

Dear Cabinet Secretary

West Lothian Council – Celebrating 100 Years of Women's Suffrage

A meeting of West Lothian Council was held on 20 March 2018, at which the council unanimously agreed a Notice of Motion in relation to the above.

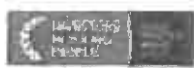
At the meeting, it was agreed that I write to the Scottish and UK Governments to seek further information on the fund set up to commemorate the centenary of women's suffrage, which I understand is known as the Women's Vote Centenary Grant Scheme.

A copy of the Notice of Motion unanimously agreed by West Lothian Council is enclosed for your information and I would welcome your response.

Yours sincerely

for Carrie Hope
Graham Hope
Chief Executive

Encl.



westlothian.gov.uk

WEST LoTHIAN COUNCIL LABOUR
GROUP

**Notice of Motion from Councillor Andrew McBride
for the Council Meeting on 20th March 2018**

Celebrating 100 Years of Women's Suffrage

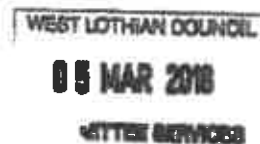
Council notes that 2018 marks the 100th anniversary of some women first getting the vote in the United Kingdom. Council notes that the vote was given to women following a long campaign by women from all backgrounds across the country.

Council further notes the progress that has been made in the past 100 years in many areas of life where women now occupy senior positions including in the UK and Scottish Government's where the current First Minister and Prime Minister are women. Although Council welcomes this it notes that there is much more to be done as currently only 30% of MPs are women; 35% of MSPs and 28% of Councillors.

Council welcomes the funds set up by the Scottish and UK Governments to commemorate the centenary of women's suffrage. Council instructs the Chief Executive to write to the Scottish and UK Governments to seek further information on these funds and to arrange an event in West Lothian to celebrate the centenary of women getting the vote.



**Councillor Andrew McBride
West Lothian Council Labour Group**



MINUTE of MEETING of the EMPLOYEE APPEALS COMMITTEE (PRIVATE) of WEST Lothian Council held within Council Chambers, West Lothian Civic Centre, on 15 December 2017.

Present – Councillors Tom Conn (Chair), Dom McGuire, Dave King substituting for Angela Doran

Apologies – Angela Doran, Chris Horne, Andrew McGuire, Damian Timson

1. DECLARATIONS OF INTEREST

Councillor Tom Conn declared a non-financial interest in that he was a member of Unison.

Councillor Dom McGuire declared a non-financial interest in that he was a member of Unite.

2. MINUTE

The committee confirmed the Minute of its meeting held on 29 November 2017 as a correct record. The Minute was thereafter signed by the Chair.

3. PRIVATE SESSION

The committee resolved in terms of paragraph 1 of Part 1 of Schedule 7A of the Local Government (Scotland) Act 1973 that the remaining items of business be taken in private.

4. CONSIDERATION OF APPEAL

Introductions were made by all parties and the Clerk explained the procedure that would be followed.

The committee was invited to consider an appeal against dismissal under the council's Procedure for Consideration of Appeals Against Disciplinary Action.

The management was represented by the Head of Operational Services and a Senior HR advisor. The management were also calling 6 witnesses

The appellant was represented by his Union Representative and were calling 4 witnesses.

The appellant also requested that the committee allow him to call an additional witness.

The management was given an opportunity to comment on the request.

All parties then left the room to allow the committee to deliberate in private..

Following private deliberations all parties returned and the Chair advised that the committee agreed to allow the additional witness to be heard.

The committee heard the management and witnesses speak in relation to the appeal.

The appellant and his representative were given an opportunity to question the management and witnesses in turn.

The committee had an opportunity to question the management and witness in turn.

The management had an opportunity to re-examine each witness in turn after they had answered questions from the appellant, his representative and the committee.

The committee heard the appellant, his representatives and witness speak in relation to the appeal.

The management was given an opportunity to question the appellant, his representative and witnesses in turn.

The committee had an opportunity to question the appellant, his representative and witnesses in turn.

The appellant and his representative were given the opportunity to re-examine each witness in turn after they had answered questions from the management and committee.

Finally, each side had the opportunity to sum up the merits of the case.

All parties then left the room to allow the committee to consider its decision in private.

After reaching its decision all parties returned to hear the decision from the Chair.

Decision

The committee agreed:

1. That the grounds of the appeal had been substantiated in part and the appeal be upheld to the extent that the dismissal was substituted with a final written warning punitive action.
2. The appellant be re-engaged to an alternative graded post.
3. That any salary was to be paid from the date of dismissal at the alternative graded post rate.
4. That all rights arising out of continuous employment to be restored.

MINUTE of MEETING of the EMPLOYEE APPEALS COMMITTEE (PRIVATE) of WEST LOTHIAN COUNCIL held within COUNCIL CHAMBERS, WEST LOTHIAN CIVIC CENTRE, on 2 FEBRUARY 2018.

The meeting of the Employee Appeals Committee was called to hear an appeal by a former employee.

Prior to the meeting the appellant advised he was unable to attend due to personal circumstances.

All parties were given advance notice of this and therefore did not attend the meeting.

The meeting was therefore inquorate.

MINUTE of MEETING of the EDUCATION (QUALITY ASSURANCE) COMMITTEE of WEST LoTHIAN COUNCIL held within COUNCIL CHAMBERS, WEST LoTHIAN CIVIC CENTRE, on 30 JANUARY 2018.

Present – Councillors Stuart Borrowman (Chair), David Dodds, Pauline Clark, Peter Heggie, Carl John, Charles Kennedy, Dave King, Andrew McGuire (substituting for Lawrence Fitzpatrick), Andrew Miller, George Paul, Moira Shemilt, Damian Timson; Appointed Representative Margaret Russell.

Apologies – Councillors Lawrence Fitzpatrick and Chris Horne; Appointed Representatives Myra Macpherson and Lynne McEwen; Parent Council Representative Eric Lumsden.

1. DECLARATIONS OF INTEREST

There were no declarations of interest made.

2. MINUTE

The Committee confirmed the minute of the Education (Quality Assurance) Committee meeting held on 21 November 2017 as being a correct record. The Chair thereafter signed the minute.

3. EDUCATION SCOTLAND REPORT: BLACKBURN PRIMARY SCHOOL AND HOPEFIELD NURSERY

The Committee considered a report (copies of which had been circulated) by the Head of Education (Curriculum, Quality Improvement and Performance) providing details of the improvement plan which addressed the areas for improvement identified in the Education Scotland report published on 14 November 2017. Education Scotland's letter and the School's Improvement Plan were attached as appendices to the report.

Inspectors noted the following key strengths of the school:

- The leadership of the head teacher and principal teacher who have built a vision and community, with staff, where all children were nurtured and valued;
- Strong partnership working with partners, including parents and the wider community, which was having a positive influence on the lives of children and their families;
- The teamwork in the school and Autistic Spectrum Disorder (ASD) provision which was enabling children to access learning in an environment which was sensitive to their needs; and
- Improvements to the outdoors in the nursery class which were encouraging children to be more creative in their play.

The Quality Improvement Manager, Greg Welsh, advised the Committee that the school has 4 mainstream classes and 2 classes for children with ASD. The school and nursery class were situated in an area of multiple deprivation and in SIMD decile band 2. As a result of this some children and their families required support to help them overcome barriers to learning.

The Head Teacher, Janet Clarkson, then provided details of the areas for improvement identified by Education Scotland which were:

- To improve the tracking and monitoring of children's progress in learning;
- To continue to develop further approaches to assessing children's progress in order to raise the attainment of all;
- In the ASD provision, to continue to build on the good start made this session in the development of independent learning; and
- To increase opportunities for teachers to develop their expertise and confidence in standards through more regular work with teachers within and beyond their school.

Since the inspection was carried out staff have gained confidence in making professional judgements, moving forward in the use of progression pathways as part of their planning, learning and teaching and assessment processes. Improvements have been made in the school's approach to tracking and monitoring children's progress. Pupil Equity Funding (PEF) was being used to encourage children and their parents to join in with reading activities, supporting children with barriers to learning. Transition arrangements for children going to secondary school were good, with regular planning meetings being held. The school has a strong partnership with parents and the wider community which was having a positive influence on the children in the school and nursery class.

The head teacher was confident that the school's arrangements for continued improvement were helping to improve the attainment gap.

The head teacher then responded to questions from members of the Committee.

In conclusion, it was noted that the Quality Improvement Team would continue to work with the head teacher on the improvement plan and would monitor progress through the school's self-evaluation processes.

The Chair, on behalf of the Committee, acknowledged that although the school have a number of challenges members were pleased with the findings outlined in the report and were confident that the improvements identified would continue to raise attainment for learners.

It was recommended that the Committee note the contents of the report and the school's arrangements for continuing improvement.

Decision

1. To note the contents of the report and the arrangements for continued improvement; and
2. To note the update from the Head Teacher and Quality Improvement Manager.

4. EDUCATION SCOTLAND REPORT: OGILVIE SCHOOL

The Committee considered a report (copies of which had been circulated) by the Head of Education (Learning, Policy and Resources) providing details of the action plan to address to areas identified for improvement in the Education Scotland report published on 19 December 2017. Education Scotland's letter and the School's Improvement Plan were attached as appendices to the report.

The Quality Improvement Manager, Greg Welsh, advised that the Acting Head Teacher had given her apologies as she was unable to attend the meeting.

Inspectors noted the following strengths in the school's work;

- Strong sense of community across the school led by the energetic, open leadership style of the Acting Head Teacher;
- Positive relationships between children and staff leading to children feeling safe and cared for;
- Ably supported by advanced pupil support workers, teachers provided learning experiences which were engaging and motivating for children; and
- Strong partnerships with parents and other stakeholders.

The school improvement plan outlined the actions for improvement and the impact the improvement activities were having on the achievements of children across the school. All staff in school have a good understanding of child development and the positive relationships between children and parents were evident. Family learning events enabled parents to access supports in school and provided clear strategies to support their children at home. The school has a positive ethos and members of staff were engaging with parents and stakeholders to create a community which provided learning and a high standard of care for children.

The following areas for improvement were identified by Inspectors, which the school planned to address as a matter of urgency:

- Raise attainment and achievement across the school;
- Continue to review approaches to promoting positive behaviour. There needs to be increased focus on tracking, monitoring and

reviewing instances of challenging behaviour.

The Committee was advised that Ogilvie School Campus is a school for children with a range of additional support needs. Monitoring and recording systems were in place to assess children's progress with appropriate interventions available to manage instances of challenging behaviour. The school was reviewing its approaches to managing challenging behaviour and developing practices already in place. Staff were engaging in professional dialogue with a view to ensuring the best outcomes for young people.

During the discussion the Head of Education (Learning, Policy and Resources) advised that a consultation would be undertaken on establishing Ogilvie School as an all through school in line with the commitment given in the ASN Review. It was anticipated that a report on the proposed consultation would be provided to the Education Executive before the summer recess.

Finally, it was noted that Inspectors were confident that the school had the capacity to continue to improve and was well supported by West Lothian Council therefore no further visits were required in connection with this inspection.

The Committee acknowledged the report. Although some areas were identified for improvement the committee was confident that the school would continue to improve. The Chair, on behalf of the Committee, asked officers to pass on their thanks to the Acting Head Teacher and staff for the excellent work carried out in school.

It was recommended that the Committee notes the contents of the report and the school's arrangements for continuing improvement.

Decision

To note the contents of the report and the update from the Head of Education (Learning, Policy and Resources) and the Quality Improvement Manager.

5. EDUCATION SCOTLAND REPORT: PUMPHERSTON AND UPHALL STATION COMMUNITY PRIMARY SCHOOL AND NURSERY CLASS

The Committee considered a report (copies of which had been circulated) by the Head of Education (Curriculum, Quality Improvement and Performance) providing details on the progress made on the school's action plan to address the areas for improvement identified in Education Scotland's report published on 16 January 2018. Education Scotland's letter and the School's Improvement Plan were attached as appendices to the report.

The Quality Improvement Manager, Greg Welsh, advised that since the inspection was carried out very good progress has been made with improved outcomes focusing on learning, numeracy and health and wellbeing.

The Acting Head Teacher, Sarah Burton, and former Head Teacher attended the meeting. The Committee was advised that the inspection found the following key strengths:

- The high quality, inclusive ethos which permeates the school. As a result children, staff and stakeholders felt valued and respected.
- Happy, confident and caring children who were eager to learn. They have a strong voice and contributed enthusiastically to bringing about change in their school.
- The quality of the learning experiences in the nursery. As a result, children were making very good progress.
- The leadership of the head teacher in creating the conditions for staff to build on their strengths and take forward the agenda for school improvement.

The inspection highlighted a number of areas of good practice which included sharing information and open dialogue between staff and also the SEAL initiative. Nursery School and Primary 1 staff were working well together challenging children in their learning and ensuring that the children's needs were being met.

The following areas for improvement were identified:

- To raise attainment, build on the best practice already in the school and nursery to continue to develop the consistency of learning and teaching. Ensure learning was sufficiently challenging for all children.
- Continue to strengthen approaches to planning, tracking and monitoring to identify which interventions were having the greatest impact on outcomes for all children.

The Acting Head Teacher then responded to questions from members of the Committee confirming that the school has good working relationships with parents and stakeholders. Members of staff were also aware of the expansion of the village due to new build in the area and were well prepared for this. Children's Rights were well established and used skilfully by children in school providing a structure for positive behaviour which was delivering improved outcomes for children.

The report concluded that inspectors were confident that the school had the capacity to continue to improve therefore no further visits were required in connection with this inspection.

The Committee acknowledged the key strengths of the school and the positive inspection report and members were confident that the school would continue to improve and raise attainment.

It was recommended that the Committee note the contents of the report and the school's arrangements for continuing improvement.

Decision

To note the contents of the report and the update provided.

6. VALIDATED SELF EVALUATION: BROXBURN ACADEMY

The Committee considered a report (copies of which had been circulated) by the Head of Education (Curriculum, Quality Improvement and Performance) providing details of the outcome of the Validated Self Evaluation (VSE) of Broxburn Academy.

The focus of the VSE was:

- Leadership and management
- Learning provision
- Successes and achievement

The Senior Development Officer, Catrina Hatch, advised that the school has a shared vision for improvement and change. Members of staff have high expectations and were fully committed to improving the outcomes of all learners. Strong partnership working was a key feature to support positive outcomes for learners and the school planned to further develop systems for the broader general education.

The Head Teacher, Peter Reid, then highlighted his disappointment that the VSE judgement relating to Quality Indicator 1.3 (Leadership of Change) was “satisfactory” compared to the school’s evaluation of “good”. Robust discussions have taken place with staff who were now working together to ensure continued improvements were being made. The VSE also highlighted that the school’s vision should be reassessed. Staff, pupils and parents were involved in a refresh of the vision for the school. Pupil Equity Funding (PEF) was being used to create four new zones in school targeting young people who were experiencing difficulties and strategies would be put in place to provide evidence of closing the gap. Staff were more aware of professional judgements and were working towards improving outcomes for young people.

The Parent Council representative stated that parents were confident in the leadership of the school and agreed that there was an inclusive and caring ethos to support their children. Staff have high expectations for the young people. Pupil leadership was evident with a number of initiatives available, engaging parents to share the values and aims of the school. Staff were working hard to seek partnerships to meet the needs of all pupils and were motivated by the leadership of the head teacher. Parents were happy that their children attended such a great school.

The Head Teacher then responded to questions from members of the Committee. In response to a question relating to the teacher professional judgements for pupils achieving the expected national level by the end of S3, which were lower than the authority level, the Committee was advised

that staff were working hard to improve the situation for all young people and were committed to raising standards in all subjects. Robust tracking and monitoring systems were in place to meet the needs of all learners and targets were in place to ensure maximum opportunities were given.

The report concluded by providing details of the actions arising from the VSE which would be incorporated into the school improvement planning over the next two years as required.

The Committee thanked the Head Teacher and Parent Council representative for attending the meeting and for the positive comments from the Parent Council. Members acknowledged the support provided and the key priorities for improvements to help raise attainment for learners.

It was recommended that the Committee note the contents of the report and the school's arrangements for continuing improvement.

Decision

To note the contents of the report and the update from the Senior Development Officer, Head Teacher and Parent Council representative.

7. VALIDATED SELF EVALUATION: BEATLIE SCHOOL CAMPUS

The Committee considered a report (copies of which had been circulated) by the Head of Education (Learning, Policy and Resources) providing details of the outcome of the Validated Self Evaluation (VSE) of Beatlie School Campus.

The focus of the VSE was:

- Leadership of change
- Raising attainment and achievement
- Arrangement for ensuring wellbeing, equity and inclusion

The report advised that Beatlie School Campus comprised of pupils aged between 5 and 18 years with profound, severe and complex learning difficulties and an Early Years and Childcare provision for pupils aged between 3 and 5 years with varying support needs. The school had a roll of 63 at the time of the VSE.

The Education Officer, Phyllis Wood, advised that standards were high across all key indicators for the school. The VSE found the leadership of the head teacher to be outstanding and members of staff were enthusiastic and committed to school improvement. The quality of partnership working was excellent and the school would continue to build on good practices which were already strong. It was recommended that Beatlie School share good practice across the school sectors and council wide.

The Head Teacher, Carol Robbie, stated that staff found the VSE process to be positive and were already working on some of the actions arising to further improve the work in school. Staff would continue to develop practice by looking at special schools within and out with West Lothian seeking further opportunities for children. Staff have excellent experience and the skills required to support the children in school and were working hard to develop communication involving and engaging learners and their families in every aspect of their learning. Relationships across the school and with parents were strong and the children were happy, nurtured and engaged.

The Head Teacher then responded to questions from members of the Committee. She confirmed that staff were already sharing good practice across other areas within the council. Visitors were welcomed from special and mainstream schools to meet the children and review strategies already in place. In response to a question relating to children moving on to positive destinations when leaving school the Head Teacher advised that it could be challenging engaging with adult services to allow as long a transition time as possible due to the pressures within adult services.

The report concluded by providing details of the actions arising from the VSE. The Committee was advised that the school was well able to sustain the high standards through self-evaluation for improvement.

The Committee commended the Head Teacher and staff for the excellent VSE and for the hard work and commitment of staff. It was also positive to learn that the quality of partnership working and relationships in school and with parents were excellent with a good level of care and education across early, primary and secondary sectors.

The Chair highlighted the pressures experienced by the school when children were moving on to positive destinations and sought assurances that as much support as possible would be given to support the children in their transition to adult services.

It was recommended that the Committee note the contents of the report and the school's arrangements for continuing improvement.

Decision

To note the contents of the report and the update from the Education Officer and Head Teacher.

8. WORKPLAN 2017-2018

The Committee noted the workplan (copies of which had been circulated).

The Head of Education (Curriculum, Quality Improvement and Performance) advised that it was proposed to provide updates to future meetings of the Committee on the short and long term strategies in place to improve N5 and Higher Maths levels in schools, which would be added

to the workplan.

Decision

To note the workplan subject to including updates on the short and long term strategies in place to improve N5 and Higher Maths levels in schools.

MINUTE of MEETING of the EDUCATION (QUALITY ASSURANCE) COMMITTEE of WEST LoTHIAN COUNCIL held within COUNCIL CHAMBERS, WEST LoTHIAN CIVIC CENTRE, on 27 FEBRUARY 2018.

Present – Councillors Stuart Borrowman (Chair), David Dodds, Pauline Clark, Lawrence Fitzpatrick, Chris Horne, Carl John, Dave King, Moira Shemilt and Damian Timson; Appointed Representatives Lynne McEwen and Margaret Russell; Parent Council Representative Eric Lumsden.

Apologies – Councillors Peter Heggie, Charles Kennedy, Andrew Miller and George Paul; Appointed Representative Myra Macpherson.

1. DECLARATIONS OF INTEREST

Agenda Item 5 – VSE: Falla Hill Primary School

Councillor Dodds declared an interest as he had two grandchildren who attended Falla Hill Primary School.

Agenda Item 6 – VSE: Meldrum Primary School

Lynne McEwen declared an interest as her daughter was the Head Teacher at Meldrum Primary School and was presenting the VSE report to the committee. Ms McEwen would not participate in consideration of this item of business.

Agenda Item 8 – VSE: Winchburgh Primary School

Lynne McEwen declared an interest as her daughter was a teacher at Winchburgh Primary School.

Agenda Item 9 – VSE: Southdale Primary School

Lynne McEwen declared an interest as her grandchild attended Southdale Primary School.

2. MINUTE

The committee confirmed the minute of the Education (Quality Assurance) Committee meeting held on 30 January 2018 as being a correct record. The Chair thereafter signed the minute.

Matters Arising

Page 37 of the minute – re Workplan 2017-2018 – The Head of Education (Curriculum, Quality Improvement and Performance) advised that following advice given by the Governance Manager updates on the short and long term strategies to improve N5 and Higher Maths would be reported to Education PDSP and Education Executive and not the Education (Quality Assurance) Committee as previously informed.

3. VALIDATED SELF EVALUATION: FALLA HILL PRIMARY SCHOOL

The committee considered a report (copies of which had been circulated) by the Head of Education (Curriculum, Quality Improvement and Performance) providing details of the outcome of the Validated Self Evaluation (VSE) of Falla Hill Primary School.

The focus of the VSE was:

- Leadership of change;
- Raising attainment and achievement; and
- Arrangements for ensuring wellbeing, equity and inclusion.

The Education Officer, Maureen McNaughton, advised the committee that the school has a clear focus on raising attainment. The school and the nursery class were well-led under the strong leadership of the Head Teacher. Members of staff were working with children, parents and partners to establish a shared vision for the school. A strong culture of change has also positively impacted on staff confidence with staff being encouraged to take on leadership roles. Expectations were high which were leading to improvements, reflecting the needs of learners, their families and the local community.

The Head Teacher, Anne Pettit, advised the committee that the VSE process was robust and identified a number of strengths of the school. Details of the actions arising from the VSE process were then provided which included developing approaches to sharing, analysing and interrogating data to ensure that improvements were being delivered in an efficient and effective manner with a focus on equity and improvement. Staff would continue to develop the curriculum to allow learners to make meaningful connections across their learning, with opportunities to apply their learning in a wide range of contexts. Next steps would be to develop a framework of appropriate skills for learning, life and work across the nursery and the school community.

The Joint Head of the PTA of the school, Ruth Blair, then advised that parents were happy with the learning opportunities given to their children and confirmed that teachers have done an excellent job in providing individual care and support to the children. However, parents have raised their concerns about a few issues relating to the school building which were noted by the Head of Education (Curriculum, Quality Improvement and Performance).

The Head of Education responded by advising that West Lothian has one of the best school estates in the country. Officers would investigate the concerns highlighted by Ms Blair and an update would be reported back to the school.

The Head Teacher then responded to a number of questions from members of the committee.

Members also noted that three of the quality indicators for the ELC and primary school setting were judged to be “very good” compared to the school’s judgement of “good”, which was positive. Robust tracking and monitoring systems were in place to meet the needs of all learners and targets were in place to ensure maximum opportunities were given.

The committee thanked the Head Teacher, Education Officer and PTA representative for attending the meeting and providing a detailed report. Members acknowledged the progress and the positive journey being made by the school.

It was recommended that the committee notes the contents of the report and the school’s arrangements for continuing improvement.

Decision

1. To note the contents of the report and the update from the Head Teacher, Education Officer and PTA representative; and
2. To note that the Head of Education (Curriculum, Quality Improvement and Performance) confirmed that officers would investigate the concerns highlighted in relation to the school building and provide an update to the school thereafter.

4. VALIDATED SELF EVALUATION: MELDRUM PRIMARY SCHOOL

Lynne McEwen, Appointed Representative, did not participate in consideration of this item of business and left the meeting.

The committee considered a report, copies of which had been circulated, by the Head of Education (Curriculum, Quality Improvement and Performance) providing details of the outcome of the Validated Self Evaluation (VSE) of Meldrum Primary School.

The focus of the VSE was:

- Leadership of change;
- Raising attainment and achievement; and
- Arrangements for ensuring wellbeing, equality and inclusion.

The Education Officer, Margaret Johns, advised the committee that the VSE found the school to be positive with good relationships across the whole school community. Staff and partners have created an environment where children were respected, valued and nurtured. Staff have an excellent understanding of the children’s learning and were confident that the supports in place would lead to raised attainment.

The Head Teacher, Jennifer Russell, stated that the VSE was positive for all concerned and everyone felt involved in the process. All staff have an understanding of the school’s vision and values and have high

expectations and ambitions for children's attainment and achievement. Targeted interventions were in place to support all children.

The Head Teacher then outlined the actions arising from the VSE confirming that a three year rolling programme of curricular was being developed which was subject to annual review. More teaching staff were involved in class observations and staff were continuing to refine systems and teaching strategies to ensure that learners were being challenged appropriately and that the pace of teaching and learning was matched to their needs and abilities. Tracking and monitoring of pupils wider achievements were being carried out in a more systematic manner to build on the skills and experiences of all children. More opportunities were being introduced at all stages for digital learning across all curricular areas in school.

The Parent Council Chair, Kevin Lloyd, advised the committee that he participated in the VSE process. Feedback received from parents was positive. Parents were happy with the outcome of the VSE and felt that the school was making good progress under the leadership of the Head Teacher. He also advised that parents continued to engage with the school helping to raise funding to support initiatives within the school.

The Head Teacher then responded to questions from members of the committee. In response to a question relating to the satisfactory judgement relating to the quality indicator for "curriculum" she advised that in order to continue to develop the curriculum all staff were required to be fully involved using national Benchmarks and the West Lothian flexible pathways as a framework. Staff continued to work well with parents and stakeholders with a variety of initiatives in place to improve opportunities and experiences for all pupils. Details were also provided of the work being done to encourage children to lead aspects of their own learning providing more opportunities for children to have more say in developing curricular programmes.

The committee thanked the Head Teacher and Parent Council Chair for attending the meeting and acknowledged the school's arrangements for continuing improvement. Members were happy with the outcome of the VSE carried out.

It was recommended that the committee notes the contents of the report and the school's arrangements for continuing improvement.

Decision

To note the contents of the report and the update from the Education Officer, Head Teacher and Parent Council Chair.

5. VALIDATED SELF EVALUATION: ST COLUMBA'S PRIMARY SCHOOL

The committee considered a report (copies of which had been circulated) by the Head of Education (Curriculum, Quality Improvement and Performance) providing details of the outcome of the Validated Self

Evaluation (VSE) of St Columba's Primary School.

The focus of the VSE was:

- Leadership of change;
- Raising attainment and achievement; and
- Arrangements for ensuring wellbeing, equity and inclusion.

The Education Officer, Maureen McNaughton, advised the committee that the VSE was carried out in November 2017. Under the effective leadership of the newly appointed Head Teacher a number of challenges faced by the school have been addressed. Members of staff were focusing on improving experiences and outcomes for all children. The school community has a clearer understanding of what the curriculum needs to deliver for learners and has used this knowledge to shape the rationale for curriculum design and development. The Education Officer confirmed that there have been improvements made in school which have not yet been reflected in the schools quality indicator evaluations.

The Head Teacher, Fiona Smyth, advised that the school has gone through significant changes recently and welcomed the VSE process. She then advised members of the actions arising from the VSE which included developing approaches to teacher leadership to build the school's capacity to deliver greater equity and improved outcomes for all learners. All teachers have a clearer understanding of the curriculum and continue to support professional learning. Recently revised tracking and monitoring systems meant that assessment information was informing teacher judgement and supporting staff in determining interventions and indicating next steps for learners. The curriculum would continue to be developed to delivery equity of opportunity and maximise success and achievements for all. Staff in the school and nursery class would continue to support the use of digital technologies to further develop children's confidence in talking about and evaluating their learning.

The Head Teacher then responded to a number of questions from members of the committee. In response to a question about the number of "satisfactory" quality indicators for the primary school, the Head Teacher advised that she was confident that the pace of change taking place in the school would lead to improvements and raised attainment. Staff continued to work hard and engage with parents and stakeholders to build relationships and strengthen partnerships.

The committee acknowledged the significant challenges faced by staff in school. Members thanked the Head Teacher for attending the meeting and acknowledged her enthusiasm in taking forward improvements. The Quality Improvement Team would continue to provide regular support and challenges to the school on its continuous journey of improvement. The committee was confident that the school would continue to make progress under the leadership of the Head Teacher.

It was recommended that the committee notes the contents of the report

and the school's arrangements for continuing improvement.

Decision

To note the contents of the report and the update from the Education Officer and Head Teacher.

6. VALIDATED SELF EVALUATION: WINCHBURGH PRIMARY SCHOOL

The committee considered a report (copies of which had been circulated) by the Head of Education (Learning, Policy and Resources) providing details of the outcome of the Validated Self Evaluation (VSE) of Winchburgh Primary School.

The focus of the VSE was:

- Leadership of change;
- Raising attainment and achievement; and
- Arrangements for ensuring wellbeing, equity and inclusion.

The Education Officer, Jackie Speirs, advised members that the VSE carried out at Winchburgh Primary School was robust. The Head Teacher and staff were committed to developing a strategic plan for change and improvement to address the actions identified in the VSE. Monitoring and tracking approaches were in place and further work was being done to develop staff skills in analysing attainment information at all levels to ensure appropriately challenging learning opportunities were available to maximise attainment and achievements. These processes included robust evaluation of the impact of any interventions.

The Head Teacher, Frances Rosevear, stated that the VSE identified that a more strategic approach was required in school. A clear plan was now in place which targeted each of the quality indicators. Members of staff were committed to and engaging in the improvement process developing robust, collective self-evaluation practices to ensure increased expectations and consistency in evaluation. Parents, staff and stakeholders were working together to ensure the curriculum was relevant and meaningful. The leadership team were developing and implementing a clear plan to refresh the curriculum and staff were engaging in robust professional learning across the curriculum using national benchmarks and West Lothian pathways.

The Head Teacher then responded to questions from members of the committee. In response to a question relating to the school's Pupil Equity Fund allocation members were advised that this was used to support children and parents from the early learning setting across the school with a full time nurture group set up to help improve literacy levels.

The report concluded by providing details of the actions arising from the VSE. The committee was advised that the Quality Improvement Team would continue to provide support to the school to challenge and build on

the strengths of the school to ensure continued improvement.

The Chair acknowledged the work being carried out to address the issues outlined in the report. However, it was concerning that four of the five quality indicators for the primary school were judged to be satisfactory. The committee recommended that the school be invited back to a future meeting to provide an update of the effects the interventions and improvements were having on the school.

It was recommended that the committee notes the contents of the report and the school's arrangements for continuing improvement.

Decision

1. To note the contents of the report and the update from the Education Officer and Head Teacher; and
2. To agree that the school be invited back to a future meeting to provide a further update.

7. VALIDATED SELF EVALUATION: SOUTHDALe PRIMARY SCHOOL

The committee considered a report (copies of which had been circulated) by the Head of Education (Curriculum, Quality Improvement and Performance) providing details of the Validated Self Evaluation (VSE) of Southdale Primary School.

The focus of the VSE was:

- Leadership of change;
- Raising attainment and achievement; and
- Arrangements for ensuring wellbeing, equity and inclusion.

The Quality Improvement Manager, Greg Welsh, advised the committee that Southdale Primary School was a new mainstream school which opened in August 2016. The Head Teacher and Principal Teacher provided very strong leadership in the development and promotion of the shared vision of the school to have strong roots in the community, to develop children's knowledge and skills for the future and provide a journey to success. The school has prioritised the development of its curriculum in the areas of literacy, numeracy and digital technologies to meet the ethos and aspirations of the school.

The Head Teacher, Geraldine Armstrong, advised that staff found the VSE process to be positive and welcomed the opportunity to be involved. Members of staff have a clear vision of the schools values and aims and have positive relationships across the school community. Staff were committed to continuous learning and professional development and a number of leadership opportunities were available to staff at all levels in the school. The Head Teacher then provided details of the actions arising from the VSE and responded to a number of questions from members of

the committee.

In conclusion, it was noted that the school has a clear understanding of its strengths and areas for improvement. The Quality Improvement Team was confident that the school's arrangements for self-evaluation would continue to lead to improvement.

The committee acknowledged the excellent report and members were confident that the school's action plan would continue to lead to improvements and raised attainment.

It was recommended that the committee notes the contents of the report and the school's arrangements for continuing improvement.

Decision

To note the contents of the report and the update from the Quality Improvement Manager and Head Teacher.

8. VALIDATED SELF EVALUATION: ST JOHN THE BAPTIST PRIMARY SCHOOL

The committee considered a report (copies of which had been circulated) by the Head of Education (Curriculum, Quality Improvement and Performance) providing details of the outcome of the Validated Self Evaluation of St John the Baptist Primary School.

The focus of the VSE was:

- Leadership of Change;
- Raising attainment and achievement; and
- Arrangements for ensuring wellbeing, equity and inclusion.

The Education Officer, Maureen McNaughton, advised the committee that significant improvements were made in school in a short time under the leadership of the Acting Head Teacher. Members of staff were engaging in professional dialogue and recognised the need to raise attainment. The quality indicators within the nursery class were found to be accurate which has led to progress and improvements being made at a fast and ambitious pace.

The Head Teacher, Angela Gardner, stated that staff found the VSE process to be positive which has led to a number of approaches to learning, teaching and assessment being implemented to strengthen the capacity for improvement in school. Details of the actions arising from the VSE were then provided which included ongoing development of the curriculum in line with local and national guidance as a priority. Pupils were being encouraged to talk about improvements in the school and the nursery school was engaging in activities. Parents were being encouraged to participate in, contribute to and understand their child's learning.

The Parent Council Chair, Tony McKeown, advised that parents have noticed dramatic changes over the last few months. Clear pathways and strategies were being implemented and parents were being consulted in the process of change and improvements being made.

The Acting Head Teacher then responded to questions from members of the committee.

In response to a question relating to concerns about the number of satisfactory quality indicators, particularly within the nursery school, the Education Officer provided details of the work carried out to improve the situation. The changes in the leadership of the school, partnership working and parental input have led to improvements being made.

The committee noted the school's arrangements for continuing improvements and was confident that the school was moving forward. However, it was recommended that the school be invited back to a future meeting of the committee to provide an update on the improvements made, with particular focus on the nursery school.

It was recommended that the committee notes the contents of the report and the school's arrangements for continuing improvement.

Decision

- To note the contents of the report and the update from the Education Officer, Acting Head Teacher and Parent Council Chair; and
- To agree that the school be invited back to a future meeting to provide an update on the improvements being made, with a particular focus on the nursery school.

9. WORKPLAN 2017-2018 (HEREWITH)

The committee noted the workplan (copies of which had been circulated).

The Head of Education (Curriculum, Quality Improvement and Performance) advised that Westfield Primary School had a return visit from HMI. A report would be available for consideration at the next meeting of the committee scheduled to be held on 24 April 2018.

The committee agreed that VSE reports for Winchburgh Primary School and St John the Baptist Primary School be included on the workplan for a future meeting of the committee to provide an update on the improvements made in school since the VSE was carried out.

Decision

To note the workplan subject to including an HMI Inspection Report for Westfield Primary School and VSE reports for Winchburgh Primary School and St John the Baptist Primary School.

MINUTE of MEETING of the AUDIT COMMITTEE of WEST LOTHIAN COUNCIL held within COUNCIL CHAMBERS, WEST LOTHIAN CIVIC CENTRE, on 18 DECEMBER 2017.

Present – Councillors Chris Horne (Chair), Bruce Fairbairn (substituting for Damian Timson), Lawrence Fitzpatrick, John McGinty, David Tait and Noel Lawlor, Lay Member.

Apologies – Councillor Damian Timson

In attendance

Graham Hope (Chief Executive), James Cameron (Head of Education - Learning, Policy & Resources), Donald Forrest (Head of Finance and Property Services), Craig McCorriston (Head of Planning, Economic Development & Regeneration), Julie Whitelaw (Head of Corporate Services), AnnMarie Carr (Customer Service Manager), Nicola Gill (Public Transport Manager), Tony Irvine (Senior Planning Officer), James Millar (Governance Manager), Alison Raeburn (Service Officer), Stuart Saunders (Senior Compliance Officer), Kenneth Ribbons (Audit, Risk and Counter Fraud Manager), S Reid and N McPherson (EY)

1. DECLARATIONS OF INTEREST

There were no declarations of interest made.

2. MINUTE

The committee approved the minute of its meeting held on 25 September 2017 as being a correct record.

3. INTERNAL AUDIT PROGRESS

The committee considered a report (copies of which had been circulated) by the Audit, Risk and Counter Fraud Manager providing details of the progress in relation to the internal audit plan for 2017/18.

The report outlined the work undertaken to ensure the effectiveness of control over key risks to the council.

The committee noted the proposed amendment to the 2017/18 internal audit plan as outlined. An audit of the Social Policy risk CF001 "Assault or injury to staff, or malicious allegation, by service user" was included in the 2017/18 Plan. However, the Governance and Risk Board had commissioned Gallagher Bassett, the council's risk consultant, to carry out a review of personal safety in Social Policy. It was proposed therefore not to proceed with this audit at this time and that further work would be considered depending upon the outcome of the Gallagher Bassett review. It was therefore proposed to replace this in the 2017/18 audit plan by carrying out an audit of the Social Policy risk SP010 "Injury, death, or abuse to service user".

It was recommended that the Audit Committee:

- Notes that the 2017/18 internal audit plan remains on target to be completed; and
- Agrees to an amendment to the 2017/18 internal audit plan as set out in section D.5 of the report.

Decision

1. Noted the terms of the report; and
2. Agreed to the amendment to the 2017/18 internal audit plan as outlined within section D.5 of the report.

4. COUNTER FRAUD PRESENTATION

The committee considered a report (copies of which had been circulated) by the Audit, Risk and Counter Fraud Manager, which advised that a request was made to the Senior Compliance Officer at the meeting of the Audit Committee on 30 June 2017 to provide members with further details of the work of the Counter Fraud Team. Accordingly, a presentation was prepared providing an overview of the work undertaken by the Counter Fraud Team to assist the work of the committee.

A presentation was then given by the Senior Compliance Officer. He provided details of the Counter Fraud Team and outlined the work carried out by the team which included:

- Maintaining the council's Whistleblowing process;
- Conducting investigations into allegations of fraud, theft, corruption, embezzlement, bribery or any other allegations of criminal acts within the council;
- Administering the biennial National Fraud Initiative (NFI) data matching exercise working in partnership with Police Scotland and other Local Authorities; and
- Providing counter fraud advice and delivering fraud training sessions and communications.

It was estimated that 5.5% of total Public Sector spend was lost to fraud each year. Examples of case studies carried out within West Lothian Council were then provided. Finally, the committee was advised that robust policies and procedures were in place to reduce the risk of fraud, theft and wrongdoing within West Lothian Council.

The committee thanked the Counter Fraud Manager for the informative presentation.

It was recommended that the Audit Committee notes the work of the

Counter Fraud Team.

Decision

Noted the contents of the report and the presentation by the Counter Fraud Manager.

5. RISK ACTIONS ARISING FROM AUDIT AND INSPECTION REPORTS

The committee considered a report (copies of which had been circulated) providing an update of the progress made in implementing agreed actions arising from audit and inspection reports.

The committee was advised that a report was submitted to the Audit Committee on 30 June 2017 setting out the findings of the risk actions that had been endorsed by The Board and entered into Pentana, in accordance with the agreed protocol, which were due to be completed by 31 March 2017 and which were still outstanding. The report and appendix presented to the committee constituted an update on the actions carried out.

There were 12 outstanding risk actions highlighted, of which 1 related to Audit Scotland and 11 related to internal audit. Oversight of outstanding risk actions by the Audit Committee would help to facilitate their completion.

In response to questions from members, the committee was provided with more information as follows:

In relation to the use of the Sanserver, it was confirmed that the new Objective records management system was an improvement on Meridio and that the actions outstanding were on track for completion by 31 January 2018.

In relation to invoicing procedures and controls in Trapeze the committee was advised that one action had now been completed and that confirmation had recently been requested from Internal Audit as to the suitability of a new procedure before the second one was signed off.

In relation to bus shelter advertising, it was explained that all that remained to do was to have the formal contract variation document signed.

In relation to the cleansing and destruction of former employee records, the committee noted the complications caused by the Historic Sexual Abuse Inquiry, and that officers were considering a process of archiving rather than destruction.

In relation to housing capacity shortfall, the committee was assured that the position was considered monthly at Senior Management team meetings, and periodically by the Executive Management Team and the Corporate Management Team.

It was recommended that the Audit Committee considers the outstanding risk actions and notes that failure to timeously implement agreed actions could impact adversely on performance and/or achievement of council objectives.

Decision

Noted the contents of the report.

6. INTERNAL AUDIT OF THE ADMINISTRATION OF SCHOOL MEDICATION

The committee considered a report (copies of which had been circulated) by the Audit, Risk and Counter Fraud Manager providing details of the outcome of an internal audit of the administration of school medication within Education Services.

The report advised that in accordance with the internal audit plan for 2017/18, an audit has been undertaken of the administration of school medication within Education Services. The resultant audit report was attached as an appendix to the report which included an action plan containing agreed management actions. The audit carried out concluded that control of the administration of school medication within Education Services was unsound.

The Audit, Risk and Counter Fraud Manager then responded to questions from members of the committee.

The Head of Education (Learning, Policy and Resources) undertook to provide an update on the progress with the agreed actions to the next meeting of the Audit Committee scheduled to be held on 19 March 2018.

In response to questions from members, officers confirmed the problems were due to failures to apply the existing policy and then failure to review compliance. The previous Validated Self-Evaluation had not been successful in this case. As explained in the report and appendix, new procedures had been implemented. A Compliance Officer had been designated. The system called RIVO would be used for incident reporting. Thirty percent of schools would be visited by the Compliance Officer. A central register was being maintained. Central support was available, training was being delivered and training records retained. The issues had been communicated to all head teachers and that would be reinforced through Head Teacher Leadership Meetings and through the Head Teacher Induction Programme. If required, disciplinary action would be taken. A new policy and procedure was being developed in consultation with NHS Lothian.

It was recommended that the Audit Committee notes that control was considered to be unsound.

Decisions

1. Noted the recommendation in the report; and
2. Agreed that an update would be provided at the next meeting of the committee by the Head of Education (Learning, Policy and Resources) on the progress made with the agreed actions.

7. INTERNAL AUDIT OF THE ADMINISTRATION OF FINANCIAL INSTRUMENTS

The committee considered a report (copies of which had been circulated) by the Audit, Risk and Counter Fraud Manager providing details of the outcome of an internal audit of the administration of financial instruments within Planning, Economic Development and Regeneration.

The report recalled that in accordance with the internal audit plan for 2017/18, an audit was undertaken on the administration of financial instruments within Planning, Economic Development and Regeneration.

As local planning authority, the council was responsible for ensuring provision was made for end of life restoration of major mineral extraction and wind farm development sites. This included ensuring that adequate third party contingency cover was made available to provide an alternative means of financing restoration in the event of a developer or landowner failing to meet their restoration obligations. The resultant audit report was attached as an appendix to the report which included an action plan containing agreed management actions. The audit carried out concluded that control required improvement.

In relation to the deposit of money for the Pates Hill development, the committee was advised that the money had been deposited but that records were incomplete. There was now documentary evidence that the funds were available, but at a slightly reduced level since part had been released on partial completion of the developer's obligations. The new software mentioned had gone live ahead of schedule, and it would provide automated reminders and warnings.

It was recommended that the Audit Committee notes that control was considered to require improvement.

Decision

Noted the contents of the report.

8. REPORT TO MEMBERS AND THE CONTROLLER OF AUDIT ON THE 2016/17 AUDIT

The committee considered a report (copies of which had been circulated) by the Head of Finance and Property Services providing details of the outcome of the 2016/17 audit which included a summary of the key points

arising from the Annual Audit Report. West Lothian Council's Annual Accounts for Year ended 31 March 2017 was attached at Appendix 2 to the report.

The report highlighted the operating performance of the council in 2016/17, the reserves and balances held by the council and the investment and performance in relation to the capital budget.

The committee noted that the Auditor provided an unqualified opinion on the council's financial statements for 2016/17. The Auditor concluded that the council has generally sound financial management arrangements in place and that there was good recognition of the challenges in the future. The Auditor made 14 recommendations following the audit and the management response to these was set out in appendix F in the Annual Audit Report to Members and the Controller of Audit, which was attached at Appendix 1 to the report. As noted, some elements of recommendations 8 and 9 were most appropriately considered by elected members of the council, and these were now complete.

In conclusion, the audit represented the first carried out by Ernst and Young LLP for West Lothian Council. Since the start of the council in 1996, external audit has been conducted by Audit Scotland and the change has inevitably meant challenges for the council and our new auditors. Overall, council officers and auditors have worked together professionally and constructively and would review the experience this year to identify areas of learning and improvement for future years.

Officers then responded to questions from members of the committee. The Head of Finance & Property Services undertook to provide members with details relating to independent fixed asset valuations. Members were advised that there was now no overlap between memberships of West Lothian Leisure Advisory Committee and West Lothian Leisure Board of Directors, and that there were now clearer reporting arrangements in place for both service and financial performance. The council's process for voluntary severance was explained, including the need for a business case to demonstrate pay-back within a short period of time and regular reporting to members through committee. The change in external auditors was noted and the challenges that had raised, but the committee was advised by the Head of Finance & Property Services and EY that a good working relationship had been established. The Audit, Risk & Counter Fraud Manager confirmed that he could reconcile the annual internal audit report with the plan as approved and prioritise planned audits when presenting the plan.

It was recommended that the Audit Committee:

1. Considers Ernst and Young LLP's 2016/17 Annual Audit Report (Appendix 2);
2. Considers the 2016/17 Annual Accounts (Appendix 2); and
3. Notes the management response to the action plan contained within the Annual Audit Report and the progress that has been

made in implementing the agreed management actions.

Decisions

- Noted the recommendation in the report;
- Noted that the Head of Finance and Property Services undertook to advise members on independent fixed asset valuations; and
- Noted that the Audit, Risk & Counter Fraud Manager would reconcile the annual internal audit report with the plan as approved and prioritise planned audits when presenting the plan for approval.

9. LOCAL GOVERNMENT IN SCOTLAND FINANCIAL OVERVIEW 2016/17

The committee considered a report (copies of which had been circulated) by the Head of Finance and Property Services providing a summary of the report *Local Government in Scotland Financial Overview 2016/17* published by the Accounts Commission on 28 November 2017. The report also outlined officer responses to the points included in the scrutiny tool for councillors.

The report advised that The Accounts Commission's *Local Government in Scotland Financial Overview 2016/17* report outlined the major financial challenges facing local government. The report highlighted that councils were increasingly showing signs of financial stress as while funding had reduced, costs and demands had increased. In addition, a rising proportion of funding was directed to national priorities, which was making it difficult for councils to identify and deliver savings to balance budgets. The following appendices were attached to the report:

- Appendix 1 – Summary of CIPFA Building Financial Resilience Report
- Appendix 2 – Measures Taken by Councils to Close Funding Gaps in 2017/18
- Appendix 3 – Local Government Financial Overview 2016/17 Scrutiny Tool for Councillors

The overview report summarised a number of key messages for councillors and highlighted the implications for West Lothian Council. It was agreed that the established integrated approach to corporate and financial planning should continue for the five year period 2018/19 to 2022/23. It was also acknowledged that the financial position facing the council was very challenging therefore officers were required to undertake preparatory work on options for future potential savings, which included continuing to monitor the challenges and pressures ahead to ensure that resources were targeted towards achieving the council's priorities as demonstrated by the quarterly budget model update presented to the Partnership and Resources PDSP.

West Lothian Council has a solid base to address the challenges that would be faced in delivering key priorities. This was acknowledged in the

auditor's report on the 2016/17 financial accounts where it was concluded that the council has generally sound financial management arrangements and the council's financial position was generally sound. Although the council has significant cost pressures associated with demographic change, it has a good basis to address this challenge through having an established process for aligning the financial strategy to priorities.

The Accounts Commission believes that councils who demonstrated effective leadership and robust planning would be in a better position to manage the challenges ahead. Consideration of the issues within the report, and the detailed responses to the scrutiny tool, would assist in ensuring that the council continued to be well placed to deliver agreed priorities within reduced financial resources

The committee noted the difficulties for public bodies caused by setting only annual budgets and the advice from the Head of Finance & Property Services that the council needed to put in place at least a medium-term financial strategy, as it had previously agreed to do.

It was recommended that the Audit Committee:

1. Notes the key messages included in the report; and
2. Notes officer responses to the points raised within the councillors scrutiny tool which could be used by elected members to help them better understand the council's financial position and to scrutinise financial performance.

Decision

Noted the recommendation in the report.

10. AUDIT SCOTLAND - PRINCIPLES FOR A DIGITAL FUTURE: LESSONS LEARNED FROM PUBLIC SECTOR ICT PROJECTS

The committee considered a report (copies of which had been circulated) by the Head of Corporate Services providing a summary of the Audit Scotland report entitled "Principles for a Digital Future: Lessons learned from public sector ICT projects". West Lothian Council Gap Analysis report was attached as an appendix to the report which identified areas for improvement in the management of Council ICT projects.

The report advised that Audit Scotland published a report in May 2017 entitled "Principles for a Digital Future: Lessons Learned from Public Sector ICT Projects". The report draws on the recommendations from previous Audit Scotland reports on failed Scottish public sector ICT projects and experiences from around the world. The report recognised the importance of effective digital processes in supporting transformation of public services, but noted that public authority ICT projects and programmes were not always successfully managed. A set of common themes and issues were identified, which were developed into "Principles for Success" to be considered by all public sector organisations when

planning and implementing digital programmes and projects.

The Council was able to evidence good practice in many of the areas highlighted in the Audit Scotland report in relation to the delivery of ICT Projects. The actions which were set out in the gap analysis report could further improve governance around change programmes.

During the course of the discussion members of the committee recommended that consideration should be given to including some work in the Internal Audit Plan 2018/19 on the process for preparing and signing off on project briefs.

In response to questions from members, the Head of Corporate Services explained the process that would be followed to develop actions across all services through the ICT Project Board. Project briefs were reviewed by appropriate advisers, such as Legal Services. She confirmed that although PRINCE2 was the project management tool used for IT projects there were others available which might better suit other types of council projects.

It was recommended that the Audit Committee:

1. Notes the key findings and recommendations of the Audit Scotland report; and
2. Notes the areas for improvement identified in the gap analysis report attached at Appendix 1.

Decision

- Noted the recommendation in the report; and
- Agreed that the internal audit plan should include some work in relation to the issues raised in the report.

11. AUDIT SCOTLAND - EQUAL PAY IN SCOTTISH COUNCILS

The committee considered a report (copies of which had been circulated) by the Head of Corporate Services providing a summary of the findings of the Accounts Commission's report on Equal Pay in Scottish Councils.

The report advised that The Accounts Commission undertook an audit of equal pay activity across Scottish Local Government, focusing on five main themes which were outlined within the report. The audit was carried out using a mixture of face to face meetings with six sample councils and requested specific information from all 32 councils. The survey for costs covered the financial periods 2004/05 to 2015/16. The outcome report was published in September 2017, a copy of which was attached as Appendix 1 to the report.

The report summarised seven key messages resulting from the audit and the key findings relevant to West Lothian Council.

The public sector equality duty requires public authorities to take a proactive approach to tackling discrimination. A key action from the report was for councils to ensure that they were fulfilling their public sector equality duties in relation to equal pay. West Lothian Council has a clear commitment to equal pay, which was set out in its Equal Pay Policy statement.

Finally, it was noted that the council was in a strong position with respect to its historical management of equal pay claims and has a clear plan to deal with the small number of claims still remaining. The ongoing governance and oversight of equal pay was robust and in line with the Audit Commission recommendations.

It was recommended that the Audit Committee notes the key findings and recommendations of the report.

In responding to questions, the Head of Corporate Services confirmed that the council was actively engaged in settling historic claims. The committee was advised that appropriate arrangements had been made to cover the cost of settling those historic claims, but that if new claims were made then additional arrangements, based on risk assessments, would have to be made.

Decision

Noted the recommendation in the report.

12. COUNTER FRAUD REPORT FOR FIRST SIX MONTHS OF 2017/18 (APRIL TO SEPTEMBER)

The committee considered a report (copies of which had been circulated) by the Audit, Risk and Counter Fraud Manager providing details of the performance and activities of the Counter Fraud Team (CFT) during the first half of financial year 2017/18.

The report provided details of the Annual Counter Fraud Plan 2017/18 which was approved by the Audit and Governance Committee on 27 February 2017. The main activities of the Counter Fraud Team (CFT) involved maintaining the council's whistleblowing process, conducting investigations into allegations of fraud and irregularity, working in partnership with Police Scotland, administering the biennial National Fraud Initiative (NFI) data matching exercise, providing counter fraud advice, and delivering fraud training sessions. A summary of the counter fraud training sessions delivered in 2017/18 (April to September) was provided in appendix 2 in the report.

The committee was advised that cases where fraud and irregularity was established in the reporting period were summarised in Appendix 1 to the report and considered in private, exempt in terms of Paragraphs 1, 6 and 14 of Schedule 7A of the Local Government (Scotland) Act 1973 on the grounds that it involved the likely disclosure of exempt information.

A summary of all CFT performance indicators was provided in Appendix 3 in the report.

The report highlighted the performance and activities of the Counter Fraud Team during the first half of financial year 2017/18. The work of the CFT was carried out in accordance with the council's Anti-Fraud and Corruption Policy, Whistleblowing Policy and in accordance with the council's zero tolerance approach to fraud.

The Audit, Risk and Counter Fraud Manager confirmed in response to questioning that there had been no reporting to committee on individual cases because those completed had not been considered significant enough to require to be brought to the committee.

It was recommended that the Audit Committee notes the performance and activities undertaken by the Counter Fraud Team during the first half of financial year 2017/18.

Decision

Noted the recommendation in the report.

13. PRIVATE

The committee resolved under Section 50(A)(4) of the Local Government (Scotland) Act 1973, that the public be excluded from the meeting during consideration of Appendix 1 to the Counter Fraud Report for the First Six Months of 2017/18 on the grounds that this involved the likely disclosure of exempt information under Schedule 7A of the Act.

14. COUNTER FRAUD REPORT FOR FIRST SIX MONTHS OF 2017/18 APPENDIX 1 (SUMMARY OF FRAUD/IRREGULARITY ESTABLISHED IN 2017/18)

The committee considered Appendix 1 to the Counter Fraud Report (Summary of Fraud/Irregularity) for the first six months of 2017/18 (April to September) which was deemed to be exempt under Paragraphs 1, 6 and 14 of Part 1 of Schedule 7A of the Local Government (Scotland) Act 1973 as it involved the likely disclosure of exempt information.

The committee noted that seven investigations established that a fraud or irregularity had taken place. These investigations substantiated allegations such as theft of cash, undeclared criminal convictions, procurement fraud and sickness absence fraud. The total value of fraud and irregularity established by the CFT was £15,260.93. Where relevant, an action plan was agreed with the service to help improve internal controls in these areas. The cases where fraud and irregularity were established in the first six months of 2017/18 were summarised in Appendix 1 to the report.

It was recommended that the Audit Committee note the summary of

Fraud/Irregularity outlined in Appendix 1 to the Counter Fraud report for the first six months of 2017/18.

Decision

Noted the Summary of Fraud/Irregularity for the first six months of 2017/18 (April to September).

MINUTE of MEETING of the GOVERNANCE AND RISK COMMITTEE of WEST Lothian Council held within CONFERENCE ROOM 3, WEST Lothian Civic Centre, on 22 JANUARY 2018.

Present – Councillors Damian Timson (Chair), Harry Cartmill, Chris Horne and George Paul (substituting for Lawrence Fitzpatrick)

Apologies – Councillor Lawrence Fitzpatrick

In attendance

Graham Hope (Chief Executive, Donald Forrest (Head of Finance and Property Services), Jane Kellock (Head of Social Policy), Julie Whitelaw (Head of Corporate Services), AnnMarie Carr (Customer Service Manager, Housing Needs), Kim Hardie (HR Manager, Health & Safety), James Millar (Governance Manager), Kenneth Ribbons (Audit, Risk & Counter Fraud Manager) and Tim Ward (Senior Manager, Children and Families).

1. DECLARATIONS OF INTEREST

Agenda Item 5: High Risks

Councillor Horne declared an interest as a council appointed member of West Lothian Leisure Board of Directors.

Councillor Cartmill declared an interest as a council appointed member of West Lothian Leisure Board of Directors.

2. MINUTE

The committee approved the draft minute of its meeting held on 9 October 2017. The minute was thereafter signed by the Chair.

3. HIGH RISKS

The committee considered a report (copies of which had been circulated) by the Head of Finance and Property Services providing details of the council's high risks and the action being taken to mitigate them.

The report advised that the council maintained its corporate risk register on the Pentana system which had 232 risks logged at the time of the report being considered. Risks were scored for original risk - which was the assessed risk without controls in place and which provided an appreciation of the potential impact if controls were absent or failed, and current risk – which assumed that current controls were in place and were effective.

Risks were assessed on the basis of a five by five grid, with the lowest possible score being 1 and the highest 25. The council's high risks were defined as those risks which had a risk score of 12 or more. There were

10 high risks reported. Appendix 1 to the report outlined the council's high risks and appendix 2 set out the council's standard risk assessment methodology.

The council's high risks were reported on a regular basis to the Governance and Risk Board and the Executive Management Team. Regular review by the Governance and Risk Committee would assist in ensuring that the council's risks were effectively managed.

It was recommended that the Governance and Risk Committee notes the council's high risks, and the action being taken to mitigate them.

A discussion ensued and a number of questions were asked in relation to some of the risks identified during the risk assessment carried out. In response to a question relating to West Lothian Leisure (WLL), the Head of Finance and Property Services advised that work was being carried out on West Lothian Leisure's Financial Plan, with a view to reporting arrangements being the same as WLC, delivered over a five year period and reported to West Lothian Leisure Advisory Committee. As well as a series of key tasks and information to be provided by WLL further governance improvements were required.

In response to a question relating to risk HCBS15001 – Provision of Emergency Accommodation for Homeless Persons, the Customer Service Manager (Housing Needs) provided an update on the work being carried out to reduce the use and costs of B&B accommodation.

The Head of Social Policy then undertook to provide members with details of the number of incidents recently reported within Young People's (YP) Residential Units, the day that the incident occurred and the impact this had on staff. The committee was advised that measures were in place to support staff and training was provided focussing on de-escalation techniques.

The committee noted the comments relating to risk FL001 – Assault or injury to staff, or malicious allegation, by service user. A suggestion was made to utilise lone working arrangements in emergency situations within YP Residential Units. The Head of Social Policy undertook to review lone working arrangements within this residential provision to ascertain whether this would be effective, although under normal circumstances there would be more than one member of staff on duty.

Decision

1. To note the recommendation in the report;
2. To note that the Head of Social Policy undertook to provide members with details of the number of incidents recently reported within YP Residential Units; and
3. To note that the Head of Social Policy undertook to review the lone working arrangements within YP Residential Units.

4. MANAGEMENT OF HEALTH & SAFETY RISKS

The committee considered a report (copies of which had been circulated) by the Head of Corporate Services providing details of the approach to the council's management of health and safety risks.

The report explained that in accordance with corporate requirements, health and safety risks were maintained in the risk register in Pentana Performance (formerly Covalent), the council's corporate risk management tool, which represented key risks to service objectives. These risks were kept under continuous review and were developed in accordance with changes in the service structure, and in response to changes to the political, regulatory, economic and demographic environment. Services were also required to ensure that relevant action plans were implemented for key risks, to mitigate these risks to tolerable levels so far as was practicable. Appendix 1 to the report identified the health and safety risks and appendix 2 set out the corporate risk assessment methodology.

The report outlined the health and safety risks, strategic risks and service risks identified. Details of the arrangements for the management and review of risks were also highlighted. Risks were reported to the service management team on a monthly basis and were discussed, changes made to the risks or their scores, and new risks added as considered necessary. There was a complete audit trail of this review process via the meeting papers and the action note produced, which were held in the council's records management system. Agreed changes to risks or risk actions were evidenced in Pentana and where necessary an explanatory note added.

The report concluded by confirming that the council has implemented robust risk management processes with the aim of ensuring that risks to the achievement of key objectives were mitigated as far as possible. The management of health and safety risks was currently under review.

It was recommended that the Governance and Risk Committee:

1. Notes the arrangements for the management of health and safety risks in Corporate Services and across the council; and
2. Notes that health and safety risks were currently being reviewed at corporate and service levels.

In response to a question relating to the management of health and safety risks, the Head of Corporate Services advised that a two way communication system was in place throughout the council to proactively manage health and safety risks with a number of focus groups for employees being held.

During the course of the discussion the committee recommended that it would be beneficial for a report to be included as a standing item for consideration at every meeting of the Governance and Risk Committee providing information on health and safety incidents reported for all

service areas during the reporting period. Year-end statistics were also requested.

Decision

1. To note the contents of the report;
2. To note that the Head of Corporate Services undertook to provide reports to future meetings on health and safety incidents reported for all service areas during the reporting period and to provide year end statistics.

5. RISK MANAGEMENT WITHIN SOCIAL POLICY

The Chair agreed that an amended report be tabled due to changes being made to risks recorded in the original report as follows:

- Social Policy currently has 19 risks which were summarised in appendix 1 to the report;
- CCOP001 'Insufficient supply to meet service demands' (current score 12);
- There is one risk with a current score of 9 (CCLD001);
- Risks coded 'CCOP' were considered to be for Community Care Older People and 'CCLD' for Community Care Learning Disability; and
- Appendix 2 provides further detail of the services high risks, associated internal controls and any mitigating risk actions.

A presentation was then given by Tim Ward, Senior Manager Young People & Public Protection providing details of the risk management in Social Policy to effectively manage risks. A summary of the service risks was provided with 15 'low' risks, 2 'medium' risks and 2 'high' risks identified.

Risks were reported to and considered by the Social Policy Management Team (SPMT) on a monthly basis. The risks were discussed, changes made to risks or their scores and any new risks were added as required. Any decisions were minuted in order to ensure a robust audit trail. Pentana was also used to record any changes and updates were administered through the notes section.

Finally, the committee was advised that Social Policy has a robust approach to identifying and managing its risks. Risks were regularly reviewed by the Social Policy Management Team and there was also a complete audit trail of the review process and any changes made.

Following conclusion of the presentation the committee considered the amended report (copies of which had been tabled) by the Head of Social Policy providing details of the approach taken to risk management within

Social Policy. Appendix 1 to the report outlined Social Policy Services – risks status, Appendix 2 outlined Social Policy high risks and Appendix 3 provided details of the risk assessment methodology.

The report advised that in accordance with corporate requirements, Social Policy maintained its risk register in Pentana. Three categories of risk were identified as follows:

- Original risk – the risk assessed on the basis that controls were absent or ineffective;
- Current risk – the risk assessed on the basis that the controls in place were effective; and
- Target risk – the risk which was being worked towards.

The benefit of an original risk score was that it provided an appreciation of the potential consequences if current controls failed or were not effective.

In conclusion, it was noted that Social Policy has implemented robust risk management processes with the aim of ensuring that risks to the achievement of key objectives were mitigated as far as possible.

A discussion ensued during which time the committee noted the two risks considered to be high as follows:

1. CF001 'Assault or injury to staff, or malicious allegation, by service user' (current score 12); and
2. CCOP001 'Insufficient supply to meet service demands' (current score 12).

In relation to risk CF001, the Head of Social Policy advised that policies and procedures were in place detailing how staff should react to instances of violence and aggression. Ongoing training was also provided to support staff in the use of de-escalation techniques. Work was also being done to improve the effectiveness of provision in the internal residential houses for young people.

In relation to risk CCOP001, the committee was advised that the current risks were higher in respect of the market pressures relating to Older People's services and the risks relating specifically to care at home and care homes. There was potentially an issue recruiting staff within Care at Home services. Risks were identified due to the demographics of people living longer and requiring care and the smaller number of people in the workforce. Members of staff were working with colleagues within NHS Lothian to assess the best way to delivery services across West Lothian. Risks continued to be closely monitored by the Social Policy Management Team.

It was recommended that the Governance and Risk Committee notes the approach taken by Social Policy in order to effectively manage risks.

Decision

To note the contents of the amended report tabled at the meeting and the presentation given by the Senior Manager, Young People & Public Protection.

6. COMMITTEE SELF-ASSESSMENT

The committee considered a report (copies of which had been circulated) by the Governance Manager providing details of the arrangements for carrying out periodic self-assessment of the Governance and Risk Committee's administrative arrangements and activity.

The committee was advised that the report by the external auditors on the council's annual accounts, which was considered at full council on 26 September 2017, included findings in relation to the Audit Committee and Governance and Risk Committees which were only recently established. The auditors welcomed greater focus on risk and recommended that these committees undertake annual self-assessments of effectiveness, including how they interacted with each other over a full cycle of reporting, which they considered to be best practice.

A questionnaire was attached at Appendix 1 to the report, which was prepared drawing on experience elsewhere and on available guidance. Members were invited to consider if there were any changes that they wished to be made to the questionnaire. Once finalised, the intention was to issue it electronically to members for completion online, which would enable responses to be treated anonymously and for them to be more easily analysed and used for comparison purposes. The results would be reported back to a future meeting for consideration and areas for improvement identified and agreed. The process would be incorporated into the committee's work-plan and carried out annually.

Agreeing the process for annual self-assessment would complete one of the council's undertakings in response to the auditors' report. Its use would also assist the committee in its work and contribute to its effectiveness in the council's control environment.

During the course of the discussion the committee highlighted that by the time the questionnaire was circulated and responses collated a full annual cycle of Governance and Risk Committee meetings would have been held. Members also commented that the self-assessment tool would be useful if used within other statutory committees within the council. It was also agreed that any additional questions from members of the committee should be emailed to the Governance Manager for inclusion in the questionnaire prior to this being circulated.

It was recommended that the Governance and Risk Committee:

1. Notes the recommendation in the annual audit report about carrying out self-assessment of the committee's effectiveness, and the council's decision in response;

2. Considers the questionnaire in the appendix to the report and whether there were any additional areas that might be covered or questions asked;
3. Agrees that the questionnaire be circulated to committee members for completion with the results reported back to a future meeting to consider areas for improvement; and
4. Notes that a similar arrangement would be carried out for Audit Committee as part of the response to the auditor's recommendation.

Decision

- To agree the terms of the report; and
- To agree that any additional questions from members be emailed to the Governance Manager prior to the questionnaire being circulated to members for completion.

7. WORKPLAN

The committee considered the workplan (copies of which had been circulated).

Decision

To agree the workplan subject to including the following item as a standing item for future meetings of the committee:

- Management of Health & Safety Risks – Report by Head of Corporate Services.

MINUTE of MEETING of the WEST LOTHIAN COUNCIL PLANNING COMMITTEE of WEST LOTHIAN COUNCIL held within COUNCIL CHAMBERS, WEST LOTHIAN CIVIC CENTRE, LIVINGSTON, on 25 APRIL 2018.

Present – Councillors Tom Kerr (Chair), Alison Adamson, Stuart Borrowman, William Boyle, Harry Cartmill, Pauline Clark, Lawrence Fitzpatrick, Chris Horne, John McGinty, Andrew McGuire, Dom McGuire, George Paul, Kirsteen Sullivan, David Tait and Damian Timson

Apologies – Councillors Dave King, Tom Conn, David Dodds, Angela Doran, Bruce Fairbairn, Charles Kennedy and Sarah King

Absent – Councillors Frank Anderson, Diane Calder, Janet Campbell, Robert De Bold, Jim Dickson, Peter Heggie, Carl John, Peter Johnston, Andrew Miller, Cathy Muldoon and Moira Shemilt

1. DECLARATIONS OF INTEREST

- Item 6 (App No.0411/P/17) - Councillor Lawrence Fitzpatrick declared that he was a council appointed member of the West of Scotland Archaeology Society who were a statutory consultee on the application but would participate in the item of business;
- Item 6 (App No.0411/P/17) - Councillor Damian Timson declared that he was a council appointed substitute member of the West of Scotland Archaeology Society who were a statutory consultee on the application but would participate in the item of business;
- Item 6 (App No.0411/P/17) - Councillor George Paul declared that he was a local ward member for the proposed application site but would participate in the item of business; and
- Item 6 (App No.0411/P/17) - Councillor Kirsteen Sullivan declared that she was a local ward member for the proposed application site but would participate in the item of business

2. MINUTE

The committee confirmed the Minute of its meeting held on 16 November 2016.

3. PROCEDURE FOR PRE-DETERMINATION HEARINGS

The committee noted the procedure that had been circulated with the agenda papers and which would be followed for the pre-determination of the planning application before committee.

4. APPLICATION NO.0411/P/17

The committee considered a report (copies of which had been circulated) by the Head of Planning, Economic Development and Regeneration concerning an application as follows :-

<u>Application No.</u>	<u>Proposal</u>	<u>Recommendation</u>
0411/P/17	Planning permission in principle for residential development with associated public open space and infrastructure at Hens Nest Road, East Whitburn	To note the contents of the report and any representations made prior to a decision being taken by West Lothian Council (Planning)

The committee then heard the applicant's agent, Mr Andrew Bennie, speak in support of the application.

The committee also noted that a representative of Ogilvie Homes, Mr Fraser Miller, was available to answer any questions from committee.

Decision

Having concluded the pre-determination of the application agreed to refer the planning application to a meeting of West Lothian Council (Planning)

MINUTE of MEETING of the WEST LOTHIAN COUNCIL (PLANNING) of WEST LOTHIAN COUNCIL held within COUNCIL CHAMBERS, WEST LOTHIAN CIVIC CENTRE, LIVINGSTON, on 25 APRIL 2018.

Present – Provost Tom Kerr (Chair), Councillors Alison Adamson, Stuart Borrowman, William Boyle, Harry Cartmill, Pauline Clark, Lawrence Fitzpatrick, Chris Horne, John McGinty, Andrew McGuire, Dom McGuire, George Paul, Kirsteen Sullivan, David Tait and Damian Timson

Apologies – Councillors Dave King, Tom Conn, David Dodds, Angela Doran, Bruce Fairbairn, Charles Kennedy and Sarah King

Absent – Councillors Frank Anderson, Diane Calder, Janet Campbell, Robert De Bold, Jim Dickson, Peter Heggie, Carl John, Peter Johnston, Andrew Miller, Cathy Muldoon and Moira Shemilt

1. DECLARATIONS OF INTEREST

- Item 6 (App No.0411/P/17) - Councillor Lawrence Fitzpatrick declared that he was a council appointed member of the West of Scotland Archaeology Society who were a statutory consultee on the application but would participate in the item of business;
- Item 6 (App No.0411/P/17) - Councillor Damian Timson declared that he was a council appointed substitute member of the West of Scotland Archaeology Society who were a statutory consultee on the application but would participate in the item of business;
- Item 6 (App No.0411/P/17) - Councillor George Paul declared that he was a local ward member for the proposed application site but would participate in the item of business; and
- Item 6 (App No.0411/P/17) - Councillor Kirsteen Sullivan declared that she was a local ward member for the proposed application site but would participate in the item of business

2. MINUTE

West Lothian Council (Planning) confirmed the Minute of its meeting held on 16 November 2016.

3. APPLICATION NO.0411/P/17

West Lothian Council (Planning) considered a report (copies of which had been circulated) by the Head of Planning, Economic Development and Regeneration concerning an application as follows :-

<u>Application No.</u>	<u>Proposal</u>	<u>Recommendation</u>
0411/P/17	Planning permission in	To refuse planning

principle for residential permission
development with
associated public open
space and
infrastructure at Hens
Nest Road, East
Whitburn

The application had immediately beforehand been the subject of a pre-determination hearing by West Lothian Planning Committee and had been referred to the meeting for determination.

Decision

To refuse planning permission for the reasons set out in the report.

Councillor Willie Boyle having moved an alternative position which did not receive a seconder had his dissent to the decision recorded.

MINUTE of MEETING of the JOINT CONSULTATIVE GROUP (PRIVATE) of WEST LOTHIAN COUNCIL held within CONFERENCE ROOM 3, WEST LOTHIAN CIVIC CENTRE, on 12 FEBRUARY 2018.

Present – Councillors Lawrence Fitzpatrick, Carl John (substituting for Peter Johnston), Charles Kennedy, Tom Kerr, Andrew McGuire, Dom McGuire and Kirsteen Sullivan; and Tom Carr-Pollock (GMB), Robert Brown (UCATT) and Pat Tedford (Unite)

Apologies – Councillor Peter Johnston; and Jane Ridgeway (Unison)

In Attendance – Graham Hope (Chief Executive), Graeme Struthers (Depute Chief Executive), Donald Forrest (Head of Finance and Property Services), Julie Whitelaw (Head of Corporate Services) and Lesley Henderson (HR Services Manager)

1. ELECTION OF CHAIR AND VICE-CHAIR

The Clerk advised that in terms of the council's Scheme of Administration that as this was the first meeting of the group in 2018 it required the appointment of a Chair and Vice Chair. The position of Chair was to be occupied by a member of the Trade Union and the position of Vice Chair was to be occupied by an elected member.

Jane Ridgeway was nominated as Chair – moved by Tom Carr-Pollock and seconded by Pat Tedford.

Councillor Lawrence Fitzpatrick was nominated as Vice Chair – moved by Councillor Dom McGuire and seconded by Councillor Kirsteen Sullivan.

The Clerk continued to explain that as the newly appointed Chair, Jane Ridgeway, had submitted apologies then it would fall to the Vice Chair to chair the remaining items of business.

2. DECLARATIONS OF INTEREST

Councillor Dom McGuire declared an interest in that he was an ordinary member of Unite;

Councillor Andrew McGuire declared an interest in that he was an ordinary member of Unite;

Councillor Lawrence Fitzpatrick declared an interest in that he was an ordinary member of Unite;

3. MINUTE

The Group confirmed the Minute of the Joint Consultative Group meeting held on 6 November 2017.

4. ISSUE RAISED BY TRADE UNIONS:

Consultation with Trade Unions and Staff on the Budget Proposals

The Trade Unions expressed their concerns in that they had not been briefed by management prior to reports being issued to elected members in preparation of the special meeting of West Lothian Council taking place in 13 February 2018. The Trade Unions felt that staff were learning about the council's budget proposals prior to the Trade Unions being briefed which did not allow for them to be fully conversant with the proposals and in turn enable them to assist staff interpreting the proposals.

The Management Team explained that the procedures followed in terms of issuing meeting papers to elected members had been in accordance with the usual practice and that additionally due to diary commitments of all parties involved the earliest opportunity to discuss the proposals with the Trade Unions had been Friday 9 February 2018.

It was also noted that the council's proposed Revenue Strategy had been considered at a meeting of the Partnership & Resources Policy Development Scrutiny Panel on 19 January 2018 and also at the Council Executive meeting on 6 February 2018 and were a matter of public record.

The Trade Unions also expressed concern that management would not be following the recognised policies of the council on managing organisational change, particularly in respect of decisions on the council's Revenue Budget due to be taken at the meeting of West Lothian Council on 13 February 2018.

The Management Team assured the Trade Unions that there had been no change to those policies on managing change within the organisation and that any proposed changes would go through the council's decision making structure including consideration by the relevant Policy Development and Scrutiny Panel and Council Executive.

The Trade Unions continued by seeking clarification on what would happen to those proposals that had been submitted by organisations, such as the Trade Unions, to the council's Transforming your Council Consultation (TYC) exercise. Many of the suggestions made by such organisations concerned alternative methods for service delivery and there was a concern that these suggestions would not be taken forward and that it was not clear if the council would feedback back comments to those making the alternative suggestions.

The Management Team explained that whilst many of the comments made through the TYC consultation were anonymous of those that had been received from known sources, such as the Trade Unions, then these would be looked at in closer detail. However many of the suggestions required much work and development before they could be considered as an alternative model of service delivery for consideration by the council. The Management Team also continued to explain that many of the

proposals would be phased over the next five years.

The Chair thanked all the parties involved.

Decision

1. Agreed that the Chief Executive would ensure that there was a clear protocol in place for ensuring that the recognised Trade Unions be afforded a reasonable length of time between any budget proposals being published online and being briefed by management on those proposals;
2. Noted the assurance that all existing arrangements for consultation with the Trade Unions on managing organisational change would remain in place
3. Noted that most of the proposals going before West Lothian Council at its meeting on 13 February 2018 would be subject to phasing over the next five years; and
4. Noted that many of the suggestions and initiatives submitted by the Trade Unions or other organisations, via the TYC consultation, would be subject to further development and consideration as to their suitability and viability.



WEST LOTHIAN COUNCIL

EDINBURGH AND SOUTH EAST SCOTLAND CITY DEAL JOINT COMMITTEE

REPORT BY CHIEF EXECUTIVE

A. PURPOSE OF REPORT

To agree the proposed governance arrangements for the Edinburgh and South East Scotland City Deal through the establishment of a joint committee.

B. RECOMMENDATIONS

1. To agree that the council becomes a member of a joint committee to oversee the governance arrangements for the Edinburgh and South East of Scotland City Region Deal in terms of the appendices to this report
2. To note that the joint committee will have representation from all of the City Region Deal partners (City of Edinburgh, East Lothian, Fife, Midlothian and Scottish Borders Councils, and the higher education, further education and business sectors)
3. To note that Council Executive appointed the Council Leader (or a substitute) to represent the council on the joint committee should the council become a member
4. To agree that the joint committee's activity be reported regularly to the Development & Transport PDSP, with an annual report to Council Executive and a formal review carried out and reported every two years to ensure the governance arrangements remain fit for purpose

C. SUMMARY OF IMPLICATIONS

I Council Values	Making best use of our resources; working in partnership; being open, honest and accountable
II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	Local Government (Scotland) Act 1973; matters relating to strategic environmental assessment, equality, health and risk assessments will be addressed as the projects develop
III Implications for Scheme of Delegations to Officers	The Scheme of Delegations shall be amended to show the Head of Planning, Economic Development and Regeneration as responsible for the joint committee's business and reporting
IV Impact on performance and	None

performance Indicators

V Relevance to Single Outcome Agreement	We are better educated and have access to increase and better quality; our economy is diverse and dynamic and West Lothian is an attractive place to do business; and we make the most efficient and effective use of our resources by minimising our impact on the built environment.
VI Resources - (Financial, Staffing and Property)	In addition to internal resources a two year commitment of £20,000 per annum.
VII Consideration at PDSP	No PDSP consideration – see D.4
VIII Other consultations	Head of Finance & Property Services, Head of Corporate Services, Head of Planning, Economic Development and Regeneration, Governance Manager

D. TERMS OF REPORT

1 Background

- 1.1 Local authorities may discharge their functions by delegating power to a committee or sub-committee, to officers, to another local authority in Scotland, or to a joint committee made up of two or more local authorities.
- 1.2 In June 2016, the six local authorities involved in the City Region Deal agreed to the principle of establishing a joint committee for the City Region Deal programme. An officer group and a shadow joint committee has been meeting since June 2016. It is now proposed to have it formally established and for the council to become a member.
- 1.3 The agreement amongst the partners and the joint committee's remit and powers are set out in the appendices to this report.

2 Key points

- 2.1 A joint committee may include non-councillor members subject to a maximum proportion of its total membership. In this case, the joint committee will have representatives from the higher education, further education and business sectors (three members, three votes, one vote each). They will be able to participate on the same footing as the councillor members (six councils, seven members, but six votes, one vote per council).
- 2.2 The joint committee will not have the power to place any binding financial obligations on the council. Any decision to commit funds and resources will be made by the member organisations. Those decisions for this council will be made at Council Executive.
- 2.3 The member councils have the power to delegate to the joint committee the decisions they feel necessary for it to be able to progress work streams. The remit contained in Appendix 1 provides what is presently needed. Further powers may be added to the remit of the joint committee at a later date if this is felt necessary and agreed by Council Executive.
- 2.4 It is open to the council to withdraw from the joint committee on giving appropriate notice.

- 2.5 Subject to what is set out in the appendices to this report, the joint committee will make its own Standing Orders to govern its meeting and decision-making arrangements.
- 2.6 The joint committee's membership includes a representative from each local authority, intended to be Council Leaders. Fife Council has two co-leaders and will have two members. However, that council will still only have one vote.

3 Monitoring and reporting

- 3.1 Supporting the joint committee will be the responsibility of the Head of Planning, Economic Development and Regeneration. The Scheme of Delegations shall be amended accordingly. He will represent the council's interest in the meetings at officer level and in dealings with the Project Manager.
- 3.2 The joint committee's activity will be reported regularly to the Development & Transport PDSP. An annual report will also be made to Council Executive. The formal arrangements will be subject to a full review every two years to ensure they remain fit for purpose.

4 Prior consideration

- 4.1 The Development & Transport PDSP has been kept up to date with progress on establishing the City Region Deal. Council Executive has previously considered the City Region Deal at different stages in its development.
- 4.2 These proposed governance arrangements have not been considered at a PDSP meeting. However, they were reported to Council Executive for agreement in principle. Council Executive agreed that the establishment of and participation in the joint committee should proceed. The final and formal decision to take part must however be made by full council.
- 4.3 Council Executive agreed that the Council Leader should be the council's named representative. If required, a substitute can attend in his place.

E. CONCLUSION

The establishment of a joint committee is a legally competent approach and represents the best approach to the partnership working and decision-making needed to deliver the City Region Deal. At the same time it protects the sovereignty of the council with respect to decisions on financial and policy matters.

F. BACKGROUND REFERENCES

Council Executive – 19 July 2017, 10 October 2017 and 17 April 2018

Appendices/Attachments: 1. Joint Committee Arrangements
2. Minute of Agreement

Contact Persons: James Millar, Governance Manager, 01506 281613, james.millar@westlothian.gov.uk; Alice Mitchell, Economic Development and Regeneration Manager, 01506 283079, alice.mitchell@westlothian.gov.uk

Graham Hope, Chief Executive

22 May 2018

APPENDIX 1

Joint Committee Arrangements

Membership

There will be one representative from each council, except in the case where there are joint leaders, where two will be permitted. There will be three non-Council representatives (including a minimum of one business and one regional higher and further education representative from the Edinburgh and South East Scotland city region). Each representative organisation will be allocated one vote.

Period of Office

The period off office will be determined by each individual member authority, but must not extend beyond the next local government elections.

Meetings

There will be a minimum of six meetings per annum.

Convener and Vice-Convener

The chair and vice-chair will be rotated annually

Quorum

The quorum will be three elected members and three councils, plus one non-council representative.

Remit

- Oversee the implementation of the Edinburgh and South East Scotland City Region Deal programme
- Monitor the impact of the Edinburgh and South East Scotland City Region Deal Programme.
- Build and support inclusive growth focusing on the needs of the local area and strengthening the partnership between public, private and third sectors
- Improve business involvement from the Edinburgh and South East Scotland city region in local decision making
- Collaborate and work in partnership to assist in delivering regional planning and transport policy linking the Edinburgh and South East Scotland City Region Deal to SESTRAN and SESPlan
- Work in partnership on other initiatives across the Edinburgh and South East Scotland city region with the explicit support of individual constituent members.

Any additional powers will be able to be delegated by the constituent councils at any point.

This remit allows for work to commence supporting the new model of governance outlined in phase 2 of the Enterprise and Skills Review for some regional partners but further work is

required for any involvement in the development of the regional partnership. In the case of the Scottish Borders, South of Scotland Enterprise Agency will be the primary vehicle for economic development priorities.

Standing Orders

The Joint Committee should adopt its own Standing Orders

Meeting Arrangements

Any minute of agreement should include the arrangements for the location of meetings and which constituent council will administer the meeting.

Timescales

These arrangements will be reviewed by the members after the first six and twelve months. After partners enter the delivery stage, this will be reviewed periodically as deemed appropriate.

APPENDIX 2

MINUTE OF AGREEMENT

among

The City of Edinburgh, East Lothian, Fife, Midlothian, Scottish Borders and West Lothian Councils

("The Constituent Councils")

WHEREAS:

First A joint committee is required to discharge a number of functions and the establishment of the committee requires the authorisation of the Constituent Councils.

Second The Constituent Councils are local authorities constituted under the Local Government etc. (Scotland) Act 1994.

Third It is provided by section 56(5) of the Local Government (Scotland) Act 1973 ("the 1973 Act") that two or more local authorities may discharge any of their functions by a Joint Committee of theirs.

Fourth The Constituent Councils wish to appoint a Joint Committee under section 57(1) of the 1973 Act for the discharge of the functions referred to below.

Fifth Access to meetings and meeting documents of the Joint Committee is subject to the requirements laid out in section 50 of the Local Government (Scotland) Act 1973.

NOW THEREFORE:

ONE Commencement

This Agreement shall commence and have effect from DATE 2018.

TWO Constitution

There is hereby constituted a Joint Committee to be known as "The Edinburgh and South-East Scotland Region Joint Committee" hereinafter referred to as the "Joint Committee" for the discharge of the above specified functions in terms of this Agreement.

THREE Members

The Joint Committee shall consist of the following members:

- a) 1 member from each Constituent Council (subject to 3(b))
- b) Where a constituent Council has co-leaders they will be entitled to attend the Joint Committee as members but their Council shall only enjoy a single vote
- c) 3 non-Council members of which one must be a business representative, one a third-sector representative and one a further/higher education representative. The business representative will be appointed by the Regional Business Leadership

Council and the further/higher education representative will be appointed by the further/higher education group.

Any member of the Joint Committee may be represented by another member of the same authority (such member requiring to be a Councillor of the authority) or non-Council organisation. A person appointed as a substitute shall have the same powers at the meeting as the member whom he or she is representing.

The Joint Committee may co-opt for an agreed period additional non-voting participants to represent other interests or provide specialist expertise.

FOUR Voting Rights

Each constituent Council and non-Council member shall have one vote each. Where co-leaders attend the Committee from a constituent Council, that Council must intimate to the Clerk of the Committee prior to the meeting in accordance with the Committee's standing orders. .

A simple majority of those members present and voting shall be required in all voting procedures.

Where there are an equal number of votes, the matter should be continued to the next meeting to allow for further discussions between the members led by the convener.

Each Constituent Council and non-Council member can opt their organisation out of a proposal and this does not automatically stop the proposal being taken forward by other members.

FIVE Period of Office

Members appointed by the Constituent Councils to the Joint Committee shall hold office for a period determined by their Council but this period must not extend beyond the next local government elections. Immediately after such election, each Constituent Council shall again appoint its number of members to the Joint Committee. Non-Council organisations shall be free to vary the period of office for their members of the Joint Committee.

SIX Vacancies in Membership

A member ceasing to be a member of the Constituent Council which appointed him/her shall cease to be a member of the Joint Committee as at the same date. In that event, or any other time the Constituent Council by which a member was appointed may appoint a member, to take his/her place for the remaining part of his/her period of office. Non-Council organisations may choose to introduce a replacement member of the Joint Committee at any time.

SEVEN Quorum

A quorum of the Joint Committee shall be three members appointed by and representing no less than three of the six Constituent Councils, and one non-Council member. Should the Joint Committee appoint a Sub-Committee, the membership of the Sub-Committee and its quorum shall be determined by the Joint Committee.

Eight Powers and Duties of Joint Committee

The Constituent Councils are delegating the following powers to the Joint Committee:

- To oversee the implementation of the Edinburgh and South East Scotland City Region Deal programme

- To monitor the impact of the Edinburgh and South East Scotland City Region Deal Programme
- To build and support inclusive growth focusing on the needs of the local area and strengthening the partnership between public, private and third sectors
- To improve business involvement from the Edinburgh and South East Scotland city region in local decision making
- To collaborate and work in partnership to assist in delivering regional planning and transport policy linking the Edinburgh and South East Scotland City Region Deal to SESTRAN and SESPlan
- To work in partnership on other initiatives across the Edinburgh and South East Scotland city region with the explicit support of individual constituent members

Any financial commitment proposed by the Joint Committee must be referred to each Constituent Council for individual agreement.

The Joint Committee may appoint from its members such Sub-Committees as it may from time to time consider necessary or desirable for the exercise of its functions and may, subject to such limitations as it may impose, delegate or refer to such Sub-Committees, any of the functions delegated to the Joint Committee under this Agreement. The Joint Committee shall appoint the Convener of any Sub-Committee appointed under this paragraph.

Further powers can be delegated to the Joint Committee with the agreement of all Constituent Councils.

NINE Standing Orders

The Joint Committee shall adopt its own Standing Orders. In the event of any inconsistency between Standing Orders and the provisions of this Agreement, the provisions of this Agreement shall prevail.

TEN Meetings

The Joint Committee shall hold at least 4 ordinary meetings each year and may meet on such other occasions as may be necessary when a special meeting may be called in terms of Standing Orders.

A schedule of meeting dates and venues will be agreed annually by the Joint Committee.

Copies of notices, agendas and minutes of all meetings of the Joint Committee shall be transmitted to Constituent Councils and others for their information as soon as practicable.

ELEVEN Clerk

A representative of the City of Edinburgh Council, shall be appointed as Clerk to the Joint Committee. This can be altered with the agreement of all Constituent Councils.

TWELVE Convener and Vice Convener to the Joint Committee

Subject to the provisions of this clause the Joint Committee shall appoint a Convener or Vice-Convener. The Convenership and Vice-Convenership of the Joint Committee shall be rotated annually at the first meeting of the Joint Committee following each 12 month term.

The Convenership and Vice-Convenership of the Joint Committee shall rotate annually from amongst its members in the following sequence:

<u>Year</u>	<u>Convener</u>	<u>Vice-Convener</u>
1	City of Edinburgh Council	East Lothian Council
2	East Lothian Council	Fife Council
3	Fife Council	Midlothian Council
4	Midlothian Council	Scottish Borders Council
5	Scottish Borders Council	West Lothian Council
6	West Lothian Council	City of Edinburgh Council

Thereafter the same sequence will repeat.

The roles of Convener and Vice-Convener cannot be held by the same authority at the same time.

The roles of Convener and Vice-Convener must be held by a constituent Council.

The Convener, when present, shall preside at all meetings of the Joint Committee. In the absence of the Convener the Vice Convener shall preside and in the absence of both, another member shall preside as the members present appoint. Where a vacancy occurs in the case of the Convener or Vice-Convener, the Joint Committee shall appoint a replacement from the same Authority for the remainder of their period of office.

THIRTEEN Resources

On the recommendation of the Chief Officers' Group, comprising of the lead chief officers for the six Councils, a Chief Officer shall be nominated who shall report to the Joint Committee and be responsible for carrying out the functions delegated to the Joint Committee. Resources to the Joint Committee will be discussed and agreed at the Executive Board or equivalent body.

FOURTEEN Amendment of Agreement

This agreement may be altered with the agreement of all Constituent Councils.

FIFTEEN Difference or Dispute

Any difference or dispute between the Joint Committee and any of the Constituent Councils or among the Constituent Councils concerning the interpretation or any matter arising out of this Agreement, which cannot be resolved by discussion and agreement of the Constituent Councils, shall be referred to the arbitration of the Sheriff Principal of the Sheriffdom of Edinburgh and the Lothians or any person appointed by her/him, whose decision shall be final and binding:

SIXTEEN Termination of Agreement

If an Authority or non-Council organisation wishes to withdraw from the Joint Committee, they should give all member organisations two months' notice of this intention. An Authority

or non-Council organisation withdrawing from the Joint Committee, does not affect the validity of the committee.

EXECUTION

This minute of agreement is signed and executed in counterpart as follows:

For the City of Edinburgh Council:

<u>Name:</u>	
<u>Signature:</u>	
<u>Witness:</u>	
<u>Signature:</u>	
<u>Place of Signing:</u>	
<u>Date:</u>	

For East Lothian Council:

<u>Name:</u>	
<u>Signature:</u>	
<u>Witness:</u>	
<u>Signature:</u>	
<u>Place of Signing:</u>	
<u>Date:</u>	

For Fife Council:

<u>Name:</u>	
<u>Signature:</u>	
<u>Witness:</u>	
<u>Signature:</u>	
<u>Place of Signing:</u>	
<u>Date:</u>	

For Midlothian Council:

<u>Name:</u>	
<u>Signature:</u>	
<u>Witness:</u>	
<u>Signature:</u>	
<u>Place of Signing:</u>	
<u>Date:</u>	

For Scottish Borders Council:

<u>Name:</u>	
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<u>Signature:</u>	
<u>Witness:</u>	
<u>Signature:</u>	
<u>Place of Signing:</u>	
<u>Date:</u>	

For West Lothian Council:

<u>Name:</u>	
<u>Signature:</u>	
<u>Witness:</u>	
<u>Signature:</u>	
<u>Place of Signing:</u>	
<u>Date:</u>	



WEST LOTHIAN COUNCIL

SCHEME OF ADMINISTRATION – WEST LOTHIAN LEISURE ADVISORY COMMITTEE

REPORT BY CHIEF EXECUTIVE

A. PURPOSE OF REPORT

To seek approval to changes to the Scheme of Administration to update and strengthen the remit and powers of the West Lothian Leisure Advisory Committee.

B. RECOMMENDATIONS

1. To agree the proposed changes to the remit of the West Lothian Leisure Advisory Committee shown in Appendices 1 and 2
2. To note the contribution the improved remit and powers will make to enhanced monitoring and scrutiny arrangements and to compliance with recommendations and actions arising from the external auditors' report for 2016/17 and the council's Best Value Assurance Report

C. SUMMARY OF IMPLICATIONS

I	Council Values	Focusing on our customers' needs; being honest, open and accountable; making best use of our resources
II	Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	Local Government (Scotland) Act 1973; Scheme of Administration
III	Implications for Scheme of Delegations to Officers	None
IV	Impact on performance and performance Indicators	N/A
V	Relevance to Single Outcome Agreement	N/A
VI	Resources - (Financial, Staffing and Property)	N/A
VII	Consideration at PDSP	None – see paragraph D.3
VIII	Other consultations	Head of Finance & Property Services; Head of Education (Learning, Policy and Resources)

D. TERMS OF REPORT

1 Background

- 1.1 West Lothian Leisure (WLL) is regarded as being this council's only arms' length external organisation (ALEO). The main forum for scrutiny of WLL is the West Lothian Leisure Advisory Committee (WLLAC). Its remit and powers have been unchanged for many years.
- 1.2 In their annual audit report for 2016/17 EY made recommendations in relation to governance arrangements for WLL. The council's Best Value Assurance Report referred to and adopted EY's comments. It recommended that the council ensure that governance arrangements for WLL are robust and fit for purpose. Updating and strengthening the remit and powers of WLLAC are part of the actions agreed when council accepted those recommendations.

2 Changes proposed

- 2.1 The proposed revised remit for WLLAC is shown in Appendix 2, with the current remit shown in Appendix 1. Once approved, the Scheme of Administration will be amended accordingly.
- 2.2 In summary, the proposed changes are as follows:-
 - To reword and expand the committee's remit and powers taking the same approach as is used for other scrutiny committees, such as Audit Committee and Performance Committee
 - To exclude from committee membership councillors who are Directors or employees of West Lothian Leisure. This formalises the position which has prevailed since May 2018
 - To require WLLAC minutes to be reported as a matter of routine to council for noting, again following the approach for other scrutiny committees. The purpose is to assist all members in their awareness of issues being addressed by WLLAC
 - To require a report to Council Executive each year following the publication of West Lothian Leisure's annual report and its consideration by WLLAC. The purpose is to give committee an overview of the relationship with WLL and WLL's performance and finances over the preceding reporting year
 - To conduct a full review at least every third year, reported to Council Executive, of the whole ALEO arrangement to ensure it remains fit for the council's purposes. The purpose is to ensure that a root and branch examination and report is made about the continuing fitness for purpose of the ALEO model

3 Prior consideration

- 3.1 The changes have not been considered at a PDSP. Instead, they were considered by WLLAC on 23 March 2018 and by Council Executive on 17 April 2018. Both committees agreed with the changes.
- 3.2 Changes to the Scheme of Administration can only be made by full council. The proposed amendments are therefore set out in this report for approval.

E. CONCLUSION

The proposed changes to the remit of the WLLAC will assist and improve monitoring and scrutiny of WLL's financial and service performance. They will help demonstrate compliance with the Audit Report, BVAR, Code of Corporate Governance and Audit Scotland guidance and advice.

F. BACKGROUND REFERENCES

Standing Orders for the Regulation of Meetings, Scheme of Administration

West Lothian Leisure Advisory Committee - 23 March 2018

Council Executive -17 April 2018

West Lothian Council - 27 September 2017, 13 January 2018

Best Value Assurance Report (November 2017)

Appendices/Attachments: 1. Current WLLAC Remit
 2. Proposed WLLAC Remit

James Millar, Governance Manager, 01506 281613, james.millar@westlothian.gov.uk

Graham Hope, Chief Executive

Date of meeting: 22 May 2018

APPENDIX 1

CURRENT REMIT IN SCHEME OF ADMINISTRATION

A REMIT AND POWERS

1. To monitor the implementation by West Lothian Leisure Limited of its Business Plan, within the context of the Council's overall leisure strategy
2. To monitor the Service Specification and Funding Agreement between West Lothian Leisure Limited and the Council, within the context of the Council's overall leisure strategy
3. To provide a forum for consultation between the Council and West Lothian Leisure Limited, in order to ensure that the Council achieves best value in its operations and expenditure.

B MEMBERSHIP

7 members (4 Labour, 2 Conservative, 1 SNP)

C QUORUM

3 members

D SUBSTITUTES

Substitutes allowed, drawn from all Elected Members of the Council

E MEETINGS (SUBJECT TO STANDING ORDER 41)

Six scheduled meetings per year

F REPORTING ARRANGEMENTS

Minutes to be reported to the next meeting of the Committee

G MISCELLANEOUS

The General Manager of West Lothian Leisure Limited or his delegate is to be in attendance. He or she provides a financial report to the Clerk for circulation with the agenda.

APPENDIX 2

PROPOSED NEW REMIT FOR SCHEME OF ADMINISTRATION

A. REMIT AND POWERS

1. To provide a forum for consultation and engagement between the council and West Lothian Leisure.
2. To assist the council in securing best value through achieving economy, effectiveness and efficiency in its operations and expenditure and its management and use of council resources.
3. To monitor the implementation by West Lothian Leisure of its Business Plan.
4. To review performance, financial management and reporting arrangements and ensure that they are adequate and cost effective.
5. To scrutinise the service performance of West Lothian Leisure in relation to its achievement of agreed outcomes and performance indicators.
6. To scrutinise the financial performance of West Lothian Leisure against the funding arrangements with the council.
7. To give consideration to internal and external reports, including Best Value reviews, which identify issues in relation to the council's relationship with West Lothian Leisure.
8. To review the place and role of West Lothian Leisure in the fulfilment of the council's statutory duties and delivery of its strategy, outcomes and priorities.
9. To consider West Lothian Leisure's annual report each year and its implications for the ongoing relationship between the council and West Lothian Leisure and make appropriate recommendations to Council Executive.
10. In pursuing its remit the committee has the following powers:-
 - a) To call for the provision of documents and information relevant to the committee's role and remit
 - b) To call for council officers and officers of West Lothian Leisure to attend meetings of the committee
 - c) To make recommendations to council, its committees, council officers and West Lothian Leisure on all aspects of the committee's remit.

B. MEMBERSHIP

1. 7 members (4 Labour, 2 Conservative, 1 SNP).
2. Councillors who are directors or employees of West Lothian Leisure may not be appointed as members of the committee.

C. QUORUM

1. 3 members.

D. SUBSTITUTES

1. Substitutes allowed, drawn from all Elected Members of the council other than councillors who are directors or employees of West Lothian Leisure.

E. MEETINGS (SUBJECT TO STANDING ORDER 41)

1. Six scheduled meetings per year.

F. REPORTING ARRANGEMENTS

1. Minutes to be reported to the next meeting of the committee.
2. Minutes of the committee to be reported to council for noting.
3. Officers to report each year to Council Executive providing a copy of West Lothian Leisure's annual report, a summary of the council's relationship with West Lothian Leisure during the reporting year, and any recommendations made by the committee.

G. MISCELLANEOUS

1. West Lothian Leisure shall provide information for inclusion in reports on the committee's agenda in relation to service and financial performance in a format and containing information specified by council officers.
2. The General Manager of West Lothian Leisure and, at the discretion of the Chair, other representatives, are able to attend meetings of the committee and to take part in a manner determined by the Chair.
3. The committee shall not make decisions which change or conflict with council policy or commit the council to expenditure.
4. Subject to sections 50A-50K of the Local Government (Scotland) Act 1973, reports and meetings shall as far as practicable be accessible to the public.
5. In at least every third year after 2017/18 officers shall carry out a full review of West Lothian Leisure's contribution to securing best value and the continuing effectiveness and fitness for purpose of the model for delivery of services through West Lothian Leisure. The outcome of that review shall be reported, with appropriate recommendations, to Council Executive.

WEST LOTHIAN COUNCIL LABOUR GROUP

Notice of Motion from Councillor Cathy Muldoon for the Council Meeting on 22nd May 2018

GP Services in Stoneyburn

West Lothian Council notes and supports the concerns expressed by the community of Stoneyburn over the imminent loss of GP services as part of the Breich Valley Medical Practice.

It has been reported that this situation is because of the loss of two GP partners in recent years and difficulty to recruit new GPs. The remaining two GPs have also given notice to leave the practice. This is against a backdrop of national recruitment issues.

Council believes that it is essential that local GP services are retained in Stoneyburn and as national issues pertain, as well as local circumstances, resolves to write to both the Scottish Government Cabinet Secretary for Health and Sport, Shona Robison MSP and NHS Lothian to urge their intervention to ensure that the Breich Valley Medical Practice is returned to a full complement of GPs in order for it to be able to deliver a local GP service on both of its current sites.

We also resolve to write to the Constituency MSP for Almond Valley and the Regional MSPs for the Lothians urging them to unite around a motion in the Scottish Parliament that presses for the retention of the Stoneyburn GP service.

C. Muldoon

**Councillor Cathy Muldoon
West Lothian Council Labour Group**



*H. 4.5 am
AHiggins*

WEST LoTHIAN COUNCIL LABOUR GROUP

Notice of Motion from Councillor Harry Cartmill for the Council Meeting on 22nd May 2018

Minimum Unit Price

Council notes that the Scottish Government have introduced a minimum unit price of 50 pence for alcohol which commenced on May 1st 2018. Additional revenues generated will remain with retailers and will not be directed into local initiatives on early intervention/prevention and on the wide ranging impacts of alcohol abuse on individuals, families and communities.

Council notes that if the aim of Minimum Unit Pricing is to improve public health, this is substantially undermined by cuts to local alcohol and drug initiatives over recent years.

Council notes a 23% reduction in funding by the Scottish Government in 2016-17 has resulted in a reduction of £310,000 in the sum available to West Lothian Council to invest in supporting individuals with Alcohol and Drug addiction. West Lothian Council managed to reinstate the funding gap for a one-year period in 2017-18 using one-off resources, but cannot afford to do this on an ongoing basis. The Scottish Government reduction will mean cuts to both internal services and services commissioned from external partners.

If serious about reducing the number of alcohol related illnesses and deaths, then a consistent approach must be adopted by the Scottish Government, where mutually compatible measures work towards the common aim of improving public health and wellbeing in this area.

As such, Council instructs officers to:

- Prepare a report detailing the current alcohol and drug services offered/supported by West Lothian Council, including the specific impact of cuts to funding (as outlined above)

Council further instructs the Chief Executive to write to Cabinet Secretary for Health & Sport and the Cabinet Secretary for Finance to request the following:

- Extra monies raised by minimum unit pricing be ring fenced and given to Local Authorities to help target the misuse of alcohol and the crippling effects this has on families and communities.
- Funding cuts to alcohol and drug initiatives be reversed so that local authorities can effectively tackle the problems faced in our local communities and provide the support individual and families desperately need.

Harry Cartmill

**Councillor Harry Cartmill
Executive Councillor Health & Care
West Lothian Council Labour Group**



*1.24pm
ARiggins*

West Lothian Council SNP Group

Leader: Cllr Peter Johnston
Depute Leader: Cllr Frank Anderson
Secretary: Cllr Sarah King

*Dico Tibi Verum Libertas Optima Rerum
Nunquam Servili!*



Motion Council Meeting 22nd May 2018

West Lothian Council formally congratulates all West Lothian athletes who competed for Scotland at the recent Commonwealth Games In The Gold Coast, Australia.

Shannon Archer	Gymnastics
Craig Benson	Swimming
Sean Campsie	Swimming
Colin Dalgleish	Table Tennis
Craig McLean	Swimming
Sharon Niven	Trap Shooting
Ellie Russell	Gymnastics

The 44 medals won by the Scottish Team was a fantastic result undoubtedly reflecting the hard work and commitment of every athlete which resulted in their selection to represent their country.

We would ask Provost, Tom Kerr, to write to Commonwealth Games Scotland on behalf of West Lothian Council, offering our congratulations to all of Team Scotland.

P. Clark.
Councillor Pauline Clark.



*2.04pm
AHiggins*

West Lothian Council SNP Group

Leader: Cllr Peter Johnston
Depute Leader: Cllr Frank Anderson
Secretary: Cllr Sarah King

*Dico Tibi verum, Libertas Optima Rerum
Nunquam Servili!*



Motion Council Meeting 22nd May 2018

West Lothian Council SNP Group notes that on the 6th March 2018, following a 'change in circumstances', Council Executive took a decision to reduce the funding available for WLL to offset their forecast 18/19 deficit position to 'a maximum of up to £1.2 million'. Following this 'change in circumstances' though, there was a reduction in the funds previously agreed for WLL, resulting in this Council now having an additional one-off sum of £200,000 available from the projected 2017/18 underspend, which had been set aside for WLL. There are also further monies in the unallocated General Fund Balance, in excess of the minimum £2 million balance required by the Council. This money was not available, for other purposes, at the time of the budget in February.

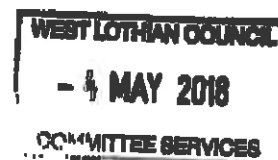
The SNP Group also notes the worry and anxiety that has been caused to our constituents, with many of the proposed cuts to service and the extremely short notice that has been sent to people affected. Therefore, the SNP Group propose that the unallocated one-off money is utilised to postpone the following savings measures:

- Introduction of a £20 charge for the issuing of a Blue Badge (£60,000, 18/19)
- Proposal to cease the Taxicard Scheme (£145,000, 18/19)
- Proposal to Amalgamate the Lanthorn and Almondbank libraries into a central location in Livingston, and close Pumpherston Library to the general public. (£50,000, 20/21)

The cost of postponing these measures for one year would be met from the £200,000 previously earmarked for West Lothian Leisure and £55,000 from the unallocated General Fund Balance.

These proposals if accepted, would ensure that we as a Council, have the needs of our most vulnerable at the heart of any decisions we take.

Moved F Anderson



*AMJ:jsms
4.49 pm*

I can confirm that the Head of Finance and Property Services has verified the financial implications of this motion.

West Lothian Council SNP Group

Leader: Cllr Peter Johnston
Depute Leader: Cllr Frank Anderson
Secretary: Cllr Sarah King

*Dico Tibi Verum, Libertas Optima Rerum
Nunquam Servili!*



Questions to the Executive Councillor for Culture and Leisure

West Lothian Council Meeting Tues 22nd May 2018

- 1) What is the floor space of Carmondean library globally and broken down into area by area, particularly the custom designed children's library, the internet and computer access areas and the McMillan support and advice service.
- 2) What is the area of identified spare floor space in the Carmondean ability centre and how does this match/fit with the separate and distinct sections of the current carmondean library.
- 3) What work has or will be done in terms of equality and accessibility of any proposal to merge and centralise the Lanthorn and Almondbank libraries in terms of physical disability access, public transport and parking and impact on our most socially social deprived communities of any move that makes access more difficult in any way.

Cllr Andrew Miller
Livingston North Ward (SNP)



*11.45 am
21/03/2018
AHiggins*

WEST LOTHIAN COUNCIL LABOUR GROUP

**Question to the Leader of the Council
for the Council Meeting on 22nd May 2018**

Committee Vacancies

Following the Council Election in May 2017 can the Leader of the Council advise the number of committee places still required to be populated?



**Councillor Andrew McGuire
West Lothian Council Labour Group**



10.25 am
Higgins

West Lothian Council SNP Group

Leader: Cllr Peter Johnston
Depute Leader: Cllr Frank Anderson
Secretary: Cllr Sarah King

*Dico Tibi Verum, Libertas Optima Remum
Nunquam Servat*



Questions to the Executive Council for

Social Policy

Community Alarms

- 1) Since the introduction of the new charge, 355 out of a total 4384 users of the community alarms service have requested the removal of their equipment. This represents an 8% decrease in the numbers of individuals using this service. What reasons have service users given for wishing to cancel their service?
- 2) What assessment has the Council made of the risks to the health and wellbeing of service users who have requested the removal of their equipment, particularly those service users who are deemed to be at high risk?
- 3) In terms of the overall percentage of service users returning their equipment, at what point would the Council consider this new charging policy to be untenable?

A handwritten signature in dark ink, appearing to read 'S King'.

Councillor S King

SNP Spokesperson for Social Policy

WEST LoTHIAN COUNCIL

- 4 MAY 2018

FREE SERVICES

2.04pm
A Higgins

West Lothian Council SNP Group

Leader:

Depute Leader:

Secretary:

Cllr Frank Anderson

Cllr Peter Johnston

Cllr Sarah King

*Dico Tibi Verum, Libertas Optima Rerum
Nunquam Servili!*



Question to Executive Councillor Council Meeting 22nd May 2018

Does the Executive Councillor welcome the additional money from the Scottish Government, over £10Million for the 32 councils, to be 'invested' in our roads here in West Lothian?

F Anderson



*A Higgins
11.57am*