



West Lothian Council

West Lothian Civic Centre
Howden South Road
LIVINGSTON
EH54 6FF

20 January 2022

A meeting of West Lothian Council will be held within the **Council Chambers** on **Tuesday 25 January 2022 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, declarations of interest in any urgent business and consideration of reports for information.

The Chair will invite members to identify any such reports they wish to have fully considered, which failing they will be taken as read and their recommendations approved.

4. "Civility in Public Life" - Presentation by Councillor Alison Evison, President of COSLA
5. Minutes :-
 - (a) Confirm Draft Minutes of Meeting of West Lothian Council held on Tuesday 23 November 2021 (herewith)
 - (b) Correspondence arising from previous decisions (herewith)

- (c) Note Minutes of Meeting of Governance and Risk Committee held on Monday 23 August 2021 (herewith)
- (d) Note Minutes of Meeting of Audit Committee held on Monday 04 October 2021 (herewith)
- (e) Note Minutes of Meeting of West Lothian Leisure Advisory Committee held on Thursday 21 October 2021 (herewith)
- (f) Note Minutes of Meeting of Education (Quality Assurance) Committee held on Tuesday 02 November 2021 (herewith)

Public Items for Decision

- 6. Election Business
- 7. Notice of Motion - Congratulations to Cole Paterson - submitted by Councillor Kirsteen Sullivan (herewith)
- 8. Notice of Motion - Congratulations to Whitburn Brass Band - submitted by Councillor Kirsteen Sullivan (herewith)
- 9. Notice of Motion - Congratulations to The Garage, Whitburn - submitted by Councillor Kirsteen Sullivan (herewith)
- 10. Notice of Motion - Trees and the Community - submitted by Councillor Tom Ullathorne (herewith)
- 11. Notice of Motion - Gender Pay Gap - submitted by Councillor Janet Campbell (herewith)
- 12. Notice of Motion - Weekend Access to Community Recycling Centres for Non-Commercial Vehicles (herewith)
- 13. Notice of Motion - Lateral Flow Tests - submitted by Councillor Janet Campbell (herewith)
- 14. Notice of Motion - Energy Price Cap - submitted by Councillor Frank Anderson (herewith)
- 15. Notice of Motion - Lamp Post Signage - submitted by Councillor Bruce Fairbairn (herewith)
- 16. Notice of Motion - Scottish Government Finance Settlement - submitted by Councillor Lawrence Fitzpatrick (herewith)
- 17. Notice of Motion - A Campaign for Justice - Witches for Scotland - submitted by Councillor Moira Shemilt (herewith)
- 18. Notice of Motion - Breaking down barriers to inclusion and participation for elected members with a disability - submitted by Councillor Moira Shemilt (herewith)

19. Notice of Motion - Retain the name "The Black Bitch Tavern" - submitted by Councillor David Tait (herewith)

Public Items for Information

20. Revised Councillors' Code of Conduct 2021 - report by Governance Manager (herewith)
21. Documents for Execution
22. Financial Literacy - Question to the Executive Councillor for Education - submitted by Councillor Chris Horne (herewith)
23. Winter Ready Programme - Question to Executive Councillor for Development & Transport - submitted by Councillor Peter Heggie (herewith)

NOTE **For further information please contact Val Johnston, Tel No.01506 281604 or email val.johnston@westlothian.gov.uk**



CODE OF CONDUCT AND DECLARATIONS OF INTEREST (2021)

This form is a reminder and an aid. It is not a substitute for understanding the Code of Conduct and guidance.

Interests must be declared at the meeting, in public.

Look at every item of business and consider if there is a connection.

If you see a connection, decide if it amounts to an interest by applying the objective test.

The objective test is whether or not a member of the public with knowledge of the relevant facts would reasonably regard your connection to a particular matter as being so significant that it would be considered as being likely to influence your discussion or decision-making.

If the connection does not amount to an interest then you have nothing to declare and no reason to withdraw.

If the connection amounts to an interest, declare it as soon as possible and leave the meeting when the agenda item comes up.

When you declare an interest, identify the agenda item and give enough information so that the public understands what it is and why you are declaring it.

Even if the connection does not amount to an interest you can make a statement about it for the purposes of transparency.

More detailed information is on the next page.

Look at each item on the agenda, consider if there is a “connection”, take advice if necessary from appropriate officers in plenty of time. A connection is any link between the item of business and:-

- you
- a person you are associated with (e.g., employer, business partner, domestic partner, family member)
- a body or organisation you are associated with (e.g., outside body, community group, charity)

Anything in your Register of Interests is a connection unless one of the following exceptions applies.

A connection does not exist where:-

- you are a council tax payer, a rate payer, or a council house tenant, including at budget-setting meetings
- services delivered to the public are being considered, including at budget-setting meetings
- councillors’ remuneration, expenses, support services or pensions are being considered
- you are on an outside body through a council appointment or nomination unless it is for regulatory business or you have a personal conflict due to your connections, actions or legal obligations
- you hold a view in advance on a policy issue, have discussed that view, have expressed that view in public, or have asked for support for it

If you see a connection then you have to decide if it is an “interest” by applying the objective test. The objective test is whether or not a member of the public with knowledge of the relevant facts would reasonably regard your connection to a particular matter as being so significant that it would be considered as being likely to influence your discussion or decision-making.

If the connection amounts to an interest then:-

- declare the interest in enough detail that members of the public will understand what it is
- leave the meeting room (physical or online) when that item is being considered
- do not contact colleagues participating in the item of business

Even if decide your connection is not an interest you can voluntarily make a statement about it for the record and for the purposes of transparency.

The relevant documents are:-

- [Councillors’ Code of Conduct, part 5](#)
- [Standards Commission Guidance, paragraphs 129-166](#)
- [Advice note for councillors on how to declare interests](#)

If you require assistance, contact:-

- James Millar, Interim Monitoring Officer and Governance Manager, 01506 281613, james.millar@westlothian.gov.uk
- Carol Johnston, Chief Solicitor and Depute Monitoring Officer, 01506 281626, carol.johnston@westlothian.gov.uk
- Committee Services Team, 01506 281604, 01506 281621
committee.services@westlothian.gov.uk

January 2022

MINUTE of MEETING of WEST LOTHIAN COUNCIL held within Virtual Meeting Room, on 23 November 2021.

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

Apologies – Councillor Pauline Clark

1. DECLARATIONS OF INTEREST

Councillor Janet Campbell declared an interest as an NHS employee;

Councillor John McGinty declared an interest as the council appointed member to NHS Lothian Health Board; and

Agenda Item 9 - Councillor Frank Anderson declared an interest in that he was Chair of SPARK but would participate in the item of business

2. ORDER OF BUSINESS.

1. Council agreed to hear the deputation request received from Mr Graham Campbell; and
2. Council agreed to consider the two agenda items (19 & 20) marked for information

3. DEPUTATION REQUEST FROM MR GRAHAM CAMPBELL - SPEEDING ON MAIN STREET, MID CALDER

The Council heard from Mr Graham Campbell a resident of Main Street, Mid Calder who expressed his concerns for the speed of traffic travelling along this road. Mr Campbell explained that in the morning and again in the evening many commuters travelling between Edinburgh and Livingston were using the route as a short cut and were often travelling at excessive speeds.

He explained that a neighbour had managed to monitor some of the speeds being travelled by drivers with many being in excess of the speed limit. He continued by stating that there were a number of eateries in the village which offered home delivery and again many of the delivery drivers were travelling at speeds in excess of the speed limit.

Mr Campbell continued by explaining that he was keen to see traffic calming measures introduced between Brewery House and the church

and whilst he had spoken to both Police Scotland and the council he had been unable to make any progress on this matter.

Mr Campbell then responded to questions from members.

The Provost thanked Mr Campbell for his presentation.

Decision

For officers to prepare a report on the matter for a future meeting of the Environment PDSP.

4. MINUTES

1. The Council approved the Minute of its meeting held on 28 September 2021
2. The Council noted correspondence arising from previous decisions
3. The Council noted the Minute of the Audit Committee held on 21 June 2021
4. The Council noted the Minute of the West Lothian Leisure Advisory Committee held on 26 August 2021
5. The Council noted the Minute of the Performance Committee held on 6 September 2021
6. The Council noted the Minute of the Employee Appeals Committee held on 28 May 2021.
7. The Council noted the Minute of the Employee Appeals Committee held on 25 June 2021.

5. ELECTION BUSINESS

1. Council noted that Councillor Angela Doran-Timson would resign from the Board of West Lothian Leisure with immediate effect.
2. Council was informed that an error had been made in nominating Councillor Harry Cartmill to this position at the last council meeting, and agreed that Councillor Andrew McGuire be appointed instead as Chair of West Lothian Leisure Advisory Committee.

6. TREASURY MANAGEMENT - INTERIM REPORT AT 30 SEPTEMBER 2021

The Council considered a report (copies of which had been circulated) by the Head of Finance and Property Services advising of the activities and results of the treasury management function for the six months to 30 September 2021.

It was recommended that Council :-

1. Notes the attached report on the activities of the treasury management function for the first six months of 2021/22 and on the exercise of delegated treasury management powers;
2. Agrees amendments to the prudential indicators, as set out in Appendix 4 of the report.

Decision

To approve the terms of the report

7. NOTICE OF MOTION - REVIEW OF COUNCIL APPOINTMENTS TO POSITIONS OF RESPONSIBILITY - SUBMITTED BY COUNCILLOR FRANK ANDERSON

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

“Following the 2 recent by elections here in West Lothian, the court of public opinion have decisively rejected the Labour Party and continue to endorse the SNP as the party to be trusted. Accepting the democratic decision of the electorate and their expectations that the largest political group in the Council, the SNP, should be involved in running the Council, the SNP group are disappointed that Labour have not resigned of their own volition.

The SNP Group therefore have no confidence, and neither do the electorate, in the sham claim that this Council is run by a minority Labour administration. It is time for the positions of responsibility to be reviewed under Standing Order 30(1). With the Council now consisting of 14SNP, 11Labour, 7Conservative and 1Independent we call on the Labour Group to resign from the Administration and a new SNP administration is appointed. If they do not resign then council agrees to end these appointments and elect replacements immediately, as per below.

Council therefore agrees to:

1. Notes the present service portfolios in the Scheme of Administration and that we appoint Executive Councillors for those policy areas.
2. Determine that the current arrangements should continue, pending any desired changes being approved at future council meetings.
3. Note that changes to Standing Orders and the Scheme of Administration might only be made by full council on notice being given with the agenda for the meeting.
4. Agree what further action, if any, should be taken to review the current arrangements and bring forward proposals for change.
5. Consider and agree what action should be taken, if any, in relation to accommodation in the Civic Centre for elected members and

Member Services staff.”

- Moved by Councillor Frank Anderson and seconded by Councillor Willie Boyle

Amendment

“Council notes that with 33 elected members in West Lothian elected under the P.R. system, it would be difficult for any party to achieve over 50% of the vote and 17 or more councillors.

Since 2007 when P.R. was introduced no party has attained a majority and in order to set up a political administration, arrangements/understandings were put in place following council elections in 2007, 2012 and 2017

Council is reminded that in 2007, SNP formed the Administration via arrangements with other parties, albeit Labour had the highest number of councillors. In 2012, Labour had the highest number of councillors and in 2017 the result was 13 SNP, 12 Labour, 7 Conservative and 1 Independent.

Council agrees that the focus for any Administration lies in delivering quality local services which benefit the community as opposed to continually pressing for a referendum on Scottish Independence.

Council also notes that in the 2017 council election 60.6% of the vote was achieved by parties and an Independent member opposed to Independence.

Council agrees therefore that the status quo continues until 5th May 2022”

- Moved by Councillor Lawrence Fitzpatrick and seconded by Councillor Kirsteen Sullivan

A roll call vote was taken. The result was as follows :-

Motion

Frank Anderson
Willie Boyle
Diane Calder
Janet Campbell
Robert De Bold
Jim Dickson
Carl John
Sarah King
Maria MacAulay
Andrew Miller
Moiria Shemilt
David Tait
Tom Ullathorne

Amendment

Alison Adamson
Stuart Borrowman
Harry Cartmill
Tom Conn
David Dodds
Angela Doran-Timson
Damian Doran-Timson
Bruce Fairbairn
Lawrence Fitzpatrick
Peter Heggie
Chris Horne
Charles Kennedy
Tom Kerr
John McGinty

Andrew McGuire
Dom McGuire
Cathy Muldoon
George Paul
Kirsteen Sullivan

Decision

Following a vote, the amendment was successful by 19 votes to 13 with 1 member absent and it was agreed accordingly.

8. NOTICE OF MOTION - CONGRATULATIONS SPARK - SUBMITTED BY COUNCILLOR FRANK ANDERSON

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

“West Lothian Council SNP Group notes the tremendous work done by SPARK (formerly Craigshill Good Neighbour Network) since its inception but particularly during the pandemic. They were a lifeline, and continue to be, for many in our communities in particular the Craigshill community. They adapted to providing a telephone befriending service, delivering meals, digital connectivity provision and training, ‘goody’ bags and activity bags, as well as online group activity like quizzes, sing a long, mental health wellbeing and virtual cookery lessons to name just some of the myriad of events that were there to support the community

The SNP Group also commends them on their achievement of becoming the first organisation in Scotland to receive the Diversity Scotland Gold Charter Award.

Council agrees :-

The Provost and Chief Executive write to the organisation to congratulate them on gaining the Diversity Scotland Award and their sterling work with the community for the community.

Hold a Civic reception for the organisation”.

- Moved by Councillor Frank Anderson and seconded by Councillor Carl John

Decision

To unanimously approve the terms of the motion.

9. NOTICE OF MOTION - UNDERGROUND REFUSE SCHEME - SUBMITTED BY COUNCILLOR FRANK ANDERSON

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

“West Lothian Council SNP Group notes that the proposed introduction of another bin would be impractical to those who live in flats. Acknowledging that currently there is no storage available. Where we have many flatted dwellings, the aesthetics of the area are dampened by many bins being left out almost on a permanent basis. These bins being left out contribute to many of the issues around littering in the area.

The SNP Group notes that not having the requisite bins hampers many flat dwellers from participating in recycling.

The SNP Group calls on Council to:

- Agree to investigate a pilot scheme for underground waste disposal in Craigshill, an area with many flats
 - Officers to prepare a report for the Environment PDSP, February 22, on the options available, feasibility and costs of an initial pilot
 - Officers to prepare a report on the areas suitable for a roll out of such a scheme and the estimated costs of the total scheme and potential phasing of such a scheme.”
- Moved by Councillor Frank Anderson and seconded by Councillor Diane Calder

Councillor Conn, who had an amendment to the motion, intimated that he would be willing to agree a composite motion. Thereafter, the following was agreed :-

Composite Motion

“West Lothian Council SNP Group notes that the proposed introduction of another bin would be impractical to those who live in flats. Acknowledging that currently there is no storage available. Where we have many flatted dwellings, the aesthetics of the area are dampened by many bins being left out almost on a permanent basis. These bins being left out contribute to many of the issues around littering in the area.

The SNP Group notes that not having the requisite bins hampers many flat dwellers from participating in recycling.

The SNP Group calls on Council to:

- Agree to investigate a pilot scheme for underground waste disposal in Craigshill, an area with many flats
- Officers to prepare a report for the Environment PDSP, February 22, on the options available, feasibility and costs of an initial pilot
- Officers to prepare a report on the areas suitable for a roll out of such a scheme and the estimated costs of the total scheme and potential phasing of such a scheme.
- Officers to also prepare a report on the provision of ground level external waste bin enclosures, timber fence or similar material, with suitable landscape screening and associated costs etc.

- Moved by Councillor Frank Anderson and seconded by Councillor Tom Conn

Decision

To unanimously approve the terms of the composite motion

10. NOTICE OF MOTION - INTERLINKING SMOKE AND HEAT ALARMS - SUBMITTED BY COUNCILLOR PETER HEGGIE

Prior to moving his motion Councillor Peter Heggie advised that he had agreed a composite motion with Councillor Lawrence Fitzpatrick (who had enrolled a motion on the same subject at Item 17) in the following terms :-

“Council is aware that home owners and landlords have been given a legal deadline of February 2022 to ensure that their property is compliant with standards of specified equipment.

From February 2022 all homes in Scotland must be fitted with interlinking smoke and heat alarms, and carbon monoxide alarms if there is a carbon-fuelled appliance or flue. (Note: Smoke and heat alarms must support interlinking, either via hardwire or cable or wireless radio frequency). From February all homeowners will be required to have interlinked alarms under legislation brought forward after Grenfell Tower tragedy in 2017. These alarms significantly reduce casualties by alerting everybody in a property to a fire. All homes will also require a carbon monoxide alarm. Private rented and new-build homes must already meet these standards, but from February they will apply to every home in Scotland, regardless of age or tenure.

An average three-bedroom house would require 5 interlinked alarms, made up of three smoke alarms, one heat alarm and one carbon monoxide detector, at an estimated cost of £220. This is based on using the type of alarms that can be installed by the homeowner, without the need for an electrician. The Scottish Government is providing £500,000 to help eligible older and disabled homeowners with installation, in partnership with Care and Repair Scotland.

All these alarms can be either long-life sealed and battery operated, or mains operated. If a homeowner opts to install tamper proof long-life lithium battery alarms, the average total cost is estimated to be about £220 incur an additional cost.

The Scottish Government guidance states that homeowners who have questions about how this change in the law might affect their home insurance should check with their provider.

The above information is taken from the Scottish Government's web site. Households in West Lothian have no clear guidance on what they are required to do and what, if any, support is available to them.

Elected members are aware by way of numerous enquiries from and discussions with constituents that a high level of uncertainty exists in the community where there is anxiety as regards availability of skilled trades/equipment, if the equipment is not installed by the prescribed deadline, whereby home insurance cover could be ineffective.

Council agrees that the council enhances its website page with links to advice and guidance supplied by the Scottish Government. Council further agrees to write to the First Minister requesting that the legal deadline be extended by a full year, as it would be unacceptable to leave many in our community without effective insurance cover and in the meantime requests that appropriate financial assistance be made available by the Scottish Government for people on low incomes to enable them to meet the cost of required installation.

- Moved by Councillor Peter Heggie and seconded by Councillor Lawrence Fitzpatrick. As a result, the motion at Item 17 fell.

Amendment

Councillor Anderson had enrolled a motion on the same subject at Item 14 and moved that motion as the amendment. As a result, that motion fell.

“From February 2022 all homes in Scotland must be fitted with interlinking smoke and heat alarms, and carbon monoxide alarms if there is a carbon-fuelled appliance or flue. (Note: Smoke and heat alarms must support interlinking, either via hardwire cable or wireless radiofrequency.) From February all homeowners in Scotland will be required to have interlinked alarms under legislation brought forward after the Grenfell Tower tragedy in 2017. These alarms significantly reduce casualties by alerting everybody in a property to a fire. Most homes will also require a carbon monoxide alarm. Private rented and new-build homes must already meet these standards, but from February they will apply to every home in Scotland, regardless of age or tenure. An average three-bedroom house would require 5 interlinked alarms, made up of three smoke alarms, one heat alarm and one carbon monoxide detector, at an estimated cost of about £220. This is based on using the type of alarms that can be installed by the homeowner, without the need for an electrician. All these alarms can be either long-life sealed and battery operated, or mains operated. The Scottish Government guidance states that homeowners who have questions about how this change in the law might affect their home insurance should check with their provider. The above information is taken from the Scottish Government’s web site

What each home needs :-

By February 2022 every home must have:

- one smoke alarm in the living room or the room you use most
- one smoke alarm in every hallway or landing
- one heat alarm in the kitchen

All smoke and heat alarms should be mounted on the ceiling and be

interlinked.

If you have a carbon-fuelled appliance – like a boiler, fire, heater or flue – in any room, you must also have a carbon monoxide detector in that room, but this does not need to be linked to the fire alarms.

The Scottish Government has, over the period 2018-20, provided the Scottish Fire and Rescue Service (SFRS) with £1m funding to install these alarms in the homes of people assessed to be at high risk from fire as part of a home fire safety visit. Also, the Scottish Government is providing £500,000 to help eligible older and disabled homeowners with installation, in partnership with Care and Repair Scotland.

As a general principle, home owners must pay for any ongoing work needed on their own property. As with other housing standards, the homeowner must meet the new fire and carbon monoxide alarm standard. **Local authorities have broad discretionary powers to provide advice and help to home owners with work needed to look after their homes.**

Older and disabled homeowners on low incomes can also contact their local [Care and Repair service](#) which gives independent advice and help.

Council therefore agrees to work with all partners, including the Scottish Government, to create clear guidelines on what is required from February 2022 and what, if any, financial support may be available and how best to get this information to all residents in West Lothian.

Officers produce a report on how this Council could help with any additional funding identified by Care and Repair Scotland for West Lothian, alongside the possibility of the Council's Building Services setting aside a team to help with the installation of these alarms. This report to include the possibility of including money from Council Reserves to underwrite any shortfall in the estimated cost of replacing the alarms of all pensioners within West Lothian as well as projected costs for informing residents of this change in legislation and their responsibilities and to be presented to next Council meeting, 25th January."

- Moved by Councillor Frank Anderson and seconded by Councillor Tom Ullathorne

A roll call vote was taken. The result was as follows :-

Motion

Alison Adamson
Stuart Borrowman
Harry Cartmill
Tom Conn
David Dodds
Angela Doran-Timson
Damian Doran-Timson
Bruce Fairbairn

Amendment

Frank Anderson
Willie Boyle
Diane Calder
Janet Campbell
Robert De Bold
Jim Dickson
Sarah King
Maria MacAulay

Lawrence Fitzpatrick
Peter Heggie
Chris Horne
Charles Kennedy
Tom Kerr
John McGinty
Andrew McGuire
Dom McGuire
Cathy Muldoon
George Paul
Kirsteen Sullivan

Andrew Miller
Moir Shemilt
David Tait
Tom Ullathorne

Decision

Following a vote, the composite motion was successful by 19 votes to 12, with 1 member absent and 1 member unable to vote due to technical reasons and it was agreed accordingly.

11. NOTICE OF MOTION - SUDDEN CANCELLATION OF CONTRACT BY WESTMINSTER GOVERNMENT TO DELIVER COVID-19 VACCINE BY VALNEVA LIVINGSTON - SUBMITTED BY COUNCILLOR JANET CAMPBELL

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

“The sudden and completely unexpected announcement by Sajid Javid, UK Government Health Secretary to cancel the contract with Valneva in Livingston has been a complete shock to everyone, including the company, the workforce, the Scottish Government, West Lothian Council and all elected representatives.

The UK Tory Health Minister has cited the company’s breaching of its obligations under the supply arrangements as the reason for the abrupt cancellation of the contract without any discussion with the company – which they strenuously deny.

The Valneva vaccine is the only inactivated, adjuvanted whole virus vaccine against Covid-19 in clinical trials in Europe – this point was made by the UK Vaccine Taskforce when it gave its backing to Valneva in 2020.

The MHRA approval of the vaccine will be based on the outcome of Phase 3 trials – these trials were due to end in October; the data collected is being analysed this month with the vaccine due for approval in December.

There is therefore absolutely no evidence on which Sajid Javid can state “the vaccine will not be approved”.

This decision is a hammer blow to the West Lothian community as we recover from the Covid-19 pandemic. Producing this vaccine, here in Livingston will create an additional 200 positions with many highly skilled, well paid jobs supplementing the West Lothian workforce

West Lothian Council therefore agrees to:

Write to Sajid Javid, Westminster Tory Health Secretary and demand he reconsider his decision and meet with Valneva management team to discuss reinstating the contract he has breached;

Write to Hannah Bardell MP and all West Lothian MSP's and tell them that West Lothian Council are fully behind them in all efforts to ensure Valneva Covid-19 vaccine production in Livingston finds the widest possible marketplace; and support all efforts to put pressure on the Westminster Government to reinstate the contract with Valneva".

- Moved by Councillor Janet Campbell and seconded by Councillor Tom Ullathorne

Amendment

"Council recognises and welcomes the 170 existing high value jobs created by Valneva in West Lothian.

The cancellation of the vaccine supply contract is currently subject to ongoing discussion between Valneva and the UK Government. This is a complex issue which covers a number of commercially sensitive matters. Given this it would not be appropriate for the council to comment at this stage but officers continue to work closely with the company in order to offer whatever support they can in achieving a successful outcome".

- Moved by Councillor Cathy Muldoon and seconded by Councillor David Dodds

A roll call was taken. The result was as follows :-

Motion

Frank Anderson
Willie Boyle
Diane Calder
Janet Campbell
Robert De Bold
Jim Dickson
Carl John
Sarah King
Maria MacAulay
Andrew Miller
Moira Shemilt
David Tait
Tom Ullathorne

Amendment

Alison Adamson
Stuart Borrowman
Harry Cartmill
Tom Conn
David Dodds
Angela Doran-Timson
Damian Doran-Timson
Bruce Fairbairn
Lawrence Fitzpatrick
Peter Heggie
Chris Horne
Charles Kennedy
Tom Kerr
John McGinty
Andrew McGuire
Dom McGuire
Cathy Muldoon
George Paul
Kirsteen Sullivan

Decision

Following a vote, the amendment was successful by 19 votes to 13, with 1 member absent and it was agreed accordingly.

12 NOTICE OF MOTION - BUDGET - SUBMITTED BY COUNCILLOR JANET CAMPBELL

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

“West Lothian Council totally rejects the budget announced in October by the UK Chancellor, billionaire Rishi Sunak as doing absolutely nothing to help ordinary working people get through the cost of living crisis, whilst simultaneously providing tax breaks for his old banking pals in the City of London.

The Westminster Tory budget failed to address many of the cost of living increases facing our constituents in West Lothian including those listed below:

- Failure to deliver a real living wage for the people of Scotland
- Failure to halt a hike to National Insurance of over 10%
- Failed to reinstate the removal of £20 per week in Universal Credit to the poorest families in our communities
- Absolutely no certainty in the amount (if any) of “new” money coming to Scotland
- Failure to scrap the Borders Bill and the hostile environment they alone have created, prolonging uncertainty for EU workers who may come back to work in Scotland
- Failed to include a Brexit Recovery Fund to help close the mammoth and sustained Scotland-EU trade deficit which has come about ONLY because of the Tories ideological Brexit
- Failed to recognise the need for action on climate change by lowering Air Passenger duty on domestic flights, the only country in Europe to do so
- Failed to reinstate the Aid Budget which the Tories, alone in the G7 slashed during a global pandemic.

This budget means the Scottish Government is actually getting less funding for day to day spending in every year of the spending review period than in this year. Most of the increases, if any are likely to be in capital. Levelling Up funding will do nothing to undo a decade of Tory cuts: are funds which should have come to the Scottish Government: damage, perhaps irreparably the Devolution Settlement.

West Lothian rejects this budget as being out of touch with the lives of ordinary working people in the communities we represent. The first generation in many years will now see their living standards fall, their children have fewer opportunities and our relationship with our European neighbours continue to flounder. West Lothian Council therefore agrees to write to billionaire Chancellor Sunak in the strongest possible terms outlining our deep concerns for the millions of ordinary people who will face undue hardship due to his budget and to request he seeks an urgent meeting with his Holyrood counterpart Kate Forbes to urgently address the concerns of the Scottish Government.”

- Moved by Councillor Janet Campbell and seconded by Councillor Moira Shemilt

Amendment

“Council is conscious of its own and indeed all other Scottish local authorities’ nervousness as regards the Scottish Government’s spending plans to be announced in the Scottish budget on 9th December 2021..

Against this background, council notes that the UK Government’s October budget provides the Scottish Government over the next 3 years with an additional £4.6 billion per year on average through the Barnett Consequentials and that the total unadjusted Scottish Block Grant will increase from £36.7 billion (excluding Covid funding) in 2021/22 to £41.8 billion by the final year of the spending review in 2024/25, equating to 2.4% real term increase over the spending review period

Council also notes that the Scottish Parliament Information Centre (SPICE) analysis of the budget highlighted that the total unadjusted Scottish Block Grant is very much front loaded, with a big real term increase in 2022/23 (+7.7%).

Council fully supports the Convention of Local Authorities public statement earlier this month calling for adequate funding from the Scottish Government and a reversal of historical cuts as it launched its ‘Budget Lobbying Campaign – Live Well Locally’ and that local government can no longer continue to be the ‘poor relation’ as it has been in recent budgets, with December 9 presenting a perfect opportunity to reset Scottish public spending in a way that empowers councils to achieve their ambition for our communities.

Council further endorses the supporting statement by its Vice President, Councillor Graham Houston who stated “people’s local environment has become even more important during the pandemic and local government must be empowered and funded properly to allow us to create the environment for people to ‘Live Well Locally’. Recovery needs to start locally to tackle the key issues facing our communities and local leadership is needed for that”.

Council further notes that the Scottish Government have delayed/postponed introducing their additional devolved powers granted

to administer the wide raft of social security/ benefit systems”.

- Moved by Councillor Lawrence Fitzpatrick and seconded by Councillor Kirsteen Sullivan.

Councillor Damian Doran-Timson then asked if Councillor Fitzpatrick would consider adding an additional paragraph to the amendment. Councillor Fitzpatrick agreed and the following composite amendment was agreed :-

Composite Amendment

“Council is conscious of its own and indeed all other Scottish local authorities’ nervousness as regards the Scottish Government’s spending plans to be announced in the Scottish budget on 9th December 2021..

Against this background, council notes that the UK Government’s October budget provides the Scottish Government over the next 3 years with an additional £4.6 billion per year on average through the Barnett Consequentials and that the total unadjusted Scottish Block Grant will increase from £36.7 billion (excluding Covid funding) in 2021/22 to £41.8 billion by the final year of the spending review in 2024/25, equating to 2.4% real term increase over the spending review period

Council also notes that the Scottish Parliament Information Centre (SPICE) analysis of the budget highlighted that the total unadjusted Scottish Block Grant is very much front loaded, with a big real term increase in 2022/23 (+7.7%).

Council fully supports the Convention of Local Authorities public statement earlier this month calling for adequate funding from the Scottish Government and a reversal of historical cuts as it launched its ‘Budget Lobbying Campaign – Live Well Locally’ and that local government can no longer continue to be the ‘poor relation’ as it has been in recent budgets, with December 9 presenting a perfect opportunity to reset Scottish public spending in a way that empowers councils to achieve their ambition for our communities.

Council further endorses the supporting statement by its Vice President, Councillor Graham Houston who stated “people’s local environment has become even more important during the pandemic and local government must be empowered and funded properly to allow us to create the environment for people to ‘Live Well Locally’. Recovery needs to start locally to tackle the key issues facing our communities and local leadership is needed for that”.

Council further notes that the Scottish Government have delayed/postponed introducing their additional devolved powers granted to administer the wide raft of social security/ benefit systems.

Should COSLA’s position be that the Scottish Government has failed again to fully fund local government in December’s budget West Lothian Council is to write to the Chancellor requesting more direct funding to

councils in Scotland.”

- Moved by Councillor Lawrence Fitzpatrick and seconded by Councillor Damian Doran-Timson

A roll call vote was taken. The result was as follows :-

Motion

Frank Anderson
Willie Boyle
Diane Calder
Janet Campbell
Robert De Bold
Jim Dickson
Carl John
Sarah King
Maria MacAulay
Moira Shemilt
David Tait
Tom Ullathorne

Amendment

Alison Adamson
Stuart Borrowman
Harry Cartmill
Tom Conn
David Dodds
Angela Doran-Timson
Damian Doran-Timson
Bruce Fairbairn
Lawrence Fitzpatrick
Peter Heggie
Chris Horne
Charles Kennedy
Tom Kerr
John McGinty
Andrew McGuire
Dom McGuire
Cathy Muldoon
George Paul
Kirsteen Sullivan

Decision

Following a vote, the composite amendment was successful by 19 votes to 12, with 2 members absent and it was agreed accordingly.

13. NOTICE OF MOTION - ASTHMA INHALERS - ADOPTING "LAURENS LAW" - SUBMITTED BY COUNCILLOR HARRY CARTMILL

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

“Every day asthma inhalers are for some in our communities a deceptively simple but absolutely vital medical device making the literal difference of life and death to those who have asthma and who can suffer debilitating attacks

One such person was 19 year old kitchen worker Lauren Reid who suffered a severe asthma attack at work in a commercial kitchen in Glasgow City Centre back in February 2019 – tragically Lauren had left her inhaler at home on this fateful day and with no inhalers required in first aid kits used by the commercial kitchen sector trained first aiders on the scene could do nothing whatsoever to help Lauren – by the time Paramedics arrived Lauren had gone into cardiac arrest and never

regained consciousness dying four days later.

Lauren Reid's heartbroken Mother Elaine Cunningham has started a campaign to honour the memory of her daughter and to make sure no other family loses a loved one in this way by promoting "Lauren's Law" – a campaign to have every commercial kitchen throughout the UK carry an asthma inhaler as part of their first aid kit by law

I was contacted by Elaine and I must say as a father of a daughter around the same age as Lauren Reid I was close to tears reading of this tragedy but equally motivated to doing what I could to make sure we here in West Lothian Council take steps to adopt "Lauren's Law" in both council run commercial kitchens such as Howden Park Centre and to the many we issue Licences and Permits to also.

The cost of incorporating an asthma inhaler in commercial kitchens first aid kits is miniscule – already (rightly) our schools and colleges have these inhalers as part of every first aid Kit available – so to I understand do the offshore industries and sectors of the construction industries – commercial kitchens should be next in line with the hope that soon every first aid Kit has an inhaler within.

Council therefore agrees to have officers draft a paper to present at their earliest convenience to the Health and Care PDSP outlining proposals to incorporate "Lauren's Law" with an aim of making it mandatory for every commercial kitchen in West Lothian under council ownership or jurisdiction to have an asthma inhaler as part of their first aid kit."

- Moved by Councillor Harry Cartmill and seconded by Councillor George Paul

Amendment

The SNP group agree wholeheartedly with the reasoning and sentiment behind this motion. We must all strive to prevent such a tragic outcome happening again. With this amendment we propose a robust solution that places responsibility with employers whilst supporting an employee's knowledge of their condition and control over their medication.

The contents of a work place first aid kit are not legally stipulated, rather there is a requirement to assess the needs of that workplace and to provide equipment such as to deal with emergency situations as they arise. Whilst it is reasonable to include a blue 'reliever' inhaler, 'spacer' and a supply of individual hygienic barriers in a first aid kit the same case could be made for inclusion of anti-anaphylaxis epi-pens, diabetes support medication and many other potentially life-saving items.

A first aid kit needs to be regularly checked to ensure all contents are complete, in-date and appropriate for individual needs. Often the responsibility for maintaining these kits lies with undertrained and unremunerated volunteers within the workplace. This task becomes more

onerous with an ever-increasing size of first aid kit.

We propose that West Lothian Council stipulates that it is the responsibility of employers to provide safe storage for individuals' medication within the premises (securely held but easily accessible in an emergency situation) and a mechanism to support individuals to maintain the contents and efficacy of these supplies. This approach will provide the opportunity for some individuals to keep specific medication where a 'blue' might not be effective for them in relieving symptoms.

Asthma UK support the use of personalised Asthma Action Plans to help manage the condition and any emergency action to take for the individual. This information could be kept in a medication file alongside the medication store.

This regulation should apply to higher risk workplaces such as kitchens but could easily cover a range of occupational venues in which asthma sufferers might experience an attack. This proposal seeks to provide access to medication in the workplace to potentially save lives of those with asthma whilst supporting other significant health emergencies faced by employees.

Councillor Tom Ullathorne, upon moving his amendment, advised that he would consider a composite motion. Following a short adjournment the following composite motion was agreed :-

Composite Motion

"Every day asthma inhalers are for some in our communities a deceptively simple but absolutely vital medical device making the literal difference of life and death to those who have asthma and who can suffer debilitating attacks

One such person was 19 year old kitchen worker Lauren Reid who suffered a severe asthma attack at work in a commercial kitchen in Glasgow City Centre back in February 2019 – tragically Lauren had left her inhaler at home on this fateful day and with no inhalers required in first aid kits used by the commercial kitchen sector trained first aiders on the scene could do nothing whatsoever to help Lauren – by the time Paramedics arrived Lauren had gone into cardiac arrest and never regained consciousness dying four days later.

Lauren Reid's heartbroken Mother Elaine Cunningham has started a campaign to honour the memory of her daughter and to make sure no other family loses a loved one in this way by promoting "Lauren's Law" – a campaign to have every commercial kitchen throughout the UK carry an asthma inhaler as part of their first aid kit by law

I was contacted by Elaine and I must say as a father of a daughter around the same age as Lauren Reid I was close to tears reading of this tragedy but equally motivated to doing what I could to make sure we here in West

Lothian Council take steps to adopt “Lauren’s Law” in both council run commercial kitchens such as Howden Park Centre and to the many we issue Licences and Permits to also.

The cost of incorporating an asthma inhaler in commercial kitchens first aid kits is miniscule – already (rightly) our schools and colleges have these inhalers as part of every first aid Kit available – so to I understand do the offshore industries and sectors of the construction industries – commercial kitchens should be next in line with the hope that soon every first aid Kit has an inhaler within.

Council therefore agrees to have officers draft a paper to present at their earliest convenience to the Health and Care PDSP outlining proposals to incorporate “Lauren’s Law” with an aim of making it mandatory for every commercial kitchen in West Lothian under council ownership or jurisdiction to have an asthma inhaler as part of their first aid kit, and to make it the responsibility of employers to provide safe storage for individuals’ medication within the premises.”

- Moved by Councillor Harry Cartmill and seconded by Councillor Tom Ullathorne

Decision

To unanimously approve the terms of the composite motion.

14. NOTICE OF MOTION - CIVILITY IN PUBLIC LIFE - 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 with dismay the increasingly febrile nature of political discourse across the United Kingdom which all too often reaches into our council chambers. Council agrees that politicians at all levels have a role to play in setting an example through their own behaviour and believes that whilst political debate may be robust, it should also be conducted with respect and civility.

Council commends the work done by COSLA to highlight the need for increased civility in political debate through its joint commitment to promote Civility in Public Life with the Local Government Association, Welsh Local Government Association and the Northern Ireland Local Government Association. Council also notes the joint production of the recent online guidance to encourage civility.

Council understands the detrimental impact of abusive behaviour on the wellbeing of individuals and indeed on democracy, undermining public trust in elected representatives.

Council therefore agrees to invite the COSLA President Cllr Alison Evison to the next meeting of West Lothian Council to present a summary of the work done by COSLA to date, any feedback received by COSLA on the

experiences of councillors across Scotland and how this impact on COSLA efforts to encourage people from more diverse backgrounds to seek election to local government”.

- Moved by Councillor Andrew McGuire and seconded by Councillor David Dodds

Decision

To unanimously approve the terms of the motion

15. NOTICE OF MOTION - NEIGHBOURHOOD WATCH - SUBMITTED BY COUNCILLOR BRUCE FAIRBAIRN

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

“Early in my role as Councillor I came to realise the effectiveness of the current Neighbourhood Watch scheme and have promoted it for use within my Ward. I believe the scheme is very impressive and far removed from the previous NW of the 80s.

NW is an alert process distributing information to local individuals and community groups. Behind it lies a simple idea that working together we can help our communities at whatever level we are able.

1. Simply receiving information and acting on it. This might be learning about local road diversions or a series of break ins in your area, prompting you to consider your own movements or security
2. Spreading the information to your networks.
3. Getting involved with crime prevention or local groups.

Neighbourhood Watch disseminates information from lots of national groups however you only hear what is local to you by filtering with your post code. These include:

- Police Scotland
- Scottish Government
- Fire and Rescue Service
- Trading Standards
- SEPA.

There are also many other Societal benefits for our communities.

I would encourage everyone to sign up at:

[Neighbourhood Watch Scotland | Sign-up for alerts - Neighbourhood Watch Scotland](#)

Motion:

Officers investigate the workings of the current Neighbourhood Watch Reporting system and report back to the next appropriate PDSP; the benefits and advantages WLC could benefit from by using the system to

disseminate council information, such as that published on social media, to our residents. There after WLC shall consider encouraging our residents to engage with Neighbourhood Watch.”

- Moved by Councillor Bruce Fairbairn and seconded by Councillor Angela Doran-Timson

Amendment

West Lothian Council Officers investigate the options of the current Neighbourhood Watch Reporting system that may allow appropriate information to be submitted for inclusion.

WLC officers reporting back through PDSP committee as to what support will be provided to encourage initial set up.

i.e.

Liaise with Police Scotland regarding areas of our communities of greatest concern.

Provide generic leaflets to circulate around neighbourhood doors with a return address.

Advise on setup processes and organisation.

Identify what signs can be displayed to promote the set up and publicise the groups.

Ensure provision to contact and maintained inclusion with vulnerable members, especially with little or no social media access or skills.

WLC officers to follow up with an assessment of the success of the initiative one year after launch with an annual report to the relevant PDSP.

- Moved by Councillor Willie Boyle and seconded by Councillor Janet Campbell

A roll call vote was taken. The result was as follows:-

Motion

Alison Adamson
Stuart Borrowman
Harry Cartmill
Tom Conn
David Dodds
Angela Doran-Timson
Damian Doran-Timson
Bruce Fairbairn
Lawrence Fitzpatrick
Peter Heggie
Chris Horne
Charles Kennedy
Tom Kerr
John McGinty

Amendment

Frank Anderson
Willie Boyle
Diane Calder
Janet Campbell
Robert De Bold
Jim Dickson
Carl John
Sarah King
Maria MacAulay
Moira Shemilt
David Tait
Tom Ullathorne

Andrew McGuire
Dom McGuire
Cathy Muldoon
George Paul
Kirsteen Sullivan

Decision

Following a vote, the motion was successful by 19 votes to 12, with 2 members absent and it was agreed accordingly.

16. CODE OF CONDUCT ANNUAL REPORT 2020/21

The Council considered a report (copies of which had been circulated) by the Governance Manager advising of significant issues in 2020/21 in relation to the Code of Conduct.

Council was asked :-

1. To note the summary of the issues arising in 2020/21 in relation to the Councillors' Code of Conduct.
2. To note that training sessions on up-to-date cases issues will continue, and that additional training will be required and delivered as part of the postelection induction programme in May and June 2022.
3. To note that the revised Code of Conduct and related Standards Commission guidance and advice are due to take effect on a date yet to be determined and that training will be offered to and recommended for all members to cover the changes.

Decision

To note the content of the report

17. CHIEF SOCIAL WORK OFFICER'S ANNUAL REPORT 2020/21

The Council considered a report (copies of which had been circulated) by the Chief Social Work Officer providing the Council with the opportunity to comment on the Chief Social Work Officer's Annual Report. This report provides an overview of the statutory work undertaken during the period 2020 -2021.

It was recommended that the Council :-

1. Notes the contents of the Chief Social Work Officer annual report for 2020/21; and
2. Notes that the final report will be submitted to the Scottish Government Chief Social Work Adviser

Decision

1. To note the content of the report; and
2. To agree that the Chief Social Work Officer provide all councillors with further information in relation to the following :-
 - i. Average length of wait for a package of care
 - ii. How many patients had passed away in hospital whilst waiting on a package of care; and
 - iii. Information on the data zones as detailed in the "inequalities" section of the report

18. DOCUMENTS FOR EXECUTION

The Chief Solicitor presented 88 documents for execution.

.19. DISCHARGE OF SURFACE WATER ON TO THE PUBLIC HIGHWAY - QUESTION TO THE EXECUTIVE COUNCILLOR FOR ENVIRONMENT - SUBMITTED BY COUNCILLOR STUART BORROWMAN

A question to the Executive Councillor for the Environment, Councillor Tom Conn, was submitted by Councillor Stuart Borrowman in the following terms:

“What powers does the Council have to address surface water being discharged on to and beyond the public highway from adjacent land?”.

Councillor Tom Conn provided a verbal answer to the question

Councillor Borrowman indicated he wished to put supplementary questions as provided for in Standing Orders. He did so and Councillor Conn answered one of the supplementary questions and indicated he would provide an answer to the second supplementary question in due course.

Decision

1. To note the written question and the verbal answer given; and
2. To note the supplementary questions put and to note that an answer was provided to the first question and that an answer to the second question would be provided.

20. PLACE BASED INVESTMENT PROGRAMME AND COMMUNITY WEALTH BUILDING CAPITAL GRANT - QUESTION TO THE COUNCIL LEADER - SUBMITTED BY COUNCILLOR CHARLES KENNEDY

A question to the Council Leader, Councillor Lawrence Fitzpatrick, was submitted by Councillor Charles Kennedy in the following terms: -

“Following on from the discussions on the award process at Council Executive on 26th October 2021 can the Executive Councillor confirm that all groups involved for the Place Based Investment have now been engaged with as agreed at said Council Executive and advise council of the nature and extent of that engagement”

Councillor Lawrence Fitzpatrick provided a verbal answer to the question.

Councillor Kennedy indicated he wished to put supplementary questions as provided for in Standing Orders. He did so and Councillor Fitzpatrick indicated he would provide answers to the supplementary questions in due course.

Decision

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

21. WITHDRAWAL OF NO.27 BUS SERVICE FROM LIVINGSTON - QUESTION TO THE EXECUTIVE COUNCILLOR FOR DEVELOPMENT & TRANSPORT - SUBMITTED BY COUNCILLOR MARIA MACAULAY

A question to the Executive Councillor for Development and Transport, Councillor Cathy Muldoon, was submitted by Councillor Maria MacAulay in the following terms: -

“Why was the No. 27 bus removed in Livingston?”

Councillor Muldoon provided a verbal answer to the question.

Councillor MacAulay indicated she wished to put supplementary questions as provided for in Standing Orders. She did so and Councillor Muldoon provided a verbal answer.

Decision

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

22. ALTERNATIVE TO NO.27 BUS SERVICE - QUESTION TO THE EXECUTIVE COUNCILLOR FOR DEVELOPMENT & TRANSPORT - SUBMITTED BY COUNCILLOR MARIA MACAULAY

A question to the Executive Councillor for Development and Transport, Councillor Cathy Muldoon, was submitted by Councillor Maria MacAulay in the following terms: -

“Has the council looked at alternative services for the no.27 bus?

Councillor Muldoon provided a verbal answer to the question.

Councillor MacAulay indicated she wished to put supplementary questions as provided for in Standing Orders. She did so and Councillor Muldoon provided a verbal answer.

Decision

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

23. RECOGNITION OF THE VOLUNTARY SECTOR IN WEST LoTHIAN - QUESTION TO THE EXECUTIVE COUNCILLOR FOR VOLUNTARY ORGANISATIONS - SUBMITTED BY COUNCILLOR WILLIE BOYLE

A question to the Executive Councillor for Development and Transport, Councillor Cathy Muldoon, was submitted by Councillor Maria MacAulay in the following terms: -

“Having produced a first annual report on the Voluntary Sector West Lothian Council should now, not only be attempting to recognising the value of the sector and what it brings to West Lothian in economic terms through direct council engagement but, take things further.

Will West Lothian Council administration now give proper recognise to the many and varied groups that exist or operate in West Lothian?

Such as youth groups, sports groups, community groups, social groups, hobby groups, educational groups, pensioners groups, support groups and many more.

Will West Lothian Council Administration now acknowledge not just material support but the more fundamental contribution that such groups bring to the Health and wellbeing of our communities?

Will West Lothian Council Administration review the cuts to services, and increased charges that have previously supported the Sector in many other ways?

Such as the availability of appropriate premises and equipment to facilitate the development of such community clubs, organisations and in some cases individuals. Be it School halls, Minibus provision, community buildings or Council property to name but a few.”

Councillor Sullivan provided a verbal answer to the question.

Councillor Boyle indicated he wished to put supplementary questions as provided for in Standing Orders. He did so and Councillor Sullivan provided verbal answers.

Decision

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

MINUTE of MEETING of the GOVERNANCE AND RISK COMMITTEE held within VIRTUAL MEETING ROOM, on 23 AUGUST 2021.

Present – Councillors Damian Doran-Timson (Chair), Chris Horne, Maria MacAulay and Andrew McGuire (substituting for Councillor Lawrence Fitzpatrick)

Apologies – Councillors Lawrence Fitzpatrick and Harry Cartmill

In Attendance – Graham Hope, Chief Executive; Graeme Struthers, Depute Chief Executive; James Cameron, Head of Education (Learning, Policy and Resources); Donald Forrest, Head of Finance and Property Services; Catrina Hatch, Head of Education; Jim Jack, Head of Operational Services; Marjory Mackie, Head of Housing, Customer and Building Services; Julie Whitelaw, Head of Corporate Services; Kim Hardie, Health and Safety; Sharon Leitch, Finance and Property Services; David Maule, Corporate Transformation Manager; James Millar, Governance Manager; Stuart Saunders, Finance and Property Services; Craig Smith, Social Policy; Tim Ward, Social Policy

1 DECLARATIONS OF INTEREST

Agenda Item 6 - High Risks

Councillor Chris Horne declared an interest in that he was a council-appointed Director on the Board of West Lothian Leisure, for which a specific exclusion from the Standards Commission applied. He would participate in the item of business.

2 ORDER OF BUSINESS

The Chair ruled The Chair ruled in terms of Standing Order 8 that agenda item 5 (Risk Management within Finance and Property Services) would be considered after agenda item 9 (Concurrent Risks Resilience and Preparedness Planning).

The Chair confirmed that he wished all items of business presented and debated, including those items which were for information only.

3 MINUTES

The committee approved the minutes of its meeting held on 14 June 2021 as a correct record.

4 HIGH RISKS

The committee considered a report (copies of which had been circulated) by the Head of Finance and Property Services informing members of the council's high risks.

It was recommended that the committee:

1. Note the council's high risks and the action being taken to mitigate them; and
2. Provide feedback to officers on the risks, controls and mitigating actions.

It was noted that although tackling poverty was a collaborative effort with various government levels involved, the council ensured that all possible action was taken locally within central governments' funding and constraints to achieve antipoverty outcomes.

The Education Services Quality Improvement Team was working closely with schools to ensure recovery of learning following Covid; schools were being closely monitored and targeted support offered; it was felt that the council was in a strong position going forward. The service was also investigating the reasons for the recent drop in the number of Sphera reports on violence towards staff, but there had been no indication from head teachers, school staff or the trade unions about the use of the reporting system.

Decision

To note the terms of the report.

5 STRATEGIC RISKS

The committee considered a report (copies of which had been circulated) by the Head of Finance and Property Services informing members of the council's strategic risks.

It was recommended that the committee note the council's strategic risks.

Officers provided assurances that issues with Reinforced Autoclaved Aerated Concrete parts were continually monitored and addressed in all affected buildings, and so the risks were localised and not strategic. They confirmed their assessment of the risk involved in the delivery of West Lothian Leisure's financial plan was accurate, based on current close working and actions in hand. Officers also confirmed that arrangements were in hand to secure compliance in council and RSL housing stock with the new smoke alarm regulations coming into force in 2022.

Mitigation measures were also in place to avoid failure to maintain critical services, covered in the later report on Concurrent Risks.

Decision

To note the terms of the report.

6 MANAGEMENT OF HEALTH AND SAFETY

The committee considered a standing report (copies of which had been circulated) by the Head of Corporate Services, presented at the request of the Governance and Risk Committee, providing information on Health and Safety incidents reported across all service areas. The report also contained annual incident statistics and a breakdown of violence and aggression incidents within Education.

It was recommended that the committee note the contents of the report.

Decision

To note the terms of the report.

7 CONCURRENT RISKS RESILIENCE AND PREPAREDNESS PLANNING

The committee considered a report (copies of which had been circulated) by the Depute Chief Executive providing an update on the concurrent risks identified by the council in relation to the Covid-19 pandemic, the UK's withdrawal from the EU and other associated risks.

Promotion of lateral flow testing in schools and eligibility of Covid vaccination for young people under 18 was then discussed. Officers also undertook to provide information on numbers of staff available to train others or for redeployment in case large numbers of staff had to self-isolate in the future, resulting in failure to maintain customer service centre, including Careline. Officers explained the regular liaison meetings with teaching and non-teaching trade unions and that no issues had been raised recently in relation to Covid precautions put in place by the council. Finally, officers confirmed that contingency plans were being addressed to deal with the impact of any industrial action which might be taken by council staff.

It was recommended that the committee:

1. Note the latest position in relation to Covid-19 planning and guidance;
2. Note the update on the latest EU Exit position; and
3. Note the high risks that had been assessed by officers in relation to Covid-19 and EU Exit, as set out in the Appendices to the report.

Decision

To note the terms of the report.

8 RISK MANAGEMENT WITHIN FINANCE AND PROPERTY SERVICES

The committee considered a report and presentation (copies of which had been circulated) by the Head of Finance and Property Services providing

an update on Finance and Property Services' risks and informing the Committee of the approach to risk management taken by Finance and Property Services.

It was recommended that the committee consider the approach taken by Finance and Property Services to the management of risk.

Members confirmed that they were happy with the updated presentation format going forward.

Decision

To note the terms of the report and presentation.

9 NON-SERVICE RISKS – COUNTER TERRORISM SECURITY ACT 2015 COMPLIANCE

The committee considered a report (copies of which had been circulated) by the Depute Chief Executive informing members of the approach taken to manage non-service risk WLC010 Criminal activity – failure to comply with duties in respect of the Counter Terrorism Security Act 2015.

It was recommended that the committee:

1. Note the approach taken to manage non-service risk WLC010 Criminal activity – failure to comply with duties in respect of the Counter Terrorism Security Act 2015; and
2. Provide feedback on the approach taken to managing non-service risk WLC010.

During discussion, members commended the counter-terrorism awareness training offered to councillors and suggested that the same quality of content be delivered to schools as well as other establishments.

Decision

1. To note the terms of the report.
2. To review counter-terrorism awareness training offered to schools and other establishments to ensure it is of the highest level possible and modelled on the training offered to councillors.

10 PUBLIC/PRIVATE MEETINGS - GOVERNANCE ARRANGEMENTS

The committee considered a report (copies of which had been circulated) by the Governance Manager inviting members to consider the council's legal duties to ensure public access to its meetings and meeting papers, and the governance arrangements in place to secure compliance.

It was recommended that the committee:

1. Note the council's statutory duties in relation to public access to meetings and meeting papers; and
2. Note the governance arrangements in place to secure compliance with those duties, and the way those arrangements work in practice.

Decision

To note the terms of the report.

11 COMMITTEE SELF-ASSESSMENT FEEDBACK 2020/21

The committee considered a report (copies of which had been circulated) by the Governance Manager informing members of the results of the self-assessment exercise undertaken by members.

It was recommended that the committee:

1. Note the results of the self-assessment questionnaire completed by members following committee's instruction on 8 March 2021; and
2. Consider and identify any areas of concern and recommend appropriate actions to address them.

Further discussions were to be held offline in order to refine arrangements for officers' attendance at meetings to ensure their attendance at meetings for as long as required.

Decision

To note the terms of the report.

12 WORKPLAN

A workplan had been circulated for information.

Decision

To note the workplan.

MINUTE of MEETING of the AUDIT COMMITTEE held within MS TEAMS VIRTUAL MEETING ROOM, on 4 OCTOBER 2021.

Present – Councillors Chris Horne (Chair), Damian Doran-Timson, Lawrence Fitzpatrick, Carl John and John McGinty; Moira Glencorse (Lay Member)

In attendance – Graham Hope (Chief Executive), Donald Forrest (Head of Finance and Property Services), Julie Whitelaw (Head of Corporate Services), Alison White (Director of West Lothian Health and Social Care Partnership), James Millar (Governance Manager), Jo MacPherson (Head of Social Policy), Kenneth Ribbons (Audit, Risk and Counter Fraud Manager), Sharon Leitch (Senior Auditor), Stuart Saunders (Senior Compliance Officer) Kenny Wilson (Auditor), Tim Ward (Senior Manager, Justice and Looked After Children), Susan Mitchell (Senior Manager, Social Policy), Angela Gray (Corporate Procurement Manager), Alice Mitchell (Economic Development Manager), Stuart Lumsden (IT Security Architect); and Stephen Reid (EY)

1. DECLARATIONS OF INTEREST

There were no declarations of interest made.

2. ORDER OF BUSINESS

The Chair noted Items 11 and 12 were connected and committee agreed to consider both items together.

3. MINUTES

The committee confirmed the draft minute of its meeting held on Monday 21 June 2021 as a correct record.

4. ASSESSMENT OF AUDIT COMMITTEE EFFECTIVENESS

The committee considered a report (copies of which had been circulated) by the Audit, Risk and Counter Fraud Manager informing of the results of the recent self-assessment undertaken by its members.

It was recommended that the Audit Committee:

1. review the results of the self-assessment undertaken by its members; and
2. identify and consider any areas of concern and recommend appropriate actions to address them.

The committee noted respondent feedback in relation to “jargon busting” and sought confirmation that this was being addressed. Officers agreed to explore the possibility of a guide for members of the committee on commonly-used terminology.

Members expressed their view that the assessment of the effectiveness of the Audit Committee had been a helpful exercise.

Decision

To approve the terms of the report.

5. REPORT TO MEMBERS AND THE CONTROLLER OF AUDIT ON THE 2020/21 AUDIT

The committee considered a report (copies of which had been circulated) by the Head of Finance and Property Services advising of the outcome of the 2020/21 audit and providing a summary of the key points arising from the Auditor's Annual Report.

It was recommended that the committee:

1. consider Ernst and Young LLP's 2020/21 Annual Audit Report; and
2. consider the audited Annual Accounts for 2020/21.

The committee noted Mr Reid's comments that overall the audit had been a very positive process with good engagement from the officers involved. There had been minimal adjustment necessary with changes required mainly in relation to property planning and equipment. Discussion followed on property valuation assumptions and it was confirmed that the West Lothian approach was robust. It was important to note that these valuation assumptions were currently subject to increased focus and would continue to be so. Officers advised committee that considerable time was spent discussing the West Lothian approach to valuations and a review would be undertaken in this respect by January 2022.

Discussion led to the numerous grants made available during the COVID-19 pandemic and whether West Lothian were comfortable that the accounts clearly showed the differentiation between grants and the councils financial performance. Officers advised the sheer numbers of grants was unprecedented and that a funding tracker had been utilised to ensure grant monies were claimed, used and recorded effectively. The accounts had included narrative to detail grant funding and the presentation of figures aimed to ensure details were as clear as possible. Mr Reid advised that grants had been assessed as an additional area of audit focus and accounting in this respect was materially correct.

Committee suggested that the use of plain English would be useful in enabling the report and accounts to be understood clearly. It was noted that officers use the management commentary and covering report to explain a complex story as clearly as possible although there are occasions where it is difficult to simplify the details. Officers advised finance colleagues were supportive of the use of layman's terms although it was acknowledged that the accounts are lengthy and complex and this was not always possible.

Committee thanked those involved in the preparation and audit of the accounts

Decision

To note the terms of the report.

6. AUDIT SCOTLAND PUBLICATION: COMMUNITY JUSTICE - SUSTAINABLE ALTERNATIVES TO CUSTODY

The committee considered a report (copies of which had been circulated) by the Head of Social Policy advising of the Audit Scotland report, Community Justice – Sustainable Alternatives to Custody, which was published on 15 July 2021.

It was recommended that the committee members note the contents of the report.

Committee noted the alternatives to custody for offenders detailed in the report and queried whether consideration was given to the views of victims of crime in order to have a balance. Committee were advised that although there had been development of victim statements in order to enable input into the sentencing process these currently did not go as far as to provide information on whether victims personally considered sentences were sufficient.

Discussion led to the rehabilitation of offenders and whether during community-based sentences the opportunity was taken to address this and if the assistance of third parties was available. Officers confirmed there were specific programmes and interventions available and strong relationships between other services of West Lothian Council assisted in addressing specific situations for individual offenders. It was however acknowledged that obtaining a network of local employers required development and this would be built into the next stage of the Community Justice Improvement Plan.

In response to a question on whether the twelve month figures detailed for non-custodial sentences was available over a longer period, officers advised long term reoffending figures were not currently published nationally.

Officers responded to the suggestion that those undertaking community service could be made more visible through clothing similar to that in other countries such as Germany and the USA. Committee were advised it was preferred that activities completed by offenders were positively publicised and officers had been in contact with West Lothian's Media team to discuss channels for highlighting the work undertaken during community-based sentences. Although this had been interrupted by COVID-19 dialogue with Media would recommence in order to agree suitable means for increased awareness of the completed activities. It was also noted that work was being undertaken to encourage beneficiary

organisations to highlight the work completed through the work of those completing community service.

Responding to a query regarding completion of the hours sentenced, officers confirmed the completion rate was particularly high with a strong local approach to ensuring delivery of the hours.

Decision

To note the terms of the report.

7. FRAUD AND IRREGULARITY 2020/21

The committee considered a report (copies of which had been circulated) by the Audit, Risk and Counter Fraud Manager informing of the report by Audit Scotland "Fraud and Irregularity 2020/21".

It was recommended that the committee consider the themes and messages in the report.

Members of the committee sought reassurance that of the cyber-attacks detailed in the report none were of particular concern. Confirmation was given that there were no major incidents resulting in the release of information to third parties or ransom of the information the council holds. There were a number of systems in place in relation to cyber security and an annual report in relation to these measures would be reported to the Governance and Risk Board in December 2021.

Decision

To note the terms of the report.

8. SCOTTISH LOCAL AUTHORITIES CHIEF INTERNAL AUDITORS' GROUP (SLACIAG) - ANNUAL REPORT

The committee considered a report (copies of which had been circulated) by the Audit, Risk and Counter Fraud Manager informing of the Scottish Local Authorities Chief Internal Auditors' Group (SLACIAG) annual report for 2020.

It was recommended that the committee note the work of SLACIAG as a forum for networking and the dissemination of best practice for internal audit in local government.

Decision

To note the terms of the report.

9. 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 the following items of business on the grounds that they involved the likely disclosure of exempt information as defined in paragraphs 3, 12 and 14 of Schedule 7A of the Act.

10. COUNTER FRAUD INVESTIGATION: SECTION PAYMENTS

The committee considered a report (copies of which had been circulated) by the Audit, Risk and Counter Fraud Manager informing of the outcome of an investigation into concerns that client section payments had been misappropriated, and that there had been unauthorised access to the Swift system.

It was recommended that the committee:

1. note the findings of the counter fraud investigation;
2. note the fraud prevention measures identified as set out in pages 16 and 17 of the counter fraud report; and
3. note that in accordance with the council's Anti-Fraud and Corruption Policy the matter has been reported to Police Scotland.

Decision

To note the terms of the report.

11. INTERNAL AUDIT OF SECTION PAYMENTS

The committee considered a report (copies of which had been circulated) by the Audit, Risk and Counter Fraud Manager informing of the outcome of an internal audit of the controls in place over section payments made under the Children (Scotland) Act 1995 and Social Work (Scotland) Act 1968.

It was recommended that the committee note that controls in place over section payments were considered to require improvement.

Decision

1. To note the terms of the report: and
2. To agree that progress of the actions detailed in the Action Plan within the report would be reported to Audit Committee on 21 March 2022.

MINUTE of MEETING of the WEST LOTHIAN LEISURE ADVISORY COMMITTEE held within VIRTUAL MEETING ROOM, on 21 OCTOBER 2021.

Present – Councillors Harry Cartmill (Chair), Cathy Muldoon, Alison Adamson, David Dodds, Charles Kennedy, Andrew McGuire and David Tait

In attendance

James Cameron – Lead Officer, WLC Donald

Forrest – Head of Finance and Property Services, WLC

Alan Colquhoun – Culture & Sport Manager, WLC

Robert Young – Senior Service Accountant, WLC

Tim Dent – Chief Executive, WLL

Andrew Heron – Head of Finance and Administration, WLL

1 DECLARATIONS OF INTEREST

Councillor David Dodds declared an interest as his son was an employee of West Lothian Leisure. As his interest was remote, he would participate in all items of business.

Councillor Andrew McGuire declared an interest as a member of West Lothian Leisure. He would participate in all items of business.

2 MINUTES

The committee approved the minutes of its meeting held on 26 August 2021 as a correct record.

3 PRIVATE SESSION

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 the following items of business as it involved the likely disclosure of exempt information as defined in Paragraph 6 of Part 1 of Schedule 7A of the Act.

4 WEST LOTHIAN LEISURE FINANCIAL POSITION

The committee considered a report (copies of which had been circulated) by the Head of Finance and Property Services providing an update on West Lothian Leisure's (WLL) 2020/21 audited accounts (Audited Accounts) and its 2021/22 financial position.

During discussion, members were advised that the positive trends regarding WLL's income continued. Members were also assured that expected upcoming increases in utility costs had been factored in the budget forecast.

Members wished to thank all WLL staff for their efforts resulting in positive trends and controlled costs.

It was recommended that the committee note:

1. The WLL Board had approved WLL's unqualified 2020/21 Audited Accounts and the council had provided a comfort letter in relation to those accounts;
2. WLL's financial performance for the four months to 31 July 2021;
3. WLL's reforecast for the year to 31 March 2022; and
4. That the second half of the 2021/22 management fee and the third quarter of the 2021/22 reserve funding had been provided to WLL since the last WLLAC meeting.

Decision

To note the terms of the report.

5 MONITORING REPORT: CULTURE, SPORT, LEISURE & OUTDOOR EDUCATION

The committee considered a report (copies of which had been circulated) by the Head of Education (Learning, Policy and Resources) providing an update on the operation of Culture, Sport, Leisure and Outdoor Education services delivered by West Lothian Leisure (WLL), within the context of facility re-opening and service resumption in line with the continued achievement of planned milestones in the Scottish Government's roadmap for COVID recovery.

During discussion, officers stressed the importance of regular maintenance in keeping venue standards high.

It was recommended that the committee note the contents of the report.

Decision

To note the terms of the report.

MINUTE of MEETING of the EDUCATION (QUALITY ASSURANCE) COMMITTEE held within MS TEAMS VIRTUAL MEETING ROOM, on 2 NOVEMBER 2021.

Present – Councillors Stuart Borrowman (Chair), David Dodds, Pauline Clark, Bruce Fairbairn, Peter Heggie, Chris Horne, Charles Kennedy, Maria MacAulay, John McGinty, Andrew McGuire, Andrew Miller, Moira Shemilt and Appointed Member Margaret Russell

Apologies - Appointed Members Derek Cornwall, Lynne McEwen and Myra MacPherson

Absent – Councillor George Paul

1. DECLARATIONS OF INTEREST

Agenda Item 7 - Validated Self Evaluation (VSE) Report: St Margaret's Academy

Councillor Moira Shemilt declared an interest in that she had a family member at St Margaret's Academy. She would participate in this item of business.

2. MINUTES

The committee approved the minute of its meeting held on 27 April 2021 as a correct record.

3. HER MAJESTY'S INSPECTORS OF EDUCATION (HMIE) SCRUTINY PROGRAMME

The committee considered a report (copies of which had been circulated) by the Heads of Education informing of the HM Inspectors of Education (HMIE) scrutiny programme for academic session 2021-22.

It was recommended that the committee note the contents of the report and the programme of scrutiny outlined by HMIE.

Decision

To note the contents of the report.

4. VALIDATED SELF-EVALUATION: ST ANTHONY'S PRIMARY SCHOOL

The committee considered a report (copies of which had been circulated) by the Head of Education (Primary) bringing to their attention St Anthony's Primary School's validated self-evaluation and identified areas for improvement for session 2021-2022. Johanne Gardner, Head Teacher, was in attendance to provide an update on the school's progress and to answer questions from committee members.

Following Mrs Gardner's presentation, committee highlighted the school's data in achieving the Curriculum for Excellence levels compared to authority and national figures. The Head Teacher detailed the various means in which this was being addressed which included a collaborative and consistent staff approach. Specifically addressing numeracy levels in primary 1, Mrs Gardner advised interventions had been put in place for a number of pupils which led to a percentage increase from 77% in June to 82% in October. Officers expanded on the data detailed for 2020/21 advising that the authority were looking closely at this as a whole in relation to the interrupted periods of learning throughout the COVID-19 pandemic. A publication was expected through the National Improvement Framework detailing the national impact which could provide wider context.

Further discussion followed and included a query regarding the schools own evaluation of performance indicators 2.3 and 3.1 as satisfactory in comparison to the VSE's outcome of good. It was explained that in order to assess the outcome sound evidence was required and the VSE team had supported the school in understanding they had suitable evidence to achieve the better rating.

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 Head Teacher.

5. VALIDATED SELF EVALUATION (VSE) REPORT: ST MARGARET'S ACADEMY

Councillor Andrew McGuire left the meeting as this item was being concluded and did not participate in the remaining items of business.

The committee considered a report (copies of which had been circulated) by the Head of Secondary Education bringing to their attention the outcomes of the Validated Self Evaluation (VSE) of St Margaret's Academy's approach to recovery and continuing improvement. Siobhan McGarty, Head Teacher, was in attendance to provide an update on the school's progress and to answer questions from committee members.

Committee noted the Head Teacher's update and discussion led to an enquiry on how engagement with families was achieved considering the large catchment area. Mrs McGarty confirmed this was addressed through digital means, such as online parents evenings and also through the use of the school newsletter which provided the opportunity to make parents aware of what happens in the classrooms and the school in general.

It was acknowledged that the school performed consistently well with school leavers progressing to an initial positive destinations. Mrs McGarty

explained this was achieved through the schools close links with various partners, 1-1 engagement with pupils who were applying for university and by “going the extra mile” to ensure pupils were leaving school with a suitable destination. Career discussions started with pupils early in their time at the school with work experience and presentations from employers assisting those who may not yet have a clear career plan.

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

Decision

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

6. VALIDATED SELF-EVALUATION: CALDERWOOD PRIMARY SCHOOL

The committee considered a report (copies of which had been circulated) by the Head of Education (Primary) bringing to their attention Calderwood Primary School’s validated self-evaluation and identified areas for improvement for session 2021-2022. Sarah Burton, Head Teacher, was in attendance to provide an update on the school’s progress and to answer questions from committee members.

Miss Burton’s update explained that although primary pupils had not started in the school until September 2021 her Head Teacher post had commenced in May. This provided the opportunity to build relationships with families, through the use of media channels, in order to build confidence in the school prior to the pupils attending. Miss Burton also explained the transition process, which was personalised through contact with existing establishments in order to assist any pupils who may have required personalised supports.

The committee highlighted similarities between Calderwood and the new community developments in Winchburgh, querying how the community could be actively built. Miss Burton explained the school’s continual engagement with families towards the development of the school and the support the school received from families in return. Due to the close proximity of Calderwood Country Park, the school could make use of their surroundings for outdoor learning with the community appreciating seeing pupils using the area to support their learning.

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 Head Teacher.

7. WORKPLAN

A workplan had been circulated for information.

Officers advised that the workplan would be updated to detail a change from the noted VSE for St John the Baptist Primary School which would be replaced with St Paul's Primary School, East Calder. The workplan would also be updated for the full academic session following review of the HMIE scrutiny programme and Scottish Government guidance.

Decision

1. To note the workplan;
2. To note the VSE detailed for St John the Baptist Primary School would be replaced with St Paul's Primary School, East Calder; and
3. To note officers would continue to review Scottish Government guidance and the re-engagement of the HMIE scrutiny programme and update the workplan for the full academic session.

WEST LOTHIAN COUNCIL LABOUR GROUP

Notice of Motion from Councillor Kirsteen Sullivan For the Council Meeting on 25th January 2022

Cole Paterson

Council recognises the outstanding achievement of Our Lady of Lourdes P7 student Cole Paterson in winning a recent Heriot Watt Robotarium competition to design a sustainable robot with features that would address global challenges. Council notes that Cole won first prize for designing the 'Fire Bot', a robot that turns smoke into oxygen addressing one of the major problems arising from changes in global temperatures. Council further notes that Cole's efforts were rewarded with a visit to Our Lady of Lourdes by two robot dogs, M.A.R.T.I.N. and M.A.R.T.I.N.A, that will carry out research into how robots can support humans in offshore energy inspection, construction and disaster recovery.

Council instructs the Chief Executive to write to congratulate Cole and extend the best of wishes for his future in engineering and robotics.



**Councillor Kirsteen Sullivan
West Lothian Labour Group**

Received on 22 Dec 2021 at 9:54am



WEST LOTHIAN COUNCIL LABOUR GROUP

Notice of Motion from Councillor Kirsteen Sullivan For the Council Meeting on 25th January 2022

Whitburn Band

Council congratulates the Whitburn Band on its recent 7th successive win at the recent Scottish Open brass band championship in Perth. Council notes that this marks a 9th overall win in this competition with the band's soprano cornet player Scott Forrest also winning the prize for Best Instrumentalist, an even more impressive feat given it is the first time the band has performed in a competition in Scotland in the past 20 months.

Council instructs the Chief Executive to write to the Whitburn Band with the Council's congratulations on its continued success and best wishes for the year ahead.

Received on 22 Dec 2021 at 9:54am



**Councillor Kirsteen Sullivan
West Lothian Labour Group**

WEST LOTHIAN COUNCIL LABOUR GROUP

Notice of Motion from Councillor Kirsteen Sullivan For the Council Meeting on 25th January 2022

The Garage, Whitburn

Council congratulates The Garage, Whitburn on its recent success winning The Motor Ombudsman's National Garage Star award. Council notes that having made a shortlist of 24 finalists from over 800 customer nominations submitted for individuals and garages across the UK and winning the regional trophy for Scotland, The Garage claimed the national prize in recognition of its commitment to providing the highest levels of customer service as well as its charitable work supporting the local community.

Council further recognises the Christmas cheer The Garage brings to Whitburn and surrounding communities with its annual tour of the Santa sleigh, allowing excited children to catch a glimpse of Santa, his elves and a sleigh full of gifts as he makes his way through the towns and villages.

Council instructs the Chief Executive to write to The Garage to congratulate staff on its recent award and to thank them for their ongoing contribution to the local community.

Received on 22 Dec 2021 at 9:54am



**Councillor Kirsteen Sullivan
West Lothian Labour Group**

West Lothian Council SNP Group

Leader: Cllr Janet Campbell
Depute Leader: Cllr Frank Anderson
Secretary: Cllr Sarah King

Díco Tíbi Verum, Libertas Optima Rerum Nunquam Servilí!



Agenda Item 10

Motion

Council Meeting 25th January 2022

Trees and the Community

We have just witnessed world leaders gather in Glasgow to agree actions to mitigate catastrophic Climate Change and to protect the fragile biodiversity of this planet.

Within West Lothian Council we are committed to taking all steps in our power to contribute to this sustainable future.

Livingston was built on the principles of preserving as much as possible of the previous natural heritage as possible including many stands of historic trees within the fabric of the new town.

Our arboreal resource in West Lothian is vulnerable to the twin threats of Elm and Ash die-back and this is already leading to the removal of a number of charismatic trees. At this time a significant pressure is being placed on healthy older trees by development in the council area.

There are strong feelings engendered with the removal of healthy historic trees. When the 'feeder road' was built around Pumpherston in 2015, three large Beech trees each over 150 years old (and noted on the first edition Ordnance Survey map of the area) were removed where additional planning and care could have avoided this.

Many historic trees are threatened by large-scale developments such as Calderwood and Bangour Village and many have been removed in the course of construction so far. When planning new planting schemes it is recognised that mature trees can protect and support the establishment of new canopy.

It is not just charismatic single trees that need to be protected. Along Drumshoreland road there is a stretch of nationally important ancient wet woodland which was dismissed as scrub in recent developers reports. It is important that we recognise and protect such important habitats.

We need to value the historic natural, planted and built environments which have contributed enormously to the development of our unique communities in West Lothian.

This motion calls for:

- An Inventory of the woodland resource in West Lothian including identified historic trees to be maintained and synchronised with data in national surveys such as the Ancient Woodland and Ancient Tree Inventories and the National Forest Inventory.
- Specific plans for felling to be discussed and agreed at Local Area Committees. Consideration of planning sanctions where trees have been erroneously felled.
- Communities and conservation groups to be supported to 'adopt' trees and woodlands including the establishment and adoption of Community Orchards. These opportunities should be set within the context of the consideration of woodland provision within either a West Lothian Development Plan under National Planning Framework 4 or Local Place Plans as developed by local communities under the Planning (Scotland) Act 2019.
- West Lothian Council to promote Outdoor Learning and in particular a Forest Schools approach as a priority in Education provision including Community Education.
- Continued collaboration with the Woodland Trust and other bodies in order to safeguard and grow West Lothian's woodland cover and to help fulfil the above aims.

Moved by Cllr Tom Ullathorne

Received on 10 Jan 2021 at 00:40am



West Lothian Council SNP Group

Leader: Cllr Janet Campbell
Depute Leader: Cllr Frank Anderson
Secretary: Cllr Sarah King

Dico Tibi Verum, Libertas Optima Rerum Nunquam Servili!



Agenda Item 11

Council Meeting Tuesday 25th January 2022

Gender Pay Gap

West Lothian Council recognises the responsibility we have and the faith placed upon us by the people of West Lothian to ensure fairness and equality across the workplace. This does not only apply to West Lothian Council employees. The trust placed upon us endorses the obligation all elected members in Scotland, at all levels have to uphold the rights of employees to fair and equitable working conditions, no matter their workplace.

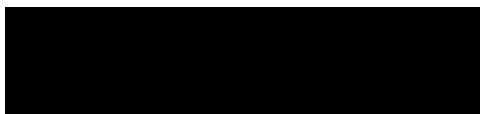
In 2021 the average woman in Scotland earned 11.6 per cent less than the average man, according to Office for National Statistics (ONS) figures, while across the UK as a whole the average woman earned 15.4 per cent less. Whilst the figures are an improvement on 2017 - when the Scottish and UK pay gaps were 16 per cent and 18 per cent, respectively - more be done to eradicate the gap completely, if the Scottish Government had the full powers of every other nation in Europe to tackle this gap. The pandemic has been particularly hard on women, and suspending gender pay gap reporting last year did not help this.

Whilst the gender pay gap may be smaller in Scotland than it is across the UK, it has been estimated our economy could benefit by a further £15bn nationally if we had the powers to tackle that gap and work to close it for good.

This needs to be a moment of resolution across the political divide, in order that we have all of the powers at our disposal to end this glaring gender-based inequality.

West Lothian Council therefore resolves to write to the First Minister of Scotland, Nicola Sturgeon, the politician in whom the majority of people in Scotland trust, outlining the support from this council of all moves taken by the Government in Scotland to ensure Employment Law is fully devolved to the Scottish Parliament. West Lothian Council further agrees to write to COSLA leaders urging support for the Scottish Government in taking the necessary action to ensure we have the full powers at our disposal to carry out the radical action required to end this injustice.

Moved



Received on 10 Jan 2022 at 8:43am



Councillor Janet Campbell

West Lothian Council SNP Group

Leader: Cllr Janet Campbell
Depute Leader: Cllr Frank Anderson
Secretary: Cllr Sarah King

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Agenda Item 12

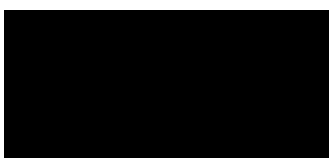
MOTION to Council January 25TH 2022

Weekend Access to Community Recycling Centres for Non-Commercial Vehicles

The West Lothian SNP group welcomed the full reopening of the 5 community recycling centres in West Lothian, a decision that recognised the importance for residents to have convenient access to this vital service.

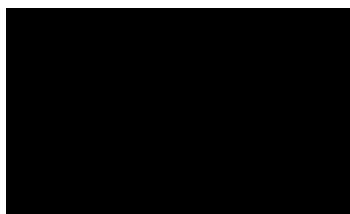
However, the decision to restrict non-commercial vehicles such as vans and pick-ups from weekends means a section of our community is prohibited from using this service. Many people now choose to use vans and pick-ups as their main family mode of transport with no associated commercial use whatsoever. Many of these people work through the week and are unfortunately unable to utilise the booking system which restricts access to Monday to Friday with no option to make a weekend booking.

Council requests officers to review the data regarding weekend attendance numbers at all 5 centres in order to identify times that would allow bookable slots to be made available for all non-commercial vehicles. Results of this review should be brought to the Environment PDSP and include any potential additional costs that may be incurred.



Cllr Pauline Clark

Received on 10 Jan 2022 at 8:51am



West Lothian Council SNP Group

Leader: Cllr Janet Campbell
Depute Leader: Cllr Frank Anderson
Secretary: Cllr Sarah King

Díco Tíbi Verum, Libertas Optima Rerum Nunquam Servilí!



Agenda Item 13

Council Meeting Tuesday 25th January 2022

Lateral Flow Tests

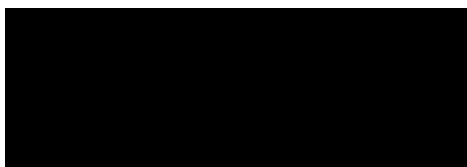
West Lothian Council acknowledges the Scottish Government for taking the bold steps required, in line with most other European countries to tackle the threats posed to our population by the Covid-19 pandemic. West Lothian Council further recognises the work carried out by officers of this council in responding admirably and competently to all that was asked in supporting the measures taken across our country, including the support given to large scale vaccination sites and setting up mobile testing sites, vital in the efforts to protect our local population here in West Lothian.

Council is therefore shocked and appalled that the Prime Minister of the United Kingdom, Boris Johnson as reported by a Downing Street source is considering discontinuing free Lateral Flow Test Kits (LFTs). Regular LFT testing is a vital component in our tool box as we all work together to keep this virus under control and for avoiding the need for further restrictions which impact on all of our lives. This additional potential cost would also come at a time when the cost of living is reaching crisis proportions and will of course, affect those on lower incomes more than any other group of people.

West Lothian Council therefore agrees to write immediately to UK Prime Minister Boris Johnson and the UK Health Secretary Sajid Javid outlining our absolute opposition to these plans. Testing plays a hugely important role in ensuring we suppress the virus, the UK Government must ensure these testing kits remain free and that, as now, people are encouraged to use these regularly.

Received on 10 Jan 2022 at 09:00am

Moved



Councillor Janet Campbell



West Lothian Council SNP Group

Leader: Cllr Janet Campbell
Depute Leader: Cllr Frank Anderson
Secretary: Cllr Sarah King

Díco Tíbi Verum, Libertas Optima Rerum Nunquam Servilí!



Agenda Item 14

MOTION COUNCIL MEETING JANUARY 2022

YEAR OF THE SQUEEZE

West Lothian Council SNP Group note with concern that rising inflation has focused minds on the cost of living squeeze this winter. These pressures are likely to build in the new year. The spring looks particularly difficult, with April bringing a cost of living catastrophe affecting the vast majority of households: soaring energy bills and significant tax rises will see an annual income hit to the typical household of over £1,000.

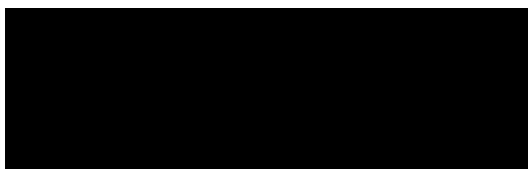
A key driver of the high inflation predicted by the Bank of England during 2022 is energy prices. Wholesale spot gas and electricity prices have increased more than eight-fold and five-fold respectively over the past 12 months. The main effect to date has been the failure of 28 energy suppliers, but households are next in line, as the higher wholesale prices will feed through into a very large rise in the energy price cap in April: estimates are that this will amount to a rise of around £500 or more for a typical household bill, on top of October's £139 increase. Households will also face an additional charge of around £100 as the costs associated with those firm failures are recouped. **£600 is a huge increase for households of all incomes.** The poorest households will see their energy spend rise from 8.5 to 12 per cent of their total household budget – three times the proportion for the richest. Many of those coming off fixed tariffs onto a price cap tariff will face even bigger rises.

If that wasn't enough, April will also see significant tax rises including National Insurance (NI) rates which will rise by 1.25 percentage points. The scale of the NI and Income Tax changes are significant, though the former is more important. ***Across all households, the average combined impact on household incomes is £600, or 1.4 per cent of disposable income.*** (Resolution Foundation)

Council therefore agrees to

- Write to the Prime Minister and Chancellor urging them to immediately reinstate the £20 cut from Universal Credit.
- Call on the Chancellor to reduce the size of the Ofgem Energy Cap Rise. Compensating energy suppliers for a six month, £200 reduction would cost around £450 million if focused on lower-income households on Universal Credit.
- Extending the time period over which the costs of supplier failures are recouped. The £100 bill rise reflects a policy of recouping costs over a single year; extending that period could materially reduce that rise.

Moved



Received on 10 Jan 2022 at
9:18am



F Anderson



WEST LOTHIAN CONSERVATIVE AND UNIONIST COUNCIL GROUP

West Lothian Council

25th January 2022

Lamp Post Signage

Anyone travelling through West Lothian these days will note it is apparent that WLC has lost its way in the maintenance of the clutter being allowed to mount up on our lamp posts, road side barriers, fences and the like.

At the same time WLC outlaws the use of lampposts for Neighbourhood Watch signage.

Effectively WLC is encouraging the misuse of its property by allowing the display of signage with impunity for commercial reasons whilst actively banning its use for social and community reasons.

There is clearly an imbalance here and something has gone wrong.

Motion:

Council instructs officers to bring a report to the next appropriate PDSP on the effectiveness of the current enforcement powers WLC has to remove illegal signage from lamp posts, fences, barriers and other council owned property and recover the costs from the perpetrators.

At the same time reporting on the reasons for not allowing the mounting of Neighbourhood Watch signage where appropriate and advising council of the advantages and disadvantages of this signage to WLC, with a view to allowing councillors to assess the appropriateness of this policy.

Received on 10 Jan 2022 at 10:49am

Councillor Bruce Fairbairn
Whitburn and Blackburn Ward
West Lothian Council Conservative Group

WEST LOTHIAN COUNCIL LABOUR GROUP

Notice of Motion from Councillor Lawrence Fitzpatrick For the Council Meeting on 25th January 2022

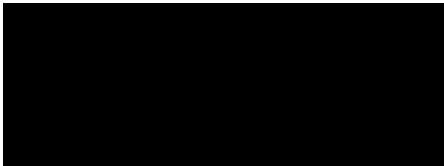
Scottish Government Finance Settlement

Council recognises the importance of Scottish Government funding to local government in Scotland in order to deliver the everyday services upon which local residents rely. Council further recognises that the local government share of the overall Scottish budget has been falling year on year, with a 28.6% share in 2007/8 decreasing to 22% in 2022/23, despite increased funding this year from the UK government to the Scottish Government as well as the increased pressures on local government arising from the pandemic.

Council agrees that the Scottish Government increasingly views local government as a vehicle to deliver its manifesto commitments rather than delivering vital core services, both statutory and non-statutory, on a daily basis to local communities. Council agrees that all core services must be fully funded and that any additional services and functions that arise as a result of political commitments must also be fully funded in order for council to deliver the best possible services to local residents.

Council therefore instructs the Chief Executive to write to the Cosla President thanking her and her team for the excellent work undertaken on behalf of all Scottish local authorities by stressing the importance of public service and the need for a proper budget settlement for all councils in Scotland.

Received on 10 Jan 2022 at 11:01am



Councillor Lawrence Fitzpatrick
Leader
West Lothian Labour Group

West Lothian Council SNP Group

Leader: Cllr Janet Campbell
Depute Leader: Cllr Frank Anderson
Secretary: Cllr Sarah King

Díco Tíbi Verum, Libertas Optima Rerum Nunquam Servilí!



Agenda Item 17

Council Meeting 25th January 2022

A Campaign for Justice: Witches of Scotland

Council understands that the Campaign for Justice, Witches of Scotland,¹ seeks a legal pardon, an apology and a national monument for the thousands of people, mostly women, who were convicted of witchcraft and executed between 1563 and 1736 in Scotland.

Council acknowledges that an estimated 3,837 people, 84% of whom were women, were tried as witches under the Witchcraft Act of 1563, of which around two-thirds were executed and burned. In 1644, when a wave of witch-hunting swept across Scotland, Mid Calder Minister, Huw Kennedy, oversaw the burning of several alleged witches on Cunnigar Hill, which is still known locally as “Witches Hill”. Among the accused were Agnes Vassie, Agnes Bishop, Marion Gibson and Margaret Thomson. The latter was acquitted after some horrendous treatment, including being forced to stand for 26 days. The Calder witches are said to have gained the same notoriety as the Lancashire witches in England.

Council notes that a list of many other women castigated as witches in West Lothian includes Margaret Alexander and Barbria Parish from Livingston, who were executed in 1647. In addition, Janet Bruce, who resided in Netherwilliamston, an area off Murieston Road, was convicted in 1644.²

¹ <https://www.witchesofscotland.com/>

² <http://witches.is.ed.ac.uk/>

Council recognises that most convicted witches were usually strangled to death, then incinerated so there would be no trace of human left to bury. Those who confessed to witchcraft were generally tortured into confession through tactics like sleep deprivation, fingernail removal and experiments to determine whether they bled. Lillas Adie from Fife is the only known woman convicted of witchcraft to have a grave, as most were burned.

Council understands that, per capita, during the period between the 16th to 18th century in Scotland, we executed 5 times as many people as elsewhere in Europe. It seems that we absolutely excelled at finding women to burn. To put this into perspective, in Salem, 300 people were accused and 19 people executed. Those accused of witchcraft in Salem were pardoned in November 2001.

Council agrees with MSP Natalie Don, when she stated that the incorrect criminalisation of these women only strengthens gender stereotypes in the modern-day and that righting this wrong will make a real impact in challenging gendered and patriarchal attitudes which still exist in society.

Therefore, Council supports the Witches of Scotland campaign, led by Claire Mitchell QC. Council believes that those executed were not guilty, so they should be acquitted.

Council will instruct officers to write to the First Minister, Nicola Sturgeon, outlining its support for the above Campaign. In addition, to reiterate the request of the Campaign, that the First Minister makes it clear, on International Women's Day 2022, that the Scottish Government accepts that what happened to those accused of witchcraft was a terrible miscarriage of justice and to apologise on behalf of the people of Scotland.

Moved

Received on 10 Jan 2022
at 11:17am



Moira Shemilt



Council Meeting 25th January 2022

Breaking Down Barriers to Inclusion and Participation for Elected Members with a Disability

Council recognises that local elections are scheduled to take place in May this year. Council embraces the point of view that we, as elected representatives, must strive to embody the inclusive society that we want to see in our country, where equality and human rights are respected and every individual and minority group feels valued. Council would like to see a body of elected members which best reflects the diversity of our West Lothian Communities.

Therefore, Council would wish to promote policies, procedures and practices which seek to break down barriers to inclusion for prospective, new and incumbent councillors. In particular, to address the barriers which might present themselves to elected members with disabilities.

Council believes that far too many disabled people, their ambitions, dreams and achieving their potential is still denied to them because of the barriers that society puts in their way. Barriers that are often caused by prejudice, ignorance and thoughtlessness by others. Attitude is as much of a barrier to participation as the physical structure of buildings or poor communication of information.

Council understands that one fifth of Scotland's population, one million people, have defined themselves as being disabled ¹ and that most people become disabled over time. Only 17% of disabled people were born with their disabilities.²

¹ <https://onescotland.org/equality-themes/disability/>

² <https://www.st-andrews.ac.uk/hr/edi/disability/facts/>

It could be assumed that, considering the demographic of incumbent councillors, there might be a correlation between age and disability in this group. Many disabilities are hidden, for example depression is the primary disability world-wide ³. The needs of those with specific learning disabilities, such as dyslexia, or those who may be on the Autistic Spectrum or those with impaired hearing might not be immediately obvious to others.

Many disabilities can be relatively inconspicuous for much of the time – such as lung diseases, immunological diseases and other chronic illnesses. However, just because one person's disability might be less visible than another's, does not mean that they do not require special assistance or accommodations to be made. The above list is far from exhaustive; it merely seeks to give an impression of the heterogeneity of disability.

Council is aware that the Metropolitan police were described as being “*unwittingly racist*”, after the Stephen Lawrence enquiry ⁴. Therefore, in order to avoid the possibility of being “*unwittingly ableist*”, Council will endeavour to view the procedures and practices of elected members through the lens of disability, in order to ascertain any possible barriers to participation.

The objective is to make reasonable adjustments and to take anticipatory measures in order to eradicate any barriers to participation for elected members with a disability.

Council will do this by:

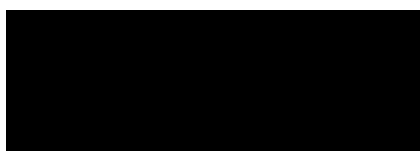
- Constructing a short life scrutiny panel, comprising outside agencies with experience in carrying out disability audits, council officers and elected members;
- Instructing the scrutiny panel to:

³ <https://www.who.int/news-room/fact-sheets/detail/depression#:~:text=Depression%20is%20a%20common%20mental,affected%20by%20depression%20than%20men.>

⁴ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/277111/4262.pdf

- formulate a policy for disability inclusive meetings
- carry out an audit of the common procedures and practices of elected members, including but not restricted to:
 - Committee meetings
 - Timings, length – particularly full council meetings;
 - Procedures in virtual meetings;
 - Procedures in face to face meetings;
 - Procedures in Development Management and Planning Committees;
 - Papers – accessibility of language and format, time of access in relation to time of committee meeting;
 - Accessibility of meetings with other agencies.
- A report will be presented to full council on 15 March, 2022 which will provide indications of any reasonable adjustments or anticipatory measures that need to be taken, or otherwise, in order to ensure full inclusion and participation for elected members with a disability.

Moved



Received on 10 Jan 2022
at 11:17am



Moira Shemilt

West Lothian Council SNP Group

Leader: Cllr Janet Campbell
Depute Leader: Cllr Frank Anderson
Secretary: Cllr Sarah King

Díco Tíbi Verum, Libertas Optima Rerum Nunquam Servilí!



Agenda Item 19

Council Meeting 25th January 2022

Motion: Retain the name “The Black Bitch Tavern”

Black is a colour, bitch is the female of a species whose male counterpart is dog.

Taking the two words together gives us a “Black Bitch” which has formed part of Linlithgow’s Civic Insignia for centuries. According to some, as far back as 1286 a representation of a bitch appeared on Linlithgow’s Coat of Arms. Today, people treasure the legend of the faithful greyhound and those born and bred in the town, both male and female, are proud to be known as Black Bitches.

Over all the centuries the Black Bitch has retained its place in the hearts and minds of Linlithgow people - through the Reformation, Oliver Cromwell’s brief visit, Charles Edward Stewart’s occupation, pestilence and plague and, more recently, the various changes to government both national and local.

No-one has even suggested removing the term from the town’s history, so deep and permanent is its connection with the town.

However, times change and now we have a property owner, Greene King, from well outwith the region who, because it has the right to do so, decides that the name must change.

Its preferred option is the spectacularly inappropriate - the Black Hound, hound being used colloquially to characterise a despicable or contemptible man.

Despite countless requests to stop and think submitted by our MP, MSP, all three Local Councillors, Linlithgow Community Groups and individuals as well as a petition with 11,000 signatures in support of retaining the name, Greene King arrogantly press on blind to the overwhelming wishes of the community on which their 4 pubs on Linlithgow High Street depend.

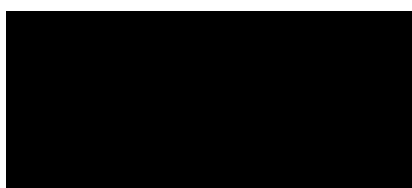
Also ignored was a carefully argued case in support of not changing the name by Sir Geoff

Palmer, Chancellor of Heriot Watt University, and recognised worldwide as a high profile and respected spokesperson on racial equality - as well as, coincidentally, an authority on brewing who has made an acknowledged contribution to the success of all brewing companies not least Greene King.

His case was centred on the proposition that you can't change the past but you can change the consequences of the past. In this case his warning that changing the name of a pub risked aggravating racial issues which, sadly, at the time of writing seems to be coming to pass.

This motion proposes that West Lothian Council writes to George Magnus, Non-Executive Chairman of the Board of Greene King, and Mr Nick MacKenzie, Chief Executive Officer, Greene King to record the overwhelming opposition to the proposed name change and to request that Greene King respects the wishes of its customers and the Linlithgow community and retains the name "Black Bitch Tavern" to avoid accusations of cultural vandalism and inflaming racial tensions in an otherwise peaceful community.

Moved



Cllr David Tait

Received on 10 Jan 2022 at 11:43am



DATA LABEL: PUBLIC



WEST LOTHIAN COUNCIL

REVISED COUNCILLORS' CODE OF CONDUCT 2021

REPORT BY GOVERNANCE MANAGER

A. PURPOSE OF REPORT

To inform members of the revised Code of Conduct and related statutory guidance and advice notes.

B. RECOMMENDATIONS

1. To note that a revised Code of Conduct became effective on 7 December 2021 after its approval by the Scottish Parliament
2. To note that the Standards Commission has issued revised statutory guidance and revised advice notes to take account of the new Code
3. To note the steps taken to inform members of the significant changes and the arrangements in hand for delivering training and providing advice

C. SUMMARY OF IMPLICATIONS

I	Council Values	Being honest, open and accountable
II	Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	Ethical Standards in Public Life etc. (Scotland) Act 2000 and related regulations
III	Implications for Scheme of Delegations to Officers	N/a
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	Not applicable
VIII	Other consultations	Depute Monitoring Officer

D. TERMS OF REPORT

1 Background

- 1.1 The Ethical Standards in Public Life etc. (Scotland) Act 2000 created a statutory framework of ethical standards which applies to local authorities and to other devolved public bodies. There is a national statutory Code of Conduct for Councillors (the Code) backed up by statutory guidance and a substantial library of advice notes on specific issues. The Code is enforced through complaints to the Commissioner for Ethical Standards in Public Life in Scotland and onwards to the Standards Commission for Scotland.
- 1.2 The council's duties are to raise awareness of the Code, to promote the observance by members of high standards of conduct, to assist members to comply with the Code, and to provide induction and training sessions.
- 1.3 Members' obligations include familiarisation and compliance with the Code and its underpinning statutory rules, having regard to the statutory guidance; attending training and induction sessions, promoting and supporting the Code, and encouraging compliance by others. Being familiar with, understanding the Code and complying with it are the personal responsibilities of each member.

2 Revised Code 2021

- 2.1 After a lengthy consultation process, protracted by the pandemic, the Scottish Parliament approved a revised Code of Conduct in November 2021. With very little notice, the Scottish Ministers determined that it would become effective on 7 December 2021. Complaints about members' conduct occurring before and on 6 December 2021 fall to be assessed against the "old" Code. Complaints about conduct occurring on or after 7 December 2021 are judged against the revised Code. The revised Code is a substantial re-write of what was there before. The previous Code was amended in a very minor way in 2018 to add words about bullying and harassment. Apart from that, it was unchanged since 2010.
- 2.2 The new version is shorter and more succinct, it is written in plainer language and it is written in the first person to try to make it more immediate. It has clarified duties on confidentiality and on courtesy and respect. It has introduced a very near complete prohibition on accepting gifts and hospitality. It has removed the obligation to register receipt of gifts and hospitality and instead there is a duty to notify of any offered and refused. It has introduced a new category of registrable interests in relation to contracts between the council and members or their family and associates. It has expanded the guidance about lobbying and access to councillors. It has made the Part 7 duties in relation to regulatory business more understandable, with useful lists of bullet points. Perhaps most helpfully it has simplified the rules about declaring interests and has introduced a shorter and far less convoluted process of connection-interest-withdrawal. The objective test, rightly, still features prominently throughout.

3 Standards Commission guidance and advice notes

- 3.1 Not surprisingly, the Standards Commission was ready on 7 December with revised version of its statutory guidance and advice notes. They were issued and became effective on the same day the revised Code came into force. They are all accessible on the Commission's website.
- 3.2 The guidance is longer than before, partly due to a lot of background and explanatory information removed from the Code itself finding its way into the guidance. It has

followed the previous practice of including examples and illustrations from complaints and cases in both the narrative parts and in separate coloured panels, for emphasis. Although longer, it does appear to be easier to penetrate than before and tends to be written in firmer terms than before. It also cross-refers where relevant to the extra information available in its advice notes. That suite of advice notes that existed before has been updated to match the Code and guidance. The new rules about registration of interests do not have immediate effect. Instead, they will only apply to returns by members after the May elections.

4 Actions taken and to be taken

- 4.1 Members were informed of the progress towards the introduction of the new Code by frequent emails. When it became operative, members were notified immediately and were provided with copies of the Code and guidance. Short briefing notes were sent to highlight the key differences, one about regulatory business in particular and one about the other sections of the Code. Separate emails were sent to warn about the new rules on identifying and assessing “connections” and declaring interests. Verbal advice has been given at meetings where appropriate on declarations. The reminder sheet for members about declarations that is included in every meeting agenda pack has been updated.
- 4.2 A training session on the main changes from the old to the new has been scheduled for Thursday 20 January 2021. Two short existing advice notes are being updated (on appearing at regulatory committees as ward member, and on responding to requests for assistance from officers with employment-related problems). The training which will be included in the post-elections Induction Programme will cover the new Code and guidance. That will pick up on the new category of registrable interest which becomes a requirement only after the May elections.

E. CONCLUSION

The new Code does represent an improvement on the previous iteration and is well-supported by guidance and advice notes from the Standards Commission. It does represent a not-insignificant burden on members in terms of becoming and staying familiar with it and putting it into practice.

F. BACKGROUND REFERENCES

- 1 [Revised Code of Conduct](#)
- 2 [Revised Standards Commission guidance](#)
- 3 [Revised standards Commission advice notes](#)

Appendices/Attachments: None

Contact Person: James Millar, Governance Manager and Interim Monitoring Officer, Chief Executive’s Office, West Lothian Civic Centre, Howden Road South, Livingston, EH54 6FF, 01506 281613, james.millar@westlothian.gov.uk

Graham Hope, Chief Executive

Date of meeting: 25 January 2022



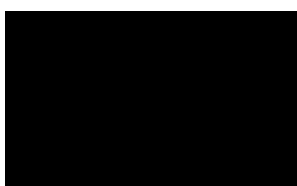
WEST LoTHIAN CONSERVATIVE AND UNIONIST COUNCIL GROUP

West Lothian Council

25 January 2022

Question to the Executive Councillor for Education

What provision of financial literacy teaching is given in West Lothian's primary and secondary schools? How much support is given around this to families who are also interested in learning more about financial literacy with their children?



Received on 7 Jan 2022 at 16:45



Councillor Chris Horne
Broxburn, Uphall and Winchburgh Ward
West Lothian Council Conservative Group

WEST LOTHIAN COUNCIL LABOUR GROUP**Response to the Question from Councillor Chris Horne
for the Council meeting on 25th January 2022****Financial Literacy**

I would like to thank Councillor Horne his question.

Developing financial literacy is critical for all children and young people. It prepares them for later life and the world of work and is therefore an important area of focus within WL schools. The Money and Pensions Service defines financial education as an activity which 'helps children to learn about and develop the knowledge, skills and attitudes needed to manage money well, make informed financial decisions and achieve their goals.' (2020)

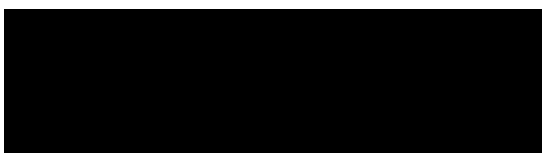
In line with Curriculum for Excellence (CfE) guidance, West Lothian schools embed financial education into curriculum plans from early level to fourth level, nursery through to the end of the Broad General Education. Money is a core feature of the numeracy and mathematics experiences and outcomes of Curriculum for Excellence. All schools use the CfE framework to plan for learning to the end of S3 and this ensures progression in knowledge, skills and attributes in relation to money and financial wellbeing. This includes children at early level recognising coins and developing understanding of how money is used, children at second level comparing costs, working within a budget, considering risks and benefits of credit cards and young people at fourth level exploring earnings, calculating net income and researching personal finance products. In senior phase, business education courses at national 5, higher and advanced higher include financial literacy elements which are tailored to a business context. In maths courses at senior phase, learners analyse a financial position using budget information, analyse and interpret factors affecting income and investigate the impact of interest rates on savings and borrowing.

Schools provide opportunities for learners to apply understanding of money and finance by connecting learning in numeracy and mathematics to other curricular areas, including business education and enterprise. Interdisciplinary financial education experiences play a critical role in developing the young workforce in West Lothian. Real-life contexts are used to embed financial literacy, for example by involving children in budgeting and serving in the school's healthy tuckshop or costing experiences such as excursions and performances and raising funds for charity.

Schools promote family engagement in financial education in a range of ways including through home learning activities and through education programmes for families supported by financial institutions such as the Royal Bank of Scotland and Nat West. Some schools have established a Credit Union to encourage children and families to set up a savings account and promote a savings culture. Schools have also used creative approaches to connect families to external partners who can offer financial advice or support by holding a 'Family Marketplace' on parents evening with stalls including Citizen's Advice, the Financial Inclusion Network, the Credit Union, Children First, housing services and family support.

West Lothian schools work with pupils and parents to identify and overcome financial barriers to participation and engagement for families affected by poverty through the development of a poverty proofing statement and work to reduce the cost of the school day.

Financial education guidance and resources are shared with schools through the West Lothian Numeracy Champions Network and via our links with Education Scotland. In November 2021, the national Talk Money Week initiative was promoted to schools alongside the Talk Money Toolkit (Money and Pensions Service).



Councillor David Dodds
Executive Councillor - Education



WEST LoTHIAN CONSERVATIVE AND UNIONIST COUNCIL GROUP

West Lothian Council

25th January 2022

Question to Executive Councillor for Development and Transport

Winter Ready Programme

On the 7th January 2022, with the first significant snow fall of the year, I had numerous reports that West Lothian Council roads were not sufficiently gritted leading to a number of accidents and near misses.

What assurances can the Executive Councillor give me that West Lothian Council Winter Ready Programme is able to ensure main carriageways and routes to school are safe for travel as required for our residents?

Received on 10 Jan 2022 at 8:36am



Councillor Peter Heggie
Livingston South
West Lothian Council Conservative Group