



## ***West Lothian Council***

West Lothian Civic Centre  
Howden South Road  
LIVINGSTON  
EH54 6FF

17 November 2022

A hybrid meeting of West Lothian Council will be held within the **Council Chambers, West Lothian Civic Centre, Livingston** on **Tuesday 22 November 2022** at **10:00am**.

For Chief Executive

### **BUSINESS**

#### **Public Session**

1. Apologies for Absence
2. Declarations of Interest - Members must declare any interests they have in the items of business for consideration at the meeting, identifying the relevant agenda items and the nature of their interests.
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. Minutes :-
  - (a) Confirm Draft Minutes of Meeting of West Lothian Council held on Tuesday 27 September 2022 (herewith)
  - (b) Correspondence arising from previous decisions (herewith)
  - (c) Note Minutes of Meeting of Audit Committee held on Tuesday 21 June 2022 (herewith)

- (d) Note Minutes of Meeting of Performance Committee held on Monday 05 September 2022 (herewith)
- (e) Note Minutes of Meeting of Education (Quality Assurance) Committee held on Tuesday 30 August 2022 (herewith)
- (f) Note Minutes of Meeting of Employee Appeals Committee (Private) held on Friday 30 September 2022 (herewith)
- (g) Note Minutes of Meeting of West Lothian Leisure Advisory Committee held on Thursday 25 August 2022 (herewith)

**Public Items for Decision**

- 5. Election Business
- 6. Treasury Management - Interim Report at 30 September 2022 - report by Head of Finance and Property Services (herewith)
- 7. Notice of Motion - Congratulations to Jamie Duncan - submitted by Councillor Stuart Borrowman (herewith)
- 8. Notice of Motion - Blackburn Women's Social Services Club - submitted by Councillor Kirsteen Sullivan (herewith)
- 9. Notice of Motion - Homelessness - submitted by Councillor Angela Doran-Timson (herewith)
- 10. Notice of Motion - Retain Channel 4 in Public Ownership - submitted by Councillor Janet Campbell (herewith)
- 11. Notice of Motion - Dealing with Vermin and Statutory Nuisance - submitted by Councillor Willie Boyle (herewith)
- 12. Notice of Motion - Time Limit on Temporary Accommodation - submitted by Councillor Robert De Bold (herewith)

**Public Items for Information**

- 13. Code of Conduct Annual Report 2021/22 - report by Governance Manager/Interim Monitoring Officer (herewith)
- 14. Spaces for People Consultation Feedback - report by Head of Operational Services (herewith)
- 15. Chief Social Work Officer's Annual Report 2021/22 - report by Chief Social Work Officer (herewith)
- 16. Council Solicitors - Question to Council Leader submitted by Councillor Stuart Borrowman (herewith)
- 17. Repairing Council House Windows - Question to Executive Councillor for

DATA LABEL: Public

Housing submitted by Councillor Stuart Borrowman (herewith)

18. Condition of Housing - Question to Executive Councillor for Housing submitted by Councillor Angela Doran-Timson (herewith)

19. Deans South Regeneration Update Report - Question to Executive Councillor for Housing submitted by Councillor Alison Adamson (herewith)

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NOTE **For further information please contact Val Johnston, Tel No.01506 281604 or email [val.johnston@westlothian.gov.uk](mailto: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](mailto:james.millar@westlothian.gov.uk)
- Carol Johnston, Chief Solicitor and Depute Monitoring Officer, 01506 281626, [carol.johnston@westlothian.gov.uk](mailto:carol.johnston@westlothian.gov.uk)
- Committee Services Team, 01506 281604, 01506 281621  
[committee.services@westlothian.gov.uk](mailto:committee.services@westlothian.gov.uk)

January 2022

MINUTE of MEETING of WEST LOTHIAN COUNCIL held within Council Chambers, West Lothian Civic Centre, Livingston, on 27 September 2022.

Present – Provost Cathy Muldoon, Depute Provost Peter Heggie; Councillors Alison Adamson, Stuart Borrowman, Diane Calder, Janet Campbell, Harry Cartmill, Pauline Clark, Tom Conn, Robert De Bold, Jim Dickson, Mary Dickson, Angela Doran-Timson, Damian Doran-Timson, Lawrence Fitzpatrick, Carl John, Lynda Kenna, Danny Logue, Maria MacAulay, Andrew McGuire, Moira McKee Shemilt, Anne McMillan, Craig Meek, Andrew Miller, Pauline Orr, Sally Pattle, George Paul, Tony Pearson, Veronica Smith, Pauline Stafford and Kirsteen Sullivan

Apologies – Councillor William Boyle

Prior to the start of the meeting Council observed a two-minute silence in honour of the passing of HM Elizabeth II.

Council also later observed a minute's silence for Councillor Ann Davidson and reflected on her recent passing.

1. DECLARATIONS OF INTEREST

Councillor Campbell stated a connection in that she was an NHS Lothian employee

Councillor Logue stated a connection in that he was an NHS employee

Councillor Damian Doran-Timson declared an interest in Agenda Item 18 (Motion - Poppy Promise) as he was employed by Poppy Scotland so would not take part in the item of business

Councillor Angela Doran-Timson declared an interest in Agenda Item 18 (Motion - Poppy Promise) as she was married to Councillor Damian Doran-Timson who had also made a similar declaration of interest on the matter so would not take part in the item of business.

Councillor Orr stated a connection in that she was a Scottish Government employee.

2. ORDER OF BUSINESS

The Provost ruled in terms of Standing Order 11 that Agenda Item 21 would be taken before Agenda Item 8 and that Agenda Item 6 would be dealt with before Agenda Item 5.

Council agreed in accordance with Standing Order 8(3), that agenda items 24 and 25 were to taken as read and their recommendations noted without further consideration.

3. MINUTES

- a) The Council approved the Minute of its meeting held on 22 June 2022
- b) The Council noted correspondence arising from previous decisions
- c) The Council noted the Minute of Governance and Risk Committee held on 13 June 2022
- d) The Council noted the Minute of Performance Committee held on 14 March 2022
- e) The Council noted the Minute of Audit Committee held on 21 March 2022
- f) The Council noted the Minute of Education (Quality Assurance) Committee held on 11 January 2022
- g) The Council noted the Minute of Joint Consultative Group (Teaching Staff) held on 11 February 2022
- h) The Council noted the Minute of West Lothian Leisure Advisory Committee held on 28 April 2022
- i) The Council noted the Minute of West Lothian Leisure Advisory Committee held on 23 June 2022
- j) The Council noted the Minute of Employee Appeals Committee held on 29 October 2021
- k) The Council noted the Minute of Employee Appeals Committee held on 28 January 2022

#### 4. WEST LOTHIAN ANNUAL ACCOUNTS

The Provost welcomed, alongside the Head of Finance and Property Service, Rob Jones, EY to the meeting.

The Council then considered a report (copies of which had been circulated) by the Head of Finance and Property Services advising the Council of the outcome of the 2021/22 Audit and to provide a summary of the key points arising from the Auditor's Annual Report.

Mr Jones addressed council on EY's annual audit report. The auditor had issued an unqualified audit opinion on the financial statements and on the nine charitable trusts administered by the council and had made two recommendations for action following the audit.

The key messages from the Auditor were summarised in the report over a number of sections; these being financial sustainability; financial management; governance and transparency; value for money; and best value.

It was recommended that Council :-

1. Notes Ernst and Young LLP's 2021/22 Annual Audit Report
  2. Approves for signature the audited Annual Accounts for 2021/22; and
  3. Refers the Auditor's Report and the 2021/22 Annual Accounts to the Audit Committee for information and scrutiny.
- Moved by Councillor Lawrence Fitzpatrick and seconded by Councillor Kirsteen Sullivan

#### Decision

To unanimously approve the terms of the report

### 5. ELECTION BUSINESS

Council was advised of the following changes to Outside Body Appointments :-

#### Lothian Buses Regional Sub-Committee

Councillor Conn to replace Councillor Sullivan

#### SESTran

Councillor Conn to replace Councillor Sullivan

#### West Lothian Leader Local Action Group

Councillor Sullivan to replace Councillor Fitzpatrick

#### Decision

To agree the change to members appointments to Outside Bodies

### 6. ELECTED MEMBER APPOINTMENTS, STANDING ORDERS AND MEETING DATES

Council considered a report (copies of which had been circulated) by the Governance Manager seeking to address issues outstanding in relation to councillor and other appointments, the Scheme of Administration and Audit Committee meeting dates.

The Governance Manager continued to advise Council that since the report had been finalised a nomination had been received for the representative of West Lothian Forum of Parent Council for Education Executive and his name was Andy Walker.

It was also noted that there were two errors contained in the appendix to the report and which related to the SNP Group having two vacancies on West Lothian Leisure Ltd - Board of Directors and that the appointment to the Integration Joint Board was to be dealt with at the November meeting of Council.

Finally, Council were advised that appointments by the Conservative Group had been advised since the publication of the report and these related to Councillor Adamson being appointed to the Senior Officer Appointment Committee; Councillor Damian Doran-Timson being appointed to the Head Teacher Appointment Panel and West Lothian Placing in School Appeals Committee; and Depute Provost Heggie being appointed to the West Lothian Youth Action Project.

Council was asked :-

1. In relation to the Placing in School (Appeals) Committee :-

- a) To appoint Andrew Walker as a parent member
- b) To delegate authority to the Chief Solicitor to make non-councillor appointments to the committee as and when required

2. In relation to Education Executive:-

- a) To note that an appointment is required to Education Executive of the as the representative of the West Lothian Forum of Parent Councils, the identity of whom is not yet known
- b) To delegate authority to the Depute Chief Executive (Education, Planning, Economic Development and Regeneration) to in future appoint mid-term replacements of any of the six appointed members of that committee in accordance with the method of their selection

3. To appoint one elected member to the Area Support Team of the Scottish Children's Reporter Administration

4. To remove the requirement in the Scheme of Administration for auxiliary or reserve members of Development Management Committee and the Local Review Body and to add a reference to the potential for applications instead to be referred *in extremis* to full council

5. To consider the vacancies existing on the bodies in the Scheme of Administration (Appendix 1) and determine what action should be taken, if any, noting that changes may result to the Scheme

6. To consider the vacancies in appointments to outside bodies (Appendix 2) and determine what action should be taken, if any, noting that Councillor Pattle has declined her appointment as ward

member to the board of ONE Linlithgow Ltd

7. To change the dates for Audit Committee meetings until June 2023 (Appendix 3)

#### Motion

1. To approve the appointment of Andy Walker as the Parent Council representative on Education Executive
  2. To approve the appointment of Councillor Adamson to Senior Officer Appointment Committee; Councillor Fitzpatrick to Disability WL & WL Access Committee; Councillor Damian Doran-Timson to Head Teacher Appointment Panel and to Placing in School Appeals Committee; and Depute Provost Heggie to West Lothian Youth Action Project
  3. To note that the SNP Group had two vacancies on West Lothian Leisure Ltd - Board of Directors;
  4. To note that the appointment of an elected member to Integration Joint Board would be dealt with at the November meeting of Council;
  5. To approve all other recommendations in the report.
- Moved by Councillor Fitzpatrick and seconded by Councillor Sullivan

#### Decision

To unanimously approve the terms of the motion.

#### 7. NOTICE OF MOTION - HM QUEEN ELIZABETH II - SUBMITTED BY ALL GROUP LEADERS

The Council considered a motion (copies of which had been circulated) submitted jointly on behalf of all West Lothian councillors: -

“Council expresses its deep sorrow at the sad passing of our Monarch Queen Elizabeth II.

During her long reign of 70 years, our Council was delighted to have welcomed her on her visits to West Lothian, clearly evidenced by the large enthusiasm which greeted her.

Her Majesty enjoyed an enduring popularity as Head of our Nation, easily able to sustain her role as constitutional Monarch of such a wide and diverse UK and also as Head of The Commonwealth.

Dignity, charm, diplomacy and gentle authority were her enduring hallmarks

Council instructs the Chief Executive to write to her much loved son and heir, King Charles III to express our deepest condolences”.

### Decision

To unanimously approve the terms of the joint motion.

8. NOTICE OF MOTION - RWANDA DEPORTATION FLIGHTS -  
SUBMITTED BY COUNCILLOR MOIRA MCKEE SHEMILT

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

“West Lothian Council welcomes the intervention of the European Court of Human Rights (ECHR) which prevented the exportation of asylum seekers for processing in Rwanda. The flight was scheduled to take off on June 14 with just seven passengers on board, at a cost of £500,000 to the public purse. The ECHR intervention has called a halt to the deportation of others.

Council understands that the plan to deport people seeking asylum is part of a new UK government policy, ostensibly aimed at deterring people from making the dangerous journey across the Channel to the UK. However, Council is of the opinion that the reality is that an unfortunate few are being punished in order to discourage others and notes that the UK receives far fewer asylum applications than other countries such as France and Germany.

Council considers that, if the UK government were serious about deterring journeys for desperate people, then it should consider re-joining the Dublin asylum system operated by the European Union and which it abandoned in the pursuit of the hardest possible Brexit.

Council acknowledges that a real and difficult problem exists in relation to the criminal activities of gangs involved in people smuggling and that such activities have to be tackled. However, Council is strongly of the opinion that the UK government’s plan to offshore asylum seekers in Rwanda is not the right, proper and humane way in which to do this.

Council agrees with the arguments put forward by several Human Rights groups which state that the UK plans ride roughshod over the protections afforded to refugees under rules set up after World War II. They have called the idea unworkable, inhumane and a waste of money. The UK government paid Rwanda 120 million pounds upfront for the deal.

Therefore, West Lothian Council instructs the Chief Executive to write to the Home Secretary, Suella Braverman, stating its strongest objection to the deportation of any refugees to Rwanda. The Council deems it to be nationally shameful, that one of the richest countries in the world, hosting one of the lowest numbers of refugees internationally, is paying a developing country to take a handful of genuine refugees off its hands.

In addition, the Council advocates a UK return to the Dublin Asylum System.”

- Moved by Councillor McKee Shemilt and seconded by Councillor John

#### Amendment

“Criminal gangs are smuggling people into the UK, resulting in loss of life, unsustainable pressures on public services, vast costs to the UK taxpayer, and inhibiting our capacity to support the most vulnerable with safe and legal routes to the UK. Steps must be taken to combat the serious organised criminals who facilitate illegal migration and exploit people and human misery for profit.

Already, the total number of illegal arrivals this year is well in excess of 6,000, with over 800 making the dangerous journey in one day

The way to stop the deaths we are seeing at sea is to stop the callous trade in people that causes them. That is why the UK Government has negotiated a pilot migration and economic development partnership with Rwanda, which will mean the least at-risk asylum claimants being supported to build a new and prosperous life. The UK Government will provide an initial £120 million in funding to support operations, accommodation and integration, similar to the costs incurred in the UK

Nobody will be relocated if it would be unsafe, inappropriate or illegal for them to be and that unaccompanied children or those eligible for family reunification will not be relocated. The exact criteria to be used are being withheld in order to avoid people-smuggling gangs trying to target the most vulnerable.

Other countries have similar schemes, including Denmark and Australia.

However, the economic refugee scheme is under legal review and in October it is expected a judgement will be made. It is therefore premature for West Lothian Council to take any action with regards to the Rwanda economic development partnership.

West Lothian Council instructs the Chief Executive to write to the Home Secretary, Suella Braverman to request what actions will be introduced to mitigate the impact of economic refugees should the Rwanda scheme not progress.”

- Moved by Councillor Damian Doran-Timson and seconded by Depute Provost Heggie

An electronic vote was conducted, but with Councillor Borrowman casting his vote orally. The result was as follows: -

#### Motion

Stuart Borrowman  
Diane Calder

#### Amendment

Alison Adamson  
Angela Doran-Timson

Janet Campbell  
Harry Cartmill  
Pauline Clark  
Tom Conn  
Robert De Bold  
Jim Dickson  
Mary Dickson  
Lawrence Fitzpatrick  
Carl John  
Lynda Kenna  
Danny Logue  
Maria MacAulay  
Andrew McGuire  
Moirá McKee Shemilt  
Anne McMillan  
Craig Meek  
Andrew Miller  
Cathy Muldoon  
Pauline Orr  
Sally Pattle  
George Paul  
Tony Pearson  
Veronica Smith  
Pauline Stafford  
Kirsteen Sullivan

Damian Doran-Timson  
Peter Heggie

#### Decision

Following a vote the motion was successful by 27 votes to 4, with 1 member absent, and it was agreed accordingly.

9. NOTICE OF MOTION - CONGRATULATIONS TO SHANNON ARCHER (GYMNAST) - SUBMITTED BY COUNCILLOR DIANA CALDER

Before the motion was moved the Provost proposed combining agenda items 9, 16 and 22 since the subject matter was the same or similar. Councillor Calder advised that she had agreed a composite motion with Councillors Clark and Meek (who had enrolled the other motions on the same subject at Items 16 and 22) in the following terms: -

“West Lothian Council notes the fantastic achievements at the Commonwealth Games held in Birmingham this year where West Lothian were proudly represented by 10 athletes and coaches as part of team Scotland.

Council congratulates all our wonderful athletes and coaches who took part, a special congratulations goes to our medal winners Reese Lynch from Fauldhouse bringing home gold in Boxing and Shannon Archer winning bronze in artistic gymnastics, in addition to this we would like to congratulate John and Becki Campbell, for their selections as coaches to the Scottish Commonwealth Men’s and Women’s Artistic Gymnastics teams.

Council instructs the Provost to write to all athletes and coaches to pass on our congratulations on their success and achievements, noting the important role coaches play and consider a Civic Reception at the earliest appropriate opportunity.”

- Moved by Councillor Calder and seconded by Councillor Meek

#### Decision

To unanimously approve the terms of the composite motion.

#### 10. NOTICE OF MOTION - CELEBRATING SUCCESS - SUBMITTED BY COUNCILLOR KIRSTEEN SULLIVAN

Before the motion was moved the Provost proposed combining agenda items 10 and 17 since the subject matter was the same or similar. Councillor Sullivan advised that Councillor Clark (who had enrolled the other motion on the same subject at Item 17) would withdraw her motion and instead support the motion from Councillor Sullivan. Councillor Clark confirmed this position.

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

“Council notes with the pride the breadth of musical heritage, traditions and talent within West Lothian, from brass bands, pop, rock, folk to pipe bands. Council further notes the county’s growing reputation as a hotbed of musical talent

Council recognises the remarkable achievement of local DJs Conor Larkman and Sean Finnigan of LF System with their single ‘Afraid to Feel’ becoming the longest running dance track at number one in a decade, knocking Kate Bush off the top spot and fending off Beyonce.

Furthermore, Council acknowledges the tremendous success of the West Lothian Schools Pipe Band in securing second place in the Novice Junior A grade at the recent World Championships in Glasgow, rounding off a fantastic season.

Council instructs the Chief Executive to write to LF System and the West Lothian Schools Pipe Band to congratulate them on their recent achievements and wish them continued success.

- Moved by Councillor Sullivan and seconded by Councillor Clark

#### Decision

To unanimously approve the terms of the motion

11. NOTICE OF MOTION - LOCAL GOVERNMENT PAY AWARDS 2022 - SUBMITTED BY COUNCILLOR JANET CAMPBELL

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

“West Lothian Council welcomes that the strikes which had been planned were averted after all three union's recommended that their members take up the latest pay offer from COSLA; understands that the deal brokered and proposed by the Scottish Government focuses particularly on the needs and interests of our lower paid employees and that the First Minister's intervention was a "primary reason for the breakthrough".

The announcement by the Scottish Government and COSLA to provide additional funding of £600M on top of the £140M already provided has allowed a revised pay offer to be made to the local government workforce. Despite the serious challenges faced by the Scottish Government, due to a less than inflationary increase in the Scottish Block Grant by Westminster this funding will be recurring, placing additional demands on the fully committed Scottish Government budget.

West Lothian Council further welcomes the recent cordial discussions between the Scottish Government and COSLA where agreements on freeing up some of the ring-fenced funding awarded to local Authorities were agreed upon.

Given that the Scottish Government does not have the ability to borrow and has to present a balanced budget this will have ongoing consequences for other public sectors given the real terms cut in our budget by Westminster. This pay offer clearly demonstrates a commitment from the Scottish Government to local government and indeed the staff who worked tirelessly throughout the pandemic and has enabled a substantially improved pay award to be offered.

West Lothian Council resolves to work in partnership with the Scottish Government and the local Trade Unions in order to address the economic and social challenges and also the opportunities facing West Lothian. By working effectively together to improve local services we will ensure that these meet the needs of local people, especially those who need the services most.

West Lothian Council therefore resolves to immediately recognise the absolute commitment by the Scottish Government to the Local Authority workforce in stark contrast to the rhetoric emanating from Westminster and recognises that the offer provides a degree of security for the lowest paid with a flat rate offer of £2000 which is an uplift worth around 10-11%.

West Lothian Council further resolves to write to the Chancellor of the Exchequer and the new Prime Minister to put additional pressure on the Tory Government to increase the derisory Block Grant to the Scottish Government, in recognition of the fact that additional resources were provided to Local Authorities in England without any additional Barnett

Formula consequential. This will allow the Scottish government and local authorities in Scotland to continue to support families during time of economic crisis.”

- Moved by Councillor Campbell and seconded by Councillor Orr

#### Amendment

“It is the case that the COSLA President and Spokesperson for Resources met with the Cabinet Secretary for Finance on 16<sup>th</sup> June 2021 to discuss what assistance the Scottish Government were willing to provide Councils in matching the offer to health staff. During these discussions the Cabinet Secretary made it clear that there was not additional resources available to meet the health offer. The Cabinet Secretary outlined that the offer to health was exceptional and that there remained a clear expectation that the public sector pay policy should be adhered to. Anything over and above would have to be absorbed within budgets.

Discussions had been ongoing with the Trade Unions since the May 2022 Leaders meeting. In these meetings the Trade Unions have expressed their anger and disappointment that a revised offer has not been tabled.

COSLA’s Employers’ team remained clear at this stage that any significant increase would impact on services and jobs. Consideration of a revised pay offer based on the figures contained in the report could focus on non-recurring elements or could focus on a potential revised multi-year offer. It was also noted that the Scottish Government had previously provided assurance to Health Boards that the additional costs of the pay award for their staff would be fully funded. This was not the case for Local Government.

The SJC which negotiates pay for local government staff (non-teaching) comprises COSLA and the 3 recognised trade unions, Unison, GMB, and Unite but excludes Scottish Government.

SNCT is the negotiating body for teaching staff which includes COSLA, Teaching Unions and Scottish Government.

The position as at 2<sup>nd</sup> September 2022 is that the following offer was made to the SJC workforce in recognition of the vital part they play in delivering essential local services. It demonstrates Council Leaders’ commitment to valuing our colleagues at all levels.

#### **The offer to the SJC Local Government workers is:**

- For those on the Scottish Local Government Living Wage (SLGLW) and SCP 19-24 an undifferentiated 5% or a £2,000 uplift, whichever is larger. This is calculated based on a nominal 36-hour full-time working week
- For the rest of the SJC workforce the offer is for an undifferentiated 5% or a £1,925 uplift, whichever is larger. This is also calculated on a nominal 36-hour full-time working week. This is capped for

those currently earning £60,000 or more at a £3,000 uplift (based on a 37-hour week).

- An additional day's leave
- As requested by the SJC unions in their pay claim, Scottish Social Services Council (SSSC) fees will no longer be paid by employees who require them for work. These fees will instead be covered by Scottish Government.

**The offer to Craft workers is:**

- For those on an hourly rate equivalent to £10.63 or less an undifferentiated 5% or a £2,000 uplift, whichever is larger. This £2,000 minimum uplift will be calculated on a normal 36-hour full-time working week and will be inclusive of any guaranteed, or minimum bonus (or similar as described by the council).
- For those on an hourly rate equivalent to more than £10.63 an undifferentiated 5% or a £1,925 uplift, whichever is larger. This £1,925 minimum uplift will be calculated on a normal 36-hour full-time working week and will be inclusive of any guaranteed, or minimum bonus (or similar as described by the council). This will be capped for those currently earning £60,000 or more at a £3,000 uplift (based on a 37-hour week)
- An additional day's leave

**The offer to Teachers is for:**

- A 5% increase at all grades

The motion is incorrect in stating that Scottish Government and COSLA are to provide additional funding of £600 million in addition to the £140 million top up for the most recent pay offer. £600 million relates to the total value of the local government pay award, including funding received from the Scottish Government.

The funding confirmed by the Scottish Government for the 2022/23 pay award is £140 million recurring funding topped up by an additional £120.6 million capital funding in 2022/23 and 2023/24 with the commitment to baseline it in revenue from 2024/25.

If the ballot outcome is accepted, this would have the effect of an unfunded recurring business pressure (considering the aforementioned Scottish Government funding) of £3.750 million for West Lothian Council.

Council is asked to note that an 8-year Scottish Government imposed Council Tax freeze and year on year funding reduction from Scottish Government to councils have required West Lothian Council to make revenue savings of £150 million equivalent to a 23% cut since the SNP took power in 2007.

Council is asked to note that Scottish Government withheld £371 million due to Scottish Councils from the UK block grant to Scotland, a fiscal year when the UK block grant was the largest in history, amounting to £40.6 billion and at a time when Scottish Government ring fencing has risen to

almost 60 per cent.

The DISDAIN by Scottish Government for councils has become fully apparent and presents a very worrying future for councils and staff who serve our communities with determination, commitment and pride.

Council is asked to endorse the recent publicly expressed view by the Auditor General of Audit Scotland that it is a commitment to public services which makes a difference to people's lives.

In essence, Council calls on Scottish Government to reinstate a proper level of grant funding to councils to provide quality services and decent pay to their committed staff and to instruct the Chief Executive to write to the First Minister to this effect."

- Moved by Councillor Fitzpatrick and seconded by Councillor Sullivan

An electronic vote was conducted but with Councillor Borrowman casting his vote orally. The result was as follows: -

#### Motion

Diane Calder  
Janet Campbell  
Pauline Clark.  
Robert De Bold  
Jim Dickson  
Mary Dickson  
Carl John  
Lynda Kenna  
Maria MacAulay  
Moiria McKee Shemilt  
Andrew Miller  
Pauline Orr  
Veronica Smith  
Pauline Stafford

#### Amendment

Alison Adamson  
Stuart Borrowman  
Harry Cartmill  
Tom Conn  
Angela Doran-Timson  
Damian Doran-Timson  
Lawrence Fitzpatrick  
Peter Heggie  
Danny Logue  
Andrew McGuire  
Anne McMillan  
Craig Meek  
Cathy Muldoon  
Sally Pattle  
George Paul  
Tony Pearson  
Kirsteen Sullivan

#### Decision

Following a vote, the amendment was successful by 17 votes to 14, with 1 member absent and it was agreed accordingly.

#### 12. NOTICE OF MOTION - EMERGENCY RELIEF FOR THE COST OF LIVING CRISIS - SUBMITTED BY COUNCILLOR JANET CAMPBELL

Prior to moving her motion Councillor Campbell advised that she had agreed a composite motion with Councillor Sullivan (who had enrolled a motion on the same subject at Item 23) in the following terms :-

“It is noted that West Lothian Council has implemented various supporting packages for residents on low incomes as part of the overall COVID response and Council commends the excellent work and initiatives.

Unfortunately, we find ourselves in unprecedented times with a “perfect storm” causing a cost of living crisis, most of us will never have seen a cost of living crisis of this scale before.

Council notes with increasing concern the impact of soaring inflation on the cost of everyday essentials such as food and fuel, rising interest rates resulting in higher mortgage payments and spiralling energy costs. Council recognises that any one of these factors would have a severe impact on the quality of life of many individuals however the accumulative impact will push more people into poverty and further deepen the crisis faced by many on a daily basis.

Council further notes the severe impact of rising inflation, interest rates and the cost of living crisis in general on businesses, public sector and third sector organisations within West Lothian and across the UK

While plenty of evidence exists in relation to rates of absolute poverty in West Lothian, there is an ever-growing issue of “hidden poverty”. The number of working poor in West Lothian is expected to grow exponentially during this crisis, with West Lothian Foodbank already reporting having helped an unprecedented amount of people this year, with many of those seeking help families with young children.

Council notes the work of Community Planning Partners to address the urgent cost of living crisis including:

- The establishment of a short life working group to develop a partnership approach/strategy to tackle the impacts of the cost of living crisis on West Lothian residents and to provide support where possible
- A plan to use existing community facilities to provide “welcoming places” across West Lothian to provide warm, welcoming places for people to receive information on where they can access advice and support across a spectrum of areas
- A plan to roll out community information & advice sessions online and in local settings across the county in advance of the winter period as part of a detailed communications strategy to inform as many residents as possible where they can access advice and support
- A Cost of Living Crisis conference in Challenge Poverty Week

Council further notes the recent announcement by the UK Prime Minister Liz Truss MP to freeze energy bills at an average of £2,500 a year for two years, with support for businesses and 3<sup>rd</sup> sector organisations for six months, however this fails to recognise that average energy bills will have doubled from winter 2021 and that many households have distinct needs beyond those of the average household.

West Lothian Council fully agrees that it also has to act and aims to provide further practical assistance to those with least resources during such exceptionally difficult times.

Council agrees:

- To declare a cost of living emergency in West Lothian
- To note the recent Food Insecurity Funding Update reported to Council Executive on 5<sup>th</sup> September 2022, with Council Executive agreeing to allocate £298,679 to West Lothian Food Network for the period October 2022 to March 2023

Council further agrees

- To instruct the Chief Executive to write to the Deputy First Minister John Swinney MSP (in his seconded role for the Finance and Economy portfolio) to request: the required additional capital and revenue funding to local authorities for the roll out of free school meals to all primary school pupils in P6 and P7 within the current financial year, as set out in this year's Programme for Government

and to request the following to be delivered as a priority once the Barnett consequential for Core Funding have been delivered as a result of the Chancellor's statement:

- a significant uplift to the Scottish Welfare Fund and the Discretionary Housing Fund, and to fully fund the associated administrative costs incurred by councils
  - To increase the funding available to councils for insulation schemes
- To instruct the Chief Executive to write to the Chancellor of the Exchequer Kwasi Kwarteng MP calling for:
  - an immediate freeze on the current energy price cap at level of £1,971
  - an increase in the Household Support Fund which will result in Barnett consequential for Scotland to be allocated to councils to support those most in need due to spiralling energy, housing, fuel and food costs
  - To extend the funding to support businesses and third sector organisations for the same two-year period as households
  - Scrapping of policies such as the two-child cap, the benefit cap and the bedroom tax
  - Scrapping of VAT on fuel
  - Re-introduction of 12.5% VAT rate for leisure and hospitality businesses
- For Council officers to provide regular communication to the public, councillors and staff with information on the advice and support available to families and individuals in need, including where

relevant information on a ward by ward basis.

- For Council officers to promote further uptake of breakfast and after school clubs with parents and carers
  - For Council officers to encourage school staff to fully utilise all current food provisions to ensure no child goes hungry during the school day
  - For council officers to further promote community food provision available across the county
- Moved by Councillor Sullivan and seconded by Councillor Campbell

### Amendment

Before moving his written amendment Councillor Damian Doran-Timson asked for it to be amended to reflect the composite motion which had just been notified and circulated. The Provost allowed those amendments to be made.

“It is noted that West Lothian Council has implemented various supporting packages for residents on low incomes as part of the overall COVID response and Council commends the excellent work and initiatives.

Unfortunately, we find ourselves in unprecedented times with a “perfect storm” causing a cost of living crisis, most of us will never have seen a cost of living crisis of this scale before.

Council notes with increasing concern the impact of soaring inflation on the cost of everyday essentials such as food and fuel, rising interest rates resulting in higher mortgage payments and spiralling energy costs. Council recognises that any one of these factors would have a severe impact on the quality of life of many individuals however the accumulative impact will push more people into poverty and further deepen the crisis faced by many on a daily basis.

Council further notes the severe impact of rising inflation, interest rates and the cost of living crisis in general on businesses, public sector and third sector organisations within West Lothian and across the UK

While plenty of evidence exists in relation to rates of absolute poverty in West Lothian, there is an ever-growing issue of “hidden poverty”. The number of working poor in West Lothian is expected to grow exponentially during this crisis, with West Lothian Foodbank already reporting having helped an unprecedented amount of people this year, with many of those seeking help families with young children.

Council notes the work of Community Planning Partners to address the urgent cost of living crisis including:

- The establishment of a short life working group to develop a

partnership approach/strategy to tackle the impacts of the cost of living crisis on West Lothian residents and to provide support where possible

- A plan to use existing community facilities to provide “welcoming places” across West Lothian to provide warm, welcoming places for people to receive information on where they can access advice and support across a spectrum of areas
- A plan to roll out community information & advice sessions online and in local settings across the county in advance of the winter period as part of a detailed communications strategy to inform as many residents as possible where they can access advice and support
- A Cost of Living Crisis conference in Challenge Poverty Week

Council further notes the recent announcement by the UK Prime Minister Liz Truss MP to freeze energy bills at an average of £2,500 a year for two years, with support for businesses and 3<sup>rd</sup> sector organisations for six months, however this fails to recognise that average energy bills will have doubled from winter 2021 and that many households have distinct needs beyond those of the average household.

West Lothian Council fully agrees that it also has to act and aims to provide further practical assistance to those with least resources during such exceptionally difficult times.

Council agrees:

- To declare a cost of living emergency in West Lothian
- To note the recent Food Insecurity Funding Update reported to Council Executive on 5<sup>th</sup> September 2022, with Council Executive agreeing to allocate £298,679 to West Lothian Food Network for the period October 2022 to March 2023

Council further agrees

- To instruct the Chief Executive to write to the Deputy First Minister John Swinney MSP (in his seconded role for the Finance and Economy portfolio) to request: the required additional capital and revenue funding to local authorities for the roll out of free school meals to all primary school pupils in P6 and P7 within the current financial year, as set out in this year’s Programme for Government

and to request the following to be delivered as a priority once the Barnett consequential for Core Funding have been delivered as a result of the Chancellor’s statement:

- a significant uplift to the Scottish Welfare Fund and the Discretionary Housing Fund, and to fully fund the associated administrative costs incurred by councils
- To increase the funding available to councils for insulation schemes

Due to a series of global forces including economies reopening following

the pandemic and Russia's invasion of Ukraine, families and businesses are being hit by a significant rise in inflation - and therefore everyday prices.

While the UK Government has provided £37 billion of support to households, the SNP Government have barely lifted a finger, instead preferring to spin discredited claims about the extent of their support. Less than a sixth of the support they claim is actually new funding so they must now use the powers and extra money they have at their disposal to help those in Scotland who need it

Last week the Chancellor announced a series of measures of tax cuts and regulatory reforms that will deliver over £630 million more to the SNP Government.

The proposed NI increase has been cut and stamp duty is being cut permanently which will deliver £170 million to the SNP Government.

With cuts to basic rate of income tax and the cuts to corporation tax, every business and employee will benefit.

It is imperative that the cuts and packages of support are introduced by the SNP Government. If the SNP on West Lothian Council are serious about helping those that need support, they will agree to introduce these measures.

Therefore, West Lothian Council instructs the Chief Executive to write to the First Minister, Nicola Sturgeon to seek Scotland follows UK in cutting income tax, raising the LBTT threshold and the other measures outlined last week by the Conservative UK Government and to stop Scotland being the highest taxed country in the United Kingdom."

- Moved by Councillor Damian Doran-Timson and seconded by  
Depute Provost Heggie

An electronic vote was conducted but with Councillor Borrowman casting his vote orally.. The result was as follows: -

#### Motion

Stuart Borrowman  
Diane Calder  
Janet Campbell  
Harry Cartmill  
Pauline Clark  
Tom Conn  
Robert De Bold  
Jim Dickson  
Mary Dickson  
Lawrence Fitzpatrick  
Carl John  
Lynda Kenna  
Danny Logue  
Maria MacAulay

#### Amendment

Alison Adamson  
Angela Doran-Timson  
Damian Doran-Timson  
Peter Heggie

Andrew McGuire  
Moiria McKee Shemilt  
Anne McMillan  
Craig Meek  
Andrew Miller  
Cathy Muldoon  
Pauline Orr  
Sally Pattie  
George Paul  
Tony Pearson  
Veronica Smith  
Pauline Stafford  
Kirsteen Sullivan

### Decision

Following a vote, the motion was successful by 27 votes to 4, with 1 member absent, and it was agreed accordingly.

### 13. NOTICE OF MOTION - ALLEVIATING THE WORST OF THE FUEL POVERTY CRISIS

Councillor Danny Logue left the meeting and took no further part in the remaining items of business.

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

“West Lothian Council has been in Business Continuity since the COVID pandemic struck in 2020 and is now moving back to business as usual. This is being made very difficult due to the combination of a disastrous Brexit on the Scottish Economy and ongoing impacts from the COVID crisis that has seen our national GDP drop by over 4% in recent months.

As these unprecedented times unfold, residents have also had the energy price cap increased by 12% in October 2021 and 54% in April 2022 with further rises planned for October. West Lothian Council notes that, with regret, Energy Policy is reserved to the Tory Westminster Government, a position that was insisted upon during the negotiations of the Smith Commission.

Bold and empathetic action is required from West Lothian Council. We have a chance to make a marked difference to vulnerable people's lives and we must act immediately to ensure we offer that help at the time it is most needed.

West Lothian Council is asked to produce a full report of costs, and operational implications, of making all open and functioning Council owned buildings (except those that require PVG membership) Warmth Refuges, allowing members of the public to enter these publicly owned and paid for buildings to warm up and escape the cold during opening hours and to make available the facilities so the public can make

themselves a hot beverage and truly take refuge in our public buildings

This report should be brought back to the next meeting of Council in November and, if approved, that the Council implement this measure from November to April 2022/2023 and revisit in 2023 to assess the impact and plan for winters going forward”.

- Moved by Councillor Campbell and seconded by Councillor MacAulay

Councillor Fitzpatrick, who had an amendment to the motion, intimated that he would be willing to agree a composite motion. The Provost agreed to an adjournment to allow parties to agree a composite motion. Thereafter, the following was agreed: -

#### Composite Motion

“West Lothian Council has been in Business Continuity since the COVID pandemic struck in 2020 and is now moving back to business as usual. This is being made very difficult due to the combination of a disastrous Brexit on the Scottish Economy and ongoing impacts from the COVID crisis that has seen our national GDP drop by over 4% in recent months.

As these unprecedented times unfold, residents have also had the energy price cap increased by 12% in October 2021 and 54% in April 2022 with further rises planned for October.

Bold and empathetic action is required from West Lothian Council. We have a chance to make a marked difference to vulnerable people’s lives and we must act immediately to ensure we offer that help at the time it is most needed.

Council notes the announcement made by the UK Government in relation to financial energy costs for support for households, businesses and the third sector, the detail of which is still being analysed.

From April 2021 to March 2023, West Lothian Council has provided a total of £461,000 of available direct assistance to local residents to mitigate the impact of fuel poverty including, one-off payments of £100 currently being administered to households experiencing fuel poverty or at risk of disconnection from supply. To date, over 1400 households have been supported with grants totalling £147,975. A new fuel grant was launched in summer 2022 to households with a disabled family member impacted by rising energy costs. Extra payments have also been provided to top up Crisis Grant awards for people in fuel crisis.

The CPP Board on 22 August 2022 agreed that Partners with an interest in developing actions to help mitigate the rising cost of living locally would form a short life working group. The group will consider the impact of the crisis on local people living and working in West Lothian. Partners will work collaboratively to develop practical actions and activities and put forward recommendations to the Anti-Poverty Task Force for inclusion in

the West Lothian Anti-Poverty Strategy's annual action plan.

The group discussed “warm/welcoming spaces” and a mapping exercise is currently being undertaken of where and what times libraries and community centres are open, as well as understanding what space Community Planning Partners have available for the working group to consider further.

A dedicated web page has been developed to ensure all the self-help tools are available within one area. These self-help guides are being developed with a specific focus on financial payments and energy.

<https://www.westlothian.gov.uk/costofliving>

A cost of living conference is on the 4 October 2022, will facilitate discussions around key issues such as food insecurity and the rising fuel costs. Key Note Speaker is John McKendrick, Professor of Social Justice and co-Director of the Scottish Poverty and Inequality Research Unit.

<https://www.westlothian.gov.uk/article/75362/Events>

From a West Lothian Council perspective Property Services have identified 49 of 279 buildings which would fall within the terms of the motion which include :-

1. Partnership Centres
2. Community Centres / Village Halls
3. Sports Centres (West Lothian Leisure operated, but WLC properties)
4. Swimming Pools (West Lothian Leisure operated, but WLC properties)

Whilst considering these buildings in terms of the Motion it should be noted that:-

- **Third party operators** -- Community centres and village halls are leased to and operated by Community Centre Management Associations. Any proposals would have to be agreed with individual Management Associations. The provision of dedicated space throughout the winter could impact upon their existing lets and general day-to-day operations. This also applies to West Lothian Leisure for the swimming pools and sports centres.
- **Partners** -- Proposals would have to be agreed with partners in our Partnership Centres.
- **Economic impact** -- Many of the properties within scope already have tea/coffee making facilities in place. Site-by-site analysis and discussion with representatives on-site would be required in order to crystallise practicalities and costs.
- **Costs** -- It has been estimated that to provide hot drinks facilities across the facilities noted above would be in the region of £127,000 from November 2022 to April 2023. This is based on the

existing opening hours noted below and would increase if hours were to be extended.

- **Opening Hours** -- Typically, Partnership Centres are open to the public from 8am – 5pm Mon to Fri (some are also open at weekends). Community Centres are typically open to the public 8am – 10pm Mon to Sun. West Lothian Leisure facilities are typically open to the public 6am – to 9pm Mon to Sat (close 6pm Sunday).
  - If existing opening hours for these buildings are to remain unchanged, then the property operating costs would remain largely unchanged. If the opening hours required to be extended, then those property costs would increase.

Other items which would need to be considered include:

- **Fire Safety and evacuation**
- **Security**
- **Food safety** including consideration of those with allergies
- **Insurance**
- **General Health & Safety**

Council agrees that existing policies and foregoing plans for actions provide a solid basis for continuing to aim to provide optimum assistance to those in need and requests that regular reports be provided to PDSPs and the appropriate executive committees over the next 7 months.

- Moved by Councillor Campbell and seconded by Councillor Fitzpatrick

#### Decision

To unanimously agree the terms of the composite motion.

#### 14. NOTICE OF MOTION - ACCESS TO DEFIBRILLATOR - SUBMITTED BY COUNCILLOR PETER HEGGIE

The Council considered a motion (copies of which had been circulated) submitted by Deputy Provost Heggie in the following terms:-

“Deemed a ‘healthcare crisis’, there are around 60,000 out of hospital cardiac arrests that occur every year in the UK.

According to the British Heart Foundation, less than 1 in 10 people survive a sudden cardiac arrest.

The survival rate for someone suffering a sudden cardiac arrest decreases by 10% every minute.

With such advanced technology, defibrillators work cleverly to ‘shock’ a person’s heart into restarting after suffering a cardiac arrest. If used within a few minutes of a cardiac arrest, often a victim can make a full recovery.

We need to make searching for the nearest defibrillator easier for all members of our community to potentially save lives in West Lothian.

I would ask officers to update me on current access to defibrillators for the West Lothian community and identify areas of concern with limited or no coverage. I think the report needs to come back to the relevant PDSP. I would also like officers to investigate potential funding available from the Scottish Government to increase coverage, availability, and training in our communities on this vital piece of equipment across West Lothian.”

- Moved by Depute Provost Heggie and seconded by Councillor Angela Doran-Timson.

Before moving an amendment Councillor Meek advised that he had agreed a composite motion with Depute Provost Heggie in the following terms: -

“Deemed a ‘healthcare crisis’, there are around 60,000 out of hospital cardiac arrests that occur every year in the UK.

According to the British Heart Foundation, less than 1 in 10 people survive a sudden cardiac arrest.

The survival rate for someone suffering a sudden cardiac arrest decreases by 10% every minute.

With such advanced technology, defibrillators work cleverly to ‘shock’ a person’s heart into restarting after suffering a cardiac arrest. If used within a few minutes of a cardiac arrest, often a victim can make a full recovery.

We need to make searching for the nearest defibrillator easier for all members of our community to potentially save lives in West Lothian.

I would ask officers to update me on current access to defibrillators for the West Lothian community and identify areas of concern with limited or no coverage. I think the report needs to come back to the relevant PDSP. I would also like officers to investigate potential funding available from the Scottish Government to increase coverage, availability, and training in our communities on this vital piece of equipment across West Lothian.”

Council agrees to instruct the Chief Executive to bring a report to the next meeting of the Public and Community Safety PDSP.”

- Moved by Depute Provost Heggie and seconded by Councillor Meek

### Decision

To unanimously agreed the terms of the composite motion

15. NOTICE OF MOTION - MITIGATING CHILD POVERTY - SUBMITTED BY COUNCILLOR MOIRA MCKEE SHEMILT

Councillor Andrew Miller left the meeting and took no further part in the remaining items of business.

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

“Council notes that, while Scotland has lower levels of child poverty than England or Wales, 1 in 5 children in West Lothian remain in poverty, despite a slight decrease due to the Universal Credit uplift of £20 during the pandemic.

Council is cognisant of the fact that the current cost of living crisis is set to have a catastrophic impact upon the poorest families in our West Lothian communities. Families are indeed facing the impossible choice of feeding their children or keeping them warm. When bad things happen, children are always the ones that suffer the most

Council therefore welcomes the strenuous efforts of the Scottish Government to mitigate the impact of poverty. The most significant anti-child poverty measure anywhere in the UK is the Scottish Child Payment (SCP). Described by campaigners as being a “*game changer*”<sup>1</sup> this payment already delivers £20 per week for every eligible child up to age 6. From 14 November, the SCP will increase again to £25 per child which is an increment of 150% in less than 8 months. From 14 November 2022, the payment will be open to all children and young people up to age 16.

Council is gratified to note that this game changing payment, which is a strand of the social security safety net that is unique to Scotland, will make more than 400,000 children eligible for support of £1,300 per year. In addition, 2 Best Start Grants – the Early Learning and School Age Payments will now be awarded automatically to families in receipt of SCP.

Council contrasts the Scottish Government’s priority to take care of our most vulnerable children and young people with that of the Westminster government and the abhorrent 2-child cap. Since 6 April, 2017, the Westminster government has refused financial support to feed a 3<sup>rd</sup> and any subsequent child in a family, unless a woman can prove rape. In Scotland, children in 20,740 families in receipt of Universal Credit or Child Tax Credit were affected. Shockingly, 110 Scottish women have had to relive the trauma of rape or coercive control in order to access help to feed their child. This policy, embedded in the principles of eugenics, has made little or no impact on how many children are born to a family.<sup>2 3</sup> Thankfully, one humanitarian in the House of Lords is seeking to overturn

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<sup>1</sup> <https://cpag.org.uk/news-blogs/news-listings/new-scottish-child-payment-absolute-game-changer-fight-end-child-poverty>

<sup>2</sup> <https://cpag.org.uk/news-blogs/news-listings/five-years-two-child-limit>

<sup>3</sup> <https://researchbriefings.files.parliament.uk/documents/CBP-9301/CBP-9301.pdf>

this unfair policy.<sup>4</sup>

Council is gratified that the strenuous efforts of the Scottish Government to mitigate the effect of Westminster policies does ease the lives of many children and young people in our communities. However, the Scottish Budget is fixed and finite and under increasing and severe pressure. The Scottish Government could do more for our poorest, most vulnerable of children if it had the ability to borrow, as is the case with most governments around the world.

Council recognises that, due to inflation, the Scottish budget is a staggering £1.7 BILLION less than it was in December 2021, when it was 2.9% lower than the year before. If the new PM Truss decides to pay for irresponsible and regressive tax cuts by reducing spending on public services that would mean an additional cut in Scotland's budget. The key levers to eradicating child poverty in this crisis remain firmly in the hands of Westminster.

In her introduction to the Programme for Government,<sup>5</sup> the First Minister of Scotland renewed a request for an emergency 4 nations summit with the current Prime Minister on the cost of living crisis.

Therefore, Council will write to the new Westminster Prime Minister, Liz Truss, requesting that:-

- She accedes to the First Minister's renewed request for an emergency 4 nations summit on the cost of living crisis;
  - Re-instate the additional £20, which was in place during the pandemic, for those in receipt of Universal Credit;
  - She supports the current Universal Credit (Removal of Two Child Limit) Bill.
- Moved by Councillor McKee Shemilt and seconded by Councillor Clark

### Amendment

Council recalls as a matter of record, its actions in mitigating child poverty:-

- The new Tackling Child Poverty Delivery Plan 2022-2026 published in March 2022 sets out how the Scottish Government plans to meet the interim targets set out in the Child Poverty (Scotland) Act 2017, which would see relative poverty of no more than 18% by 2023/24. 21.09% of children were in relative poverty in West Lothian in 2020/21.
- West Lothian Anti-Poverty Strategy sets out how partners aim to address poverty at a local level. The 2022/23 action plan was

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<sup>4</sup> <https://bills.parliament.uk/bills/3163>

<sup>5</sup> <https://www.gov.scot/programme-for-government/>

agreed at the meeting of the Community Planning Partnership on 22 August 2022 and it includes actions to mitigate child poverty.

- The Child Poverty (Scotland) Act 2017 puts responsibility on local authorities and health boards to jointly prepare an annual report on the activity they have taken, and will take, to reduce child poverty in their local area. The Local Child Poverty Action Report for 2021-22 was submitted to Council Executive on 21 June 2022
- The West Lothian Child Poverty Reference group is made up of representatives from the community planning partnership. The group identify gaps and ensure the voices of lived experience are heard.
- West Lothian Council has made provision to support low income families by:
  - Agreeing at West Lothian Council's budget setting meeting on February 2021 to an additional £1m to support those households in crisis to access funds through the Scottish Welfare Fund in 2021/22 and 2022/23.
  - The 2022/23 Revenue Budget included the provision to reduce school meal prices by 10% and to ensure that costs remain frozen until 2023. This budget also included £100,000 for direct payments for low income households experiencing fuel poverty and at risk of being disconnected from supply.
  - Extra payments to top up Crisis Grant awards for people in fuel crisis.
  - £80 payment to households in receipt of School Clothing Grant to help with the cost of winter clothes.
  - Additional support for disabled households with increased energy costs due to their disability.
  - The 2022/23 Revenue Budget also made available additional funds of £60,000 to the Summer of Play programme to support low income households to participate in health and physical activities.
- A number of financial payments have been administered to low income households: -
  - £3 meal payments have been made to children in receipt of Free School Meals if they cannot attend school due to self-isolating. A total of £13,515 was paid during the 2021/22 period
  - £6 was paid to S1 to S6 children on two additional in-service days on 31 May/1 June 2021 totalling £15,489
  - Holiday meal payments worth £1,242,999 were made to families in receipt of free school meals during the Easter,

summer, October and winter breaks.

- £100/£160/£130 pandemic payments/bridging payments worth a total of £3,006,700 have been paid between summer 2021 and spring 2022 to those children who are eligible for free school meals and on a low income.
- £10 spring family support payment worth a total of £54,860 was made to families in receipt of Free School Meals.

Council notes that the budgetary amendments made by the UK Government at the end of last week do not appear to address critical aspects of child welfare. It notes that the detail is being analysed by officers and instructs the Chief Executive to bring a report to the next meeting of Council Executive.

- Moved by Councillor Fitzpatrick and seconded by Councillor Sullivan

An electronic vote was taken but with Councillor Borrowman casting his vote orally. The result was as follows: -

#### Motion

Diane Calder  
Janet Campbell  
Pauline Clark.  
Robert De Bold  
Jim Dickson  
Mary Dickson  
Carl John  
Lynda Kenna  
Maria MacAulay  
Moira McKee Shemilt  
Pauline Orr  
Veronica Smith  
Pauline Stafford

#### Amendment

Alison Adamson  
Stuart Borrowman  
Harry Cartmill  
Tom Conn  
Angela Doran-Timson  
Damian Doran-Timson  
Lawrence Fitzpatrick  
Peter Heggie  
Andrew McGuire  
Anne McMillan  
Craig Meek  
Cathy Muldoon  
Sally Pattle  
George Paul  
Tony Pearson  
Kirsteen Sullivan

#### Decision

Following a vote, the amendment was successful by 16 votes to 13, with 3 members absent, and it was agreed accordingly.

#### 16. NOTICE OF MOTION - POPPY PROMISE - SUBMITTED BY COUNCILLOR ALISON ADAMSON

Councillor Stuart Borrowman left the meeting and took no further part in the remaining items of business.

Councillors Damian Doran-Timson and Angela Doran-Timson having previously declared an interest took no part in the following item of

business.

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

“During the recent Council elections, many Councilor’s supported the ‘Poppy Promise’ that was:

1. Promote the Armed Forces Act 2021 to ensure that my local authority pays due regard to the Armed Forces Covenant.
2. Listen to the voices of the Armed Forces community in the delivery of local services.
3. Encourage charities and businesses in the ward I represent to sign the Armed Forces Covenant.
4. Do my bit to support Poppyscotland’s work to help all those who are serving, have served in the Armed Forces and their families.
5. Submit a Council motion recommitting the Council to supporting the Armed Forces Community

Therefore, West Lothian Council:

- i. Renews its commitment to the Armed Forces Covenant, which is based on the premise that those who serve or have served and their families deserve respect, support and fair treatment. In particular, it states that: “Those who serve in the Armed Forces, whether regular or Reserve, those who have served in the past, and their families, should face no disadvantage compared to other citizens in the provision of public and commercial services. Special consideration is appropriate in some cases, especially for those who have given most such as the injured and the bereaved.”
  - ii. Is proud to be Armed Forces friendly and recognises the enormous contribution and sacrifices that members of the Armed Forces and their families make every day for the safety and security of our country;
  - iii. Values the service of all British Armed Forces personnel, past and present, including those from Commonwealth Nations.
  - iv. Requests production of a report examining what more West Lothian Council can do to support our serving and veteran community across the full range of services we provide and strengthen partnerships with the Armed Forces Community.
  - v. Prepares for the new duty to give due regard to the Armed Forces Covenant in policy development and decision making.
- Moved by Councillor Adamson and seconded by Depute Provost Heggie

Councillor Adamson then advised that she had agreed a composite motion with Councillor Fitzpatrick in the following terms: -

“During the recent Council elections, many Councilor’s supported the ‘Poppy Promise’ that was:

1. Promote the Armed Forces Act 2021 to ensure that my local authority pays due regard to the Armed Forces Covenant.
2. Listen to the voices of the Armed Forces community in the delivery of local services.
3. Encourage charities and businesses in the ward I represent to sign the Armed Forces Covenant.
4. Do my bit to support Poppyscotland’s work to help all those who are serving, have served in the Armed Forces and their families.
5. Submit a Council motion recommitting the Council to supporting the Armed Forces Community

Therefore, West Lothian Council:

- i. Renews its commitment to the Armed Forces Covenant, which is based on the premise that those who serve or have served and their families deserve respect, support and fair treatment. In particular, it states that: “Those who serve in the Armed Forces, whether regular or Reserve, those who have served in the past, and their families, should face no disadvantage compared to other citizens in the provision of public and commercial services. Special consideration is appropriate in some cases, especially for those who have given most such as the injured and the bereaved.”
- ii. Is proud to be Armed Forces friendly and recognises the enormous contribution and sacrifices that members of the Armed Forces and their families make every day for the safety and security of our country;
- iii. Values the service of all British Armed Forces personnel, past and present, including those from Commonwealth Nations.
- iv. Requests production of a report examining what more West Lothian Council can do to support our serving and veteran community across the full range of services we provide and strengthen partnerships with the Armed Forces Community.
- v. Prepares for the new duty to give due regard to the Armed Forces Covenant in policy development and decision making.

Instruct the Chief Executive to bring a full report on the Armed Forces Covenant to the next meeting of Corporate Policy and Resources PDSP.”

- Moved by Councillor Adamson and seconded by Councillor Fitzpatrick

### Decision

To unanimously approve the terms of the composite motion.

17. NOTICE OF MOTION - DAISY DROP-IN PLAYGROUP - SUBMITTED BY COUNCILLOR VERONICA SMITH

Prior to moving her motion Councillor Smith advised that she had agreed a composite motion with Councillor McGuire in the following terms :-

“Council acknowledges that due to the Scottish Government’s expansion of early learning and childcare (ELC) to 1140 hours per year for all 3 and 4 year olds and eligible 2 year olds a framework has been developed to comply with the requirements of the Government’s expansion principles.

Council notes that as part of this framework, all ELC partner providers (including private nurseries, childminders and playgroups) must enter in to a legal partnership with the council in order to provide funded ELC as the council has the statutory responsibility for ensuring the quality of ELC provision and therefore must have a legal partnership and that the tender process is a formal, legal procurement process which requires the Council to ensure that private providers are treated fairly and equitably (no matter their size nor status). The tender process is supported by corporate procurement and published through Public Contracts Scotland (PCS).

Council further notes that as this tender process takes between 4 and 6 months communication was given by email from Education Officers in December 2021 to all existing ELC providers to invite them to tender in the financial year 2022-23. Council understands that Daisy Drop In did not apply to tender and therefore have not been awarded any spaces in this year. Daisy Drop In informed the Council that they did not receive the correspondence that was sent by West Lothian Council.

Council understands that despite not being awarded any funded places this year Daisy Drop In will (as with other registered playgroups across the county) be awarded around £2,000 to help with running costs.

Council understands that the tender process runs year to year and that Daisy Drop In will be eligible to tender in the next financial year. Council notes that this year there is adequate places for eligible 2-year olds at Letham primary school nursery.

Council understand that Officers have already met with representatives of Daisy Drop In to discuss with them options however given the situation potentially faced by Daisy Drop In as a result of not applying for a tender Council instructs Officers to continue to engage with Daisy Drop In and to provide bespoke advice and support about other models of provision which may allow the group to tender for ELC provision in future years and to discuss with them the requirements for partnership under the national care standards. However, Daisy Drop In have indicated that they will close on 23<sup>rd</sup> December this year.

Council also instructs Officers to ensure in future years an effective communication strategy with all eligible ELC providers is made through both appropriate means to ensure maximum communication of the tender process is had with eligible groups.”

- Moved by Councillor Smith and seconded by Councillor McGuire

### Decision

To unanimously approve the composite motion.

18. NOTICE OF MOTION - PEOPLES FORD BOGHALL & BATHGATE CALEDONIA PIPE BAND - SUBMITTED BY COUNCILLOR ALISON ADAMSON

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

“West Lothian Council congratulates Peoples Ford Boghall & Bathgate Pipe Band following another impressive competition season in this, their 50th Anniversary year.

Council notes that the Grade One band has consistently maintained their status of excellence amongst the top six elite Pipe Bands in the world. The band was formed in 1972 and started playing in Grade One from 1980. Since then, the Boghall Band has produced novice juvenile, juvenile and at one time a grade two band. The high levels of accomplishments are possible thanks to the dedication of current and former band members nurturing their own talented players through the ranks, backed by hard working committee members and parents with the continued sponsorship support from a local successful business. The hours of practice, the transport arrangements, uniform requirements, instrument care and maintenance are just a glimpse of the background requirements needed to keep the band going. People (and Peoples!) all contribute to the success of a local world-famous pipe band that West Lothian is justifiably proud of.

A special tribute to retiring lead drummer Gordon Brown after 30 years leading the grade one drum corps and teaching alongside his father Tom Brown MBE. Their influence in pipe band drumming has been immense.

Brian Gilda, Chairman and Managing Director of Peoples Ford became involved with the band when they were invited to play for the opening of his Bathgate business and his loyal support and sponsorship shows his dedication to helping further the success of the band. This collaborative working is yet another reason the band remains at the top of their game. Council notes and congratulates Peoples Ford who are now celebrating their 40th anniversary.

West Lothian Council requests that the Provost and Chief Executive write to Peoples Ford Boghall & Bathgate Pipe Band to congratulate their continued success and wish everyone involved in the organisation our best wishes for the future.”

- Moved by Councillor Adamson and seconded by Depute Provost Heggie

Decision

To unanimously approve the terms of the motion.

19. CORPORATE GOVERNANCE - ANNUAL REPORT 2021/22

The Council considered a report (copies of which had been circulated) by the Governance Manager providing a copy of the annual report on corporate governance in 2021/22.

Council was asked :-

1. To note that the annual report to members on corporate governance is from this year to be presented to full council rather than to Council Executive
2. To note the summary in Part D of the corporate governance reporting for 2021/22 to Governance & Risk Committee on 13 June 2022 and the assurance given and accepted in its approval of the annual governance statement
3. To note that Governance & Risk Committee will continue its monitoring of progress on outstanding governance issues and will consider the governance aspect of the external audit report at its meeting on 12 December 2022

Decision

To note the content of the report

20. TREASURY MANAGEMENT - ANNUAL REPORT FOR 2021/22

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 treasury management operations for the year to 31 March 2022.

It was recommended that the Council :-

1. Notes the report in Appendix 1 on the treasury management operations for 2021/22;
2. Notes the exercise of the Head of Finance and Property Services' delegated treasury management powers.

Decision

To note the content of the report

21. DOCUMENTS FOR EXECUTION

The Chief Solicitor presented 115 documents for execution.

22. STAFF RESOURCES - QUESTION TO THE COUNCIL LEADER  
SUBMITTED BY COUNCILLOR DIANE CALDER

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

1. Does the Council make use of telephone call logging systems/software? If not – why not?
2. What is the recent volume of unanswered calls to the Council and how has that volume changed in recent years?
3. What are the Council doing to rectify the situation with unanswered calls from the public?

Councillor Fitzpatrick provided a verbal answer to the question.

Councillor Calder indicated she wished to put supplementary questions as provided for in Standing Orders. She did so and Councillor Fitzpatrick indicated he would provide written answers to the supplementary questions in due course and also circulate a written copy of his earlier verbal answer.

Decision

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

23. STAFF RESOURCES - QUESTION TO EXECUTIVE COUNCILLOR FOR  
HOUSING SUBMITTED BY COUNCILLOR DIANE CALDER

A question to the Executive Councillor for Housing, Councillor Paul, was submitted by Councillor Calder in the following terms: -

1. How many staff are employed answering housing enquiries from the public either by telephone, email or by post?
2. How many Housing maintenance staff are employed?
3. What is the Full Time Equivalent of staff employed on housing maintenance now and each year over the last 10 years?
4. How many housing repairs are pending and how has that changed in recent years?
5. How does the Council intend to tackle the backlog of repairs and what is the timescale?

6. What are Council contingency plans to cover sickness absence and annual leave in Housing Maintenance and Environmental Health requests to ensure continuity of cover?

Councillor Paul provided a verbal answer to the question.

Councillor Calder indicated she wished to put supplementary questions as provided for in Standing Orders. She did so and Councillor Paul indicated he would provide written answers to the supplementary questions in due course and also circulate a written copy of his earlier verbal answer.

#### Decision

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



## West Lothian Council

Cathy Muldoon - Provost  
West Lothian Civic Centre, Howden South Road, Livingston, West Lothian EH54 6FF  
Tel: 01506 281738

John and Becki Campbell  
145 Waverley Crescent  
Livingston  
Eh54 8JS

14 October 2022

Dear John and Becki

### **CONGRATULATIONS – SCOTTISH COMMONWEALTH MEN AND WOMEN'S ARTISTIC GYMNASTICS TEAMS**

I am writing on behalf of West Lothian Council and the people of West Lothian to congratulate you both on being selected to coach the Scottish Commonwealth Men & Women's Gymnastics Teams. Your dedication and commitment to excellence in coaching was evident by the performance of the team, and in particular the success of Shannon Archer for winning a bronze medal on the vault.

West Lothian can be extremely proud of your achievements and that of Shannon and the rest of the team and I would like to thank you both for your contribution into making this such a successful event for our gymnasts.

Well done to all involved and best wishes for success in the future

Yours sincerely

**Provost Cath Muldoon**



## West Lothian Council

Cathy Muldoon - Provost  
West Lothian Civic Centre, Howden South Road, Livingston, West Lothian EH54 6FF  
Tel: 01506 281738

Shannon Archer  
19 Crossgreen Place  
Uphall  
West Lothian  
EH52 6TD

20 October 2022

Dear Shannon

### **CONGRATULATIONS – SCOTTISH COMMONWEALTH WOMEN'S ARTISTIC GYMNASTICS BRONZE MEDAL**

I am writing on behalf of West Lothian Council and the people of West Lothian to congratulate you on winning the bronze medal for the Women's Vault at the Birmingham 2022 Commonwealth games. This is an amazing achievement, particularly as you have become the first Scottish gymnast ever to win an individual women's medal in these games.

I'm sure your coaches, team mates and family are also justifiably proud of the success you have achieved through your commitment to training and hard work.

Well done and best wishes for every success in the future.

Yours sincerely

**Provost Cathy Muldoon**



## West Lothian Council

Cathy Muldoon - Provost  
West Lothian Civic Centre, Howden South Road, Livingston, West Lothian EH54 6FF  
Tel: 01506 281738

Mr Tommy Thomson  
Band Secretary  
Peoples Ford Boghall & Bathgate Caledonia Pipeband  
Via email: [thomasthomson35@btinternet.com](mailto:thomasthomson35@btinternet.com)

13 October 2022

Dear All

On behalf of West Lothian Council, and the people of West Lothian, we would like to congratulate The People's Ford Boghall & Bathgate Caledonia Pipe Band following their impressive recent competition success during the time which also marks the significant 50<sup>th</sup> Anniversary year of the band.

We pay a special tribute to retiring drum leader Gordon Brown and his father Tom Brown MBE for their tremendous role in supporting and teaching pipe band drumming over many years. We also recognise the contribution from Peoples Ford who have supported the band and provided invaluable sponsorship to help them achieve their consistent level of excellence.

Please pass on our congratulations to all involved with the band, and our best wishes for continued success in the future.

Yours sincerely

**Provost Cathy Muldoon**  
**West Lothian Council**

**Graham Hope**  
**Chief Executive – West Lothian Council**



## West Lothian Council

Cathy Muldoon - Provost  
West Lothian Civic Centre, Howden South Road, Livingston, West Lothian EH54 6FF  
Tel: 01506 281738

Reese Lynch  
82 Croftfoot Drive  
Fauldhouse  
West Lothian  
EH47 9EH

24 October 2022

Dear Reese

### **Congratulations – Gold Medal Winner - Commonwealth Games Birmingham 2022**

I am writing on behalf of West Lothian Council and the people of West Lothian to congratulate you on winning the Light Welterweight Gold Medal for Boxing in the 2022 Commonwealth Games in Birmingham.

This is a tremendous achievement of which you should feel extremely proud. I'm sure your coaches, team mates and family are also proud and thrilled that your commitment to training and hard work has brought you this level of success.

Well done and best wishes for every success in the future.

Yours sincerely

**Provost Cathy Muldoon**

**Chief Executive Office**

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

Our Ref: CEO/CHI FC 270922  
Your Ref:

**Contact: Graham Hope**  
Tel: 01506 281697  
email: [graham.hope@westlothian.gov.uk](mailto:graham.hope@westlothian.gov.uk)

**Private and Confidential**  
The Rt Hon Kwasi Kwarteng MP  
Chancellor of the Exchequer  
[kwasi.kwarteng.mp@parliament.uk](mailto:kwasi.kwarteng.mp@parliament.uk)  
(letter sent electronically only)

13 October 2022

Dear Chancellor of the Exchequer,

**Cost of Living Crisis**

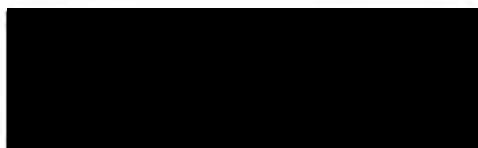
A meeting of West Lothian Council took place on Tuesday 27 September at which the council declared a cost of living emergency.

I am writing on behalf of West Lothian Council to request that the following be delivered:

- An immediate freeze on the current energy price cap at a level of £1,971
- An increase in the Household Support Fund which will result in Barnett consequentials for Scotland to be allocated to councils to support those most in need due to spiraling energy, housing, fuel and food costs
- To extend the funding to support businesses and third sector organisations for the same two-year period as households
- Scrapping of policies such as the two-child cap, the benefit cap and the bedroom tax
- Scrapping of VAT on fuel
- Re-introduction of 12.5% VAT rate for leisure and hospitality businesses

I attach the relevant Notice of Motion which sets out the council's position on these matters and I would be grateful to receive a response from you on this matter as soon practicable.

Yours sincerely,



**Graham Hope**  
**Chief Executive**

**Chief Executive Office**

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

Our Ref: CEO/CHI FC 270922  
Your Ref:

**Contact: Graham Hope**  
Tel: 01506 281697  
email: [graham.hope@westlothian.gov.uk](mailto:graham.hope@westlothian.gov.uk)

**Private and Confidential**  
Rt. Hon. Nicola Sturgeon MSP  
First Minister of Scotland  
[firstminister@gov.scot](mailto:firstminister@gov.scot)  
(letter sent electronically only)

13 October 2022

Dear First Minister,

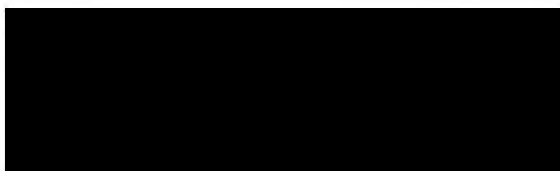
**Local Council Pay Awards 2022**

A meeting of West Lothian Council took place on Tuesday 27 September at which there was discussion on the funding arrangements for the pay awards for local council employees for 2022-23.

I am writing on behalf of West Lothian Council to call on the Scottish Government to reinstate a proper level of grant funding to councils in order that they can provide quality services and decent pay to their committed staff. I attach the relevant Notice of Amendment which sets out the council's reasoning for this decision.

I would be grateful to receive a response from you on this matter as soon practicable.

Yours sincerely,



**Graham Hope**  
**Chief Executive**

**Chief Executive Office**

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

Our Ref: CEO/CH  
Your Ref:

**Contact: Graham Hope**  
Tel: 01506 281697  
email: [graham.hope@westlothian.gov.uk](mailto:graham.hope@westlothian.gov.uk)

**Private and Confidential**  
The Private Secretary to His Majesty The King  
Buckingham Palace  
London  
SW1A 1AA

5 October 2022

Dear Sir

Please will you lay my letter before His Majesty The King.

A meeting of West Lothian Council took place on Tuesday 27 September 2022 at which I was asked to write to His Majesty The King to express the Council's deep sorrow at the sad passing of our Monarch Queen Elizabeth II. I have attached a copy of the Notice of Motion, signed by all Political Group Leaders and the Independent Member of West Lothian Council, for your information.

Her Majesty was a much-loved and hugely respected figure in West Lothian, as she was around the world.

We had the privilege of welcoming Her Majesty to West Lothian on numerous occasions during her long reign. Her visits to towns such as Armadale, Bathgate, Livingston, Linlithgow and Whitburn over the years are still remembered fondly by many local residents.

On each occasion, the large crowds she was met with demonstrates the depth of feeling towards Her Majesty from West Lothian residents, as well as the high regard in which she was held.

On behalf of West Lothian Council, I extend our deep sympathy and condolences to His Majesty The King and the Royal Family.

Yours faithfully



**Graham Hope**  
**Chief Executive**

**Motion for meeting of West Lothian Council  
On Tuesday 27 September 2022  
H.M. Queen Elizabeth II**

**Council expresses its deep sorrow at the sad passing of our Monarch Queen Elizabeth II.**

**During her long reign of 70 years, our Council was delighted to have welcomed her on her visits to West Lothian, clearly evidenced by the large enthusiasm which greeted her.**

**Her Majesty enjoyed an enduring popularity as Head of our Nation, easily able to sustain her role as constitutional Monarch of such a wide and diverse UK and also as Head of The Commonwealth.**

**Dignity, charm, diplomacy and gentle authority were her enduring hallmarks.**

**Council instructs the Chief Executive to write to her much loved son and heir, King Charles III to express our deepest condolences.**



**Councillor Lawrence Fitzpatrick  
Leader Labour Group**



**Councillor Damian Doran-Timson  
Leader Conservative Group**



**Councillor Stuart Borrowman  
Independent**



**Councillor Janet Campbell  
Leader SNP Group**



**Councillor Sally Pattle  
Scottish Liberal Democrat**

**Chief Executive Office**

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

Our Ref: CEO/CHI FC 27-09-22  
Your Ref:

**Contact: Graham Hope**  
Tel: 01506 281697  
email: [graham.hope@westlothian.gov.uk](mailto:graham.hope@westlothian.gov.uk)

**Private and Confidential**  
**The Rt Hon Suella Braverman KC MP**  
Secretary of State for the Home Department  
[public.enquiries@homeoffice.gov.uk](mailto:public.enquiries@homeoffice.gov.uk)  
(letter sent electronically only)

13 October 2022

Dear Home Secretary,

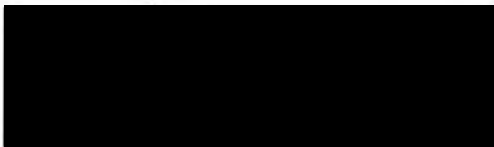
**Rwanda Deportation Flights**

A meeting of West Lothian Council took place on Tuesday 27 September at which there was discussion regarding the UK Government's recent attempt to export asylum seekers for processing in Rwanda. I have attached a copy of the Notice of Composite Motion for your information.

I am writing on behalf of West Lothian Council to state its strongest objection to the deportation of any refugees to Rwanda. In addition, the council advocates a UK return to the Dublin Asylum System operated by the European Union.

I would be grateful to receive a response from you on this matter as soon practicable.

Yours sincerely,



**Graham Hope**  
**Chief Executive**

**Chief Executive Office**

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

Our Ref: CEO/CHI FC 270922  
Your Ref:

**Contact: Graham Hope**  
Tel: 01506 281697  
email: [graham.hope@westlothian.gov.uk](mailto:graham.hope@westlothian.gov.uk)

**Private and Confidential**  
John Swinney MSP  
Deputy First Minister of Scotland  
[DFMCSE@gov.scot](mailto:DFMCSE@gov.scot)  
(letter sent electronically only)

13 October 2022

Dear Mr Swinney,

**Cost of Living Crises**

A meeting of West Lothian Council took place on Tuesday 27 September at which the council declared a cost of living emergency.

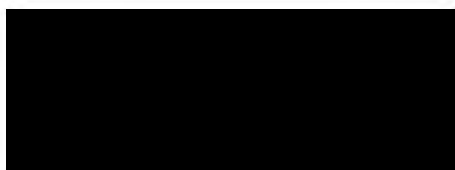
I am writing on behalf of West Lothian Council to request that Scottish Government deliver on this year's Programme for Government commitment by providing the council with the required additional capital and revenue funding in order that the provision of free school meals can be extended to all primary school pupils in P6 and P7 within the current financial year.

In addition to this the council requests that the following are delivered as a priority once the Barnett consequential for Core Funding have been delivered as a result of the Chancellor's statement:

- A significant uplift to the Scottish Welfare Fund and the Discretionary Housing Fund, and to fully fund the associated administrative costs incurred by councils in delivering these
- To increase the funding available to councils for insulation schemes

I attach the relevant Notice of Motion which sets out the council's position on these matters and I would be grateful to receive a response from you on this matter as soon practicable.

Yours sincerely,



**Graham Hope**  
**Chief Executive**

**Chief Executive Office**

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

Our Ref: CEO/CHI FC 270922  
Your Ref:

**Contact: Graham Hope**  
Tel: 01506 281697  
email: [graham.hope@westlothian.gov.uk](mailto:graham.hope@westlothian.gov.uk)

**LF System**  
Conor Larkman & Sean Finnigan  
[lfssystem@littleempiremusic.com](mailto:lfssystem@littleempiremusic.com)  
(letter sent electronically only)

13 October 2022

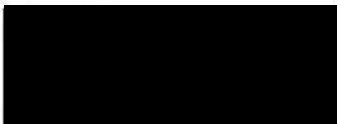
Dear Conor and Sean,

**Letter of Congratulations – LF System**

A meeting of West Lothian Council took place on Tuesday 27 September at which your significant recent achievements were noted. I have enclosed a copy of the relevant motion for your information.

I am writing to congratulate you on an impressive eight weeks at the top of the UK Official Charts with 'Afraid to Feel', which I understand is the longest running dance track at number one in a decade. It is great to see your talents being recognised at this national level.

With best wishes for the future of LF System,



**Graham Hope**  
Chief Executive

**Chief Executive Office**

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

Our Ref: CEO/CHI FC 270922  
Your Ref:

**Contact: Graham Hope**  
Tel: 01506 281697  
email: [graham.hope@westlothian.gov.uk](mailto:graham.hope@westlothian.gov.uk)

**West Lothian Schools Pipe Band**  
Pipe Major Graham Drummond  
C/o [Steven.Gray@westlothian.gov.uk](mailto:Steven.Gray@westlothian.gov.uk)  
(letter sent electronically only)

13 October 2022

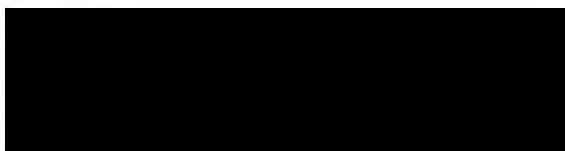
Dear all,

**Letter of Congratulations – West Lothian Schools Pipe Band**

A meeting of West Lothian Council took place on Tuesday 27 September at which your recent achievements were noted. I have enclosed a copy of the relevant motion for your information.

I am writing to congratulate you on a superb second place finish in the Novice Junior A grade at the recent World Pipe Band Championships in Glasgow. I understand this performance rounded off a very successful season for the band, having performed at Gourrock Highland Games, The British Championships and North Berwick Highland Games.

With best wishes for the future of the band,



**Graham Hope**  
**Chief Executive**

MINUTE of MEETING of the AUDIT COMMITTEE held within MS TEAMS VIRTUAL MEETING, on 21 JUNE 2022.

Present – Councillors Angela Doran-Timson (Chair), Lawrence Fitzpatrick, Lynda Kenna, Pauline Orr and Kirsteen Sullivan; Moira Glencorse (Lay Member)

In attendance – Graham Hope (Chief Executive), Donald Forrest (Head of Finance and Property Services), Greg Welsh (Head of Education - Primary), Jim Jack (Head of Operational Services), Greg Welsh (Head of Education), Jo MacPherson (Head of Social Policy), Lesley Henderson (Interim Head of Corporate Services), Robin Allen (Social Policy), Phyllis McFadyen (Housing Services), Bruce Robb (Operational Services), Kenneth Ribbons (Audit, Risk and Counter Fraud Manager), Lauren McGuinness (Property Services), James Millar (Governance Manager), Graham Jack (Auditor), Graeme Ruddy (Counter Fraud), Kenny Wilson (Counter Fraud) and Roberta Irvine (Counter Fraud); and Rob Jones (EY)

1. DECLARATIONS OF INTEREST

Councillor Orr declared that she worked for Scottish Government.

2. ORDER OF BUSINESS

The Chair advised that whilst there were a number of items on the agenda for information she would ask officers to present the reports to allow them to be fully discussed.

The Chair also stated that at agenda Item 12, the committee would be invited to go into private session.

3. MINUTE

The committee approved the minute of its meeting held on 21 March 2022 as a correct record. The minute was thereafter signed by the Chair.

4. AUDIT COMMITTEE WORKPLAN

The committee considered a report (copies of which had been circulated) by the Audit, Risk and Counter Fraud Manager advising of the proposed workplan for 2022/23.

It was recommended that the committee that the committee approve the workplan.

Decision

To approve the terms of the report.

5. INTERNAL AUDIT ANNUAL REPORT

The committee considered a report (copies of which had been circulated) by the Audit, Risk and Counter Fraud Manager informing members of the work undertaken by internal audit during 2021/22, reporting on internal audit's performance and advising of the Audit, Risk and Counter Fraud Manager's conclusion on the council's framework of governance, risk management and control.

It was recommended that the committee:

1. Notes the Audit, Risk and Counter Fraud Manager's conclusion that the council's framework of governance, risk management and control was sound; and
2. Endorses the independence of the internal audit function as set out in section three of the appended annual report.

In response to a question, the Audit, Risk and Counter Fraud Manager explained that unsound audits were automatically reported to committee but that for others, it was only a selection of the annual audit reports that were reported to the committee. However, the committee could ask to see any of the reports once they were finalised.

Officers provided a verbal update on the audit of the Placing in School process. Members heard that one of the high risks had been fully addressed and the other was due to an outdated database system which the service was currently taking part in a CivTech challenge in order to identify a digital solution to manage the application process.

Members queried what you could done to reduce the time to issue final audit reports. The Audit, Risk and Counter Fraud Manager would undertake to get reports to Heads of Service sooner and to give greater attention to the progress of audit reports.

#### Decision

To approve the terms of the report.

### 6. INTERNAL AUDIT OF ASBESTOS MANAGEMENT

The committee considered a report (copies of which had been circulated) by the Audit, Risk and Counter Fraud Manager informing members of the outcome of an internal audit of asbestos management.

It was recommended that the committee notes that control was considered to be satisfactory.

On behalf of the committee, the Chair congratulated officers for the satisfactory report which clearly demonstrated asbestos management was well controlled.

#### Decision

To note the terms of the report.

7. CONSIDERATION OF 2020/21 ANNUAL ACCOUNTS (UNAUDITED)

The committee considered a report (copies of which had been circulated) by the Head of Finance and Property Services inviting members to consider the 2021/22 Annual Accounts of the Council (unaudited).

It was recommended that the committee consider the 2021/22 Annual Accounts prior to submission to Ernst & Young LLP for audit.

The Head of Finance and Property Services confirmed that the council had sufficient reserves as long as it continued to maintain a robust approach to financial management. He clarified that the funding received from Scottish Government for the Early Learning & Childcare expansion plan had not equalled the council's spend resulting in an overspend. He advised that the matter was raised on a regular basis with Scottish Government and also with COSLA as part of the spending review. Finally, he confirmed that no further Covid-19 funding was expected.

Decision

To note the terms of the report.

8. RISK ACTIONS ARISING FROM AUDIT AND INSPECTION REPORTS

The committee considered a report (copies of which had been circulated) by the Audit, Risk and Counter Fraud Manager advising members of progress in implementing agreed actions arising from audit and inspection reports.

It was recommended that the committee note that six risk actions arising which were entered into Pentana in accordance with the agreed protocol, and which were due for completion by 31 March 2022, were still outstanding.

The Head of Education (Primary) provided an update on the MAPA Training Programme for Schools and confirmed the training had been completed by all staff in 61 of the 68 primary schools, together with all secondary and additional learning need schools. Moving forward, the training would be incorporated into the HR system which would ensure 100% of staff were fully trained. Pentana would be updated to reflect that there were 68 primary schools in West Lothian.

Decision

To note the terms of the report.

9. LOCAL GOVERNMENT IN SCOTLAND OVERVIEW 2022

The committee considered a report (copies of which had been circulated) by the Head of Finance and Property Services providing a summary of the report “Local Government in Scotland: Overview 2022”, published by the Accounts Commission on 25 May 2022.

It was recommended that the committee notes the key messages and recommendations within the Accounts Commission report.

Decision

To note the terms of the report.

10. 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 2021.

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.

11. 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 item of business on the grounds that they involved the likely disclosure of exempt information under paragraph 14 of Schedule 7A of the Act.

12. COUNTER FRAUD ANNUAL REPORT 2021/22

The committee considered a report (copies of which had been circulated) by the Audit, Risk and Counter Fraud Manager informing members of the performance and activities of the Counter Fraud Team for the period from 1 April 2021 to 31 March 2022.

It was recommended that the committee note the performance and activities undertaken by the Counter Fraud Team during the financial year 2021/22.

Decision

To note the terms of the report.





MINUTE of MEETING of the PERFORMANCE COMMITTEE held within COUNCIL CHAMBERS, WEST LOTHIAN CIVIC CENTRE, LIVINGSTON, on 5 SEPTEMBER 2022.

Present – Councillors Peter Heggie (Chair), Danny Logue, Stuart Borrowman, Carl John and Maria MacAulay

1      DECLARATIONS OF INTEREST

There were no declarations of interest made.

2      MINUTES

The committee approved the minutes of its meeting held on 14 March 2022 as a correct record.

3      COMMITTEE WORKPLAN 2022/23

The committee considered a report (copies of which had been circulated) by the Depute Chief Executive providing information on the role of the Performance Committee and the types of reports that would be forthcoming in 2022/23 to support the committee to function effectively.

It was recommended that the committee:

1. Note the information contained in the report;
2. Consider the proposed workplan for the year and any amendments, and;
3. Any other reports that might enhance the effectiveness of the committee in the year ahead.

Decision

To note the terms of the report.

4      ANNUAL COMPLAINT PERFORMANCE REPORT 2021/22

The committee considered a report (copies of which had been circulated) by the Depute Chief Executive reporting on the council's annual Complaint Performance Report 2021/22.

It was recommended that the committee note the council's annual Complaint Performance Report 2021/22.

Officer preparation for complaints handling and effective communications with customers were then discussed. Officers undertook to further explore

specific building site complaints and to ensure appropriate contacts within services were available out of hours.

#### Decision

To note the terms of the report.

### 5 COMPLAINT PERFORMANCE REPORT QUARTER 1: 2022/23

The committee considered a report (copies of which had been circulated) by the Depute Chief Executive reporting on the quarterly analysis of closed complaints in Quarter 1: 2022/23.

It was recommended that the committee:

1. Note the corporate and service complaint performance against the standards outlined in the council's complaint handling procedure; and
2. Continue to monitor complaint performance and request additional information from services as required.

Clarifications were then provided on reasons why certain complaints were not upheld. It was noted that customers were encouraged to log their complaints through the complaints form available on the council's website; however, several other means of logging complaints were also available. It was also noted that call abandonment continued to be recorded.

#### Decision

To note the terms of the report.

### 6 WEST LOTHIAN ASSESSMENT MODEL PROGRAMME 2022/25

The committee considered a report (copies of which had been circulated) by the Depute Chief Executive outlining the programme of self-assessment activity to be undertaken across council services in 2022 to 2025. This included details of the new Corporate Assessment, timescales for assessment and the agreed WLAM Units for the period.

It was recommended that the committee:

1. Note the new process for self-assessment;
2. Consider any additional information or support that members of the Committee might require to assist their scrutiny activities; and
3. Note the indicative timescales for the 2022/25 programme to support the development of the Performance Committee Workplan.

#### Decision

To note the terms of the report.

## 7 CUSTOMER SERVICE EXCELLENCE ASSESSMENT

The committee considered a report (copies of which had been circulated) by the Depute Chief Executive providing information on the key strengths and areas for improvement that had been identified through the Customer Service Excellence (CSE) Standard assessment that had been undertaken in council services in 2021/22, noting that the council uses external standards to assess the quality of our services and ensure that we benchmark performance with good and leading practice of other organisations.

It was recommended that the committee:

1. Note that the council had retained the CSE Standard;
2. Note the findings from the CSE Assessment in 2021/22; and
3. Note the opportunities for improvement that had been identified in the CSE Assessment.

### Decision

To note the terms of the report.



MINUTE of MEETING of the EDUCATION (QUALITY ASSURANCE) COMMITTEE held within COUNCIL CHAMBERS, WEST LOTHIAN CIVIC CENTRE, LIVINGSTON, on 30 AUGUST 2022.

Present – Councillors Peter Heggie (Chair), Andrew McGuire, Stuart Borrowman, Pauline Clark, Lawrence Fitzpatrick (substituting for Councillor Ann Davidson), Moira McKee Shemilt and Sally Pattle; Appointed Member Lynne McEwen

Apologies – Councillor Ann Davidson and Appointed Members Kent Ballantyne and Margaret Russell

1. DECLARATIONS OF INTEREST

Item 6 - Validated Self-Evaluation: Williamston Primary School

Councillor Lawrence Fitzpatrick stated that he was a member of the Williamston Primary School Parent Council. However, having applied the objective test he considered that this did not amount to an interest and so took part in the item of business.

2. MINUTES

The committee confirmed the Minutes of its meeting held on held on 11 January 2022 as a correct record. The Minute was thereafter signed by the Chair.

3. VALIDATED SELF-EVALUATION: BLACKRIDGE PRIMARY SCHOOL -

The committee considered a report (copies of which had been circulated) by the Head Of Education (Primary, Early Learning and Resources) bringing to their attention Blackridge Primary School's quality improvement activity and identified areas for improvement for session 2022-2023. Angela Downie, Head Teacher, was in attendance to provide an update on the school's progress and to answer questions from committee members.

Following the Head Teachers presentation, the schools plan for the use of this years allocated Pupil Equity Funds (PEF) was queried with Mrs Downie explaining that, through the application of the authority's new Toolkit, clearer management and monitoring of pupils was possible for those identified as requiring support. Funding enabled staff to work with the identified pupils in order to provide targeted support which in the previous year had led to an increase in the levels achieved within the school.

Discussion continued with a question regarding the introduction of a family learning programme which had been identified as an area for improvement. The committee were informed that this would be targeted initially at the early years - primary one stage with the needs of families

identified and bespoke arrangements put in place, in particular for those pupils who had access to PEF funding.

Information on pupils general progress was also discussed with consideration to any effects as a result of the COVID-19 pandemic. It was explained that vulnerable pupils attending school during the pandemic had benefitted from a high adult to child ratio enabling the school to ensure no further widening of the gap particularly with regards to literacy and numeracy. The focus on these subjects had now been widened to other subjects on the curriculum. The Head Teacher also explained that where data had highlighted the need, support was adjusted, through the use of Pupil Support Assistants and the utilisation of Additional Support Needs packages. Groups would also be amalgamated where there were particularly large gaps.

The discussion concluded with a question on the new nursery building and how this had impacted the children. It was explained that the school benefitted from a great outdoor environment and the nursery space was child friendly which had created a calmer environment overall.

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.

#### 4. VALIDATED SELF-EVALUATION: WILLIAMSTON PRIMARY SCHOOL

The committee considered a report (copies of which had been circulated) by the Head of Education (Primary, Early Learning and Resources) bringing to their attention Williamston's Primary School's validated self-evaluation and identified areas for improvement for session 2022-2023. Jane Livingston, Head Teacher, was in attendance to provide an update on the school's progress and to answer questions from committee members.

Committee requested further information regarding the 37% of primary 7 pupils, detailed within section D2 of the report, as having additional support needs and whether this had presented challenges. Committee were advised that a key strength of the school was their staff confidence in identifying gaps in learning examples of which included care experienced children, dyslexia and autistic spectrum. The school had identified that this particular cohort required to be targeted and an application was made for an additional teacher which was provided by the authority with some additionality from PEF funding.

Outdoor learning was noted in section D3 of the report and the Head Teacher was asked to expand on this. The committee were advised that their VSE had been towards the end of January and at that time there were still cohort bubbles with limited access. Since then, pupils had been consulted with regards to their outdoor learning and were now in a

position to go out around the school area and also had access to Williamston Woods. Furthermore, for this session, there was a teacher leading on Health and Wellbeing who was accessing the wider area and gardening allotment to develop this further for all classes.

The report detailed that for period 2020/21, 100% of pupils at primary 1 stage had achieved expected national Curriculum for Excellence Levels in reading. The Head Teacher was asked if that was accurate and while confirming that was the case explained how it had been achieved. The school benefitted from a Pupil Support Worker (PSW), trained in speech and language and vocabulary, resulting in targeted interventions at an early level with focus now moving from primary 1 to primaries 2 and 3.

The committee then asked what work was undertaken to increase parent and guardian engagement and inclusivity. In response, members were advised that the pandemic had created challenges, however, lockdown had enabled the school to contact particular families via phone calls, in order to provide one to one contact, and staff were also visible at the school gates to meet informally. Following lockdown, the opening of the school provided the opportunity for community catch-up through events such as sports day, teas and coffees within the school and in person parent council meetings. Shared finishing times for every year group had also allowed access to the school building for all groups.

Responding to a question regarding the 1+2 languages curriculum the Head Teacher explained what this involved and was open to a suggestion that the school consider Gaelic as an additional language.

Discussion concluded with a question on the lower allocation of PEF funding for a double stream primary school. It was explained that resources required to be allocated as meaningfully as possible and the school had invested heavily in; a highly skilled PSW team, two Early Years practitioners, two members of staff trained in Maths recovery approaches, investing in PSW training to upskill, nurture groups which also supported children with tailored Health and Wellbeing interventions and a raising attainment teacher. In addition, there were a number of children identified as performing beyond national expectations, hence the 100% reading result discussed earlier and for those pupils challenge and support groups were provided by the raising attainment teacher to make sure they were on track.

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.

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

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

by the Head of Education (Primary, Early Learning and Resources) informing of the HM Inspectors of Education (HMIE) scrutiny programme for academic session 2022-23.

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.

6. VALIDATED SELF-EVALUATION APPROACHES 2022/23

The committee considered a report (copies of which had been circulated) by the Heads of Education informing of Education Services' planned approaches to Validated Self-evaluation (VSE) activity for 2022-2023.

It was recommended that the committee note the contents of the report and the Quality Improvement Team's approaches for supporting improvement in West Lothian schools.

Decision

To note the contents of the report

7. WORKPLAN

A workplan had been circulated for information.

Decision

To note the workplan.

MINUTE of MEETING of the EMPLOYEE APPEALS COMMITTEE (PRIVATE) held within COUNCIL CHAMBERS, on 30 SEPTEMBER 2022.

Present – Councillors George Paul (Chair), Peter Heggie, Moira McKee Shemilt Anne McMillan and Tony Pearson

1        DECLARATIONS OF INTEREST

There were no declarations of interest made.

2        MINUTES

- a) The committee approved the minutes of its meeting held on 29 October 2021 as a correct record.
- b) The committee approved the minutes of its meeting held on 28 January 2022 as a correct record.
- c) The committee approved the minutes of its meeting held on 25 March 2022 as a correct record.
- d) The committee approved the minutes of its meeting held on 5 August 2022 as a correct record.

3        PRIVATE SESSION

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

4        CONSIDERATION OF APPEAL

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

The committee was invited to consider an appeal by a former employee under the Procedure for Consideration of Appeals in terms of the Policy and Procedure for Supporting Attendance at Work.

The management was represented by Craig Smith, Environmental Health and Trading Standards Manager, who was accompanied by Vera Bole, HR Business Partner. The management called two witnesses.

The appellant was present and was accompanied by two companions. The appellant did not call any witnesses.

Parties agreed that witnesses would be excluded from the proceedings until called.

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

The appellant was then given the opportunity to question the management.

The committee had an opportunity to question the management.

The management called their witnesses in turn.

The appellant had the opportunity to question the management's witnesses in turn.

The committee then had an opportunity to question the management's witnesses in turn.

The management was given an opportunity to re-examine their witnesses in turn after they had answered questions from the appellant and committee.

The committee heard the appellant and his representative speak in relation to the appeal.

The management was given the opportunity to question the appellant.

The committee then had the opportunity to question the appellant.

The appellant and his representative were given an opportunity to re-examine anything that had been raised during questioning.

Finally, each side summed up the merits of the case.

All parties then exited the meeting to allow the committee to deliberate in private.

After reaching its decision, all parties returned to hear the decision of the committee.

### Decision

The committee found that the grounds for the appeal had not been substantiated and therefore the appeal was not upheld.

MINUTE of MEETING of the WEST LOTHIAN LEISURE ADVISORY COMMITTEE held within COUNCIL CHAMBERS, WEST LOTHIAN CIVIC CENTRE, on 25 AUGUST 2022.

Present – Councillors Craig Meek (Chair), Alison Adamson, Anne McMillan (substituting for Councillor Cathy Muldoon) and Andrew Miller

Apologies – Councillors Cathy Muldoon and Ann Davidson

In attendance

Alan Colquhoun – Culture & Sport Manager, WLC

Andrew Heron – Head of Finance, WLL

Karen Wernham – Head Of Operations, WLL

1 DECLARATIONS OF INTEREST

There were no declarations of interest made.

2 MINUTES

The committee approved the minute of its meeting held on 23 June 2022.

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) financial position for the 2022/23 financial year. The report also provides an update on the letter of financial comfort provided by the council to WLL to assist WLL with its 2021/22 audit.

It was recommended that the committee note:

1. WLL's financial performance for the three months to 30 June 2022;
2. WLL's updated forecast for the year to 31 March 2023;
3. That WLL had been invited to manage community access to sports facilities at the new Winchburgh school complex; and
4. That following the agreement of Council Executive on 16 August

2022, the Head of Finance and Property Services had provided a letter of financial comfort to WLL in relation to its 2021/22 audit.

Discussion followed on energy costs and chlorine supply issues and mitigating actions as well as on membership retention.

#### 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 Depute Chief Executive 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 Scottish Government's strategic framework for managing COVID-19.

It was recommended that the West Lothian Leisure Advisory Committee note the updates on WLL's operational performance and related matters outlined in the report.

During discussion, it was noted that the Winchburgh school complex model could provide an opportunity to develop community access to sports facilities on other West Lothian sites.

#### Decision

To note the terms of the report.

DATA LABEL: PUBLIC



## **WEST LoTHIAN COUNCIL**

### **TREASURY MANAGEMENT – INTERIM REPORT AT 30 SEPTEMBER 2022**

#### **REPORT BY HEAD OF FINANCE AND PROPERTY SERVICES**

##### **A. PURPOSE OF REPORT**

To inform members of the activities and results of the treasury management function for the six months to 30 September 2022.

##### **B. RECOMMENDATION**

It is recommended that Council:

1. Notes the attached report on the activities of the treasury management function for the first six months of 2022/23 and on the exercise of delegated treasury management powers;
2. Approves the increase to the investment limits for each category of investment and changes to WLC rating categorisation, as set out in Appendix 2;
3. Agrees amendments to the prudential indicators, as set out in Appendix 4 of the report.

##### **C. SUMMARY OF IMPLICATIONS**

<b>I Council Values</b>	Being honest, open and accountable, making the best use of our resources.
<b>II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)</b>	This report complies with the council's Treasury Policy Statement, the requirements of the CIPFA Prudential Code for Capital Finance in Local Authorities, the CIPFA Treasury Management in Public Services Code of Practice and the Local Authority (Capital Finance and Accounting) (Scotland) Regulations 2016.
<b>III Implications for Scheme of Delegations to Officers</b>	No changes are proposed to the current scheme of delegation for treasury management activities.
<b>IV Impact on performance and performance Indicators</b>	None.
<b>V Relevance to Single Outcome Agreement</b>	Treasury management provides capital resources necessary to help deliver the council's capital programme.
<b>VI Resources - (Financial, Staffing and Property)</b>	This report is part of a framework for operating treasury management activities designed to minimise risk and the future borrowing costs of the council.

- VII Consideration at PDSP** Treasury monitoring reports are presented directly to the Council for consideration.
- VIII Other consultations** The council's treasury advisers have been consulted in relation to the forecasts and recommendations included within the treasury plan.

## **D. TERMS OF REPORT**

The interim report for the six months to 30 September 2022 is attached.

As the range of counterparties is limited, it is proposed to increase the investment limits for each category by £3 million. Alongside this, a realignment of WLC rating categorisation had been undertaken. The council's treasury advisors, Link Group, were consulted on both proposals. Longer term investments would still be in UK banks rated upper medium grade or higher. Although the council has traditionally invested for a year to maximise returns, duration would match the recommended timescales from Link to ensure no unnecessary exposure to risk of the council's funds. This will increase investment options available to the council through the use of appropriately rated institutions without substantially increasing current risk levels. The revised limits are reflected in Appendix 2.

Following changes to forecast capital expenditure and capital resources agreed by Council Executive in June 2022, Council is asked to approve changes to the following prudential indicators:

- Capital Expenditure
- Capital Financing Requirement
- Ratio of Financing Costs to Net Revenue Stream
- Gross External Borrowing and the Capital Financing Requirement
- Authorised Limit for External Debt
- Operational Boundary for External Debt

The council's updated prudential indicators are included in Appendix 4 of the report.

## **E. CONCLUSION**

The actions taken in the first six months of 2022/23 complied with the annual treasury plan approved by Council on 15 February 2022 and the Treasury Management Policy Statement included in the Financial Regulations.

## **F. BACKGROUND REFERENCES**

West Lothian Council Treasury Policy Statement and Treasury Management Practices  
 West Lothian Council's Annual Treasury Management Plan for 2022/23 (approved by Council on 15 February 2022)  
 CIPFA's Code of Practice for Treasury Management in Public Services  
 CIPFA Prudential Code for Capital Finance in Local Authorities  
 Local Authority (Capital Finance and Accounting) (Scotland) Regulations 2016

Contact Person: Stephen Ross, Accountant  
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**Donald Forrest**  
**Head of Finance and Property Services**  
 Date: 22 November 2022

# **WEST LOTHIAN COUNCIL**

## **TREASURY MANAGEMENT**

**Interim Report for the Six Months to 30 September 2022**

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## 1.0 Introduction

In accordance with the Standing Orders, Financial Regulations and Local Government Investments (Scotland) Regulations 2010, an interim report on the operation of the treasury management function for the six months to 30 September must be presented to the Council for consideration. The requirement to report to the Council complies with the revised Treasury Management Code and Scottish Investment Regulations.

The 2022/23 Annual Treasury Plan, approved by Council on 15 February 2022, sets out the planned approach to treasury management for 2022/23. This report assesses the application and outcome of the plan for the first six months of the financial year.

## 2.0 Current Portfolio Position

The council's debt and investment position at the beginning and end of the period is as follows:

31 March 2022			30 September 2022	
Principal £m	Rate %		Principal £m	Rate %
568.6	3.8%	<b>DEBT</b>	578.6	3.7%
60.6		Fixed Rate Funding:	60.6	
629.2		PWLB	639.2	
-	-	Market	-	-
-	-	Total Fixed Rate Funding	-	-
629.2	3.8%	Variable Rate Funding	639.2	3.7%
		Temporary Funding		
		Total Debt		
	42.8 years	Average Life of Debt		42.8 years
£m	Rate %	<b>INVESTMENTS</b>	£m	Rate %
90.0	0.19%	Cash Deposits	115.4	1.2%

Debt during the period has increased to £639.2 million with new £10 million of PWLB borrowing undertaken in August 2022. There was no temporary borrowing during this period.

Investments have increased by £25.4 million during the first six months of 2022/23. The average investment rate has increased since the start of the financial year, from an average of 0.19% to 1.2%. This is due to the Bank of England base rate increases in April, June and September 2022. Normally when a fixed term deposit matures, it would be reinvested for a period up to one year to maximise the return on investment whilst ensuring security of funds. However, due to uncertainty relating to economic conditions, more liquidity was required therefore most investments were placed in short term periods of up to six months. The latest investment benchmarking data for June 2022 from the council's treasury advisors, Link Group, indicates that the council continues to perform well compared to other councils being second in the benchmarking group.

## 3.0 Performance Measurement

The CIPFA Directors of Finance Best Value Working Group and the Treasury Forum Group recommend the reporting of the following performance indicators:

2021/22	Headline Performance Indicator	2022/23
3.64%	Average Cost of Servicing Loans Fund Advances in Year	Year End
0.06%	<ul style="list-style-type: none"> <li>Loans Fund Interest Rate</li> <li>Loans Fund Expenses Rate</li> </ul>	Year End
3.70%		
	Local Performance Indicators	
9.63%	1. Percentage of Debt at period end which is Short Term or Variable	9.48%
9.63%	2. Percentage of Debt at period end repayable in each of the next two years	9.48%
1.43%	3. Average Interest Rate of Borrowing raised in period	2.79%
49.8 years	4. Average Maturity of Borrowing raised in period	48.0 years

The average rate of borrowing undertaken in the first six months of 2022/23 is higher than the rate in 2021/22 due to increases in interest rate levels available from the PWLB to September 2022. The percentage of debt which is short term or repayable in each of the next two years is at a level which will not expose the council to any loan maturity risks.

## 4.0 The Strategy

### 4.1 Interest Rate Forecasts

The plan for 2022/23 was structured around the general forecasts for interest rates, with some flexibility of application dependent on prevailing economic conditions.

When the annual plan was approved, the average City view suggested that bank rates would reach 0.75% by quarter one of 2023 and to remain constant at 0.75% for the rest of 2023. Medium term interest rates were expected to be lower than longer term rates with gradual increases in rates forecast throughout the year. The long term trend was for gilt yields, and therefore PWLB rates, to increase gradually due to the high issuance of bonds in major western countries and as investors move from bonds to equities. Five-year PWLB rates were forecast to rise from 1.5% in quarter 1 (Q1) 2022 to 1.7% in Q1 2023, with 25-year PWLB rates forecast to increase from 1.9% in Q1 2022 to 2.2% in Q1 2023.

The Monetary Policy Committee (MPC) agreed on 17 March 2022 to increase the bank rate to 0.75%. In the first six months of 2022/23 there have been four further increases to the bank rate, to 1% from 5 May 2022, then 1.25% from 16 June 2022, 1.75% from 4 August 2022, and the most recent increase to 2.25% from 22 September 2022. Interest rates are now at the highest since December 2008. The committee acknowledged that it may be necessary to increase the bank rate further over the coming months in order to return CPI inflation sustainably to the 2% target in the medium term.

At the end of September, the council's advisors Link expected the MPC to increase interest rates further and faster, from 2.25% currently to a peak of 5.00% in February 2023. The combination of the government's fiscal loosening, inflation expectations and the tight labour meant they expected the MPC to raise interest rates by 100bps at the policy meetings in November (to 3.25%) and 75 basis points in December (to 4%) followed by further 50 basis point hikes in February and March (to 5.00%).

As bank rates have risen over the period, both short term and longer term PWLB rates have also increased since the forecast in the treasury plan reported to Council in February 2022. Five-year PWLB rates have risen to 5.3% at the end of September, with 25-year PWLB rates at 4.85%.

## 4.2 Capital Finance Plan

The annual plan in February 2022 reported a new borrowing requirement of £15.6 million with no replacement borrowing needed. This gave a total borrowing requirement for 2022/23 of £15.6 million.

Forecasts demonstrated a range of options available to implement the borrowing strategy in 2022/23. Short, medium and long-term fixed rates were all forecast to increase incrementally over 2022 and 2023, with the short to medium term rates forecast to be cheaper than long term rates. It was planned to borrow a spread of short and medium-term loans from the PWLB at the most opportune times during the financial year. Consideration would be given to longer term borrowing if attractive rates were available. Forward dated Lender Option Borrower Option (LOBO) loans could also be considered for periods of to 15 years to lock in rates without having to incur borrowing costs if the money is not required straight away.

## 5.0 The Economy and Interest Rates

The first quarter of 2022/23 saw UK economic growth of 0.2%. GDP grew by a further 0.1% in July but is estimated to have fallen by 0.3% in August. There has been a continued slowing in the underlying three-month on three-month growth, where GDP also fell by 0.3% in the three months to August compared with the three months to May 2022. Monthly GDP is now estimated to be at the same level as its pre-coronavirus levels (February 2020). There are signs of higher energy prices creating more persistent downward effects in economic activity and consumer confidence is at a record low.

Inflation, as measured by the Consumer Price Index (CPI), rose by 10.1% in the 12 months to September 2022, up from 9.9% in August and returning to July's recent high. CPI inflation is expected to peak close to 10.4% in November with the underlying inflationary pressures strong until early next year.

Gilt yields rose sharply at the end of September as investors demanded a higher premium and expected faster and higher interest rate rises to offset the government's financial stimulus plans. The 30-year gilt yield rose from 3.60% to 5.10% following the fiscal event, which threatened financial stability by forcing pension funds to sell assets into a falling market to meet cash collateral requirements. The increases and volatility in gilt yields during the period is also reflected in PWLB rates.

The mini-budget delivered by the Chancellor on the 23 September 2022, the market reaction to it and the subsequent political and economic fall-out has created significant additional economic uncertainty. The Office for Budget Responsibility is now scheduled to publish the Autumn 2022 forecast, giving the latest outlook for the economy and public finances, on 17 November. This will accompany the Chancellor's Autumn Statement on the same day. An update report on the Autumn Statement will be presented to Council Executive on 6 December 2022.

The following table provides details of interest rates at the start and end of the period. PWLB interest rates have increased during the first six months of 2022/23 for both short and longer-term borrowing, with ongoing uncertainty in the markets expected to continue over the rest of 2022/23 and beyond.

	At 1 April 2022	At 30 September 2022
Bank Rates	0.75%	2.25%
5 Year PWLB	2.45%	5.30%
10 Year PWLB	2.63%	5.07%
50 Year PWLB	2.58%	4.36%

The council, as set out in the annual treasury plan, continually monitors interest rates and consults with treasury advisors to determine the most opportune time to borrow throughout the year. The increase in PWLB rates and the effect this will have on borrowing decisions will continue to be assessed, with the council committed to considering all funding options that provide best value.

This includes continuing to monitor PWLB rates to take advantage of any opportunities to borrow that may arise, borrowing from other sources (within the parameters set out in the treasury plan) and the use of internal borrowing.

## **6.0 Capital Finance Activities**

The original forecast new borrowing requirement for 2022/23 of £15.6 million needs to be revised to £36.5 million. The revised borrowing position reflects the updated capital programmes for 2022/23 reported to Council Executive on 21 June 2022. Any further updates to the approved programme or accelerated spending against the approved budgets will result in further adjustments to the borrowing requirement for the year. The revised position also incorporates 2021/22 under borrowing, which is the borrowing required to fund the 2021/22 capital programmes that was not secured with external debt. The total revised borrowing requirement for 2022/23 is £80.0 million.

The borrowing undertaken to date in 2022/23 is at an average rate of 2.79% for an average maturity of 48.0 years. The council's overall debt portfolio has an average rate of 3.8% for 42.8 years.

Full details of borrowing undertaken to date are shown in Appendix 1.

## **7.0 Debt Rescheduling**

The annual plan stated that due to the introduction of different rates for new borrowing and early repayment of debt, the spread in rates significantly restricted opportunities for debt rescheduling. Based on this there were no opportunities available to reschedule long term fixed PWLB debt to short variable and temporary debt during the six months to 30 September 2022.

## **8.0 Management of Cash Flows and Investments**

### **8.1 Internally Managed Investments**

Cash flows are monitored daily to allow temporary investment of any surplus funds. The procedure allows for same day lending of cash surpluses to institutions approved in the Treasury Management Practices and leaves the bank current account balance at the optimum level of zero. The security of the council's funds is paramount. Investment in the period to 30 September 2022 was restricted to the major UK Clearing Banks, including the council's bankers Lloyds Banking Group, certain designated building societies, other local authorities, UK Government treasury bills, and AAA rated money market funds.

### **8.2 Investment Plan**

Previously, the investment plan was to weight investments to longer periods, as much as possible within cash flow considerations, with a view to locking in higher rates of return than may be available from current short-term investment rates. As investment rates for short periods and long periods were low in 2020/21 and most of 2021/22 any maturing investments were moved to short term investments for liquidity purposes to be reactive to any unforeseen circumstances. Interest rates are now increasing but as there remains a great deal of uncertainty around them the current approach continues to be a preference for short term investments. That approach will be kept under review and longer-term investments may be undertaken based on maximising income where cash flow allows.

### **8.3 Investment Results**

The annual plan highlighted that the council's policy of investing only in appropriately rated money market funds, the UK Government and UK banks and building societies was considered risk averse. It is considered, in light of a reduced number of UK financial institutions on the council's approved counterparty list, that any risk to our investments is minimal. Detailed below are the results of the investment strategy undertaken by the council during the period:

<b>Average Investment</b>	<b>Rate of Return</b>	<b>Benchmark Return*</b>
£117.6 million	1.20%	1.19%

- \* The benchmark is seven Day Compounded SONIA (Average for month) after previous benchmark of seven day London Interbank Bid (LIBID) Rate ceased in December 2021

The majority of investments are now short term however before the pandemic investments were fixed for up to twelve months where interest rates were significantly higher. This has resulted in a return of 0.01% above the benchmark. During the six months to 30 September 2022, the amount lent to approved organisations, including instant access and short-term investments, ranged from a low of £96.6 million to a high of £141.3 million.

Investments at 30 September 2021 were £117.6 million which have been invested throughout the period at an average daily rate of return of 1.20%. This represents a robust return on investments as rates have now started to rise during the first six months of 2022/23.

Authorised institutions and investments at 30 September 2022 are found in Appendix 2. As the range of counterparties is limited, it is proposed to increase the investment limits for each category by £3 million. Alongside this a realignment of WLC rating categorisation had been undertaken. The council's treasury advisors, Link Group, were consulted on both proposals. Longer term investments would still be in UK banks rated upper medium grade or higher. Although we have traditionally invested for a year to maximise returns, duration would match the recommended timescales from Link to ensure no unnecessary exposure to risk of the council's funds. This will increase investment options available to the council through the use of appropriately rated institutions without substantially increasing current risk levels. The revised limits and alignment of approved organisations to each WLC rating category are reflected in Appendix 2.

#### 8.4 Permitted Investments

The Local Government Investments (Scotland) Regulations 2010 require local authorities to specify what investments will be used. Any investment not listed as a permitted investment will not be in accordance with the Regulations and will, as a result, be ultra vires.

No changes to the approved investments are proposed at this time. Appendix 3 details the updated permitted investments and maximum amounts that can be invested in them. It also includes reference to associated treasury risks and mitigating controls. Permitted investments include current investments in long term investments, share capital in companies and loans to third parties. Following a review under the International Financial Reporting Standards (IFRS), the council does not have any investment properties.

### 9.0 Monitoring of Prudential Indicators

The CIPFA Prudential Code ensures the capital plans of local authorities are affordable, prudent and sustainable. To demonstrate compliance with these objectives, the Code establishes nine indicators designed to support and record local authority decision making. The 2022/23 indicators were originally approved by the Council on 15 February 2022 and it was agreed that these indicators would be monitored and revised, if required, throughout the year by the Council. The 2022/23 prudential indicators are included in Appendix 4 along with proposed amendments to the capital expenditure, financing requirement, authorised and operational limits for borrowing and financing costs to net revenue stream indicators. The changes to the prudential indicators are a result of revised capital investment and resources programmes for 2022/23, as approved by the Council Executive on 21 June 2022.

## **10.0 Conclusion**

This report details the treasury activities undertaken in the six months to 30 September 2022. Actions taken have complied with the annual treasury plan for 2022/23, approved by the Council on 15 February 2022, and the Treasury Management Policy Statement. Activities completed during the period also ensured that best value was secured in the delivery of the treasury function of the council.

**Donald Forrest**

**Head of Finance and Property Services**

Date: 22 November 2022

**Appendix 1****WEST LoTHIAN COUNCIL****Borrowing in 2022/23**

<b>Date</b>	<b>Amount Advanced £m</b>	<b>Details</b>	<b>Repayment Period (Years)</b>
<u>PWLB</u> 9 August 2022	10.00	2.79%	48 years

Temporary Borrowing – Local Authorities  
None

<b>Total Borrowing</b>	<u><u>10.00</u></u>
------------------------	---------------------

Long- and Short-Term Debt Undertaken to Date in 2022/23

Average Rate – 2.79%

Average Life – 48 years

## APPROVED ORGANISATIONS FOR INVESTMENT

	Current Investment Limit £	Proposed Investment Limit £	Investment at 30 September 2022 £
<b><u>Council Bankers</u></b>			
Lloyds Banking Group (inc Bank of Scotland)	70,000,000	70,000,000	58,640,000
<b><u>WLC Rating Category 1*</u></b>	22,000,000	25,000,000	
No institutions in this category			
<b><u>WLC Rating Category 2*</u></b>	19,500,000	22,500,000	
No institutions in this category			
<b><u>WLC Rating Category 3*</u></b>	17,000,000	20,000,000	
Handelsbanken Plc			
<b><u>WLC Rating Category 4*</u></b>	14,500,000	17,500,000	
Al Rayan Bank PLC			14,500,000
Goldman Sachs			7,000,000
HSBC UK Bank Plc			
Standard Chartered			7,000,000
<b><u>WLC Rating Category 5*</u></b>	10,000,000	13,000,000	
Barclays			
National Bank of Kuwait (International) PLC			7,000,000
Nationwide Building Society			7,000,000
Santander UK plc			7,000,000
Sumitomo Mitsui Banking Corporation			7,000,000
<b><u>WLC Rating Category 6*</u></b>	7,000,000	10,000,000	
Close Brothers Ltd			
Clydesdale Bank PLC			
Coventry Building Society			
Leeds Building Society			
Skipton Building Society			
Yorkshire Building Society			
<b><u>Local Authorities, Public Bodies &amp; DMO**</u></b>	23,085,467	23,085,467	
<i>Maximum of 20% of total investments</i>			
All UK Local Authorities			
UK Public Bodies			
Debt Management Office – Deposit Account			
Treasury Bills			
<b><u>UK Part Nationalised Banks</u></b>	35,000,000	35,000,000	
National Westminster Bank plc			
Royal Bank of Scotland			
<b><u>Money Market Fund – AAA rated***</u></b>	40,399,568	40,399,568	
<i>Maximum of 35% of total investments</i>			
Aberdeen Liquidity Money Market Fund			

**Other Permitted Investments**

West Calder High School DBFMCo Ltd	<b>350,000</b>	<b>350,000</b>	287,337
	<b>TOTAL</b>	<b>TOTAL</b>	<b><u>115,427,337</u></b>

- \* As rated by the adoption of lowest rating from all relevant rating agencies to determine creditworthy counterparties.
- \*\* This limit fluctuates according to total investments. Based on current investments of £115.427 million, the limit would be £23.085 million.
- \*\*\* This limit fluctuates according to total investments. Based on current investments of £115.427 million, the limit would be £40.399 million.

## **WEST LOTHIAN COUNCIL PERMITTED INVESTMENTS**

<b>Permitted Investment Instrument</b>	<b>Minimum credit rating</b>	<b>Maximum Percentage of Total Investments</b>	<b>Treasury Risks</b>	<b>Mitigating Controls</b>
<b>Cash Investments up to one year</b>				
Term Deposits and Bonds – UK Banks and Building Societies	Equivalent to Fitch's rating of FI short term A long term	Up to 100%	There is minimal risk to the value of principal invested. Consideration needs to be given to credit ratings to ensure appropriate counterparties are used. Liquidity risk that funds are not available when required.	Adoption of lowest rating from all relevant rating agencies to determine creditworthy counterparties. Cash flow forecasting undertaken to identify when funds will be required. Also use overnight account for daily access to funds.
Term Deposits – Local Authorities and Public Bodies	Local Authorities & Public Bodies are not awarded credit ratings	20%	Counterparty risk is very low as this is considered UK Government debt and there is no risk to value.	No controls required as investment is with the UK Government and has minimal risk.
Money Market Funds	AAA	35%	Pooled cash investment vehicle with very low counterparty, liquidity and market risk.	The council will only use funds with a constant net asset value or low volatility net asset value to ensure minimal risk to market value. Funds required to be AAA rated to limit counterparty risk and instant access to ensure liquidity.
Debt Management Agency – Deposit Facility	UK Government	20%	Minimal counterparty or liquidity risk as deposit is with the UK Government.	No controls required as investment is with the UK Government and has minimal risk.
Treasury Bills	UK Government	20%	Minimal counterparty or liquidity risk as deposit is with the UK Government. Potential market risk due to longer term movements in interest rates.	No general controls required as investment is with the UK Government. All investments are short term and held to maturity therefore minimal risk to value from resale on secondary market.

## **WEST LOTHIAN COUNCIL PERMITTED INVESTMENTS**

<b>Permitted Investment Instrument</b>	<b>Minimum credit rating</b>	<b>Maximum Percentage of Total Investments</b>	<b>Treasury Risks</b>	<b>Mitigating Controls</b>
<b>Cash Investments up to one year</b>				
Certificates of Deposit	Equivalent to Fitch's rating of FI short term A long term	20%	There is minimal risk to the value of principal invested. Consideration needs to be given to credit ratings to ensure appropriate counterparties are used. Liquidity risk that funds are not available when required.	Adoption of lowest rating from all relevant rating agencies to determine creditworthy counterparties. Cash flow forecasting undertaken to identify when funds will be required. Deposit will be held to maturity to ensure that the full amount invested is returned to the council. Investments will only be for periods of three to twelve months.
<b>Cash Investments between one year and up to two years</b>				
Term Deposits and Bonds – UK Banks and Building Societies	Nationalised or part nationalised UK Banks	£35 million	There is minimal risk to the value of principal invested. Consideration needs to be given to credit ratings to ensure appropriate counterparties are used. Liquidity risk that funds are not available when required.	Adoption of lowest rating from all relevant rating agencies to determine creditworthy counterparties. Cash flow forecasting undertaken to identify when funds will be required.
<b>Non Treasury Investments</b>				
Long Term Investment - £25,000 £1 shares in Lothian Buses plc	This is the share of Lothian Buses plc allocated to the council on the disaggregation of Lothian Regional Council in 1996	£25,000 £1 shares	This is a service investment which may exhibit market risk.	Shares will not be sold therefore market changes will have no impact. Ownership is supported by service requirements and must be approved by elected members.

## **WEST LOTHIAN COUNCIL PERMITTED INVESTMENTS**

<b>Permitted Investment Instrument</b>	<b>Minimum credit rating</b>	<b>Maximum Percentage of Total Investments</b>	<b>Treasury Risks</b>	<b>Mitigating Controls</b>
<b>Non Treasury Investments</b>				
Loans to Third Parties – Small Business Loans	Small amounts not subject to credit ratings	At 30 September 2022, there were no outstanding loans	Counterparty and market risk where the funds invested are not returned.	Close administration and ongoing monitoring of receipts. Award criteria established by service.
Loans to Third Parties – Empty Homes Loan Fund	Small amounts not subject to credit ratings	£60,000 or total funding made available from Scottish Government	Counterparty and market risk where the funds invested are not returned but council has to repay funding to Scottish Government.	A robust procedure is in place for the monitoring and collection of empty homes loans.
West Calder High School DBFMCo Ltd Equity and Subordinated Debt	DBFM company established to provide new West Calder High School by HUB South East Ltd (HUBco) through Schools for the Future Programme	Equity Subscription - £100 Subordinated debt – maximum of 1% of the total eligible cost of construction (£350,000)	This is a service investment which may exhibit market risk. If the DBFM company does not perform and fails to deliver on agreed service objective, the subordinated debt element is at risk.	Shares will not be sold therefore market changes will have no impact. Investment is directly linked to delivery of the new West Calder High School. Ownership is supported by service requirements and must be approved by elected members.

## MONITORING OF PRUDENTIAL INDICATORS – 2022/23

### CAPITAL EXPENDITURE INDICATORS (Items 1 and 2)

#### 1. CAPITAL EXPENDITURE

##### **Purpose of the Indicator**

The purpose of this indicator is to inform Council of projected capital spending in 2022/23.

	<b>Council 15 February 2022 2022/23 Estimate £'000</b>	<b>Revised 2022/23 Estimate £'000</b>
General Services	83,693	72,860
Housing	40,947	46,055
<b>Total</b>	<b>124,640</b>	<b>118,915</b>

##### **Performance**

The original estimate for this indicator was approved in February 2022 before the revised 2022/23 capital programmes for both General Services and Housing were approved in June 2022. The indicator therefore needs to be updated to bring it in line with estimated spend on the overall capital programme for 2022/23. The overall estimate of capital spend has decreased due to changes to phasing of works.

#### 2. CAPITAL FINANCING REQUIREMENT

##### **Purpose of the Indicator**

The capital financing requirement measures the council's underlying need to borrow for a capital purpose. This is, at a high level, the council's total outstanding debt required to finance planned capital expenditure.

	<b>Council 15 February 2022 2022/23 Estimate £'000</b>	<b>Revised 2022/23 Estimate £'000</b>
General Services	490,941	490,791
Housing	296,888	296,430
<b>Total</b>	<b>787,829</b>	<b>787,221</b>

##### **Performance**

The capital financing requirement was approved by Council on 15 February 2022 and covers the council's total borrowing requirement. The estimate has been revised to incorporate updated capital expenditure and resources programmes approved by Council Executive on 21 June 2022.

**AFFORDABILITY INDICATORS (Item 3)****3. RATIO OF FINANCING COSTS TO NET REVENUE STREAM****Purpose of the Indicator**

This indicator provides a measure of the proportion of the budget allocated to financing capital expenditure. For the General Fund, this is the ratio of financing costs of borrowing against net expenditure financed by government grant and local taxpayers. For Housing, the indicator is the ratio of financing costs to gross house rental income.

	<b>Council 15 February 2022 2022/23 Estimate £'000</b>	<b>Revised 2022/23 Estimate £'000</b>
General Fund	5.7%	5.6%
Housing	24.2%	22.0%

**Performance**

The estimate for 2022/23 has been revised to incorporate the changes in the capital investment and resources programme for the financial year as outlined in the indicators above. The actual percentages for 2022/23 will not be available until after the end of the financial year.

**FINANCIAL PRUDENCE INDICATOR (Item 4)****4. GROSS EXTERNAL BORROWING AND THE CAPITAL FINANCING REQUIREMENT****Purpose of the Indicator**

This indicator records the extent that gross external borrowing is less than the capital financing requirement (indicator 2 above). This is a key indicator of prudence and is designed to ensure that, over the medium term, external borrowing is only for a capital purpose. The values are measured at the end of the financial year.

	<b>Council 15 February 2022 2022/23 Estimate £'000</b>	<b>Revised 2022/23 Estimate £'000</b>
Gross External Borrowing	787,829	787,221
Capital Financing Requirement	787,829	787,221
<b>Under limit by</b>	<b>-</b>	<b>-</b>

**Performance**

These figures are measured at the end of the financial year when a comparison will be provided for this indicator. During the course of the financial year, the net external borrowing should be forecast to equal the capital financing requirement as the council only borrows for capital purposes.

**TREASURY AND EXTERNAL DEBT INDICATORS (Items 5 to 8)****5. AUTHORISED LIMIT FOR EXTERNAL DEBT****Purpose of the Indicator**

The authorised limit for external debt is required to identify external borrowing and other long-term liabilities such as covenant repayments, finance lease and PPP obligations. This limit provides a maximum figure to which the council could borrow at any given point during each financial year.

<b>Authorised Limit for:</b>	<b>Council 15 February 2022 2022/23 Estimate £'000</b>	<b>Revised 2022/23 Estimate £'000</b>
Gross External Borrowing	829,250	764,367
Other Long-Term Liabilities	78,657	78,686
<b>External Debt</b>	<b>907,907</b>	<b>843,053</b>

**Performance**

Following the revision of capital expenditure and resources assumptions, and the corresponding amendments to the prudential indicators above, there is a requirement to recalculate the authorised limit for external debt. Currently the council's external debt is substantially below this indicator. This gap may reduce if further borrowing is undertaken during the latter half of the year, however it is not expected that total external debt will exceed the revised authorised limit.

**6. OPERATIONAL BOUNDARY FOR EXTERNAL DEBT****Purpose of the Indicator**

This is a key management tool for in year monitoring and is lower than the Authorised Limit as it is based on an estimate of the most likely level of external borrowing at any point during the financial year.

<b>Operational Boundary for:</b>	<b>Council 15 February 2022 2022/23 Estimate £'000</b>	<b>Revised 2022/23 Estimate £'000</b>
Gross External Borrowing	819,250	754,367
Other Long-Term Liabilities	77,657	77,686
<b>External Debt</b>	<b>896,907</b>	<b>832,053</b>

**Performance**

Following the revision of capital expenditure and resources assumptions, and the corresponding amendments to the prudential indicators above, there is a requirement to recalculate the operational boundary for external debt. Currently the council's external debt is substantially below this indicator. This gap may reduce if further borrowing is undertaken during the latter half of the year, however it is not expected that total external debt will exceed the revised authorised limit.

**7. ACTUAL EXTERNAL DEBT****Purpose of the Indicator**

This is a factual indicator showing actual external debt for previous financial years.

	<b>31 March 2020 £'000</b>	<b>31 March 2021 £'000</b>	<b>31 March 2022 £'000</b>
Actual External Borrowing	620,570	605,386	635,452
Actual Other Long-Term Liabilities	86,138	82,624	80,238
<b>Actual External Debt</b>	<b>706,708</b>	<b>688,010</b>	<b>715,699</b>

## **Performance**

The external debt reported in the annual accounts for previous years is included for comparison purposes only.

## **8. TREASURY MANAGEMENT INDICATOR**

This indicator intends to demonstrate good professional practice is being followed.

### **8.1 Adoption of the CIPFA Treasury Management Code**

The CIPFA Treasury Code was adopted on 25 March 1997 as an indication of good practice. In line with the fully revised Treasury Code, the council's Annual Treasury Plan is reported to full Council for approval.

### **8.2 Upper limits for fixed and variable rate borrowing**

The limit for fixed rate borrowing is 100% and the limit for variable rate borrowing is 35%. These limits mean that fixed rate exposures will be managed within the range of 65 to 100% and the maximum exposure to variable rate borrowing will be 35% of total debt. This is a continuation of current practice.

### **8.3 Maturity structure of fixed rate borrowing for 2022/23**

	<b>Approved Upper Limit</b>	<b>Approved Lower Limit</b>
Under 12 months	35%	0%
12 months and within 24 months	35%	0%
24 months and within 5 years	50%	0%
5 years and within 10 years	75%	0%
10 years and over	100%	25%

Excluding LOBO loans shown as maturing in the next 12 months for accounting purposes only, the current maturity levels of debt are within these upper and lower limits.

### **8.4 Total principal sums invested for periods longer than 364 days**

Following changes from the Investment Regulations applicable from 1 April 2010, the council can make investments for periods longer than 364 days. The approved limit for total principal sums invested for periods of over one year is £35 million.

The treasury management indicator confirms sound professional practice is being followed by the council in undertaking treasury management. The approved values and parameters provide sufficient flexibility in undertaking operational treasury management.

## **CONCLUSION**

In monitoring the above prudential indicators, the council is fulfilling its duty under the Prudential Code. The monitoring indicates that spending plans remain affordable, prudent and sustainable, and that treasury management is operating in line with the requirements of the CIPFA Code of Practice for Treasury Management in the Public Services.

WEST LOTHIAN COUNCIL

22 NOVEMBER 2022

MOTION

**JAMIE DUNCAN**

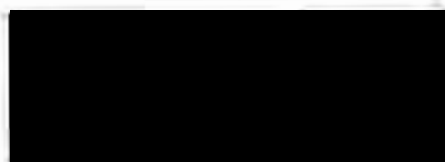
Council congratulates Jamie Duncan from Blackridge on being selected – as the only Scot – in the Great Britain team that competed and finished second in the recent EuroCopa futsal tournament in Spain.

Council asks Provost Muldoon to make contact with Jamie in suitable terms.



**Councillor Stuart Borrowman**  
Independent  
Armadale and Blackridge Ward

Received on 2 Nov 2022 at 11:00





## **WEST LOTHIAN COUNCIL LABOUR GROUP**

**Notice of Motion from Councillor Kirsteen Sullivan  
For the Council Meeting on 22<sup>nd</sup> November 2022**

### **Blackburn Women's Social Services Club**

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Council notes the recent 80<sup>th</sup> birthday celebrations of Blackburn's Women's Social Services Club. Council understands that the club is thought to be the oldest of its kind operating in West Lothian, starting up during the Second World War where local women would come together to knit, have a cuppa and a blether, and in doing so, creating an informal support network which has endured throughout the years.

Council further notes the social change the group has witnessed over this time, with its longest serving member of 60 years, Mina Todd, being crowned Blackburn Coronation Gala Queen in 1953.

Council congratulates the Blackburn Women's Social Services Club on its longevity as well as the strong bonds of friendship and support it has created for the women of Blackburn since 1942. Council instructs the Chief Executive to write to the club President, Lisa Ho, to extend Council's congratulations and wish the club well for the next eighty years.

Received on 3 Nov 2022 at  
11:24am

**Councillor Kirsteen Sullivan  
West Lothian Council Labour Group**





## WEST LOTHIAN CONSERVATIVE AND UNIONIST COUNCIL GROUP

West Lothian Council  
22<sup>nd</sup> November 2022  
Motion - Homelessness

West Lothian Conservative Group notes that homelessness is a huge concern, as it is across Scotland and indeed the UK and we must now look at solutions to properly look at resolving this massive issue.

West Lothian has over 1400 homelessness applications, too many people in Scotland are becoming homeless because of the housing emergency, this demand is growing and will continue to grow,

There are too many people in West Lothian being accommodated within B&B or having to move away to another areas for example Falkirk, Edinburgh and even further afield, leaving family support networks behind.

We need to find solutions quickly, to save West Lothian Council money but more importantly to improve people's lives.

One solution, which can be introduced speedily and cost effectively is in the introduction of container/cabin houses. These can be installed in more locations across West Lothian and be a short- medium term solution before enough houses are built.

West Lothian Council therefore instructs Chief Executive to the following -

- 1 - Write to Shona Robson MSP, for Social Justice, Housing and Local Government. asking that the SNP Scottish Government fully fund this project.
2. Officers to develop a detailed report to look at suitable and sustainable land for the Container/cabin houses to be located.
3. This report to also include full implications for infrastructure requirements for all potential sites.
4. Relevant officers to look at the Homeless Village Model in Granton, Edinburgh to ensure best value and share best practice.
5. This report to go to Housing Services Policy Development and Scrutiny Panel PDSP.
6. Council further agrees that this report detailing the above must be considered by all Councillors through coming back to Full Council for decision.



Councillor Angel Doran-Timson  
Broxburn, Uphall and Winchburgh Ward

Received on 7 Nov 2022 at 9:16am





# West Lothian Council SNP Group

**Leader:** Cllr Janet Campbell  
**Depute Leader:** Cllr Robert De Bold  
**Secretary:** Cllr Mary Dickson

*Díco Tíbi Verum, Libertas Optima Rerum Nunquam Servilí!*



Agenda Item 10

## West Lothian Council Meeting 22<sup>nd</sup> November 2022

### Motion -Retain Channel 4 in Public Ownership

The news that the Westminster Tories plans to sell off Channel 4 have been paused whilst the business case for the sale are to be re-examined is extremely welcome. Now that the pause button has been pressed on this decision it is vital the new Secretary of State for Culture in Sunak's Government is made well aware of the importance of retaining Channel 4 in Government control.

Although owned by the Government – and by extension taxpayers – Channel 4 receives absolutely no public funding. C4 was set up in 1982 to deliver to underserved audiences and therefore has a unique public service remit, receiving 100% of its funding from advertising.

Channel 4 is a public service commercial broadcaster that commissions original programming and online content from independent production companies. Channel 4 works with more small production companies than any other broadcaster, estimated at 200 over the last two years. A privatised Channel 4 would likely leave many financially challenged. Analysis of those 200 production companies found that almost 140 relied on Channel 4 for half or more of their TV production work. So called regional production companies, that is production companies in Scotland are more likely to be reliant on Channel 4 projects. said Broughton. A sale of Channel 4 therefore totally undermines the UK governments so called 'levelling up' agenda."

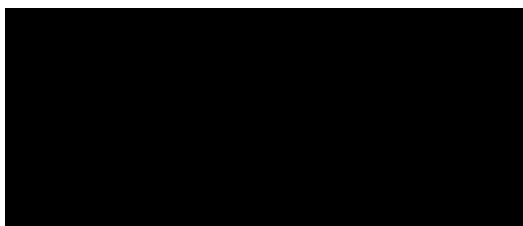
A report in the Guardian argues that a new owner would aim to cut 40% to 50% of Channel 4's programming budget to boost its roughly 8% margin closer to the level of commercial peers across Europe, which operate at about 15% or higher. A reduction in spend on original productions could jeopardise 50 to 60 small production companies and potentially more if a buyer is particularly risk averse and looks to commission more from larger producers.

In 2020 Channel 4 produced 58% of its contents in the Nations and regions outside of London – privatisation could only serve to make television production more London centric and will be detrimental to independent production in Scotland.

Not only does Channel 4's creative hub in Glasgow make significant contributions to the local economy, the Pyramids in Bathgate are to become the home of a £2 Million film studio bringing highly skilled and well-paid jobs into West Lothian at a time when they are so desperately needed. They will be renamed Pyramids Studios under plans to significantly expand and develop production facilities in West Lothian.

Speaking about the plans to privatise C4, "The Thick of It" creator Armando Iannucci is quoted as saying of the UK Tory Government "They asked for 'a debate'; 90% of submissions in that debate said it was a bad idea. But still they go ahead. Why do they want to make the UK's great TV industry worse? Why? It makes no business or economic sense".

West Lothian Council therefore agrees to write without delay to the new Culture Secretary outlining the Council's opposition to Tory plans to privatise a successful public broadcaster which belongs to all of us and which supports independent film production in West Lothian and across Scotland.



Received on 7 Nov 2022 at 09:57am



Cllr Janet Campbell

SNP Group Leader

# West Lothian Council SNP Group

**Leader:** Cllr Janet Campbell  
**Depute Leader:** Cllr Robert De Bold  
**Secretary:** Cllr Mary Dickson

*Díco Tíbi Verum, Libertas Optima Rerum Nunquam Servilí!*



Agenda Item 11

## West Lothian Council Meeting 22<sup>nd</sup> Nov 2022

### Motion -Dealing with vermin and statutory nuisance

Rats are naturally present in the environment we are told.

The responsibility for management and control of rats lies with the land and property owners where the rats are present we are told.

Feeding birds (or hedgehogs, etc.) in itself is not an offence we are told.

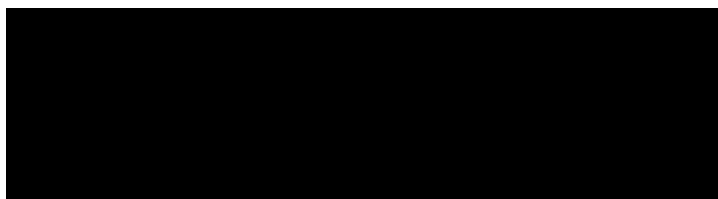
However, if feeding is excessive, or leads to accumulations of food waste, or a significant build-up of bird droppings, it comes under Section 79 section 1(e) of the Environmental Protection Act 1990.

“Any accumulation or deposit which is prejudicial to health or a nuisance,”

Local Authorities are responsible for enforcement of this act.

Where there are a significant number of complaints received then it is reasonably safe to assume that a nuisance is occurring.

Council therefore call for a review of the policies that cover procedures around the enforcement of the relevant Acts, in particular as to how they relate to residential properties. This should include a report to the appropriate PDSP.



Cllr Willie Boyle

**Bathgate Ward (SNP)**

Received on 7 Nov 2022 at 11:02am





# West Lothian Council SNP Group

**Leader:** Cllr Janet Campbell  
**Depute Leader:** Cllr Robert De Bold  
**Secretary:** Cllr Mary Dickson

*Díco Tíbi Verum, Libertas Optima Rerum Nunquam Servilí!*



Agenda Item 12

West Lothian Council Thurs 22<sup>nd</sup> Nov 2022

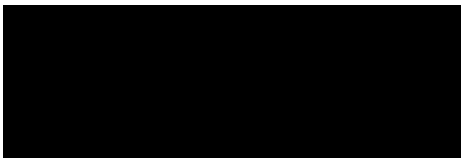
## Motion- Time Limit on Temporary Accommodation

Council notes with growing alarm the increasing times that homeless applicants and their families have to endure in Council-owned temporary accommodation.

Reports of families spending 12 or more months in temporary accommodation prior to being allocated a permanent let are not uncommon. Such families are unable to progress with their lives and are unable to decorate or improve their property. In many cases, they begin to put down permanent roots in the community of the temporary accommodation.

Council resolves that this is unacceptable and will set a time limit of six months after which, where feasible, the temporary accommodation property should be offered to the applicant as a permanent let at their request.

Received on 7 Nov 2022 at  
11:02am



**Dr Robert De Bold**

**Councillor for Livingston North (SNP)**



DATA LABEL: PUBLIC



## **WEST LOTHIAN COUNCIL**

### **COUNCILLORS' CODE OF CONDUCT – ANNUAL REPORT 2021/22**

#### **REPORT BY GOVERNANCE MANAGER/INTERIM MONITORING OFFICER**

##### **A. PURPOSE OF REPORT**

To inform members of significant issues in 2021/22 in relation to the Code of Conduct.

##### **B. RECOMMENDATIONS**

To note the summary of the issues arising in 2021/22 in relation to the Councillors' Code of Conduct

##### **C. SUMMARY OF IMPLICATIONS**

<b>I</b>	<b>Council Values</b>	Being honest, open and accountable
<b>II</b>	<b>Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)</b>	Ethical Standards in Public Life etc. (Scotland) Act 2000 and related regulations – members' duties to observe and uphold the Code; council's duties to promote the Code and assist members in its observance
<b>III</b>	<b>Implications for Scheme of Delegations to Officers</b>	N/a
<b>IV</b>	<b>Impact on performance and performance Indicators</b>	N/a
<b>V</b>	<b>Relevance to Single Outcome Agreement</b>	N/a
<b>VI</b>	<b>Resources - (Financial, Staffing and Property)</b>	N/a
<b>VII</b>	<b>Consideration at PDSP</b>	Not possible due to timing of annual reports and dates of meetings
<b>VIII</b>	<b>Other consultations</b>	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. A wholly rewritten Code became effective on 7 December 2021 and fresh statutory guidance was issued. The Code is enforced through complaints to the Commissioner for Ethical Standards in Public Life in Scotland (the ESC) and onwards to the Standards Commission for Scotland (the Commission). Members found to have breached the Code may be censured, suspended or disqualified from being a councillor. Complaints alleging breaches of the Code can also be submitted to the council. Those are dealt with by the Monitoring Officer through an internal procedure which may divert an issue away from the more formal path. It does not provide a substitute for it and cannot prevent an external reference being made.

- 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 with and compliance with the Code and its underpinning statutory rules; having regard to statutory guidance; attending training and induction sessions; promoting and supporting the Code; and encouraging compliance by others. Being familiar with it, understanding it, applying it and complying with it are the personal responsibilities of each member.

## **2 The ESC's year**

- 2.1 The ESC's office remained in its troubled state but made substantial progress towards its return to being a functional public body. The Acting Ethical Standards Commissioner remained in office but recruitment to a permanent position has been started. An action plan was put in place to implement recommendations from a wider-scope audit carried out in 2020/21. Progress has been reported publicly with the majority of actions completed and only one still to be started. Governance arrangements were completely revised, including the adoption of corporate values/vision, a three-year strategic plan and supporting rolling biennial business plans. Handling of complaints and communication with complainers and respondents have been improved. Openness and transparency are the aims, including candour about the time taken to carry out even an initial assessment (currently up to 9 months) and bring them to a conclusion, and the reasons for delay.
- 2.2 The statutory Directions issued by the Commission remained in place. One of them, requiring quarterly progress reports on all investigations, was renewed in September 2022. The others are likely to be renewed as well during 2022/23. That means that except in extremely limited circumstances all complaints must be investigated by the ESC and concluded investigations reported to the Commission, with the Commission retaining sole decision-making powers. Those arrangements have had a considerable impact on the ESC since they became effective in March 2021. The number of full investigations required has increased, even leaving aside the increase in the number of complaints received. With staff shortages the throughput of complaints has declined and the year-end backlog has increased.
- 2.3 Some of the problems mentioned in this year's ESC annual report are:-
  - Ever higher numbers of complaints received against MSPs, diverting resources away from complaints against councillors and members of devolved public bodies and requiring retraining of the whole investigations team
  - An increase in the number of complaints/cases against councillors (330/164) compared to the previous two years (301/165; 319/178)
  - A higher backlog of unresolved complaints/cases at the year end (146/184 compared to 24/8 and 63/35)
  - The need to continue engagement with and seek support from the Scottish Parliamentary Corporate Body (SPCB) in relation to audit, governance,

resources and budgets

- Difficulties in recruitment and staff retention, leading to impacts on complainers, respondents, councils, and devolved public bodies

#### 2.4 On the positive side the annual report notes:-

- Recognition by the SPCB that existing resources were inadequate for statutory duties to be discharged, and its agreement to provide additional resources to address both ongoing workload and the backlog of unresolved complaints. Recruitment to additional posts has started
- The development of a comprehensive Investigations Manual and supporting procedures and resources. That followed engagement and consultation with the Commission, Monitoring Officers and Standards Officers and will be subject to wider consultation in 2022/23
- Continuing stakeholder engagement and improvement in relationships with them (Commission, Monitoring Officers, Standards Officers, SOLACE, SOLAR)
- Prioritisation and early completion of workforce planning to address delays in investigations
- The overall positive shift in the way the office operates and the improved and changed approach to its work and its customers which it is anticipated, with increased resources now available, will continue to restore functionality and reputation

#### 2.5 In terms of numbers and trends in the complaints received and cases handled (see also Appendix 1):-

- The vast majority of complaints continue to be against councillors and not members of devolved public bodies (82% against 18%). The balance has shifted slightly though, with an increase this year in complaints against the latter (18%, compared to 4% and 5% in the previous two years)
- The proportions of complaints from members of the public and from councillors remained much the same, with 83% from the public, compared to 71% last year and 80% the year before
- Planning/regulatory complaints increased slightly, following the previous year's decline (13% this time, 6% in 2020/21, 33% in 2019/20)
- Disrespect cases are again the largest category (38%, 46%, 14%). The numbers of complaints of disrespect towards other councillors and towards others were both up on last year
- Registration and declarations of interest formed a small proportion of complaints (8% this year, 7% last year) and confidentiality complaints increased (up from 6 to 23)

### 3 The Commission's year

#### 3.1 This year's annual report is the first under the convenership of Paul Walker who assumed that role in September 2021. The Commission reported on progress towards the key aims in its Corporate Plan for 2020/24, the highlights including:-

- The implementation of the revised Code on 7 December 2021 after Parliamentary approval, accompanied by a refresh of its guidance and advice notes and the provision of standardised training materials to stakeholders
- Continuing positive engagement with stakeholders through consultations, workshops and regular newsletters, and the use of its website and social media accounts
- The use of its statutory oversight powers through Directions and the contribution that has made to improvements in the ESC's operations and the

throughput of cases

- The introduction of its policy on the use of its newly-assumed decision-making powers and its successful introduction and use in consistent decision-making. Its approach is around public interest and proportionality, and considers factors such as the seriousness of the alleged breach, the reaction and attitude of the respondent, the views of the ESC, and the likelihood of Article 10 saving the day regardless
- The conclusion of repeated litigation against the Commission by a (now former) Renfrewshire councillor in relation to hearing procedures and sanctions. It culminated in an appeal to the Court of Session which reduced the disqualification period by an amount sufficient to allow them to stand for re-election in May 2022

3.2 Information about its decisions during the reporting year is in Appendix 2. The cases noted there were digested in internal training sessions in June 2021, February 2022 and August 2022. Some of the themes, trends and highlights from the Commission's caseload are:-

- There were 26 cases remitted by the ESC for determination. Of those, hearings were deemed necessary in seven and in 19 no further proceedings took place. In two cases the ESC was instructed to carry out further investigation. When that was done and reported back no further proceedings were taken in either case
- Decisions as to whether hearings should take place were made very quickly after referral, and hearings were then convened at most 12 weeks after being instructed.
- A total of five hearings were held, all in relation to councillors, of which four were respect cases and one concerned alleged improper conduct in regulatory business. They resulted in one "breach" finding, one "no breach" decision, and three cases where a *prima facie* breach was negated by the application of the Article 10 protection in relation to free speech on matters political and of public interest
- The sanction applied in the sole breach case was disqualification. No new interim suspension reports were dealt with (temporary measures where substantial risks are present if a councillor is able to carry on regardless pending a hearing)
- Online/webcast hearings, used during the pandemic, were continued as an option, used where the alleged breach is minor or technical or where there is no significant disagreement over the facts of the case

3.3 As the reforms in the ESC's office and its increased resources take hold it is likely the Commission will be faced with a greater volume of cases for its final determination, either through hearings or through the preliminary decisions not to proceed further. It may find its workload prevents it matching the speed with which it has been disposing of cases over the last 18 months. The Commission's decisions on cases where no hearings are held are helpful in illustrating the types of allegations and conduct that led to "near misses". Complaints and decisions about words used in political debate and argument, whether at meetings, in emails or on social media, are useful in setting boundaries and drawing a distinction between the "respect" of the Code and the stricter and more elusive standards of civility and politeness which do not appear there.

## 4 The council's year

4.1 The annual report for 2020/21 was given on 23 November 2021 to full council. Similar reports were provided to the Governance & Risk Board and the Corporate Management Team to raise awareness of the Code amongst officers. A separate

- report was delivered to full council on 25 January 2022 on the changes brought in by the new Code.
- 4.2 A training session was held on 20 January 2022 on the new Code (27 attendees). Bi-annual training sessions continued, concentrating on current and up-to-the-minute information, mainly around reported Commission cases. Sessions were delivered online on 7 February 2022 (21 attendees) and 27 August 2022 (14 attendees). Five sessions were offered as part of the post-election Induction Programme (16, 12, 10, 5 and 13 attendees).
  - 4.3 Members also continued to receive periodic emails passing on and summarising significant events and developments, such as Commission decisions and its quarterly bulletins. The aim is to pass on current and significant issues in a more immediate and digestible way other than through formal training sessions.
  - 4.4 No complaints against West Lothian councillors were investigated by ESC during the year, the same position as for the previous two years. The delays in the ESC's investigations mean that some may have been made but not yet notified. Seven complaints were investigated and determined through the council's internal procedure. That number is consistent with numbers in recent years. More information on those, and the council's recent history of involvement with the ESC and the Commission and under the internal procedure, is shown in Appendix 3.

## **5 Significant messages**

- 5.1 There is still a high proportion of complaints about respect. Social media is a common feature in those. The Article 10 protection for freedom of expression on public interest and political issues arises frequently. The move in recent years away from a high volume of complaints about planning cases by and large continues.
- 5.2 The future contribution of ESC to the system is key to the continuing success of the complaints regime. Also significant will be the Commission's ongoing discharge of its sole decision-making duties, a function that will become more onerous as the ESC returns to "normal" service.
- 5.3 Becoming acquainted with and using the revised Code and related guidance and advice remains an arduous task for experienced and newly-elected members alike. The full impact of the new Code on conduct remains to be seen. However, the regime stands comparison well against, for example, the ethical standards regime in the UK Parliament that has featured so prominently in the public domain in recent years. The Commission has not been shy about using social media to promote the Scottish arrangements at appropriate times in the reporting of events in Westminster.

## **E. CONCLUSION**

An up-to-date awareness of issues relating to the Code of Conduct will help members and the council fulfil their respective obligations in relation to ethical standards.

## **F. BACKGROUND REFERENCES**

- 1 [Councillors' Code of Conduct and Guidance](#)
- 2 [Commission Annual Report 2021/22](#)
- 3 [ESC Annual Report 2021/22](#)

**Appendices/Attachments:** 1. ESC complaints and cases

2. Commission cases

### 3. West Lothian complaints and outcomes

**Contact Person:** James Millar, Governance Manager/Interim Monitoring Officer, Chief Executive's Office, West Lothian Civic Centre, Howden Road South, Livingston, EH54 6FF, 01506 281613, [james.millar@westlothian.gov.uk](mailto:james.millar@westlothian.gov.uk)

Date of meeting: 22 November 2022

## APPENDIX 1

### ESC complaints and cases (national)

Table 1 – ESC complaints and cases 2016/17 – 2021/22 <sup>1</sup>						
	16/17	17/18	18/19	19/20	20/21	21/22
Against everyone	174/106	146/80	174/118	284/154	238/130	330/164
Against councillors	165	134	167/111	274/146	225/121	272/143
Against public body members	9	3	6/6	10/8	13/9	58/21
From members of the public	110	123	148	213	169	273
From councillors	54	19	21	34	52	43
Planning (regulatory)	35	39	24	95 <sup>2</sup>	14	42
Registering interests	6	4	10	4	4	8
Declaring interests	22	5	13	12	12	20
Disrespect	63	31	60	97 <sup>3</sup>	110	126
Completed	224	176/90	162/113	256/143	277/157	190/82 <sup>4</sup>
Dropped, not competent or did not proceed Percentage <sup>5</sup>	111 64%	121/59 83%/66%	79 51%	214/116 84%/81%	227/132 84%/86%	125/56 38%/34%
No breach found	95/55	43/23	31/22	32/21	10/7	6/5
Breach found, SCS referral	18/14	12/8	17/11	8/4	39/17	69/21

<sup>1</sup> The first figure is the number of complaints received. The second, after the back-slash, where relevant, is the number of cases dealt with after complaints are combined

<sup>2</sup> From 2019/20 onwards, an omnibus category of “quasi-judicial or regulatory”, not just “planning”

<sup>3</sup> (Dis)respect was towards officers or members of the public in 99 complaints (96 last year), and was towards councillors in 27 complaints (14 last year)

<sup>4</sup> The changes in figures in this row and the row beneath are traceable to the Direction in March 2021 requiring (almost) every complaint to be fully investigated and remitted to the Commission for determination

<sup>5</sup> The much elevated figures in 2019/20 and 2020/21 resulted in a serious complaint about and investigation of ESC practices on determining inadmissibility. An external investigation took place but legal advice was that rejection decisions could not be re-opened

## APPENDIX 2

### Commission cases (national)

Table 1 – Full hearing cases concluded 2021/22			
Case	Facts	Decision	Reasons and sanction (if any)
<b>Respect</b>			
AC/3495	Disrespect to councillor. Comments at a council meeting about another councillor. Brought up (accurately) respondent's conviction for sexual assault on council business and suspension by the Commission. Stated that he was not welcome and that people thought he should not be a councillor	No breach	Article 10 <sup>6</sup> rights obviated a breach finding. On the face of it, offensive. Character of respondent found to be a matter of public interest for legitimate comment at a council meeting. Not sufficiently gratuitous to justify restricting freedom of expression on political/public interest matters
AC/3497	Disrespect to members of the public. Respondent went to location of long-running neighbour dispute to attempt to find a solution. Went unannounced and without an officer. Only aware of one side of the competing stories. From a recording, comments and questions asked found to be ill-advised, accusatory and confrontational	No breach	Article 10 rights obviated a breach finding. On the face of it, constituents were not treated with respect and courtesy. However, it did concern a matter of public interest, given the history, the public knowledge of the dispute and the council's previous involvement in relation to antisocial behaviour. Restraint on freedom of expression not justified
Mo/3516	Disrespect to members of the public. Online/social media comments of a personal nature about an MSP and their wife in relation to joining a different political party, and mocking the First Minister's experience of miscarriage.	No breach	Article 10 rights obviated a breach finding. Some comments found to be personalised and offensive but most involved value judgments apparently made in good faith and were short of the gratuitous standard which might lead to a breach finding.
R/2257	Disrespect to councillors, officers and members of the public online and in emails. Prolonged, protracted, colourful and escalating campaign against another councillor and their family stemming from unfounded allegations of undue influence and improper advantage in housing allocation decisions	Breach	Disqualification (after litigation). Facts clearly indicated there had been a breach. Article 10 protection could not save the respondent. Breach accepted but disqualification period appealed to Sheriff Principal (unsuccessfully) and onwards to the Court of Session. Disqualification period reduced due to Commission not explicitly taking into account the resulting prevention of the respondent from being nominated in the May elections

<sup>6</sup> "Enhanced protection of freedom of expression applies to all levels of politics including local. There is little scope under Article 10(2) for restrictions on political speech or on debate on questions of public interest. In a political context, a degree of the immoderate, offensive, shocking, disturbing, exaggerated, provocative, polemical, colourful, emotive, non-rational and aggressive, that would not be acceptable outside that context, is tolerated." ([Standards Commission Advice Note on Article 10 Rights](#))

Table 1 – Full hearing cases concluded 2021/22			
Case	Facts	Decision	Reasons and sanction (if any)
<b>Regulatory (planning)</b>			
PK/3477	Improper conduct in regulatory business. Planning application at committee. Respondent (not on the committee) stated to one of the parties in an email that he had colleagues on the committee who might be “persuaded to ask questions” on his behalf. Complaint by a councillor on the committee that words used gave the appearance of impropriety. ESC agreed, relying on an interpretation of “persuaded”	No breach	Monitoring Officer confirmed asking questions for colleagues was accepted practice and no impropriety was involved. No indication of any influence being exerted or of any impact on the committee’s proceedings. Objective test not satisfied so no improper conduct

Table 2 – Interim suspension cases 2021/22		
Case	Facts	Decision
None reported by ESC, powers not used		

## APPENDIX 3

### West Lothian councillor complaints

Table 1 – Complaints to ESC 2016/17 - 2021/22				
Year	Number	Main grounds	Breach	No breach
2016/17	1	Respect	0	1
2017/18	0	---	---	---
2018/19	3	Respect	1	2
2019/20	0	---	---	---
2020/21	0	---	---	---
2021/22	0	---	---	---
<b>Total</b>	<b>4</b>	---	<b>1</b>	<b>3</b>

Table 2 – Internal complaints 2016/17 - 2021/22				
Year	Number	Main grounds	Breach	No breach
2016/17	1	Other (1)	0	1
2017/18	6	Respect (4), other (2)	0	6
2018/19	8	Respect (3), declarations (3), other (2)	0	8
2019/20	7	Respect (2), declarations (1), other (4)	2	5
2020/21	5	Respect (3), other (2)	0	5
2021/22	7	Respect (5), planning/regulatory (1), use of council facilities (1)	2	5
<b>Total</b>	<b>34</b>	---	<b>4</b>	<b>30</b>

Table 3 – Internal complaints 2021/22		
From	Grounds	Outcome
Member of the public	Disrespectful language at Development Management Committee, acting improperly, pre-judgment	No breach. Comments found to be legitimate, not disrespectful. No evidence of prejudgment, not reasonable to think so
Member of the public and councillor	Using councillor status and appointments, email and phone numbers on political social media posts	No breach. Legitimate use of council facilities in awareness-raising/promotion in relation to councillor roles and duties
Councillor	Using council logo on political social media posts	Breach. Party political message and comment. Use of council facilities for political purposes
Officer	Disrespect to officers in emails to constituents. Undue influence and pressure on officers to achieve desired outcome. Interest in outside	Breach on all grounds. Disrespectful language and personal criticism in emails. Sought to have officers change decision made under council policy.

Table 3 – Internal complaints 2021/22		
From	Grounds	Outcome
	organisation not registered. Seeking improper preference for outside organisation. Improper use of council facilities	Used council emails to pursue interest of outside organisation on which they held a committee position. Interest not registered
Councillor	Disrespectful and inaccurate comments in newsletter	No breach. Comments found not to be inaccurate and in any event Article 10 rights would apply
Member of the public	Disrespectful language when leafletting	No breach. Not acting as a councillor. Not reasonable to think so
Councillor	Disrespect at council meeting, bullying/harassment	No breach. Comments made during political debate. Article 10 rights applied. Definition of harassment not satisfied by the conduct complained of



DATA LABEL: PUBLIC



## **WEST LOTHIAN COUNCIL**

### **SPACES FOR PEOPLE CONSULTATION FEEDBACK**

#### **REPORT BY HEAD OF OPERATIONAL SERVICES**

##### **A. PURPOSE OF REPORT**

The purpose of the report is to provide the Council with an update on the consultation exercise undertaken in accordance with the motion approved by Council on 15 March 2022.

##### **B. RECOMMENDATION**

It is recommended that the Council notes:

1. The statutory and public consultations that have been carried out;
2. The contents of the consultation responses (Appendix 3);
3. The reviews of the active travel plan, the accident investigation and prevention programme, speed limits, decriminalised parking, school crossing patrol guides, suitable routes to school and parking information.
4. The associated costs and timescales for progressing the elements set out in the report.

##### **C. SUMMARY OF IMPLICATIONS**

<b>I</b>	<b>Council Values</b>	Focusing on our customers' needs; being honest, open and accountable; providing equality of opportunities; making best use of our resources; working in partnership
<b>II</b>	<b>Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)</b>	Permanency of any measures of the Spaces for People programme will contribute to improved safety and encourage active travel.
<b>III</b>	<b>Implications for Scheme of Delegations to Officers</b>	None
<b>IV</b>	<b>Impact on performance and performance Indicators</b>	None
<b>V</b>	<b>Relevance to Single Outcome Agreement</b>	The project will contribute to outcomes: "We live in resilient, cohesive and safe communities."

<b>VI</b>	<b>Resources - (Financial, Staffing and Property)</b>	The council has received grant funding of £818,500 through the Spaces for People funding programme. The Council has received external funding of £127,948 which is being used to commission external consultants. Further costs of between £70,000 and £90,000 would require to be funded if each element of the Motion were to be progressed to the next stage.
<b>VII</b>	<b>Consideration at PDSP</b>	None
<b>VIII</b>	<b>Other consultations</b>	None

## **D. TERMS OF REPORT**

### **D.1 Background**

On the 15 March 2022 the Council noted a paper in relation to the feedback on the engagement exercise carried out with communities and stakeholders on the Spaces for People (SfP) programme introduced during the Covid19 pandemic. The paper provided a comprehensive overview of the SfP programme to allow Council to decide on whether the SfP measures should be retained or removed.

### **D.2 Council Motion**

At the meeting on the 15 March 2022 Council considered a motion on the Spaces for People programme which requested the following:

*Council notes the recommendations with regards to the measures implemented as part of the Spaces of Peoples and instructs the Chief Executive to;*

- *commence the statutory procedure on the localised temporary measures ie suspension of Loanings parking, Linlithgow, cycle lanes and the extended width of footpaths where implemented in West Lothian to determine if local communities wish to retain them on a permanent basis.*

*Through the West Lothian Active Travel Plan and Accident Investigation and Prevention (AIP) review;*

- *traffic speed limits currently in place on roads within the Council area;*
- *the Safer Routes to School, roads and parking in the immediate areas to a school and the deployment of school attendants and determine if additional measures are required;*
- *the impact and consequences of the introduction of decriminalised parking and the prohibition of pavement parking;*
- *the impact of the Scottish Government's proposal on the introduction of 20mph in built-up areas*

*The Chief Executive is further instructed to bring an initial report setting out potential costs and a timetable for the reviews to be undertaken to an appropriate Council Executive.*

Council unanimously approved the terms of the motion but with the requirement for the final report being returned to a meeting of Council instead of Council Executive.

### **D.3.1 Spaces for People - Commencement of statutory procedures**

Parking suspensions were installed through the SfP programme to provide more space on the footway for all footway users. The two footway parking suspensions on the East Loanings, High Street, Linlithgow (numbers 33 to 41 and 43 to 57) had a Temporary Traffic Regulation Order (TTRO) in place through the pandemic to prevent footway parking which has since expired on the 26 April 2022.

At the West Loanings in Linlithgow, temporary rubber kerbing and reflective bollards were installed to reduce the generous car parking bays to provide more space for footway users at the rear of the parking bays, no TTRO was required.

The east loaning parking in Linlithgow is the only measure that requires statutory consultation due to the existing pre-Covid permanent Traffic Regulation Order (TRO) that is in place to permit parking on the footway.

The details of the statutory consultees and the number who responded are shown in Appendix 1. From this statutory consultation there was only one response received from SPOKES and their response is provided in Appendix 3 supporting the SfP measures.

Should the decision be taken to remove the original east loaning parking in Linlithgow officers would revoke the existing permanent TRO and then remove the signs and road markings that are currently in place.

The west loaning parking 183-245 High Street should return to the pre-Covid conditions as there is adequate space to permit parking and the movement of pedestrians. There was no change to the existing TRO through the SfP programme, temporary bollards and kerbs were installed to formalise the existing parking arrangements.

### **D3.2 Spaces for People – Public consultation**

The SfP footway build-outs were installed to provide more space for people to pass each other on narrow footways and pinch points. These footway widenings were installed at High Street in Linlithgow, Main Street in East Calder, Main Street in Mid Calder, Main Street West Calder, Station Road in Kirknewton. These are constructed with temporary surfacing, temporary kerbing and removable reflective bollards.

The cycle lanes were installed in May 2021 in Linlithgow (B9080 Edinburgh Road and A706 St Ninians Road), Broxburn (A899 East Main Street) and Blackridge (A89 through the town). This SfP package of work involved road markings to denote advisory cycle lanes and temporary bollards in areas where suitable to segregate cyclists and motorised vehicles. The temporary bollards were removed from the Blackridge scheme shortly after installation.

The frontagers' directly affected by the footway build-outs and the advisory cycle lanes installed as part of the SfP programme were consulted, however this was a public consultation and not a statutory consultation.

The number of frontagers' consulted, response rate and views on whether the SfP measures should be retained or removed are shown in Appendix 2. Although the average response rate was 22% there was strong opinion to remove all of the SfP measures.

From the footway widening build-out frontage consultation, the locations at East Calder and Kirknewton were more positive in terms of retention of the measures. Opinion on all other footway build-outs at Linlithgow, West Calder and Mid Calder were that they be removed.

Should it be considered that the footway build-outs are retained then funding would required to be made available to design and construct these measures permanently which would include concrete kerbing, new drainage systems and formal footway surfacing to the appropriate standards.

From the advisory cycle lane frontage consultation, the opinion was that they are all removed from the responses received. It should be noted however that the removal of the advisory cycle lane measures would be against national strategies and guidance on promoting active travel.

It should be noted that all the cycle lane measures that were installed as part of the SfP measures are advisory, vehicles can park on them and as a result, cyclists will cycle around parked vehicles.

The B9080 Edinburgh Road in Linlithgow advisory cycle lane was installed to assist cyclists cycling uphill out of Linlithgow on the carriageway that was narrowed by existing on-street parking. This parking was relocated to the opposite side of the carriageway allowing additional space for eastbound vehicles to pass slow moving uphill cyclists. This was deemed by officers as an appropriate alteration to existing conditions. Should this be retained then the appropriate traffic regulation orders would have to be promoted.

On the A706 St Ninians Road, the advisory cycle lane outside residential properties on the west side with on-street parking could be removed, however the east side could remain due to lower numbers of on-street parking. Similarly this scheme could remain in its entirety and consideration could be given to removing the temporary bollards and kerbs but keeping the advisory road markings in position.

The A89 East Main Street in Broxburn advisory cycle lane measures involved an extension of the existing cycle lane features. Consideration could be given to removing the temporary bollards and kerbs but keeping the advisory road markings in position.

Finally the A89 through Blackridge consists of advisory road markings only which not only promotes active travel through the town but visually assists in slowing vehicle speeds, particularly when entering in the wide carriageway section from Armadale.

The detailed responses received to this consultation are shown in Appendix 3.

#### **D.4 West Lothian Active Travel Plan and Accident Investigation and Prevention (AIP) Review**

##### West Lothian Active Travel Plan Review

Consultants have been appointed to carry out a review of West Lothian's Active Travel Plan 2016-21 and develop a new five-year plan.

The new plan will set out the framework of measures that will encourage active travel and help deliver net zero targets. It will be building on recent investment in shared use and cycling infrastructure. The Plan will comprise a policy framework and a strategic network action plan.

The Plan will inform and influence the development of policy and projects within the council and by external partners. It aims to understand the spatial travel needs of communities and tackle barriers to increased levels of active travel with all the benefits this brings to health, the environment and the economy. The new plan should be mindful of the Scottish Government's target to reduce car kilometres by 20% by 2030 and show how it will support and contribute to this.

The plan will focus on infrastructure at a local level (within settlements) and at a strategic level (between towns and across boundaries). Overall, it aims to create a comprehensive active travel network to support active travel journeys.

Engagement will be carried out with a wide range of stakeholders on all levels, including West Lothian residents. It is anticipated that these consultations will involve providing an overview of the existing strategy, detailing which short, medium and long-term infrastructure projects we have completed, are in progress and those that have not started. This will provide stakeholders with the opportunity to express their views on what should be given priority regarding projects that were suggested previously but have still to be commenced. The consultation will also contain questions which aim to gather views on community-based active travel initiatives, with the opportunity for respondents to comment on what they would like to see in the future.

It is the intention that the Council will engage fully with its community and the consultant will prepare a plan on how this will be achieved, in particular in engaging with hard to reach individuals. Stakeholders include, but not restricted to:

- Community Councils and Community Development Trusts.
- Schools and other organisations involved in education/training.
- Major employers and landowners.
- Organisations who work across West Lothian and other areas such as Visit Scotland, Scottish Natural Heritage, Central Scotland Green Network Trust, Sustrans.
- Interest groups (including SPOKES), cycling clubs, other relevant community organisations.
- Health organisation

The review of the Active Travel Plan 2016-21 and final report on the new five-year plan is programmed to be completed by 31 March 2023.

#### Accident Investigation and Prevention (AIP) Review

The Council has a statutory duty under the terms of the Road Traffic Act 1988. This responsibility can be summarised as carrying out studies into accidents on roads within their area, other than Trunk Roads, and to take such measures as deemed appropriate to prevent such accidents.

The accident investigation and analysis work currently undertaken by the Council through the AIP programme involves using the recorded injury accident data collected by the police to identify sites for concern and analyse crash patterns to develop remedial measures. The process is used nationally and is endorsed by The Royal Society for the Prevention of Accidents (RoSPA) through its Road Safety Engineering Manual.

Council officers will shortly commence the AIP programme for 2022/23 and a review of this process could be carried out in the summer of 2023. It would be the intention to review the programme internally using existing resources within the Roads and Transportation service.

#### **D.4.1 Review of traffic speed limits currently in place on roads within the council area**

Speed limit assessments are carried out in line with the published Transport Scotland document 'Speed limit review: the assessment process' and the revised guidance for Roads Authorities 'Setting local speed limits'. These documents detail the considerations and information required to determine local speed limits. Speed limit enforcement on the public road network is the responsibility of Police Scotland.

A speed limit review was carried out in West Lothian in 2009 and remains current. Speed limit review recommendations were made in a report to the Council Executive of 7 April 2009, which were approved.

Any speed reduction engineering measures such as traffic calming or speed limit alterations are carried out through the Accident Investigation and Prevention casualty reduction programme. These engineering measures are installed to reduce road casualties, it is not appropriate to install speed reduction engineering measures to target individuals who are driving at illegal speeds on public roads or perceived speeding issues.

The Council does not install or operate speed cameras. All 'safety' camera sites in Scotland are assessed, installed, managed and operated through the Scottish Safety Camera Programme and their operational partners Safety Cameras Scotland. They have strict casualty and speed criteria that must be met before a site is considered. The Scottish Safety Camera Programme liaise with officers annually to review potential sites.

Any review of speed limits for the whole public road network in West Lothian would require additional funding support to acquire an external resource to deliver a full speed limit assessment.

### **Review of Safer Routes to School, roads and parking and deployment of school attendants and determine of additional measures are required**

#### Suitable walking routes to school

The standard criteria for suitable walking routes are that they are of adequate width, have an all-weather surface, and are street lit. Routes which cross or follow derestricted main roads may not be considered suitable for primary aged pupils. The Council will take reasonable steps to ensure the suitability of walking routes to schools, including improving lighting and lighting repairs, and cutting back vegetation.

The Council is committed to safe and healthy travel to school, to improving walking and cycling routes to schools and to road safety education in terms of the Curriculum for Excellence. The Council cannot, however, guarantee the safety of any pupil travelling to or from school.

Officers receive, from time to time, enquiries about the suitability of walking routes to school and they are assessed, individually, on the above standard criteria. Any decision to carry out a full review of suitable walking routes to schools in West Lothian would require additional funding support to acquire an external resource to assess and report on all walking routes.

#### Roads and parking at schools

Current measures installed at existing schools to promote safe and considerate roadsides and parking include 20mph speed limits, waiting restrictions and 'school keep clear' markings. All such measures at schools are enforceable by Police Scotland, however their resources are limited with respect to the enforcement they can provide during school peak periods.

The Council actively promotes the Parksmart Scheme which focuses on the longstanding issue of school road safety and encourages pupils to lead and participate in the choices and decisions made by the school and parents / carers around parking behaviours and active travel. This initiative is education led and all schools have been given access to this via an online portal to assist with tackling parking issues around schools.

Should a full review of roads and parking be required around all schools in West Lothian a review would require additional funding support to acquire an external resource to assess roads and parking around schools. If this was progressed it would be appropriate to carry out a suitable walking route to school review simultaneously.

### School attendants

Although a non-statutory service, the Council has provided School Crossing Patrol Guides for many years and there are currently 82 approved sites across West Lothian.

Where staff are absent or there is a vacancy the School Crossing Patrol Co-Ordinator deploys a mobile guide to cover points where possible. If locations cannot be covered by mobile guides, then a risk assessment is undertaken and guides re-positioned, where possible, to the highest risk locations.

A report was considered by the Environment Policy Development and Scrutiny Panel on the 11 November 2020 which highlighted the difficulties in recruiting school crossing patrol guides. These recruitment challenges highlighted in 2020 are currently ongoing and officers in the service still have to carry out an assessment of the vacant positions to determine if a crossing point is still required. This assessment will be carried out in-house in 2023.

### **Review the impact and consequences of the introduction of decriminalised parking and the prohibition of pavement parking**

The council is currently carrying out a parking strategy for West Lothian and decriminalised parking enforcement will be highlighted through this parking strategy with any appropriate recommendations made. After this strategy has been completed cost implications, impact and consequences can be determined.

The Transport (Scotland) Act 2019 bans pavement parking, double parking and parking at dropped kerbs, and gives local authorities the relevant powers to enforce these new provisions. On the 8 February 2022, Council Executive approved a report in relation to the council's response to the Transport Scotland pavement parking prohibition consultation. Transport Scotland have provided additional funding of £80,948 to carry out the assessment of the road network. The Council is progressing the appointment of an external consultant to carry out this extensive work and the impact and consequences of the pavement parking ban will be reported back to committee once completed.

### **Review the impact of the Scottish Government's proposal on the introduction of 20mph in built up areas**

On 4 July 2022, the Council received confirmation of an additional external funding stream which has been provided to the Council to the value of £47,000 to carry out an assessment of the Council's urban road network for the future national strategy for 20mph speed limits. Guidance has been produced by Transport Scotland and officers are progressing the appointment of a suitable consultant to carry this assessment work. This information has to be reported back to Transport Scotland in March 2023 whereby the impact of this proposal will then be known.

## D.5 Resources and timescales

The timescales and estimated cost implications for each element of this report is detailed in the table below.

Review action	Resource	Estimated cost	Timescale
Traffic speed limits on the road network in West Lothian	External	£30,000/ £40,000	4 months, would commence upon funding approval
Suitable routes to school, roads and parking	External	£40,000/ £50,000	6 months, would commence upon funding approval
School attendants	Internal	£0	3 months, could commence Spring 2023
Pavement parking ban	External	£80,948 external funding provided for assessment	6 months, timescales to be confirmed by Transport Scotland
Scottish Governments national 20mph speed limits in built up areas	External	£47,000 external funding provided for assessment	To be completed by March 2023

These costs are indicative and would be confirmed should any element be taken forward to the competitive market.

## E. CONCLUSION

The statutory and public consultations carried out allowed people an opportunity to comment on whether the SfP measures should be retained or removed. The feedback contained within this report will allow Council to decide on whether the remaining SfP measures should be retained or removed.

## F. BACKGROUND REFERENCES

Spaces for People – Feedback on engagement with communities and stakeholders report to Council on the 15 March 2022:

<https://coins.westlothian.gov.uk/coins/viewDoc.asp?c=e%97%9Di%93rz%8C>

Transport Scotland Pavement Parking Consultation – Council response on the 8 February 2022:

<https://coins.westlothian.gov.uk/coins/viewDoc.asp?c=e%97%9Di%93ly%8E>

Transport Scotland Speed Limit Review : The Assessment Process:

[https://www.transport.gov.scot/media/5067/strategic\\_road\\_safety\\_-\\_speed\\_limit\\_review\\_-\\_reports\\_-\\_final\\_draft\\_-\\_the\\_speed\\_limit\\_review\\_the\\_assessment\\_report\\_2\\_.pdf](https://www.transport.gov.scot/media/5067/strategic_road_safety_-_speed_limit_review_-_reports_-_final_draft_-_the_speed_limit_review_the_assessment_report_2_.pdf)

School crossing patrol guides – recruitment difficulties

<https://coins.westlothian.gov.uk/coins/viewDoc.asp?c=e%97%9Dh%96jz%8A>

Appendices : 3

Appendix 1 – List of Stakeholders and responses

Appendix 2 – Summary of public consultation

Appendix 3 – Responses received

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**Jim Jack**  
**Head of Operational Services**  
**22 November 2022**

**APPENDIX 1 – LIST OF STAKEHOLDERS AND RESPONSES**

## List of Stakeholders and Responses

Stakeholder	Response
Police Scotland	No
Road Haulage Association Ltd	No
Scottish Ambulance Service	No
Lothian & Borders Fire and Rescue Service	No
Freight Transport Association	No
Traffic Commissioner for Scotland	No
West Lothian Taxi Owners Association	No
West Lothian Taxi Owners and Drivers Association	No
West Lothian Private Hire Association	No
Disability West Lothian	No
CTC Scotland	No
First Bus	No
E and M Horsburgh	No
Blue Bus Ltd	No
Glenn Private Hire	No
Henderson Travel	No
Lothian Buses	No
Prentice Westwood Coaches	No
Sam Douglas Mini Coach Hire	No
Festival Travel (Scotland) Ltd	No
Spokes	Yes
WL Bike Library	No
West Lothian Clarion	No
Sustrans	No
Living Streets	No

## APPENDIX 2 – SUMMARY OF PUBLIC CONSULTATION

Summary of consultation with the frontagers' affected by the temporary footway build-outs

Location	Consulted	Response	Remove	Retain	Remove	Retain
A803 High Street, Linlithgow	88	28%	15	10	60%	40%
A71 Main Street, West Calder	56	25%	8	6	57%	43%
Main Street, Mid Calder	47	17%	6	2	75%	25%
B7015 Main Street, East Calder	45	13%	1	5	17%	83%
B7031 Station Road, Kirknewton	48	25%	5	7	42%	58%

Summary of consultation with the frontagers' affected by the temporary cycle lanes

Location	Consulted	Response	Remove	Retain	Remove	Retain
A706 St Ninian's Road, Linlithgow	58	33%	15	4	79%	21%
B9080 Edinburgh Road, Linlithgow	63	17%	7	4	64%	36%
A899 East Main Street, Broxburn	101	28%	20	8	71%	29%
A89 Main Street, Blackridge	124	10%	8	4	67%	33%

Elected members and Community Council consultees

Stakeholder	Response
Joint Forum of West Lothian Community Councils	Yes
Elected Members (17)	4
Community Councils (7)	2

## APPENDIX 3 – RESPONSES RECEIVED

Responses received to the stakeholder engagement

Respondent	Comments
Spokes	<p>Thank you for this consultation about the schemes listed in 2 and 3 below. We have obtained feedback from members in West Lothian, and our comments are on the basis of members who have experience of particular schemes – we have not attempted a consistent and comparative analysis of schemes. Our members also raised additional related points, which are in section 4.</p> <p>1. General points</p> <p>In general, Spokes strongly supports the SfP schemes, though with the detailed comments below.</p> <p>1.1 Previous consultation</p> <p>We were very critical of the earlier Council official recommendations to remove all SfP schemes on the basis of a consultation which appeared to be taken as a yes/no referendum, when it had major flaws as a referendum, albeit it gathered views from those who knew of it and chose to respond.</p> <p>In that consultation, respondents were not informed of the apparent success of the project in reducing crashes and speeds, and so were not equipped with full information when responding. Furthermore, categories of people who are particularly vulnerable on the roads – the young and the old – were seriously under-represented amongst respondents..</p> <p>only 0.1% of respondents were under 16only 5.9% were 16-24only 6.2% were 65-74only 1.1% were 75+</p> <p>This probably therefore greatly over-represented the wishes of car owners, despite the transport and responsibility hierarchies promoted by the Scottish Government and in the revised Highway Code. Our concerns were laid out in some detail here.</p> <p>1.2 Timescales and Traffic Order procedures</p> <p>We are therefore pleased that this new stakeholder consultation is now underway, following the Council motion, but we are still not clear on the processes to be used. It is essential, for public confidence, for road safety, and to avoid waste of cash, that successful schemes remain in place until and unless they are rebuilt in improved materials. If temporary traffic orders (TTRO) which legalise the schemes are expiring shortly, the Council should use the Scottish Government's revised Experimental Traffic Order (ETRO) procedure to keep schemes in place, rather than a standard TRO which might not come into force until after they had been removed due to TTRO expiry.</p> <p>1.3 Quality of schemes</p> <p>We fully appreciate that schemes had to be implemented quickly under the government covid guidance and funding. Nonetheless it is vital that schemes follow the new national guidance on cycling infrastructure, and this needs to be incorporated into improvements when schemes are made permanent. Not only will</p>

	<p>this further improve safety for cyclists and pedestrians but it will improve the general streetscape and feel of local streets.</p> <p>2. SfP footway build outs</p> <p>2.1 A803 High Street, Linlithgow</p> <p>Apart from the quality of materials, etc, this is greatly welcomed. The previous footway was far too narrow for pedestrians, and there is also a significant benefit for cyclists in not having to move out to overtake parked vehicles (with the added danger of 'dooring') in this narrow section of road.</p> <p>One person suggested replacing the footway widening by a cycle lane, but our view would be that the pedestrian benefit is particularly significant here because the original footway is ridiculously narrow - and also that a cycle lane would make more sense if extended for a much greater distance along the High Street., rather than just this short distance.</p> <p>More generally, our members had a strong desire for reduced traffic, and reduced traffic dominance, in the entire High Street and its general layout.</p> <p>2.2 A71 Main Street, West Calder</p> <p>We had no feedback from this area and so cannot comment</p> <p>2.3 Main Street, Mid Calder</p> <p>This scheme should be retained and improved</p> <p>2.4 B7015 Main Street, East Calder</p> <p>This should be retained and improved. In particular it helps reduce inappropriate parking, which delayed buses and causes danger for cyclists</p> <p>2.5 B7031 Station Road, Kirknewton</p> <p>We had two responses from members, one supporting this specific scheme and one opposed. However, both were united in wanting a much wider implementation of both cycling and pedestrian space, together with 20mph limits physically enforced by traffic calming, throughout the town.</p> <p>The specific objection to this scheme, from a parent who accompanies her children by bike, was that it significantly increases danger for cycling since cyclists are forced into the traffic lane (or are in danger of close passes) and this is particularly scary on an uphill where one cycles slowly and can hear traffic building up behind or attempting to pass. She would like it restored to a cycle lane, with bollard or other physical protection. It does seem very ironic that the sole SfP scheme in Kirknewton increased walking space by removing cycle space rather than by removing car space - particularly when there were many other locations in the town where car space could have been used to create wider pedestrian space and when cycling and walking conditions at the local school are particularly bad.</p> <p>3. SfP cycle lanes</p> <p>3.1 A706 St Ninian's Road, Linlithgow</p>
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	<p>There was support from several people to retain this scheme, but redesigned to physically enforce the car parking bans. Furthermore, the cycle lane should be extended to and over the motorway bridge.</p> <p>3.2 B9080 Edinburgh Road / Back Station Road, Linlithgow</p> <p>This is a highly valuable and successful scheme in terms of cycling safety and confidence and, unlike several of the schemes, it has been observed almost 100% correctly by drivers. Previously the cyclist had to move well out into the traffic stream to avoid parked cars and the danger of 'dooring', whilst on a fairly steep uphill, and with traffic accelerating behind, emerging from the blind corner at the railway bridge. A secondary, smaller, benefit is added safety and confidence for pedestrians emerging from the pedestrian railway underpass onto the narrow Edinburgh Road footway, who now have a good view of traffic, rather than it being obscured by parked cars.</p> <p>However, several people said the cycle lane needed to be extended further up, past the east station car park entrance, at least to the top of the incline, as the present arrangement still requires moving out past parked cars on an uphill, albeit a decreasing gradient. This extension should possibly be with double yellows rather than bollards, so faster cyclists can easily pass those traveling uphill at more modest speeds. Car parking could then be moved to the other side of the road, as has been done in the original scheme.</p> <p>3.3 A899 East Main Street, Broxburn</p> <p>One member wrote to us in support of keeping this, which he found a useful route out of the town. Another felt it would be more appropriate to use a white line on the wide footway (however generally Spokes argues for onroad protected lanes rather than shared footways which reduce pedestrian space).</p> <p>3.4 A89 Main Street, Blackridge</p> <p>This should be retained – the road is wide, so there is plenty space, and the area is built-up so there is significant cycling potential for local trips.</p> <p>4. Other SfP and non-SfP related measures</p> <p>4.1 Linlithgow Loanings pavement parking</p> <p>This scheme was wonderful for pedestrians for the first few days, but was rapidly abused by drivers, and to work effectively requires physical measures to enforce banned parking.</p> <p>The scheme gives a feeling of improved safety and much more pleasant town-centre ambience on what is otherwise a very narrow footway, sometimes so obstructed by vehicles that a wide pushchair or wheelchair had difficulty – and two could certainly not pass each other. Furthermore, crossing the road becomes much more feasible as views and walking space are not obstructed by the parked vehicles.</p> <p>Finally, a survey by a Spokes member some years ago found that these spaces were often occupied by the same vehicles all day; and if that is still the case then they have no value at all in terms of providing shopper-spaces.</p>
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	<p>This scheme is so beneficial that it should not be delayed until the Scottish Government pavement parking legislation is brought into force, a date which is postponed every time it comes into view!</p> <p>4.2 Speed limits</p> <p>Many speed limit reductions were implemented under Spaces for People. The Council is not at present consulting on these, and there is talk they may be reconsidered in a wider speed strategy at some unknown point in the future, but will be removed meantime when their temporary legal orders expire. We believe it would be a mistake to remove these schemes in advance of that review, especially at a time when the Scottish Government (and the Highway Code) are highlighting the hierarchy of traffic and of responsibilities, to give great protection and prominence to walking and cycling.</p> <p>Although clearly there is some abuse of the limits, the Council report [Appendix 3] made clear that speeds have reduced – and, more important, crashes have also fallen significantly. In view of the reduction in crashes, it seems reckless to remove the limits now rather than retaining them until a county-wide review goes ahead. Furthermore, it would be simple to retain them meantime, by use of the revised Experimental Traffic Order rules introduced in November 2021 by the Scottish Government for the very purpose of easing the continuation of SfP measures when Temporary Traffic Orders expire.</p> <p>Finally, it may well be that some of the 20mph limits are inappropriate – one of our members thought so. However, under the Experimental Traffic Order procedures people could comment and limits could be modified during the lifetime of the Order and before the eventual scheme becomes permanent.</p> <p>4.3 Falkirk Road, Linlithgow</p> <p>The long-standing cycle lanes here are most welcome and are extensively used but, as you will know, were very badly laid, resulting in frequent patching and continuing pothole appearance. Furthermore, SfP-type bollards, or some other physical segregation method are vital as vehicles occasionally encroach, and there is also occasional parking on the lanes. We urge an approach to Sustrans for match funding to implement this scheme.</p>
Burgh Beautiful Linlithgow	<p>I am writing on behalf of Burgh Beautiful Linlithgow in response to your consultation on the above. Our committee has considered this and our views are as follows:</p> <p>1) A803 Build-Outs, High Street, Linlithgow. We are assuming that this refers primarily to the widened pavement on the north side of the High Street between Water Yett and opposite Lion Well Wynd. We are in favour of retaining this feature subject to proper reconstruction with natural stone as befits its location in an Outstanding Conservation Area. However, we would like to see shallow service bay(s) to be incorporated, or at least provision of clearer marking/identification of the existing service bay beyond the east end of the footway widening. We support Linlithgow Civic Trust's suggestions as attached for both this location and for the rationalisation of pavement parking east of the Cross, on the south side of the</p>

	<p>High Street – we assume that you will be aware of these proposals which were submitted to your planning colleagues.</p> <p>2) With regard to the cycle lanes at A706 St Ninian's Road and B9080 Edinburgh Road (not Back Station Road), we think that, if they are to be retained, all bollards and any other plastic attachments to the roads should be removed and replaced with appropriate, clearer road markings.</p> <p>3) Generally, we hope that all such plastic bollards, etc will be removed in all locations. They look temporary and unsightly, and are very vulnerable to damage and theft.</p> <p>We hope that these comments are useful.</p>
Linlithgow Civic Trust	<p>Linlithgow Civic Trust agrees that retention of the widened pavement between Oliphant's and RS McColl should be supported subject to it being properly reconstructed in stone when finance becomes available.</p> <p>Sketch drawings are attached which the Civic Trust has already submitted to the Council for consideration. The pavement car parking to the east of the Cross really needs rationalised in the way suggested, including street trees.</p> <p>Consideration should be given to the provision of a couple of delivery bays along the western stretch. The Trust appreciates that the problem is to ensure that cars do not park in them.</p> <p>The Trust is relaxed about the cycle lanes concerned being removed. Both roads are relatively quiet. Cycle lanes (with bollards) are, on balance, an unnecessary maintenance burden when their light use is considered.</p> <p>The Trust suggests the Council does nothing until all contributions to the consultation process have been considered and taken into account.</p>
West Calder & Harburn Community Council	<p>As a cyclist, motorist and WC&amp;HCC member I would like to advocate for keeping the footway build out and making it permanent. I feel that it makes it more comfortable for people to use the public space safer and easier.</p> <p>During our community council meeting yesterday, I asked ... our planning secretary about this. She is of the same mind as myself but does not have access to a computer to contact you directly.</p> <p>Can I ask you to consider this response as coming from us both please?</p> <p>I believe the footway build out should be retained and made permanent.</p> <p>I support that the extended temporary people footway build out be retained.</p>

	<p>Apologies, I thought that I had responded in the affirmative. I do so now. Keep the extended pavement.</p> <p>I wish to state that the road should revert to the previous layout.</p> <p>Also, ..., who is a member of West Calder &amp; Harburn Community Council but has no access to email, has also indicated that the road should revert to the previous layout.</p> <p>(Overall response was 5 for Retain and 2 for Remove)</p>
Joint Forum of West Lothian Community Councils	<p>Joint Forum Response to the Spaces for People consultation on Footway Build Outs and Cycle Lanes.</p> <p><b>Cycle Lanes</b> We have found very little support for these temporary cycle lanes from anyone. Narrow painted lines give the illusion of safety to cyclists but have been found to be dangerous, as it invites drivers to make closer passes to cyclists than they normally would. Drivers are required to overtake according to the highway code and leave at least 1.5m from the painted line, but they don't. Putting bollards up just exacerbates the problem. Also cycle lanes are usually only in place for short stretches and then revert to normal congested streets with cars parked at the side of the road. Cyclists do not feel safe in this environment and so are put off cycling, not encouraged as is the objective. The feedback we have found is that people would prefer funding spent on extensions to the existing cycle network, particularly tracks that do not share the road with motor vehicles. We believe there already is a project underway in West Lothian to do just that. It is also felt that broad grassed verges, like those along the A89, could be utilised as safe cycleways with markings for cycles and pedestrians.</p> <p><b>Footway Build Outs</b> Again we have not found a lot of support for them, with the possible exception of East Calder, where people believe it may be safer in this instance. It still leaves traffic difficulties, with the Main Street being virtually one way at times when the roadway is narrowed with cars accessing local shops.</p> <p><b>General Points</b></p>

	<p>We would like to know why these two subjects were chosen for local consultation and not the 20mph schemes? Consulting on that would have been useful because many small communities were in favour of the speed reduction scheme while most larger towns were against. This level of local consultation would have been welcomed on that subject. There also should have been guidance given out on the process they would need to follow to keep this measure, without having to go through an APS exercise.</p> <p>We are also wondering how the list of consultees was chosen for this exercise and who were actually consulted? Our Community Councils would have been delighted to cooperate with your department on a joint exercise to maximise the feedback from their communities. Community Councils are charged with expressing the views of their communities to the Council and most have devised communication channels to do just that.</p> <p>When Community Councils have been asked to spread the word on surveys using their social media channels, the response rate has been greatly improved.</p> <p>We look forward to receiving your response to this feedback.</p> <p>Joint Forum of Community Councils.</p>
Ward 5_ East Livingston and East Calder - Councillor Logue	<p>I am in favour of keeping the locations of the footway build out measures for Main Street in Mid Calder, B7015 Main Street in East Calder and B7031 Station Road in Kirknewton.</p>
Kirknewton Community Council	<p>We discussed the Spaces For People between Kirknewton Station and the school on our last Community Council meeting last Tuesday and voted overwhelmingly for its retention with only one person voting against its retention.</p> <p>With its retention we would like it extended towards the level crossing including build out and raising locally at the bus stop.</p> <p>Also where the spaces for people width is reduced at junctions this should be increased to match the rest of the widening.</p> <p>I sent a email previously about our feedback on spaces for people which I again attach below for information. There is frustration from our community Council and residents of the way the consultation has been handled and the way removal of the 20mph limits was removed by elected officials. We will be lobbying our local elected representatives for reinstatement of 20mph limits and a proper scheme as this is contrary to the way virtually every other local authority is going and trends worldwide.</p> <p>Look forward to discussing retention and looking at building on the opportunities to expand a scheme further.</p>

	Regards Kirknewton Community Council
Ward 2: Broxburn, Uphall and Winchburgh - Councillor Davidson	Good afternoon, I am in favour of retaining the cycle lanes in my ward. I feel that these provide more safety for both cyclists and motorists, reduces our carbon footprint and promotes a healthier lifestyle. Thank you for including me in your survey.
Ward 2: Broxburn, Uphall and Winchburgh - Councillor Calder	Thank you for your email in regard to the above. In terms of cycle lanes I am not opposed but I did have concerns when the current cycle lane was installed in East Main Street Broxburn and I have noted my concerns below for your perusal. 1. There was no consultation on the installation of the current cycle lane at East Main Street Broxburn either with residents or bike users 2. There is currently and has been for a while a cycle/pedestrian lane the length of the A89 (part of which runs parallel to the current one in Main Street) 3. Some users particularly young cycle users are in my opinion vulnerable on the current cycle lane in East Main Street 4. The pavements are wide enough in this location if in the future it is decided to install a cycle lane and possibly safer and if it is agreed by residents/users 5. There is currently a safety issue of sightline at the entrance/exit to the LIDL store where the cycle lane runs past On the basis of the above I would therefore be in favour of removing the temporary cycle lane at East Main Street Broxburn. Thanks again for the opportunity to comment.
Ward 9: Armadale and Blackridge - Councillor Borrowman	Remove. Not used by cyclists, its advisory nature means it's understandably ignored by drivers. There are many places in Armadale and Blackridge Ward which could have benefited from the white road paint in the interest of road safety.
	<b>A803 High Street, Linlithgow – Footway build out</b>
Resident	I'm in favour of retaining the footway build out. I walk, cycle and drive along the High Street. Walking has been noticeably easier with the build out and also eases the congestion that comes on 'bins out' days. I've noticed that when cycling, cars are less inclined to overtake me on the narrower sections of the road. Though there are always some drivers that will try to squeeze through. On balance I find cycling easier with most drivers choosing to stay behind me.

	<p>As a car driver I've felt that the road has become busier at times, but there has been an increase in other road work activities. However, I'm happy to drive through the town at 20mph or below - I can understand that commuters passing thro the town would have a different view. I think the speed thro town is largely regulated by the ad hoc parking of delivery van drivers, buses or cars manoeuvring into the off road parking bays - this is reasonable and expected driving behaviour. A benefit of the narrower roadway is that it discourages the less reasonable behaviour of shoppers convenience parking for a few minutes. IMO that should be discouraged, by some means- a narrower road or cameras? I'm not aware of any other form of controlling this parking.</p> <p>Thank you for the consultation.</p>
Business	I am in favour of removing the footway built out which is Infront of my Salon as it always get flooded.
Business	<p>We are against the footway build out and would like it removed as soon as possible.</p> <p>Footfall is low at this part of town and we have no need for extra space for pedestrians. This is taking width away from an already narrow road for vehicles, we have seen numerous wing mirrors being struck off cars due to the lack of road width and deliveries to the businesses in the area now block the entire street which causes issue with emergency services and general through way. An accident waiting to happen.</p> <p>Covid risk is now known to be minimal or non-existent outside and we can see no reasons for these measures to continue.</p>
Business	To Whom it may concern. I am the manager of Chest Heart and Stroke Scotland Charity Boutique 220 High Street Linlithgow. I would like to see the removal of the Footway Build out. It has had a negative effected our shop, we receive less donations due the restrictions it creates.
Resident	I am in favour of retaining the footway build-out - it provides much needed extra space for passing others at congested points in the High Street, particularly for buggies and mobility scooters.
Resident	Yes please revert to how it was before COVID, improve the drainage and the surfaces at the same time.
Business	<p>Good afternoon,</p> <p>Thank you for your letter dated 22nd May asking for feed back on spaces for people Hight Street Linlithgow.</p> <p>The directors of the company would prefer this to be removed.</p>
Resident	I vote we get rid of the extended pavements and go back to pre Covid but with resurfacing and repair
Resident	<p>With regards to the Space for People Consultation I'd like it to be known I support the scheme and hope to see the widening of pavements made permanent on the High Street.</p> <p>Outside my property there was an introduction of a widening of the pavement through the Bus Stop which was an excellent addition and has sadly been removed. With the return of tourists, it's daily I see groups pile up on the pavement blocked by 1807 Beer Garden and individuals being forced out onto the bus stop/road. Second to that, as it is now back to such a large bus stop, it's often two busses pull up, leaving</p>

	<p>their engines running while the drivers have a smoke &amp; a chat. Generally, this is either very early in the morning or late in the day when they are ahead of schedule.</p> <p>It would be a real shame to see cars yet again prioritised over pedestrians in Linlithgow and I genuinely feel sorry for our visitors that must wait 5+ minutes to cross the road while HGV's and Single Occupancy Cars go past continuously at the Cross.</p> <p>More must be done to protect pedestrians and make the High St a pleasant area to spend time &amp; money if we wish Linlithgow to remain a major tourist attraction and a place of historical significance.</p> <p>As a resident of the High St, I would fully support the development of pedestrian zones in the area.</p>
Resident	<p>Further to your letter dated 9th May I would like to confirm I am in favour of removing the temporary footway build out and reverting to the previous layout.</p>
Resident	<p>The footpath build out was a mistake from the outset.</p> <p>There is no easy answer to the traffic problems in the High Street, made worse by the planning decisions to allow the endless ribbon develop of private housing schemes. The restrictions in St Ninian's Road put further pressure on the the limited available parking in the town.</p> <p>Traffic congestion, lack of parking and uneven footpaths make a visit to the High Street a nightmare for anyone, like me, with mobility problems.</p> <p>The footpath build outs need to be removed but a patch up job will not do. A comprehensive plan for the length of the High Street is essential.</p> <p>I live in hope</p>
Resident	<p>Please lodge my response in favour of retaining the footway build out. For reasons of:</p> <ul style="list-style-type: none"> <li>• Increased accessibility for wheelchairs, prams &amp; less able individuals along the High Street</li> <li>• Reduced carriageway parking and therefore improvement of traffic flow through the town centre</li> <li>• Reduced street clutter from bins etc</li> </ul>
Resident	<p>Received your letter regarding the Footway build out and wish to advise I am strongly against the alterations being retained on a permanent basis.</p> <p>I consider that whilst it might have been well meaning, it has caused more inconvenience to pedestrians and drivers alike.</p> <p>It has resulted in there being more cyclists using the pavements and the bollards regarding the parking on the pavement has resulted in a danger to these vehicles and also to traffic on the road.</p> <p>Please consider this a plea for reinstatement to the original footways.</p>
Resident	<p>My opinion: The SFP measures should be retained and improved with better drainage and permanent bollards to deter illegal parking and protect pedestrians.</p> <p>I drive and cycle, but I mostly do the latter for local journeys. While I'm used to gambling with my life daily in the roads, my kids have also been joining me on their bikes to go to kids clubs etc. When cycling as a</p>

	group we tend to stick to quiet roads and pavements most of the time, and the extra space has been appreciated. The sfp measures are a step in the right direction and they've been pretty successful IMO, people like to complain about any change but this is definite progress. Some of the temporary bollards have been removed so people can park on the pavement as they did previously, but that's easily fixed with permanent bollards.
Resident	Please keep the extended pavements and improve as you suggest in your letter. Please also retain the fantastic 20mph zones as they are currently. This has led to improvements in safety, pollution (noise and carbon) and has generally made the whole town more attractive and welcoming.
Resident	I would like to express my support for retaining and making permanent the footpaths along Linlithgow High Street
Resident	I live on Linlithgow High Street and believe that the extension of the pavement should be taken away. This is not just because I can't park outside my house and have to walk from the Water Yets(where we now park as do many residents in our block) to 218, which is above Chest Heat and Stroke shop, with large bags of shopping, it is because as soon as it rains there are large puddles which prevents anyone from being able to walk along the pavement. In the winter these have been like ice rinks which are often around 4 meters long. Even if you "formally constructed" the walk way and put drainage in it would still gather due to the camber of the road on to the pavement. The pavement on this side of the road was always wide enough and this was a waste of time and money as agreed with anyone I ever heard talking about it. There are 4 adults in our house and we are all in agreement with the above. It would also be nice to be able to park up to empty my car after a trip to the shops. As I stated above we park at Water Yets car park where we always get a space due to the times we work and are coming and going, someone mentioned this will be becoming a pay to park car park is there any truth in this? If so where do the residents parks? We have 4 adults 1 uses public transport 1 has a work van which he has to use every day to do his job and we have 2 cars which have to be used as it is not possible to get to our work places in under an hour and on time to start as one starts at 6am. The other is only a 20 minute drive and 2 buses if using public transport.
Resident	Thank you for your letter regarding Spaces For People Consultation A803 High Street, Linlithgow. I hereby inform you we are in favour of removing the footway build out.
Business	Thank You for handing in the letter regarding the footway built out pathway outside our shop. Please can I confirm that I would like for this to be removed. Since the footway has been build out the front door of our shop floods and despite numerous call to the council nothing has been resolved, hence this we would highly recomend taking away the tarmac externsion.

Business	In response to your letter as above - Wellbread Catering, 234 High Street, Linlithgow EH49 7ES is in favour of removing the footway build out.
Resident	In response to your letter I would like to inform you that I'm in favour of removing the temporary footpath on Linlithgow High Street originally this was a temporary measure that is no longer needed. The Street should be put back to the way it was before covid. It would also reduce traffic congestion on the very busy road and would allow the pedestrian crossing to function as it was designed. If the concences is to keep the temporary pavement please don't allow the engineer that was in charge of the original design to have an input as he obviously has no knowledge regarding water hydraulics.
	<b>A71 Main Street, West Calder – Footway build out</b>
Resident	Please remove the footway build on Main Street as it causes traffic congestion
Resident	On the subject of the spaces for people on A71 Main Street, West Calder. I wish them to be removed.
Resident	The temporary space for people footway opposite ..., west calder should be REMOVED. Since it was put in place cars, van and lorries park on the pavement at the other side of the road reducing the space for people to walk on. If Vehicles park on the road and traffic is waiting for the traffic lights to change larger vehicles, included emergency service vehicles, cannot get through. Very few people walk on the side where the pavement has been extended out into the road
Resident	We are in favour of removing the footway build out as traffic becomes very congested outside our building.
Resident	I am the occupier of ... Main Street, West Calder, EH55 8BY, and am writing in connection with the spaces for people consultation about the pavement build out outside of my home. I am in favour of the removal of this build out. The pavement at this stretch of road is already around 2.5m wide giving ample space for people to move about without crowding. The build out simply reduces the width of the road in an already busy stretch of road, increasing the likelihood of accidents involving vehicles and people as vehicle navigate a bottleneck. By removing this it will allow the road back to full width giving vehicle space and still not compromising space for pedestrians.
Resident	I am in favour of retaining the footway build out.

	<b>Main Street, Mid Calder – Footway build out</b>
Resident	I live in one of the flats ... which is located directly above where the temporary spaces were put in, parking is hard enough in this village without losing 2 or 3 spaces for cars to park therefore I am in favour of removing the footway build out. Thanks
Resident	We would prefer if the build sections near our address (...Main Street) were removed. We understand the need for the sections when the pandemic was rife. However as things are slowly returning to a normal way of life I can see no need for the sections on the Main Street. Previous reports to have the water blockage that gathers near our front door removed have been dealt with in a timely manner but the clearance does not last for long with sludge and rubbish gathering at the drainage pipe.
Resident	In response to West Lothian Council's recent letter regarding the temporary Spaces for People footway build out on Main Street Midcalder; I would suggest that the Build Out be removed. It is not serving any practical purpose.
Resident	I Refer to the Footway Build Out in Main Street Mid Calder which is directly outside a flat owned my me at ... Main Street Mid Calder and write to request that this parking restriction is removed without further delay. It's implementation 2 years ago has drastically reduced necessary and much needed residential and business parking spaces in a village which is already under supplied. If it were to be retained and made permanent this would be unwelcomed in the community and a total waste of money from the public purse.
Business	To whom it may concern, I write with regards to your recent correspondence regarding the spaces for people footway build out. I am based at 3 midcalder main street (Belford butchers) and have occupied this business premise for under a year, I have witnessed many people trip and a few in particular an elderly gentleman fall over due to the temporary road build outside the shop, I had previously called the council regards this however received no follow up. The build reduces parking area's and can make deliveries problematic, affecting the local businesses in the area so I would most definitely be in favour of the removal of these
	<b>B7015 Main Street, East Calder – Footway build out</b>
Resident	I received a letter asking my opinion on whether the SFP footpath outside Tesco on Main street East calder should be kept in place or not. I live at ... Main street directly across from it. I cannot express enough the need to keep this path in place for the following reasons.

	<p>Congestion - The flow of traffic has been much better. There is no longer parking going on at both sides of the road.</p> <p>Parking - Main street was a hotspot for cars being damaged due to how narrow the road is when parking is at both sides of the road. There are no longer wing mirrors littering the road.</p> <p>Safety - When cars are parked at that side of the road it is difficult for people to cross the road safely. Ive seen children, prams and elderly nearly hit by cars crossing here before the path was in place. The Lollipop man has also said to us it has made his life much easier since the footpath was place there, as he can see traffic coming from both directions.</p> <p>A new build at that side of the road was prohibited by planning permission to build a driveway onto the road due to sightlines . If cars were allowed to park here then this would give the same safety concerns as a driveway.</p> <p>And finally the path without the extra space isnt wide enough for two people to walk past each other. Again this means people are having to walk onto the road to walk past. Wheel chairs and prams struggle to get past cars parked close to the kerb.</p> <p>Thank you for your time and happy to discuss further.</p>
Business	<p>I think it is disgraceful that the footway build out was put in at all.</p> <p>When the pandemic hit, we had to flip the business to one of takeaway to both keep the business going and to support those in the community that needed our services. Whilst the other cafes in the village decided to close and live off the support packages they were given, as a new business we had no such luxury.</p> <p>Critical for my delivery drivers during this period to turn things around quickly and get to more people was the ability to park close by . With everybody else staying at home the footway build out restricted what was already limited parking spaces.</p> <p>As we have come out of lockdown and we attempt to recover, despite the inflation pressures, business has become more face 2 face. With customers out and about ease of parking is in the top 3 of things a customer looks for. I know parking remains an issue as my delivery drivers continue to have to park occasionally 50 metres away. Therefore this is clearly having an impact on my customers. It's very frustrating to see parking spaces blocked off across the road from the cafe, a path that is used no more than the path on the opposite side of the road.</p> <p>I for one would like to see West Lothian Council support local business especially ones that were acknowledged as essential to remain open during the pandemic. Therefore I absolutely want to see this useless waste of public money removed.</p>
Resident	<p>We are writing to you concerning the temporary Spaces for People footway build out that is opposite our residential property in East Calder.</p> <p>It is our strong desire to see the footway build out retained on a permanent basis.</p>

	<p>The build out has led to the restriction of vehicular parking on that side of the road, which in turn has led to improved safety for both pedestrians and vehicles.</p> <p>There is now also increased traffic on the B7015 due to the new Housing Developments in the area, increased bus transport and construction vehicles. Hence, we feel the build out will greatly benefit road safety in the area.</p> <p>We would be grateful if our wishes could be reported to the meeting of the West Lothian Council in June.</p>
	<b>B7031 Station Road, Kirknewton – Footway build out</b>
Resident	I would like the temporary footway to be made permanent. As so many people walk in Kirknewton, both from the village and neighbouring East Calder, it makes sense to keep the additional path space. It doesn't have a negative impact on traffic as the road is still sufficiently wide.
Resident	<p>I am in favour of retaining the larger sized pavements on Station Road for the following reasons -</p> <ol style="list-style-type: none"> <li>1. Many people from Kirknewton and East Calder regularly walk in the village and use the footpaths. There is no footpath on the opposite side of the road so a wider footpath is required.</li> <li>2. The increased footpath does not impact on the road as there is still plenty of space for cars to pass safely.</li> </ol>
Resident	<p>the path should be removed and reinstated back as there is no benefit as it stands and causes problems to other road users to try to pass parked cars this is a village and the footway are not congested in any way or at any time so I am not in favour and would like them removed</p> <p>and to go ahead with the build-out is a waste of public money which could be spent in better ways the trouble it caused when you installed the path was shocking and in parts of the village only lasted 24 hours before getting removed</p> <p>I look forward to your response</p>
Resident	In response to your consultation about the bus stop in Kirknewton, I am in favour of any measures that help pedestrians and those on unmotorised wheels.
Resident	<p>If the 20mph speed limit is made permanent, which it should, then the path build out should stay.</p> <p>If the 30mph speed limit is re-instated, then the path build out should go.</p>
Resident	<p>Thank you for your letter dated May 9th.</p> <p>After careful consideration, I would like the footway build out which is outside my property at ...Station Road, Kirknewton, EH27 8BJ to be removed.</p>
Resident	I refer to your letter dated 9th May 22 regarding the Spaces for People footway build out at B7031, Station Road, Kirknewton adjacent to Caledonian Court and would advise you that I am in favour of the provision being retained. My only adverse comment would have been the retention of the temporary bollards as they

	<p>are easily removed and thrown around. I note however, from your letter, that the bollards would not be continued.</p> <p>In my opinion, the extension of the footpath has greatly improved road safety in the area and has facilitated much safer walking, especially while exercising dogs, cycling with less indiscriminate parking, use of wheeled devices for people with impairments eg wheelchairs and walking aids and visibility in and out of the junction at build up of traffic due to the level crossing sequencing.</p> <p>I trust that this will be of some use in your deliberations.</p>
	<b>A706 St Ninian's Road, Linlithgow – Cycle lane</b>
Resident	<p>I am emailing in response to the letter received today regarding the temporary Spaces for People cycle lane on St Ninians Road, Linlithgow.</p> <p>I would prefer that the cycle lanes are removed for the following reasons;</p> <ul style="list-style-type: none"> <li>* on the west side of the road there is a varying number of cars parked at all times meaning that cyclists would require to weave in and out of the spaces - any cyclists I have observed do not use this lane at all.</li> <li>* on the east side of the road the lane, together with the flexible bollards, significantly reduces the width of the road. I have witnessed a few near misses when large cars, vans, lorries etc try to pass other vehicles. I have also felt unsafe at times when getting in and out of the driver's side of my own car.</li> <li>* on the east side the bollards impact on the farmer's ease of access to the field.</li> <li>* I have observed the traffic flow for significant periods of time and am surprised by the extremely small number of cyclists who use the cycle lanes. I believe the benefit to these few road users does not outweigh the drawbacks for all other road users.</li> </ul> <p>I look forward to hearing about the council decision in due course.</p>
Resident	<p>We wish the cycle lanes on St Ninians Road Linlithgow to be removed and the road reverted to previous layout.</p>
Resident	<p>Thank you for your communication. I am glad to be consulted about possible removal of the cycle lanes. Perhaps residents should have been consulted prior to their sudden appearance.</p> <p>The lanes are rarely used and with cars allowed to park on 1 side and bollards on the other, the road is much narrower. I have seen a few near misses and it is difficult for large vehicles to pass each other safely. My wife and I would support the removal of the lanes.</p> <p>On a related matter the 20 m.p.h. speed limit is largely ignored with most traffic travelling in excess of 40 m.p.h. especially when entering the town. The road needs a speed camera or speed bumps to deal with this. This could be done when removing the lanes,</p> <p>Thank you for seeking our views on this occasion.</p>

Resident	In response to your hand delivered letter on the cycle lane consultation, my opinion is the dangerous cycle lane should be removed immediately, with the Road reverting to its previous layout.
Resident	<p>Thank you for your letter regarding the above.</p> <p>I find it quite hard to contain myself on this particular initiative.</p> <p>What a complete waste of money it has been! There is only a very short sectioned off part of the cycle Lane, with cars allowed to park on the non sectioned area rendering it not a useable cycle Lane!</p> <p>Further, The sectioned off area ( with bollards) is dangerous as cars get far too close to each other when in this area travelling north and south.</p> <p>What there should be in this area is a much better speed control system, as cars regularly seem to be travelling way in excess of the speed limit, Particularly coming into town! At the very least there should be an electronic sign showing speed people are travelling at.</p> <p>So in answer to your question yes please remove this cycle Lane. It has been a complete waste of money at a time that council services are being cut back. As said some form of traffic calming measure would be most welcome however.</p> <p>Thank you</p>
Resident	<p>Further to the letter received today asking for our views on the temporary Spaces for People cycle lane on St Ninian's Road in Linlithgow I should like you to consider the following:</p> <ul style="list-style-type: none"> <li>• The cycle lane has caused numerous 'near misses' as it makes the road too narrow for two cars to pass safely. Most houses on the west side of the road park their cars on the road as they do not have driveways, thus narrowing the road further</li> <li>• The road is busy, used by numerous large vehicles- lorries, buses etc., as well as cars. If a large vehicle is coming in both directions - or indeed a refuse collection or delivery vehicle has to stop, then the road gets blocked completely</li> <li>• By far the greatest issue on the road is the speed of the cars. Despite there being a 20mph speed limit this is very rarely adhered to. The cycle lane has made this worse as cars try to get through the narrow part of the road quickly, before a car approaches from the opposite direction. As many pedestrians cross the road to get access to the Peel, this is a serious accident waiting to happen.</li> <li>• The cycle lane is very rarely actually used. We see it all day, every day, from our house and there are rarely more than 1 or 2 cyclists a day using it. Indeed, many days go by and no-one at all is on it.</li> <li>• Rather than a cycle lane, surely the obvious action would be to install more effective anti-speeding measures, such as speed bumps, vehicle activated signs -or indeed speed cameras. This would make the road significantly safer for ALL road users - car drivers, pedestrians AND cyclists.</li> </ul>

	As you will appreciate from the above, I am wholeheartedly against the retention of these cycle lanes. In my mind the whole idea was poorly thought out and ill advised, and the sooner they are removed the better.
Resident	<p>Many thanks for asking us to share our views on the cycle lane in our road.</p> <p>We are firmly in favour of removing the cycle lane.</p> <p>It was certainly well worth trying, but the road is too full of parked cars (including our own) and as a busy road the cycle lanes force the traffic dangerously close together. It is very rare for traffic to stick to 20 so the speed does not help. Because the lane is broken up with parked cars it doesn't seem to be particularly safe for cycles as they have to move in and out of the dedicated lane. We do not see many cycles using the current set up and I wouldn't find it a good option.</p>
Resident	<p>Dear Sir....I refer to your hand delivered letter received by me on 9th May 2022 referring to possible removal of the temporary cycle lane measures in St Ninians Road , Linlithgow.....and can confirm that I am in favour of their removal....I see little use being made of them....and on one side use of this lane is impractical due to car parking...the bollards also narrow the road leaving it quite tight for large vehicles to pass...Please confirm receipt of this email vote.....</p>
Resident	<p>We would like the cycle lane outside our house at ... St Ninian's Avenue to be retained if the bollards are also retained.</p> <p>We have found that the lane with the bollards has had a traffic calming effect on vehicles coming from the direction of Bo'ness. This is especially important for the crossing just below our house used by many pedestrians to access the loch. We don't think a painted cycle lane without bollards would be as effective. (This can be seen further down on St Ninian's Road on the opposite side where the cycle lane is used as parking spaces).</p> <p>Also the lane gives us more room when exiting from St Ninian's Avenue in our car to see traffic coming from both directions - and of course traffic can see us.</p>
Resident	<p>I write in response to your letter regarding the temporary cycle lane installed outside my property on St. Ninian's Road Linlithgow.</p> <p>I would advocate that these Temporary Spaces for People - cycle lane measures, be removed as soon as possible.</p> <p>In the time these lanes have been in place, their use has been infrequent in the extreme, usually by only about three or four cyclists per week, at the most. A total waste of money.</p> <p>For walkers, there are already two broad pavements bordering the road, and these have always been well used.</p> <p>These lanes have created problems and danger for vehicular traffic. Some householders must park their cars on the road, and with the lanes in place, a bus or lorry has difficulty passing other vehicles, sometimes</p>

	requiring awkward reversing manoeuvres. Indeed it can sometimes be difficult for two cars to pass each other safely. On the days of the refuse lorry collections, traffic can come to an almost complete standstill. I hope that these lane markings and posit will be removed speedily, and the road returned to it's previous state.
Resident	Thank you for your letter asking about the cycle lane. I would prefer it be removed. The impact on traffic flow has been considerable while the use of the cycle lane is negligible. The fact that it doesn't connect anything to anything and just stops makes us wonder why on earth it was put there in the first place. I'm all for cycle lanes and reducing traffic but this one seems ill conceived.
Resident	<p>I am home owner in St. Ninian's Road and the sooner these cycle lane are removed the better. These lanes have been a complete waste of time and money. The volume of cycle usage on the lane on the East side of the road has been minimal and on the West side has been almost non-existent. The cycle lanes have caused a bottleneck and congestion in the road and has resulted in ambulances, fire engines, buses, lorries, tractors, and cars having to stop to let oncoming traffic squeeze past. On one occasion, an ambulance with flashing blue lights had to drive over the bollards due to an oncoming bus blocking the road.</p> <p>These lanes were put in place on the pretext that they would somehow contribute to minimising Covid cross-infection. Given that this is no longer a consideration, then I'm surprised that the council is even considering keeping them. It's safe to say that they had no impact whatsoever on this front but instead contributed to the town's carbon footprint by causing traffic congestion. Not to mention the carbon cost of the works to put these in place and remove these again!</p>
Resident	<p>Further to your invitation to provide a response on whether the cycle lanes should be retained on a more permanent basis, I would like to make the following points on behalf of my wife and myself:</p> <ol style="list-style-type: none"> <li>1. There is little doubt that the creation of the cycle lanes has resulted in a reduction in the speed of traffic using the road because of the restricted width of the road. I would imagine that this is an unintended consequence rather than a planned outcome. As residents we welcome this outcome but would suggest that better signage of the speed limit, more regular speed checks by the police and speed bumps at appropriate positions along the road would be even more effective.</li> <li>2. The cycle lane nearest to the loch does not appear to be extensively used. This is hardly surprising as it does not readily connect with other dedicated provision for cyclists. However, as we are not cyclists, it is difficult for us to judge its effectiveness. The cycle lane on the other side off the road is not used at all because it is used for residents' parking and also by those visitors walking round the loch. Consequently, the removal of the road markings on this side of the road would make no difference at all.</li> </ol>

	On balance, we would support the retention of the cycle lane on the basis that it has reduced the speed of traffic. This response is based on the assumption that no other speed control measures are being planned for St Ninian's Road.
Resident	<p>I think the cycle lanes are a waste of money. They can only be used intermittently due to cars having to park on St Ninians Road. They cause traffic congestion due to the fact that there are rarely cars parked on both sides of the road (unless a bank holiday or event), however now the road is restricted at all times. A more effective use of funding would be to install speed bumps. 90 percent of cars are travelling way faster than 20 miles an hour on this stretch of road. Many travelling much, much faster. Pedestrians are crossing to and from the Loch access; there is a Zebra Crossing towards the end of St Ninians Road; and a particularly bad junction leading to the High Street which is often backed up. 100% think that this was a complete waste of precious effort and funding.</p>
Resident	<p>Ref: Cycle lane on A706 St Ninian's Road  I am NOT IN FAVOUR of keeping this cycle lane.  I wrote to the councillors in June last year, making the points below and in the 12 months since, my views have not changed. If anything, I am even more convinced that they increase risk for both cyclists and motorists using St Ninian's Road, having seen emergency vehicles blocked by buses and vans coming in the other direction. I am both a cyclist and motorist, using this stretch of road daily.  I haven't seen a single cyclist use the cycle lane. Has any research been done on how many people cycle this stretch of road? I have seen families with young children choose to cycle on the pavement and keen cyclists stick to the main road (the cycle lane is currently covered in debris which would hide any rough road or potholes). The state of the cycle lanes on the Falkirk road between Aldi and the St Ninian's is shocking, so the idea of 'formally constructed (cycle lanes) with more permanent material' does not fill me with any confidence. As a cyclist I would choose a paved road over a poorly maintained cycle lane.</p>
Resident	<p>I write with reference to your letter date 9th May 2023 and would confirm my and my wife's objection to retaining the cycle lane for the following reasons:</p> <p>1 I have seen very few cyclists choosing to use the facility. Perversely, presumably due to the parked cars at the end of the cycle lane it does seem to have encouraged more cyclists to use the pavements instead. Indeed I have seen cyclists using both pavements and in both directions.  Cyclists using the western pavement create a potential risk to residents leaving their premises as many of the gardens have high walls which reduces the visibility to see people using the pavement and in places the pavement is very narrow. Eventually a cyclist will hit one of the residents stepping onto the pavement.</p> <p>2 The cycle lane has reduced the amount of street parking on the east side of the road which has resulted in cars parking on the west side round the driveways thereby reducing the visibility for residents using their drives.</p>

	<p>3 As the cycle lane is narrower than a parked car there is now sufficient space for two cars to pass. Prior to the installation of the cycle lane one of the cars would have to wait for the car in the opposite direction to pass. This has resulted in an increase in speed of many of the cars using the road, especially this coming off the hill.</p> <p>Please acknowledge receipt of this email.</p>
	<b>B9080 Edinburgh Road, Linlithgow – Cycle lane</b>
Resident	<p>I support the retention of the cycle lane on Edinburgh Road, Linlithgow.</p> <p>Although I do not cycle, I hope that restricting the road space for cars encourages drivers to reduce their speed on this section of Edinburgh Road.</p> <p>My son needs to cross this road on his way to and from Low Port Primary School. As drivers often greatly exceed the 20mph speed limit on this section of Edinburgh Road, I welcome any measure that may encourage them to slow down.</p>
Resident	<p>I am emailing in response to your consultation on Spaces for People Cycle Lanes on Back Station Road, Linlithgow.</p> <p>In our opinion, the cycle lane should be removed. In all the time they have been instated, I am yet to see anyone using them, in fact I have witnessed cyclists actively avoiding them. Due to parking spaces, the cycle lane is interrupted by parked cars, causing cyclists to move onto the road or pavement, defeating the purpose. This road is also busy at times, with cars often travelling over the speed limit, and the cycle lane has led to the road being quite narrow, when parked cars taken into account.</p> <p>I would also like to suggest that, if previous road markings are reinstated, the parking spaces that were placed on the opposite side of the road (at the time the cycle lane was made) be removed. These parking spaces lead to there being increased noise for residents as the parking is now directly outside St Magdalenes building. People often return to their cars late at night, which causes nuisance, and we have seen cars being parked in these spaces for over a week.</p> <p>Thank you for seeking our views on this subject.</p>
Resident	<p>Thank you for your 9 May 2022 letter, seeking opinions for the retention or removal of the cycle lane on B9080 Edinburgh Road / Back Station Road, Linlithgow.</p> <p>I am in favour of removing the cycle lane and restoring the original road layout, because:</p> <p>Few cyclists actually use the cycle lane, partly because it's so short it's hardly worth it, and it's often full of debris.</p> <p>It's dangerous for motorists approaching it from High Port because they can't see it until they've gone under the rail bridge.</p>

	<p>The new parking bays (adjacent to the St Magdalenes distillery building) are of insufficient width meaning cars often have two wheels on the pavement.</p> <p>When cars are parked in the new bays they create a blind spot for pedestrians wishing to cross the road, but also for motorists pulling out of St Magdalenes.</p> <p>Concerns about this raised previously were met with the response that 'motorists should be doing 20mph'. Well indeed they 'should', but I can affirm the vast majority of vehicles are doing 30mph as an absolute minimum, the majority probably 40mph plus.</p>
Resident	<p>I consider this should be removed.</p> <p>It seems to be rarely used so serves little purpose.</p>
Resident	<p>I am of the view that the temporary cycle lane on the B9080 Edinburgh Road should be removed as soon as practical and the road reverted to its previous layout - including the reinstatement of the previous parking bays.</p>
Resident	<p>I would like the cycle lane to be removed and parking reinstated as it was before.</p> <p>I feel it is an accident waiting to happen, as line of sight coming out of St Magdalenes is now worse than before due to cars parking in the new parking area( often an SUV with a high back is nearest our entrance and makes looking for traffic much more difficult than it was).</p> <p>In addition there is limited parking for commuters using the station. There are only 4 car parking spaces this side of the road and there were more on the other side of the road before the cycle lane replaced them. We need to encourage people to use public transport to Edinburgh, Glasgow, Stirling etc. and they need to park their cars to access the train if it's too far to walk. There are more and more commuters using our residents parking area at the entrance to St Magdalenes opposite the train station car park.</p>
Resident	<p>Thank you for the invitation to express my views regarding the new cycle lane recently introduced on the B980 at Back Station Road / Edinburgh Road in Linlithgow.</p> <p>I believe it should be immediately removed on the grounds of safety.</p> <p>Introducing a hazard immediately after a blind corner with a sharp turn is not a sensible step forward in safety for any road user: and to almost immediately end this cycle lane - by turning the next stretch of road into designated car parking, forces cyclists to now go around parked cars. This puts cyclists in far greater danger than previously, as they are being forced into the road at a pinch point which has now been created from nowhere.</p> <p>Furthermore vehicles turning right into St Magdalenes are now holding up all traffic flowing under the rail bridge onto Edinburgh road because an artificial single lane has now been created.</p> <p>Cars parked in the overflow Rail Car Park are blindsided by parked cars when turning left. There are several near misses every day and it will only be a matter of time before those misses result in serious injury or worse.</p>

	<p>The 38x buses - the main route in the Forth Valley Region - are now forced to pull out into the middle of the road immediately after turning the blind corner under the railway bridge to avoid the new cycle path and the hazard of the newly introduced parking for cars a few yards farther up the road on the blind summit.</p> <p>This railway bridge bend, however, is very, very tight. Clearance is minimal if any large vehicle held by the traffic lights is waiting to go into Linlithgow town centre.</p> <p>Whilst well intended, I can assure through daily observation that an accident hotspot has been created, where none existed before.</p>
Resident	In favour of retaining the cycle lane
	<b>A899 East Main Street, Broxburn – Cycle lane</b>
Resident	<p>We are in favour of removing the cycle lanes. Should have been a good idea, but they are too narrow. The cyclists still use the pavement and try to manoeuvre around the cars that are parked on the cycle lane and the pavement. Sometimes I have to take my dog onto the road as I cannot use the pavement for the cars and dodging cyclists.</p> <p>The money would have been better spent on more and larger 20 mile signs coming into Broxburn. The traffic still speed up East Main Street. Also cut trees as they quite often obscure signs and obstruct our view.</p> <p>The pavements in Broxburn are wide enough that you could have altered part road and part pavement like Europe.</p> <p>Also might have been a good idea to ask the public opinion before putting the temporary cycle lane in place. Probably would have been cheaper in the long the long run.</p>
Resident	I am in favour of removing the cycle lane from outside my property.
Resident	<p>It has been my observation that the cycle lane outside my property is very rarely used therefore I would propose that it be removed.</p> <p>Further more I have a real issue with the posts that have been erected outside my property to separate the cycle lane. I can see absolutely no purpose to these. They are only placed for the few houses at the bottom of East Main Street so seem pointless &amp; cause much more harm than good.</p> <p>Myself &amp; countless others have almost scraped their car on them whilst trying to get out their drive. There is not enough room been left at the top of our drives to enable safe exit into the main road.</p> <p>This has been an issue ever since they were placed &amp; would like to see them gone as they serve no purpose other than an obstruction.</p>
Resident	In my opinion, the cycle lanes should be made permanent. We are looking to reduce our carbon footprints across the country, West Lothian should be no different. I would also like to see more cycle paths and also

	<p>walkways installed within the area, signposting where these areas are and any historical links attached to the area.</p> <p>We have come through a pandemic where mental health is greatly affected, Broxburn &amp; Uphall has lots of areas that can be developed for local walks or cycle pathways. It is time to reduce the car journeys to and from school, give people a safe space to walk or cycle home.</p>
Resident	Removed
Resident	We live at ... and would wholeheartedly prefer for all current measures to be completely removed.
Resident	<p>I refer to your letter dated 09 May 2022 in connection with the spaces for people consultation A899 East Main Street Broxburn.</p> <p>I would like the cycle lane measures to be retained on a permanent basis.</p> <p>I live on the A899 and the speed of the traffic in both directions is horrendous. I feel the cycle lane makes the road feel less wide and possibly slows the cars down a little bit and makes the road safer for cyclists. Is it possible to also add more 20 or 30 speed signs along the road as a reminder that the speed limit is not 50/60 miles per hour which the majority of drivers seem to think it is?</p>
Resident	<p>Would be absolutely delighted to see lane on both sides of carriageway and bollards removed permanently. Was never consulted or informed of the original proposals. Can be extremely nerve wracking trying to reverse our car into driveway when vehicles are coming from behind (not at 20mph!) an accident waiting to happen. Many cyclists still use footpath so what useful purpose is this serving? Was hoping for serious snow last winter and snowplough would have cleared the problem.</p> <p>Please remove all traces of cycle lanes.</p>
Resident	<p>I refer to your letter dated 9 May concerning the above cycle lane.</p> <p>I would suggest that the cycle lane measures outside my house should be removed.</p> <p>I very rarely see any cyclist using the lane and the pavement is large enough for people to walk at ease. I do hope my response is helpful and the bollards are removed as it does make it more difficult to get in and out my driveway.</p>
Resident	We would prefer to retain the cycle lane.
Resident	<p>Providing cyclists &amp; drivers are observant and careful when the cycle path is not seen spanning cul de sacs, or other openings to homes or business, I feel they should be retained.</p> <p>It would be nice to hear how good the response, and outcome, of this is.</p>
Resident	<p>We are in favour of removing the cycle lanes on the A899 East Main Street, Broxburn.</p> <p>As you can see from our address we live on East Main Street and can say that we have never seen these cycle lanes used for essential trips or exercise during the pandemic, however the pavement is used frequently for cyclists of all ages. The Main Street has increased traffic flow due to the house and retail buildings now erected and we believe remove of these would ease congestion.</p> <p>We hope you will give due consideration to our opinion.</p>

Resident	<p>We received a letter yesterday, 10th May asking us to give our opinion on the cycle lane outside our house on East Main Street Broxburn. The email address - sfp@westlothian.gov.uk that we were told to use doesn't work.</p> <p>We feel that the cycle lane should be removed as in all the time it has been there we have only seen it being used once, so could you advice us how to make our views known to the relevant department.</p> <p>Thank you</p>
Resident	<p>In response to your letter asking if we should keep Spaces for People near my property, the answer is no. As someone who cycles and lives in the area its not making that much of a difference. I'm referring to the stretch in my immediate street.</p> <p>As a driver, the road feels much narrower which in turn makes me feel uncomfortable driving on that stretch of road. As a cyclist, its such a short stretch that its pointless. There is a portion of the cycling lane where employees from a nearby building park on it continually. Its also such a short section of SfP that it doesn't really need to be there.</p> <p>Overall as a driver, I would prefer it to be removed.</p>
Resident	<p>I received a letter asking my opinion regarding the cycle lane on the main road in Broxburn.</p> <p>My view is this absurd cycle lane should be removed and the road should be put back the way it was before.</p> <p>I have never seen a cyclist using it yet!</p> <p>This was created at the expense of the tax payer and has served no purpose what so ever. During the pandemic the roads were extremely quiet so there was no need for this measures, an other example of the Scottish Government wasting money that could be put to better use.</p>
Resident	<p>I write in response to the flier posted through our door in respect of the above consultation. I reside at ...Melbourne Road, Broxburn on the corner of the A899 East Main Street, Broxburn.</p> <p>I am in favour of the removal of the temporary cones marking the cycle lanes in our locale. The cycle lanes are clearly marked in paint on the road and I ma happy for this to remain the same with the removal of the cones. I believe the cones cause additional disruption to the traffic flow and pedestrian areas along East Main Street as cars, vans and lorries are now having to park on the pavements, rather than at the side of the kerb to allow free flowing traffic. This is a particular issue for pedestrians with limited mobility. It is important for cycle lanes to be protected by continuing to use road markings. The removal f the cones I believe will make for a safer transport environment for all parties.</p> <p>I look forward to hearing about the outcome of this consultation.</p>
Resident	<p>We received your letter regarding the cycle lanes on the A899 Broxburn high street route and asked our opinion on either to keep or remove.</p> <p>Having had them in place for nearly 2 years we have seen very little use of these lanes as the cycles prefer the existing wide footpaths.</p>

	These plastic signs however work as a excellent nuisance at 1am when youths enjoy kicking them down. I would prefer they are taken away.
Resident	Not in favour of keeping the lane.
Resident	I would like the cycle Lane removed from outside my property. Apart from it being rarely used it is hazardous and it is only a matter of time before there is an accident. On many occasions I have been anxious when having to reverse my car into my driveway as cars come behind me at speed and get annoyed that I am holding up traffic. I also have had other vehicle users flash their lights for me to drive nose first into my driveway, I can't as it is against the highway code to reverse out on to a main road as dangerous. Also there is no place for visitors to park. I could greet. Please could they be removed ASAP.
Resident	Dear Mr Brown, regarding consultation as above, as a resident on East Main Street, I would prefer the lane be removed. The reason being I have not seen cyclists using it, they use the pavements! Possibly the construction is deemed unsafe by cyclists. It has narrowed an already constricted road, often affecting flow of traffic and causing more emissions. Also along the stretch of road many cars are parked partly on the pavements. Whilst I appreciate the idea of cycle lanes is a good one, trying to put them in place after road construction, is not always viable.
Resident	I am a resident at ... Broxburn EH525FE and this email is to say that I would like this lane removed. I feel the poles in place aren't any good and that it's more dangerous having them than not. I feel if anything should be in place it should be speed bumps as the speed traffic goes up and down this Main Street is ridiculous and someone is going to be killed it's only a matter of time.
Resident	Hi, This is is response to your letter dated 9th May 2022 headlined as above and on this basis my Name and Address details are as follows :... The subject matter cycle lane is in fact immediately adjacent to the front entrance of my Home Address and on this basis I emphatically wish the cycle lane to remain in position permanently!! I trust this provides relevant input to your SPACES FOR PEOPLE CONSULTATION and I look forward to the final result being published in due course.
Resident	I write regarding the above to let you know that I am of the opinion that the temporary cycle lane measure which runs directly outside my property in East Main Street, Broxburn should be removed. Since it was put in place, I have only seen the very occasional use of it by a cyclist. The most use I have witnessed is children using the "bollards" to leapfrog over or use them as a slalom course to go in and out of them on their bicycles! The actual lanes in my opinion, are at best, ineffectual as they are not being used by cyclists and the actual length of the lanes is of little use as they run only for short sporadic distances. In addition to these points, the bollards which run down East Main Street outside of my house actually hinder exiting from our drive in that we have to swing out further to clear said bollards which is quite hazardous given the increase of traffic on East Main Street.

	<p>In addition to the above, I was under the impression that to quote the undernoted which was posted on Facebook on 18 March 2022: -</p> <p>"A report to a meeting of West Lothian Council confirmed that the reduced 20mph and 40mph speed limits, new cycle lanes, wider footways and parking suspensions put in place during the pandemic will all be removed by mid-July".</p>
Resident	<p>We are all in favour of cyclists having the "right of way" but since the cycle lane was installed we have noticed that it has not been used "to its full potential". We live in a flat of eight on the main street and there is no parking outside the building for delivery vans, etc.</p> <p>In our opinion, as much as we appreciate the "rights for cyclists" we feel that the cycle lane should be removed.</p>
	<b>A89 Main Street, Blackridge – Cycle lane</b>
Resident	<p>Please remove cycle lane the road is to narrow and dangerous for all</p> <p>What a waste off money</p>
Resident	<p>With regards to the attached Ref Number about cycle lanes on A89 Blackridge Main Strret.</p> <p>I live at ... and I'm in favour of removing the cycle lanes in the village.</p>
Resident	<p>I am emailing to confirm that I would be in favour of retaining the cycle lane mentioned above. In my opinion it does not cause any negative impact on car drivers, and it provides cyclists with an additional sense of security.</p> <p>I drive on this road daily, and frequently cycle along it too.</p>
Resident	<p>With regards to the letter posted through our letterbox today reference to the cycle lane along the length of Blackridge Main Street.</p> <p>These waste of money cycle lanes, whether they be funded by the Scottish Government or not still a huge waste of money better spent elsewhere which you should know I don't think even lasted 2 weeks in our village, probably at great expense to install then remove then the council now have the audacity to ask villagers their thoughts. Surely the removal last year should have answered that question. The cycle lanes were more dangerous being in place with ridiculous plastic bollards along the length of the street. Most of which were knocked over. And what about in a heavy snowfall winter? Would snow ploughs miss them? I very much doubt it.</p> <p>As you hopefully can tell that in my opinion the cycle lanes should absolutely not be reinstated. Please remove permanently.</p> <p>If your meeting in June's outcome is to reinstall the cycle lanes again I'm sure you will hear more from the villagers of Blackridge.</p>

	<p>Your letter should have been sent to the full village and not just those on the Main Street as it effects the full village.</p> <p>As you are the road and transport service manager, I would also like to know when the 20 MPH signs will be removed all over the county another fantastic waste of government funds to install and remove. I'm not even convinced they were legal according to the Highway Code national speed limits. I wonder how many over 20 MPH speeding fines were issued? Probably none!</p>
Resident	<p>I would just like to confirm my support for keeping the cycle lanes in Blackridge, it not only makes life safer for cyclists, it also could encourage more people to cycle to a from the shops and train station as well as health fitness it would encourage.</p>
Resident	<p>in reply to your letter drop on this consultation i would prefer it to be Removed.</p> <p>Although, i agree it is a good idea to have cycle lanes, but the current road network is not in my opinion wide enough or in a suitable condition to cater for all cars, trucks, vans, HGV's and cyclists.</p> <p>My justification for this is listed below;</p> <ul style="list-style-type: none"> <li>• The pavements / pathway is available for walkers of all ages.</li> <li>• There is a cycle path that cyclists should be utilising instead of using the Public Highway.</li> <li>• Highway code states that you have to give cyclists on the road 1.5m clearance to pass. The following problems tend to occur;</li> <li>o Some cyclists not utilising the cycle lane provided.</li> <li>o Cyclists are cycling 2, 3 &amp; 4 abreast outwith the cycle lane.</li> <li>o All motorists are having to swerve onto oncoming traffic and brake sharply when cyclist pulls out from lane to manoeuvre around drainage and potholes in road network.</li> <li>o Cyclists not abiding by the Highway Code, whereby the cyclist just either scrapes by waiting cars etc at roadworks or just use the pavement.</li> </ul> <p>I hope that my view is not seen as being negative but as constructive.</p>
Resident	<p>I am writing in regards to the SFP A89 Main St Blackridge Cycle Lanes Ref MW/SFP/9</p> <p>As a resident of ... Main St, Blackridge, West Lothian, I use the A89 on a daily basis.</p> <p>Since the SFP Cycle Lanes were introduced, I have seen several near head on collisions with different motor vehicles, and have been in a couple of close calls myself.</p> <p>This is due to road users not being aware that they are allowed to drive in the cycle lanes when they are clear.</p> <p>What drivers are doing is effectively using the broken white line of the cycle lanes as the edge of the road, thus dramatically recuing the width of the carriageway.</p>

	<p>Also, most if not all cyclists do not use the cycle lanes as the road surface is more uneven, has drain covers, potholes, and debris at the edge of the carriageway. Which makes it dangerous for the cyclists. So they tend to ride closer to the centre of the lane.</p> <p>Given the above personal observations and experiences I would like to see the SFP Cycle Lanes on the A89 removed at the earliest opportunity and the road returned back to how it was before.</p> <p>I would also like to see the removal of the 20mph speed limit on the same stretch of road, and only retained near to the School as it was previously.</p>
Resident	<p>We are in favour of the cycle lanes being removed. To be honest in our opinion they have proved to be ineffectual as even the cyclists don't use them. Thank you for asking our opinion.</p>
Resident	<p>With regards to the cycle lanes above, like most changes, people rebel and complain but like the 20mph speed limits imposed they get used to it.</p> <p>The cycle lanes are no different, however, making cyclists adhere to them when the allocated lanes are generally full of debris, potholes, drains raised and lowered surfaces etc, makes these lanes unsafe and many cyclists weave in and out to avoid those hazards which can result in punctures, wheel damage and possibly a crash. There have been instances where electric mobility chairs use these in the village too and they are perilously close to fast moving vehicles.</p> <p>vehicles are also not adhering to the 20 mph speeds, anywhere!!</p> <p>Removing these lanes would result in fast moving vehicles getting even closer to the public footpath and the large amount of heavy lorries that pass through the village at high speed is actually very frightening</p> <p>I'm in favour of keeping these lanes(without the bollards)</p>





## **WEST LOTHIAN COUNCIL**

### **CHIEF SOCIAL WORK OFFICER'S ANNUAL REPORT 2021-2022**

#### **REPORT BY CHIEF SOCIAL WORK OFFICER**

##### **A. PURPOSE OF REPORT**

This report provides 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 2021 -2022.

##### **B. RECOMMENDATIONS**

It is recommended that the Council:

1. note the contents of the Chief Social Work Officer's annual report for 2021 - 2022;
2. note that the report will be submitted to the Scottish Government Chief Social Work Advisor
3. note that the report will be submitted to:  
West Lothian Integration Joint Board on 10 January 2023

##### **C. SUMMARY OF IMPLICATIONS**

I.	Policy and Legal	No new implications; Equality Impact Assessments will be applied to specific commitments where appropriate.
II.	Implications for Scheme of Delegations to Officers	None
III.	Impact on performance and performance indicators	All activities and actions have performance indicators and targets applied
IV.	Relevance to Single Outcome Agreement	None
V.	Resources (Financial, Staffing and Property)	All commitments are consistent with the Council's budget decisions.
VI.	Consideration at PDSP/Executive Committee required	The report will be considered at the meeting of the West Lothian Integration Joint Board on 10 January 2023
VII.	Details of consultations	None

**D. TERMS OF REPORT****D.1 Background**

The legislation governing the delivery of Social Work Services requires the Chief Social Work Officer to exercise a general level of oversight.

The Scottish Government published national guidance for local authorities on the appointment and responsibilities of Chief Social Work Officers, including related reporting arrangements. The arrangements in West Lothian are consistent with this guidance.

**Service Overview**

The role of the Council's Social Work Services is to support, care for and protect people of all ages, by providing or purchasing services designed to promote their safety, dignity and independence, and to contribute to community safety by reducing offending and managing the risk posed by known offenders.

Services are delivered within a framework of statutory duties and powers imposed on the Council. Services are required to meet national standards and to provide best value. Where possible, services are delivered in partnership with a range of stakeholders, including, most importantly, people who use them.

**Chief Social Work Officer Duties**

The role of the Chief Social Work Officer is to provide professional governance, leadership and accountability for the delivery of social work and social care services, whether these be provided by the local authority or purchased from the voluntary or private sectors.

In addition, there is a small number of duties and decisions that relate primarily to the curtailment of individual freedom and the protection of both individuals and the public, which must be made either by the Chief Social Work Officer or by a professionally qualified social worker to whom responsibility has been appropriately delegated.

The Council's scheme of delegation provides for senior social work staff to make certain decisions on behalf of the local authority in the following areas:

- Adults with incapacity
- Mental health
- Adoption
- Secure accommodation and emergency placement of children
- Protection and Risk Management:
  - Child Protection
  - Adult Protection
  - MAPPA

### **Chief Social Work Officer Report**

The Chief Social Work Officer Report provides an overview of the role and responsibilities of the Chief Social Work Officer and outlines the governance arrangements that are in place in West Lothian. The report highlights Council's statutory duties, the decisions that are delegated to the Chief Social Work Officer and gives a summary of service performance.

### **E. CONCLUSION**

2021/22 has been another challenging year for social work and social care services in West Lothian. The service has continued to manage the changing impact of the Pandemic, manage the demands resulting from this, return to more usual ways of working, continue to focus on service developments, make improvements to practice and address pandemic related performance dips.

Looking forward the role of the Chief Social Work Officer will be significant in ensuring that there is stability across the profession and a continued focus on critical priorities whilst the direction of the future in terms of the National Care Service is decided upon and implemented. It will be important to mitigate against risks presented by uncertainty as the detail of the most significant changes to the professions of social work and social care is awaited.

### **F. BACKGROUND REFERENCES**

None

Appendices/Attachments:	Appendix 1: Chief Social Work Officer's Report 2021/2022
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Date:	22 November 2022



**West Lothian**  
Health and Social Care Partnership



# **Chief Social Work Officer Annual Report**

**01/04/21 – 31/03/22**

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## Chief Social Work Officer's Introduction

The annual Chief Social Work Officer (CSWO) report provides an overview of social work services in West Lothian over the period 2021/22.

The years 2020/21 and 2021/22 have presented the most challenging circumstances for social work and social care as a result of the Covid-19 global pandemic and its impact on individuals, communities and services. These impacts overlay existing pre-pandemic pressures.

The Health and Social Care Partnership has continued to manage high levels of risk in relation to shortages of critical resources and this has been most marked in the provision of care at home support. Significant work has continued over the year to mitigate and manage this area of high risk. Workforce challenges and the impact of them have been a key feature of the year and actions are ongoing over a number of fronts to impact on this.

Although there have been pandemic related challenges to delivering transformational change, the service has delivered programmes of change working in partnership to meet the needs of service users. These have been developed or delivered within the context of financial constraints and some clearly linked to the delivery of agreed savings measures. Commitment to ongoing improvement remains a key priority alongside delivering on strategic priorities set out by the Community Planning Partnership, Council and the West Lothian IJB with the backdrop of ambitious and stretching national strategic programmes of transformation.

Services have also responded again at pace and with flexibility to some of the new demands that have emerged over the end of the reporting year and into the new year and this includes responses and support provision for Ukrainian citizens who have come to West Lothian in response to the situation within their homeland.

During this reporting period, a consultation on the proposed National Care Service for Scotland has been launched. The detail has been considered by social workers and social care staff at all levels across all services. The focus on improving the experiences of users of services and carers and recognition of the need for significant investment to achieve this is welcomed. The proposals, due to their significance in terms of potential future change and the lack of detail on key areas, bring uncertainty in relation to future structures, employment arrangements, governance and accountability.

Despite these complexities and uncertainties, the social work and social care workforce in West Lothian during the year has again shown leadership, resilience and creativity as they have worked hard to provide services, to further develop positive practice and approaches aimed to improve outcomes and experiences for all ages.

## 1. Governance and Accountability

### 1.1 Overview of governance arrangements

Social Policy encompasses a wide range of social work services planned and delivered for a large number of people with a spectrum of differing needs. Together with health services managed locally, it is part of the council's Health and Social Care Partnership Directorate.

The Directorate is headed by the council's Depute Chief Executive who is also the Chief Officer of the Integration Joint Board and is accountable to the Chief Executives of the council and NHS Lothian. The Chief Social Work Officer, in the dual role of Head of Social Policy, and the Head of Health Services report to the Depute Chief Executive. Four senior managers

reporting to the Head of Social Policy have responsibility for defined aspects of Social Policy services: Adults services, Older People services, Children and Families /Inclusion and Support Service and Justice Services including some aspects of children's services. Mental Health and Addictions Services are managed under integrated management arrangements reporting to the Head of Health with links to the CSWO.

The Health and Social Care Partnership (HSCP) is focused on the delivery of integrated health and care services that will improve the wellbeing, safety and quality of life for people living in West Lothian, particularly those most at risk in society. Social Policy contributes to the aims of the HSCP. Those include, delivering positive outcomes and early interventions for early years; improving the quality of life for older people; minimising poverty, the cycle of deprivation and promoting equality, reducing crime and improving community safety and delivering positive outcomes on health.

The service contributes with key partners to a number of strategic plans including:

- The Council's Corporate Plan
- The Integration Joint Board Strategic Plan and its Engagement Strategy
- The Children's Services Plan
- The Community Justice Plan
- The Plans agreed by all West Lothian Public Protection Committees
- The Council's Transformation Programme and Digital Transformation Strategy
- Joint Commissioning Plans

### Partnership

Social Policy has a key role to play in the wider Community Planning system. The service contributes to partnership working in three key strategic planning partnerships: The Integration Joint Board and its Strategic Planning Group; the Children and Families Strategic Planning Group; and the Safer Communities Strategic Planning Group.

Figure 1 – Strategic Planning Structure



### West Lothian Integration Joint Board

The Integration Joint Board (IJB) is a separate statutory body responsible for carrying out health and social care functions delegated by the council and the health board. The delegated functions are set out in the West Lothian Integration Scheme, a statutory agreement between

council and health board and approved by the Scottish Ministers. The Scheme of Integration has been reviewed during this reporting period and no changes made to the functions delegated to the IJB. The IJB sets the strategic direction and priorities for those functions and issues statutory directions to council and health board for their delivery. The delegated functions cover all Social Policy services for adults and older people, domestic abuse and health improvement functions.

The IJB approved its Strategic Plan for the period 2019-23 in April 2019 and also approved a planning structure to support the achievement of the strategic priorities. The plan details how high-level outcomes are to be achieved through a process of strategic commissioning plans.

### **West Lothian Integration Joint Board Strategic Planning Group**

The West Lothian Integration Joint Board Strategic Planning Group (IJB SPG) has a significant statutory role in the IJB's delivery against National Health and Wellbeing Outcomes and in accordance with the Integration Delivery Principles. It is responsible for the following:

- Developing the IJB's Strategic Plan and Strategic Commissioning Priorities
- Developing and overseeing the related three-year Action Plan
- Localities-based activity
- Monitoring performance against national outcomes and locally agreed outputs
- Reviewing the Strategic Plan and the three-year action plan
- Providing input to the IJB in responding to emerging policy and regulations
- Linking with staff on service changes and organisational development

### **West Lothian Integration Joint Board - Health and Care Governance Group**

The Health and Care Governance Group (IJB HCGG) and Care Governance Framework was established in 2017 and it was reviewed and revised in June 2019. It aims to provide assurance to the IJB on quality of care, planning and delivery of services and maintenance of professional standards and regulation of staff. It builds on existing duties, systems and processes already in place in the council and health board for the proactive promotion of safe, high quality, integrated care. It sets out explicit local lines of accountability across health and social care, with clear paths of escalation where evidence of risk is beginning to rise. An action plan has been put in place to further develop the processes required to give that assurance. It focuses on providing transparency and maintaining a culture which supports the safe and effective delivery of care.

### **West Lothian Children and Families Strategic Planning Group**

The West Lothian Children and Families Strategic Planning Group (C&F SPG) is part of the West Lothian Community Planning structure. It can therefore draw on partnership working with community planning partners. It oversees the development of Getting It Right for Every Child (GIRFEC) across West Lothian and has responsibility for the duties in the Children and Young People (Scotland) Act 2014, including the development of a joint Children's Services Plan and Corporate Parenting Plan. It is responsible for the statutory duty to report on progress on the seven priorities in the West Lothian Children's Services Plan 2020-2023 which are:

- Corporate Parenting
- Child Protection
- Raise achievement and attainment
- Promote health and wellbeing
- Reduce offending behaviour in children and young people
- Reduce substance misuse
- Promote children's rights

The plan reflects the commitment to providing services that are holistic and developed with families themselves and partner agencies; that tackle inequalities, and focus on improved outcomes for children through early intervention and protection services when these are necessary.

### **Community Justice**

Since April 2017, statutory Community Planning Partnership arrangements have ensured oversight of the Community Justice Partnership Service delivering Community Safety and of compliance with multi-agency Justice and Youth Justice arrangements. It does so through the Community Justice Strategy 2018/23 and its supporting West Lothian Community Justice Strategic Plan 2019-2024.

The vision in the plan is to make communities safer and more resilient and to support people with criminal convictions to change their behaviour and become valued citizens. The plan sets out a clear commitment to effective partnership. Its principles cover utilising all available resources from the public, private and third sectors, individuals, groups and communities. The principles also cover working closely with individuals and communities to better understand their needs, making best use of talents and resources, supporting self-reliance and building resilience. It emphasises the need for early intervention and prevention approaches.

### **Public Protection**

There are four dedicated public protection committees reporting to the West Lothian Chief Officer Group (COG) and providing leadership across Adult Support and Protection, Child Protection, Gender Based Violence and Offender Management (MAPPA). The committees ensure that staff have up to date policies, procedures, guidance and training to ensure that they are equipped to work in partnership to protect those at risk of abuse and harm. They are also responsible for quality assurance and making sure that members of the public have access to relevant information and know who to contact if they have any concerns that a child or adult may be at risk of harm.

The West Lothian Alcohol and Drug Partnership (WLADP) also reports to the COG and their key responsibilities are to minimise alcohol and drug related harm and usage in West Lothian and improve the lives of those in West Lothian harmed by substance misuse with a focus on prevention and early intervention.

**Figure 2 – Public Protection**



The Chief Officers' Group oversees the work of the Public Protection Committees and the WLADP. The COG comprises Chief Officers from Council, Health Board and Police Scotland. The CSWO is a member. The COG is responsible for ensuring that all agencies, individually and collectively, work collaboratively to protect the children, young people and vulnerable adults of West Lothian. Strong connections remain across the areas ensuring a holistic and joined up public protection approach.

## **1.2 The Role of the Chief Social Work Officer**

### **Overview**

The Chief Social Work Officer (CSWO) in West Lothian is responsible for monitoring all social work and social care service activity across the council and within any integrated arrangements.

The CSWO is by law a non-voting member of the IJB. The CSWO also has a defined role in professional and clinical and care leadership and has a key role to play in the IJB's Health and Care Governance systems, currently chairing the Health and Care Governance Group.

From the commencement of the local clinical and care oversight group arrangements for care homes, the CSWO has contributed on a daily and now twice weekly basis to the collective oversight of the position of each West Lothian care home in terms of infection control arrangements, staffing capacity and resident health and wellbeing. This commitment has enabled the CSWO to be fully sighted on the impact of COVID 19 on the care home sector and contribute to the support and assurance activity provided by the Health and Social Care Partnership. The CSWO has reported through governance structures on a regular basis on the work of the oversight group and requirement to use any of the intervention powers introduced by the Coronavirus (Scotland) (No 2) Act 2020. None of the powers in relation to interventions concerning care provisions have been applied within West Lothian.

The CSWO is a member of a number of significant decision-making teams and groups, both within the council and in multi-agency settings. These include internal senior corporate and service management meetings; attendance at council, committee and panel meetings; meetings of the IJB and its committees and groups; strategic planning groups and scrutiny and oversight meetings such as the Protection of Vulnerable Groups (PVG) Referral Panel, the Child Protection and Adult Protection Committees and the Edinburgh, Lothian and Scottish Borders Strategic Oversight Group. The CSWO is Chair of the West Lothian CPC, the Health and Care Governance Group and interim Chair of the Children and Families Strategic Planning Group.

There are a range of other roles undertaken by the CSWO and these include:

- Significant case reviews: signing off all significant case review reports across Social Policy and chairing the Child Protection Committee and its Learning Review sub-committee
- External audits and inspections: leading on all social work-related audits and inspections and liaising with inspecting agencies
- Human resources: ensuring 'Safer Recruitment' practices within the council including involvement in all instances where referral of a staff member is being considered to the Scottish Social Services Council (professional standards and conduct), the Central Barring Unit (protection of vulnerable groups legislation), or the Disqualified from Working with Children List

### **Planned Reports: Statutory Decision Making**

The CSWO must monitor the statutory decision-making aspects of the remit which have been delegated on a day-to-day basis to managers across the council. This is achieved by regular summaries of activity. The main areas for monitoring are listed below. There are some other less frequent statutory decisions which are delegated and discussed with relevant managers to ensure oversight.

- Complaints: receiving regular reports on social work complaints, complaint outcomes, the actions taken forward and any learning to be applied. In addition, the CSWO is sighted on any local Scottish Public Services Ombudsman decisions and disseminates decisions involving other authorities for learning
- Secure accommodation authorisations: convening a Secure Care Panel where secure care is being considered for a child to review and consider all of the information presented. This supports the CSWO to decide if the legal test has been satisfied and if secure care best meets the child's needs. Regular reviews are carried out to ensure both that the legal test for continued secure care is still met and that the child's needs are met through secure care
- Emergency movement of children subject to a supervision requirement: receiving and scrutinising a quarterly summarised report
- Adoption and fostering: overseeing decisions made through authority delegated to senior managers
- Mental Health Officer decisions: overseeing decisions made through authority delegated to senior managers by receiving quarterly reports
- Adults with Incapacity Act decisions: scrutinising quarterly reports summarising decisions made
- Multi-Agency Public Protection Arrangements (MAPPA): receiving quarterly reports in relation to all high and very high-risk offenders and attending MAPPA Level 3 case conferences

### **Critical Incident Reporting**

Critical Incident Reports ensure the CSWO can advise and support staff and determine if additional measures need to be put in place and whether other agencies need to be informed.

- The CSWO must be informed at the earliest possible time of the death of, or serious harm, to a child looked after by the council or a young person who has experienced care; on the Child Protection Register; receiving a service from the council; or referred for a service. This will take the form of a written report detailing the facts of the incident and the actions put in place.
- The CSWO must be informed of the death of, or serious harm, to an adult subject to a statutory order under the mental health legislation; in residential or supported accommodation, whether provided or purchased by the council; receiving a service; or referred for a service, but awaiting allocation. This will take the form of a report detailing the facts of the incident and the actions put in place.
- The CSWO must be informed of any very high-risk offenders defaulting from their risk management plans. Critical incidents where the case is likely to be high profile, attract media interest or likely to represent a risk to West Lothian Council and cases that meet the Multi Agency Public Protection Arrangements (MAPPA) Level 3 category where the CSWO would be involved.
- The CSWO must be informed of any potentially adverse media attention to social work services.

- The CSWO must be informed of serious adverse staffing matters, such as the suspension of a member of staff, which may attract media interest or where the continued running of a service is under threat.

### **Corporate Governance**

In West Lothian, it is recognised that good governance is not merely an auditing requirement; it is crucial for effective public services and achieving the social outcomes which are the council's objective. The council has adopted the Chartered Institute of Public Finance and Accounting (CIPFA)/Society of Local Authority Chief Executives (SOLACE) Framework. It has developed a Code of Corporate Governance in which each principle has a number of specific requirements which have to be met for the council to show that it complies with the code, and for each of those requirements, a responsible officer in the council has been identified.

The statutory CSWO role is currently combined with the management position of Head of Social Policy. The combined role is described in the council's Scheme of Delegation to Officers.

The CSWO is required to report annually to the council and the arrangements set out here will form the basis of the content of the annual report. The CSWO also reports annually to the IJB. Statute guarantees the right of the CSWO to have access in the council to senior managers and elected members and to report to them whenever required. Similar provision has been made in the IJB's Standing Orders. The council's Scheme of Delegation to Officers ensures the independence of the CSWO and CSWO decisions form senior management control in relation to the statutory functions in the CSWO remit.

## 2. Service Quality and Performance

### 2.1 Service Performance

Performance during the year is monitored and reported using the council's performance management system, Pentana. The Social Policy Management Plan outlines how services contribute to delivering these outcomes. The Management Plan is reported to the relevant Policy Development Scrutiny Panels. There is alignment between Management Plans, Activity Budgets and services, providing a link between resources, performance targets and outcomes.

The following information is an extract from the Social Policy Management Plan for 2022/23 and provides an overview of key activities, outcomes and resources required to deliver these over the period. Social Policy makes a meaningful and measurable contribution to the delivery of the Council's Corporate Plan 2018/23 and other key strategic plans previously listed as detailed in the following tables:

Alignment with Corporate Priorities / Enablers						
Council priority / enabler	Deliverable	Social Policy key activities / processes	Indicator(s)	2021/22 Target	2021/22 Performance	2022/23 Target
2 Delivering positive outcomes and early interventions for early years	(P2.1) Providing sustainable models of parenting support work within home, community and education settings.	<ul style="list-style-type: none"> <li>■ Inclusion and Support Service.</li> <li>■ Family Placement Team</li> <li>■ Families Together</li> <li>■ Child Care and Protection Teams</li> <li>■ Residential Houses</li> </ul>	SPCF096_9b Balance of Care for Looked After Children: Percentage of Children being Looked After in the Community	93%	91%	93%

Alignment with Corporate Priorities / Enablers						
Council priority / enabler	Deliverable	Social Policy key activities / processes	Indicator(s)	2021/22 Target	2021/22 Performance	2022/23 Target
2 Delivering positive outcomes and early interventions for early years	(P2.2) Providing support for vulnerable children and young people to achieve sustainable positive outcomes and destinations in line with priorities in the West Lothian Corporate Parenting Plan.	<ul style="list-style-type: none"> <li>■ Child Care and Protection Teams</li> <li>■ Child Disability Service</li> <li>■ Reviewing Officers Team</li> <li>■ Domestic and Sexual Assault Team</li> <li>■ Social Care Emergency Team</li> <li>■ Residential Houses</li> <li>■ Inclusion and Aftercare Service</li> </ul>	P:SPCF138_9b.1c Percentage of children involved with the Families Together service who have avoided becoming accommodated who were assessed as being at high risk of being accommodated.	90%	80%	85%
3 Minimising poverty, the cycle of deprivation and promoting equality	(P3.6) Contributes to providing a route out of poverty through work and continuing to support those further from the labour market to progress towards work.	<ul style="list-style-type: none"> <li>■ Families Together</li> <li>■ Aftercare Service</li> <li>■ Inclusion and Support Service</li> <li>■ Youth Justice Team</li> <li>■ Community Payback Team</li> <li>■ Support to adults with physical disabilities, learning disabilities and mental health issues</li> <li>■ Domestic and Sexual Assault Team</li> <li>■ Community Addictions Services West Lothian</li> </ul>	SPCF127_9b.1c Percentage of young people eligible for Aftercare identified as homeless as at 31st July	2%	2%	2%
4 Improving the quality of life for older people	(P4.1) Through the delivery of the Integration Joint Board Strategic Plan, older people are able to live independently in the community with an improved quality of life.	<ul style="list-style-type: none"> <li>■ Assessment and Care Management Services (including Self Directed Support and compliance with the Carers (Scotland) Act 2016)</li> <li>■ Facilitating Hospital Discharge</li> <li>■ Care Homes</li> <li>■ Housing with Care</li> <li>■ Day care and personalised support</li> </ul>	P:SPCC017_6a.7 Percentage of customers who rated overall satisfaction with the Older People's service they received as good or excellent.	98%	88%	100%

Alignment with Corporate Priorities / Enablers						
Council priority / enabler	Deliverable	Social Policy key activities / processes	Indicator(s)	2021/22 Target	2021/22 Performance	2022/23 Target
		<ul style="list-style-type: none"> <li>Care at Home and specialist provision</li> </ul>	SW03a Percentage of People Aged 65+ with long-term care needs who are receiving personal care at home	64%	62.74%* <sup>1</sup>	66%
4 Improving the quality of life for older people	(P4.3) Redesigning services for older people with a focus on supporting those most in need and maximising the use of technology enabled care where appropriate.	<ul style="list-style-type: none"> <li>Provision of Home Safety Service and further development of Telecare Services</li> <li>Reablement and Crisis Care Services</li> <li>Occupational Therapy Service</li> <li>Home Safety and Technology Enabled Care programme</li> </ul>	CP:SPCC100_9b.2a The number of people aged 75+ supported by technology to remain at home	2,775	2,294	2,993
4 Improving the quality of life for older people	(P4.4) Developing a more sustainable service delivery model targeted to those most in need with an increased emphasis on reablement to retain or regain independence within their home or community setting.	<ul style="list-style-type: none"> <li>Provision of Home Safety Service and further development of Telecare Services</li> <li>Reablement and Crisis Care Services</li> <li>Occupational Therapy Service</li> <li>Home Safety and Technology Enabled Care programme</li> </ul>	CP:SPCC014_6b.5 Percentage of Occupational Therapy assessments allocated within 6 weeks of referral.  P:SPCC024_9a.1a Net cost per head of population of services for older people.	70%	52%	70%
				£1,423	£1,513	£1,423

<sup>1</sup> \* data is for the period 2020/21

Alignment with Corporate Priorities / Enablers						
Council priority / enabler	Deliverable	Social Policy key activities / processes	Indicator(s)	2021/22 Target	2021/22 Performance	2022/23 Target
4 Improving the quality of life for older people	(P4.5) As part of the delivery of the Integration Joint Board Commissioning Plan for Older People, the council will focus on:	<ul style="list-style-type: none"> <li>■ Assessment and Care Management services for older people</li> <li>■ Reablement and Crisis Care</li> <li>■ Short Breaks/Respite and Day Care</li> <li>■ Housing with Care</li> </ul>	CP:SPCC101_9b.2 The number of carers of older people who have an adult carer support plan.	175	186	200
	<ul style="list-style-type: none"> <li>a) Improving dementia care, with particular emphasis on improving post-diagnostic support;</li> <li>b) Expanding use of technology-enabled care to support older people and carers of older people;</li> <li>c) Supporting older people to live at home or in a homely setting for longer;</li> <li>d) Ensuring specialist mental health provision for the over 65's;</li> <li>e) Ensuring support needs of carers are met, particularly carers of those with dementia;</li> <li>f) Developing single points of information for all older peoples' service provision.</li> </ul>	<ul style="list-style-type: none"> <li>■ Redesign of Post Diagnostic Support Service</li> <li>■ Provision of Home Safety Services and development of Telecare</li> </ul>	CP:SPCC019_9b.1a Average number per month of West Lothian patients whose discharge from hospital is delayed	10	27	10

Alignment with Corporate Priorities / Enablers						
Council priority / enabler	Deliverable	Social Policy key activities / processes	Indicator(s)	2021/22 Target	2021/22 Performance	2022/23 Target
6 Delivering positive outcomes on health	(P6.1) The development of more targeted care at home, the use of assistive technology and provision of reablement will positively contribute to improved outcomes for people.	<ul style="list-style-type: none"> <li>■ Reablement and Crisis Care</li> <li>■ Home Safety Service and Development of Technology</li> </ul>	P:SPCC015_9b.2a Number of households receiving telecare.	4,000	3,632	4,000
6 Delivering positive outcomes on health	(P6.2) Through the delivery of the Integration Joint Board Strategic Plan, increase well-being and reduce health inequalities across all communities in West Lothian. Locality planning will provide a key mechanism for strong local, clinical, professional and community leadership.	<ul style="list-style-type: none"> <li>■ Assessment and Care Management</li> <li>■ Improve % of Personalised Care Options</li> <li>■ Develop Core and Cluster Housing Models</li> <li>■ Access to Employment</li> <li>■ Community Addictions Services West Lothian</li> </ul>	SOA1307_19 Premature mortality rate (European Age Standardised Rate per 100,000 population <75)	411	438* <sup>2</sup>	411
6 Delivering positive outcomes on health	(P6.3) Improving our approach to integrated models for mental health services for children, young people and adults recognising the importance of mental health and wellbeing on people achieving positive outcomes.	<ul style="list-style-type: none"> <li>■ Acute Care and Support Team</li> <li>■ Child and Adolescent Mental Health Service</li> <li>■ Older People Acute Care Team</li> <li>■ Post Diagnostic Support (Dementia)</li> <li>■ Development of Core and Cluster</li> <li>■ Domestic and Sexual Assault Team</li> <li>■ Criminal and Youth Justice Service</li> </ul>	SPCJ124_9b Percentage of women with mental health issues receiving Almond Project support who report improvement in mental health and wellbeing.	100%	100%	97%

<sup>2</sup> \* data is for the period 2020/21

Alignment with Corporate Priorities / Enablers						
Council priority / enabler	Deliverable	Social Policy key activities / processes	Indicator(s)	2021/22 Target	2021/22 Performance	2022/23 Target
6 Delivering positive outcomes on health	(P6.4) Improving support to carers over the next five years through improved identification of carers, assessment, information and advice, health and well-being, carer support, participation and partnership.	<ul style="list-style-type: none"> <li>Support to adults with physical disability and mental health issues</li> <li>Assessment and Care Management</li> <li>Carer Assessment and development of Carer Support Plans</li> </ul>	CP:SPCC101_9b.2 The number of carers of older people who have an adult carer support plan.	175	186	200
			SOA1306_17 Percentage of carers who feel supported in their care role	46%	25%	46%
6 Delivering positive outcomes on health	(P6.5) Delivering effective and integrated equipment and technology solutions to promote independence, support the ongoing shift in the balance of care, reduce and prevent hospital admissions and facilitate speedier hospital discharge.	<ul style="list-style-type: none"> <li>Day care and personalised support plans</li> <li>Occupational Therapy Services</li> <li>Access to Employment</li> <li>Short Breaks from Caring</li> <li>Provision of HSS and development of Telecare</li> <li>Joint management of the Community Equipment Store</li> </ul>	P:SPCC002_6b.5 Percentage of Care Inspectorate Inspections undertaken within Registered Learning Disability Services graded good or above.	100%	N/A	100%
6 Delivering positive outcomes on health	(P6.6) Improving the health and well-being of service users through rehabilitation and reablement, which will, in turn, have a positive impact on carers.	<ul style="list-style-type: none"> <li>Reablement and Crisis Care</li> <li>Joint Management of Equipment Store</li> <li>Development of Independent Housing Options</li> </ul>	P:SPCC015_9b.2a Number of households receiving telecare.	4,000	3,632	4,000

Alignment with Corporate Priorities / Enablers						
Council priority / enabler	Deliverable	Social Policy key activities / processes	Indicator(s)	2021/22 Target	2021/22 Performance	2022/23 Target
7 Reducing crime and improving community safety	(P7.4) Protecting those in our community who are most at risk by providing effective interventions across the four main strands of public protection; Child Protection, Adult Support and Protection, Violence Against Women and Girls	<ul style="list-style-type: none"> <li>Child Care and Protection Teams</li> <li>Prison based Social Work Team at HMP Addiewell</li> <li>Criminal Justice Throughcare Team</li> <li>Domestic and Sexual Assault Team</li> <li>Public Protection Team</li> </ul>	SOA1305_04 Percentage of women who report that they feel safer as a result of intervention by the Domestic and Sexual Assault Team	100%	99%	100%
7 Reducing crime and improving community safety	(P7.5) Working with our partner agencies to deliver the priorities agreed in the Community Justice Strategy; focused on ensuring that those over the age of 16 involved in the justice system are best supported not to reoffend.	<ul style="list-style-type: none"> <li>Youth Justice Team</li> <li>Community Payback Team</li> <li>Unpaid Work Order Team</li> <li>Assessment and Early Intervention</li> <li>Early and Effective Intervention</li> </ul>	CP:SPCJ158a_9b Percentage of Early and Effective Intervention (EEI) cases 12 to 17 years who do not become known to the Youth Justice Team within 12 months  CP:SPCJ144_9b.1a Percentage of Community based supervision Orders supervised by the Justice Service with a successful termination.	95%          80%	97%          66%	95%          80%

## Service Quality and Performance

Service performance is monitored on a monthly basis at Senior Management Team meetings. All service risks and high risks are regularly reviewed by the Senior Management Team with input from the Council's Risk and Governance Manager to that process.

The Social Policy Management Plan 2022 - 23 is the key document that details the strategic direction for service delivery and plans to improve outcomes and services. The Management Plan does not stand alone and is part of a wider planning and service development approach.

The wider Health and Social Care Partnership Senior Management Team also meet on a monthly basis and routinely consider service performance measures to enable challenges to be identified at the earliest opportunity. Work has been undertaken to review the performance measures used across the partnership and an integrated performance framework will be developed to underpin the new IJB Strategic Plan.

### Regulation, Inspection and Improvement Activity

During the pandemic, the Care Inspectorate undertook targeted inspections that were short, focused and carried out with Health Improvement Scotland and Health Protection Scotland to assess care and support for people during the Covid-19 pandemic.

In terms of directly provided services, the following were subject to inspection in the reporting year. Craigmair Interim Care Home for older people was subject to a targeted inspection during 2021/22 and was awarded a grade of 4 (Good) for How good is our care and support during the Covid-19 pandemic.

Whitrigg House, a residential house for young people was subject to an announced (short notice) inspection on 18 March 2022. The service was inspected on the following areas and awarded the relevant grade:

How well do we support children and young people's wellbeing? 4 (Good)  
 How good is our leadership? 4 (Good)  
 How good is our staff team? 4 (Good)  
 How good is our setting? 3 (Adequate)  
 How well is our care planned? 3 (Adequate)

Inspection reports are analysed and action plans, to address any recommendations, are produced by the relevant service. Reports on inspection activity are routinely reported to elected members who have the opportunity to scrutinise progress.

In addition to external scrutiny, the social work service has a range of internal mechanisms to monitor the quality of provision and any improvement activity required. These include:

- Direct supervision of front-line practice by team managers
- Individual reviews of care plans and packages of care by case managers
- Analysis of social work complaints
- Monitoring of service level agreement and contracts for the purchase of care
- Case file audits
- Routine performance monitoring
- Self-evaluation through Customer Service Excellence/West Lothian Assessment Model

- Multi-agency self-evaluation and quality assurance activity in relation to adult and child protection

### **Joint Inspection**

No Joint Inspections were undertaken during this reporting period.

The Partnership was advised in April 2022 by the Care Inspectorate and inspection partners of their intention to undertake a joint inspection of Adult Support and Protection in West Lothian Partnership over a fifteen-week period from May 2022 to July 2022 with report publication in September 2022. The key improvement actions from this inspection process will be translated into an action plan overseen by the APC to address inspection findings and key messages. Detail in relation to the findings of the inspection is covered in section 2.4.

## **2.2 Improvement and Performance Activity**

### **Contract Monitoring**

Contract monitoring and review is a fundamental function in the commissioning of social care services. It is required to evidence best value to the council and its regulators as well as ensuring the delivery of outcomes for vulnerable people living in West Lothian.

The purpose of the Contract Monitoring Framework in place is to provide a consistent approach to the monitoring of externally purchased care and support services across Social Policy. It is recognised that due to the impact on the quality of life, health and wellbeing of service users and their carers, the procurement of care and support service requires specialist consideration in order to ensure a focus on outcomes.

The contract monitoring framework aims to ensure that service users receive the highest quality of service, which demonstrates value for money, meets contractual standards and is continuously improved.

### **West Lothian Assessment Model (WLAM)**

The West Lothian Assessment Model is the council's self-assessment framework which helps services to ensure that they provide good quality and improving services for the people and local communities in West Lothian.

West Lothian Council recognises that there is always a way to make better and more efficient services for the people we serve, balancing quality of service provision with value for money.

The West Lothian Assessment Model (WLAM) helps the council to do this by providing a consistent and challenging set of questions or statements that services will use to identify their strengths, areas for improvement and importantly it also provides a structure for improvement.

The WLAM is used by all council services to self-assess:

- The way that services are delivered
- How they are performing in key results and outcomes
- How change is managed
- The way services prepare for the future

A new framework, WLAM 2022-25, has been developed in line with the new European Foundation Quality Management (EFQM) 2020 Model which is intended to offer a more flexible and updated approach to improvement.

Self-assessment is an important part of the council's improvement strategy, as it encourages innovation from within.

Social Policy has four WLAM Units within the service, Children and Families, the newly formed Inclusion and Support service, Community Care and Justice services. All of the Social Policy WLAM units have demonstrated an improvement after each cycle of assessment as highlighted by the increase in WLAM scores across the service.

WLAM Unit	Cycle	WLAM	Change
<b>Children and Families</b>	2014/17	482	+57
	2017/20	539	
<b>Community Care Services</b>	2014/17	456	+72
	2017/20	528	
<b>Criminal and Youth Justice</b>	2014/17	488	+65
	2017/20	553	

A new WLAM programme has been developed:

WLAM Unit	Cycle
<b>Community Care Services</b>	2022/23
<b>Children and Families</b>	2023/24
<b>Justice Services</b>	2023/24
<b>Inclusion &amp; Support</b>	2024/25

### External Assessment

To supplement internal improvement processes, the council undertakes planned external assessment on a periodic basis. This ensures that the council is scrutinised across different standards and frameworks promoting excellence and the highest standards of practice. It also allows comparison with the best performers across all sectors in the UK and beyond.

The key external assessment process for the council is:

Assessment	Assessment Method	Improvement focus	Assessed level
<b>Customer Service Excellence</b>	Three-year programme of corporate assessment	Assessment of the organisation's customer focus and overall standards of customer service and delivery.	CSE standard (2022)

## Complaints

Social Policy adopts the council's Model Complaints Handling Procedure which was revised in April 2021 in line with The Scottish Public Services Ombudsman (SPSO) guidance. This remains a two-stage process:

- Stage 1: Frontline Resolution
- Stage 2: Investigation

The SPSO remains the final stage for complaints about public services in Scotland. The council's social work services are required by statute to report annually on statutory complaints received from service users, would-be service users, their carers and representatives. Improvement activity is ongoing with regard to resolution timeframes as well as tracking themes to better identify and address any issues with effective action. Training is also being rolled out to all staff involved in the complaints process.

The council is committed to improving social work services for the people of West Lothian and recognises that complaints are an important source of customer feedback.

The following table provides an overview of the complaints received during 2021/22 and their outcome.

<b>Total number of complaints</b>	<b>93</b>
<b>Percentage of complaints upheld</b>	<b>29%</b>
<b>Percentage of complaints partially upheld</b>	<b>28%</b>
<b>Percentage of complaints not upheld</b>	<b>43%</b>
<b>Percentage of complaints resolved within timescale</b>	<b>67.7%</b>

## 2.3 Service Developments and Progress

### 2.3.1 Services for Adults and Older People

Work continues to redesign services to ensure that they best meet the needs of those who are most vulnerable in society and are sustainable for the future. Social Policy actively engages customers and potential customers in the delivery and redesign of services to ensure that these are accessible and focused on their needs and preferences.

### Coming Home Developments

In relation to services for adults, the strategic focus remains around shifting the balance of care from hospital to community-based services supporting the Royal Edinburgh Campus Redesign Programme. This is a collaborative approach to remodel services focusing on people accessing care, support and treatment within the West Lothian Health and Social Care Partnership.

Plans were approved in June 2019 for a new £3 million housing project for people with learning disabilities who have complex care needs. The proposed accommodation consists of sixteen one-bedroom tenancies that each provides a main living room, separate double bedroom, galley kitchen, built in storage and toilet/bathroom. All will have their own small separate garden area as well as access to the wider garden grounds. Support to individuals will be person centred with individuals being able to make informed decisions as far as they are able to on their own model of care and delivery of this. In order for this to be achieved, the

identification of those individuals who will be moving to their own tenancy has commenced; this being undertaken in conjunction with the individual and their extended family.

The original target for completion of the build was Autumn 2021. However, due to the impact of Covid-19 pandemic, the completion date has been revised to Winter 2022/23.

### **Adults Day services modernisation**

West Lothian was one of five local authorities working with Health Improvement Scotland on the second phase of the Day Services Collaborative. Whilst we have not progressed to the third phase with the Collaborative, the service remains committed to transformational change in the delivery of day care services and learning gained through this work will help guide future delivery. Over the coming year the intention is to support individuals into more community-based activities designed to meet the aspirations and outcomes of individuals.

The supported employment service continues to provide specialist employability and training support for individuals with a range of disabilities. Over the course of the pandemic they have continued to provide this support adapting their face to face and group work activity online. The hard work and dedication of the team has once again been acknowledged, this time at an international level with the team being invited to join the online Global Award Ceremony Achievement Awards. They achieved an Excellent Outcome Award for supporting 77% of participants into paid employment, which given that all support was undertaken online, is a remarkable achievement.

The Community Equipment Store continues to work in partnership with the council's Digital Transformation Team and health colleagues to explore digital solutions to improve service delivery and support people remaining at home with additional support or leaving hospital at the earliest time with supportive equipment when fit to do so.

### **Care Homes**

The Covid-19 pandemic had a significant impact on older people and in particular people living in care homes. The partnership worked with all care home providers for adults and older people to deliver enhanced support throughout and the CSWO has contributed to this work.

Daily review meetings were held over the course of the pandemic period and now continue on a twice weekly basis with the Chief Nurse, Chief Social Work Officer, and other senior staff to identify emerging issues and to determine the appropriate response. The delivery of safe and effective care for people who live in care homes remains an ongoing priority for the HSCP.

The oversight group has engaged with local care home providers to review the current oversight and support arrangements to ensure that they are appropriate, reflect current practice, are sustainable and ultimately continue to add value for people supported by social care supports. This includes support to implement the 'Open with Care' visiting guidance to enable residents to receive regular, meaningful contact with friends and family

The Partnership has committed to continuing enhanced assurance and support for care homes into the future, with a model of integrated nursing and social work assurance and support implemented. Joint visits are completed by health and social care staff and outcomes scrutinised by the oversight group. The assurance visit process has strengthened oversight arrangements and promoted collaborative working across care homes in West Lothian.

The Scottish Government has confirmed multi-disciplinary oversight arrangements require to remain in place until March 2023.

## Care at home

From the beginning of the Covid-19 pandemic, the position in relation to care at home services, unmet need and delayed discharge performance improved. It is likely this was, in part, as a consequence of the unique economic and employment circumstances created by the furlough scheme, closure of retail and hospitality sectors and people working from home. Since early summer 2021, however, pressures have become increasingly apparent with a shortage of care at home capacity to meet the needs of people living in the community and those at risk of their discharge from hospital being delayed.

In West Lothian, in line with the national position, providers highlighted that they face competition for staff from within the social care sector itself in addition to competition from other sectors, such as retail and hospitality.

A weekly Care at Home oversight meeting was established on 14 June 2021 with the aim of better understanding the risk and developing actions to mitigate risk and improve the situation. This has included active engagement with care at home providers, with the aim of facilitating market stability and improving supply. An intense focus of activity has been around recruitment and retention strategies to increase capacity in the care at home sector as well as the creation of alternative interim step-down arrangements to support those in hospital facing a delay in their discharge.

The group continues to focus on enhancing arrangements to support care at home provision within West Lothian with better analysis and scrutiny of key data across the whole care at home system.

In collaboration with key stakeholders, work has started to develop a revised contractual framework over the course of the next 12 months. Benchmarking across other similar organisations will take place with an aim to implement best practice and provide the best possible care at home contracted provision.

An Assessment and Review Team has been established to focus specifically on the assessment and review of service users and needs which are unmet in relation to care at home provision. The team will ensure assessments focus upon the functional ability of the person and promote existing strengths, community supports or technology to their maximum to promote independence.

Assessments will be undertaken by a multi-disciplinary team of social workers, occupational therapists and reablement officers all working in a collaborative manner. The team will aim to reduce waiting times for individuals requiring an assessment and ensure individual needs are managed where possible without dependency on formal care and support. In addition, the team will review existing care at home services in a timely manner, ensuring supports continue to meet the individuals assessed need whilst also ensuring that those with an unmet need are monitored and that any change in need is captured at the appropriate time.

## Home First

The Home First transformational approach focuses on prevention and early intervention to support people to remain in their own homes or community setting wherever possible. It focuses on developing new ways of working and models of care to proactively assess and manage people in the community, with admission to an acute hospital only where there is clinical need. The norm should be to receive care and support at home to prevent hospital admission, wherever appropriate. Where hospital admission is clinically appropriate and unavoidable, responsive support should be available to facilitate discharge and allow people to return to a community setting without delay.

The principles of Home First are:

- Greater focus on better, integrated and evidence-based outcomes for service users
- Promoting flexibility and agile ways of working to meet surges in demand and changes in need
- Maximising digital solutions
- Whole system approach and benefit realisation

There are specific programmes being developed under the Home First approach and these include

#### **Community Single Point of Contact**

West Lothian is developing an integrated community urgent care Single Point of Contact (SPoC) This allows for professional referrers to access community health, social care and third sector services with the SPoC screening and developing a plan - communicated back to the referrer, family and carers within two to four hours, to prevent unnecessary hospital presentation/admission. The approach will be subject to a pilot test.

The intention is that the SPoC developments will bring benefits to both the people and referring professionals of West Lothian. The aim is to provide timely access to coordinated community pathways, support and personalised plans within a short time period in order to prevent further deterioration and safely manage a person at home, wherever possible.

#### **Review of bed-based resources**

Whilst the key priority remains to support people at home as far as is possible, work commenced to review the bed-based provision for people in West Lothian to ensure that commissioning and resources are realigned to enable people to be cared for in the right bed-based resource when that is needed. A whole system approach is being taken to fully cost and model Intermediate Care beds and Hospital-Based Continuing Complex Care (HBCCC) in the community, Local Authority and Independent Care Home beds, and the Acute Medical and Rehabilitation beds in West Lothian.

This review will develop a new community bed-based delivery model and access criteria for intermediate care and longer-term beds, as well as identifying whether existing care and pathways can be better delivered in alternative settings. It will also develop a bed model for Frail Elderly People/People living with Dementia.

The Home First Programme Team is working closely with performance and data analyst colleagues across the council and NHS Lothian. This work will be data dependent and a 5 year (pre and post Covid) historical acute bed baseline and minimum data set will be established before beginning the whole system modelling and costing bed-base for the short, medium and long term.

#### **Integrated Hospital Front Door Model**

This project aims to develop an integrated (acute and community) 'Home First' model at the front doors of St. John's Hospital (SJH), which include Accident & Emergency (A&E), Emergency Medical Assessment (EMA) & Same Day Emergency Care (SDEC).

The integrated front door approach will enable front door community teams (nursing, therapy and social work) - working in situ and in partnership with front door acute colleagues – to support joint decision making and facilitate a person being placed onto a community pathway once acute medical needs/diagnostics have been met.

The aim is to reduce unnecessary hospital presentation/admission and improve direct access to community health and social care services and third sector supports. This project also seeks to build pathways between the Integrated Hospital Discharge Hub (IDH) and the integrated front door team ensuring that, where people are placed on admission pathways, they are known to the IDH at point of admission and a Planned Date of Discharge (PDD) is set at the earliest opportunity and monitored closely to reduce unnecessary transfer to medical wards.

### **Community Connections Hubs**

The West Lothian HSCP identified a need for improved access to information, advice and signposting within communities to support early intervention, self-management and to reduce reliance on statutory services where alternative community supports might be available. The approach is a multi-agency one including services and staff from council, health, 3<sup>rd</sup> sector and also with volunteer's participation.

The model in development involves the set-up of informal 'pop up' hubs in locations throughout West Lothian, based on learning from other local authority areas.

Community Connections Hubs are now established in two locations and there is ongoing engagement with community partners to promote and raise awareness of the hubs. There is also ongoing work to identify other appropriate local venues to deliver the service and a mapping exercise is being carried out of existing community resources to avoid duplication of services.

### **Digital and Technology supporting care**

During the pandemic period, the service participated in the Connecting Scotland Programme providing laptops, iPads and support to individuals in the community to increase digital skills and reduce isolation.

The service continues to research and explore emerging technologies to support individuals to live as independently as possible at home. This includes telecare alarms and a range of sensors to raise an alert when help is required or monitor the environment, the application of intelligent medication administration, safer walking through GPS and activity monitoring to inform care planning.

In November 2021 the service began the transition from analogue to digital telecare with the upgrade of the Alarm Receiving Centre (ARC), following this was a sustained period of testing and trialling of new digital telecare alarms which will begin to be deployed in the community from May 2022 onwards.

To develop the use to technology enabled care further, a TEC Board has been formed to explore and take forward further innovation of technology which can support independence at home.

## **Mental Health Services**

### **Supported accommodation**

The West Lothian HSCP Mental Health teams have delivered significant change to support those living under supported accommodation arrangements within West Lothian. In October 2021 over 160 service users moved from previous block contract arrangements to Self-Directed Support payments to enhance the choice and control around both where they live and who supports them. Fourteen service users have also moved from previous shared

accommodation units to new build properties, supported by the West Lothian Council housing team. This joint working from both the HSCP and housing colleagues has allowed service users to move to properties that better link them to their local community.

### **Community Mental health teams**

The Community Mental Health Teams (CMHT) are also working through a quality improvement (QI) project to better ensure those receiving care in the community for a mental health condition are accessing the correct and most appropriate physical health checks and screening programmes through primary care. The QI project has seen amendments made to care planning documentation to ensure physical health checks are at the forefront of the delivery of care and support to ensure better long-term outcomes.

### **Multi-disciplinary team working**

Additional efforts have also been undertaken to improve multidisciplinary team working across West Lothian Mental Health services to ensure health, social and personal outcomes are at the forefront of service delivery. Examples including embedding social work within emergency psychiatric assessment and a dedicated Mental Health Officer within the Integrated Discharge Hub are examples of this.

### **Crisis interventions**

The HSCP is working with colleagues across Lothian to ensure that those in distress in their community can be seen by the right service at the right time and most importantly, first time. This is achieved in two ways. Firstly, to support those accessing the NHS 24 Mental Health Hub (24-hour support line) and secondly those accessing the unscheduled care team (ACAST) at the front door of St John's Hospital.

In 2021 the ACAST team moved their service delivery from 0800-2000 model to a 24-hour service which ensures that those at the highest level of distress can be seen by a Registered Mental Health nurse at any time. Ongoing work with social work teams, both in and out of hours, will further improve the pathways for people into crisis services.

### **Supporting community wellbeing**

On Friday 26 November 2021 the Mental Health and Communities Fund launched in West Lothian. The £470,000 fund was allocated to the West Lothian Gateway to support community mental health and wellbeing. The fund was broken into two grants:

1. The small grant (£2,000 – £9,999)
2. The large grant (£10,000 - £50,000).

The purpose of the fund is to support small and medium sized community organisations including, 3<sup>rd</sup> sector organisations, registered charities, community councils, partner councils and other bodies that can make a positive difference to mental wellbeing in a local community. The Gateway (West Lothian's third sector interface) will administer the funds in line with Scottish Government guidance.

### **Alcohol and Drug Services**

The immediate post lockdown environment has been challenging for addictions services, with increased referrals to treatment services and many supporting or preventative activities still unable to be offered. The main indicator for drug and alcohol treatment service, the A11 standard, (that no one should wait more than 3 weeks for treatment for drug or alcohol

misuse), dipped through 2021-22. This was due to a significant increase in referrals. It returned to compliance in the last 2 months of the quarter 1 period.

Unfortunately, the trend of increasing drug related deaths in Scotland and West Lothian continues. The National Record of Scotland shows that there were once again 32 'drug misuse' deaths in West Lothian in 2021, the same figure as for 2020 and an increase of 9 compared to the previous year.

Evidence indicates that being in some form of drug treatment reduces the risk of death. The mainstay of West Lothian's response to reduce drug related deaths is to fully implement the MAT standards for Medication Assisted Treatment and is making good progress against this. Open access drop in now operate four days a week and will shortly be offered five days. These offer significantly simpler access to Medication Assisted Treatment for people who are seeking it.

The West Lothian ADP is recruiting an additional officer to address the need to expand prevention activity as well as continuing the focus on treatment. A newly constituted ADP Executive is intended to widen the reach of the ADPs influence to support preventative approaches. We are also progressing with a Public Social Partnership to develop and evaluate services for the whole family where it is impacted by drug or alcohol use.

Alcohol related deaths in West Lothian fell from 45 to 40 in 2021, but this remains an increase on recent years. There is increased access to psychological support for people who use alcohol and drugs to keep up with rising demand. We await the Scottish Government's planned new guidelines for treating alcohol dependence.

### **2.3.2 Services for Children, Young People and Families**

The West Lothian Children's Services Plan 2020-2023 outlines the work of the West Lothian Children and Families Strategic Planning Group and follows an outcome-based approach to planning as led by the West Lothian Community Planning Partnership. There is a clear focus on multi-agency collaborative partnership working allowing the provision of more seamless responses to individuals with multiple and complex needs.

We recognise that new challenges have emerged as a result of the pandemic. Some of the families who were vulnerable prior to the pandemic are presenting with greater difficulties now. Families who would not have presented as vulnerable previously, now are. These changes are considered in planning of services going forward.

The experience of Covid-19 has highlighted the flexible and innovative ways of working that staff, volunteers, carers and services have undertaken to ensure the safety and wellbeing of vulnerable children and families has been maintained.

#### **GIRFEC**

In response to messages from Learning Review processes in West Lothian, a multiagency GIRFEC group was established this year to refresh and develop revised guidance for Child's Planning Meetings, to assist practitioners in understanding the role and function of planning meetings and to ensure timely and effective use of meetings. The guidance defines the named person and lead professional and outlines timescales. The voice of the child is highlighted and prioritised within the preparation, delivery and recording of Child Planning Meetings in line with The Promise. Care Planning Meetings will produce a consistent Child Plan document compiled by the Named Person or Lead Professional. The guidance introduces the option for

a professional Reflective Core Group to be utilised in cases professionals will benefit from a facilitated discussion. These meetings will be chaired by an independent manager to allow for third party perspective and scrutiny. The guidance is currently being consulted on within agencies prior to roll out following feedback.

### **Corporate Parenting**

As Corporate Parents we are committed to getting it right for every looked after child, young person and care leaver in West Lothian and are determined to improve the life experiences of our looked after children by narrowing the gap in outcomes between looked after children and young people and their peers. For us this means more love, better understanding of rights and less stigma. We are committed to supporting the Independent Care Reviews vision of Scotland leading the way to be the 'best care system in the world' and incorporating recommendations from The Promise into working practices throughout West Lothian

The West Lothian Corporate Parenting Plan builds on the previous plan and it is focussed on how partners will work together to tackle the identified outcomes gap. The four priorities in the plan are:

- Improving quality of care and care planning
- Improving health and wellbeing
- Raising attainment and promoting positive destinations
- Providing effective throughcare & aftercare support and services

Workstreams are established for each priority and progress on each priority is overseen by the Corporate Parenting Strategic Group. Each of the work streams has a detailed action plan in place which sets out specific actions and activities to drive forward identified areas of improvements.

In this reporting period a focus has been on emerging from the pandemic and implementing the Promise, as well as recruiting additional staff, reviewing processes, updating guidance for staff and rolling out new and refresher training to ensure we meet the needs of our looked after children and care experienced people.

### **The Promise, West Lothian**

The Promise Scotland launched Plan 21-24, on 31 March 2021 which sets out the Five Priority Areas and Five Fundamentals which will be essential to achieving the transformation change required to improve outcomes for care experienced children and young people.

The Promise articulates the need for cultural change. Therefore, in addition to the tangible actions outlined in Plan 21-24, this process will enable opportunities for change in relation to thinking and approaches. A dedicated time limited role was developed in West Lothian to support the system, practice and cultural changes that will be required to take forward this key priority area of improvement work. As a result of this, a detailed plan was produced.

In support of the local development work, sessions on The Promise Plan 21-24 were rolled out across Social Policy and involved corporate parents during 2021 to raise awareness. There is work underway with Promise Scotland to drive forward this transformational change and progress with implementation of the West Lothian plan. In line with this the service continues to strengthen community based, holistic services work in partnership across the authority to provide a variety of services to support families at the right

time for them. There have been a number of new developments that have been established and are continually evolving by ongoing dialogue directly from children and their families

### **Children's Rights and Participation**

Promoting Children's Rights is a priority in the West Lothian Children's Services Plan 2020-2023 and the associated action plan prioritises embedding the articles of the UNCRC into practice. The UNCRC sets out the specific rights that all children have to help fulfil their potential, including rights relating to health and education, leisure and play, fair and equal treatment, protection from exploitation and the right to be heard.

In terms of examples of practice, Social Policy have a children rights officer for court ordered contact to ensure children have a voice in decisions that are being made about them in Child Welfare Hearings. The model is based on a research project with children and young people who have experienced domestic abuse and have court ordered contact. The service works collaboratively with Education, Health, Police and the Domestic and Sexual Assault Team (DASAT). The approach is informed by the Lundy model of child and young people's participation. This has been a positive development and working relationships have been developed with Sheriffs with views of the child provided directly to the Sheriff in a letter. Since its inception in 2018, there have been 289 referrals and the officer has worked with 40 young people in this reporting period. The youngest child referred was 3 years old. Feedback received from parents, social work professionals, Sheriffs and young people is positive with examples provided of success in having contact changed in response to the child's view or arranged safely with the child's wishes and views central to the process.

Children's Rights across Social Policy continues to be integrated within practice. Children are asked their view during 'my planning' meetings and discussions with any professional workers supporting them (i.e. social workers, family support workers, children and young people's workers, residential care workers). Sessions on working knowledge of the UNCRC was rolled out across children and families social work during 2021. There is close working with an independent organisation who advocate for our care experienced young people supporting and representing them at meetings and Children's Hearings.

West Lothian's Having Your Say care experienced participation group has been running for 19 years. Although there were adjustments during the pandemic the group continued to meet on a fortnightly basis virtually. Young people lead this group and they set the agenda for sessions. The young people supported Children's Hearing panel member training and contributed to Scottish Government consultations on such topics as the Children (Scotland) Act 2020 and the Rights of Siblings. The meetings of the group have now resumed on a face to face basis.

### **Early intervention approaches**

Social Policy and Education Services have worked together to develop the new Inclusion and Support Service (ISS) The aim is to maximise resources to provide an appropriate framework of support for children, young people and their families to enable a holistic view of family need and provide support at an earlier point.

The Inclusion and Support Service launched on 19 April 2021. The service enables a holistic approach to early intervention and support for young people and their families to prevent escalation. The service, with a single vision of family need, will strengthen professional links and a co-ordinated response to identified need. This is supported through new systems and processes for information sharing, screening, prioritisation and service matching as well as

links to wider agencies and services that form part of the service delivery model. Through this new model, it is anticipated that there will be impact on direct work to support children and their families. One single referral pathway will prevent duplication of resources and offer a simplified customer orientated approach. Working with partner agencies, it will streamline processes, make more efficient use of resources and ensure consistency of approach and equity of opportunity across West Lothian. The impact of the new service has yet to be evaluated and this will be undertaken.

### **Children with a disability**

From the outset of the pandemic, the service has been very aware of the impact on families caring for children with disabilities. The social work Child Disability Service have accessed short term funding to better support families. The service has also been able to maximise holiday play spaces for children and young people through the Get into Summer programme funded by West Lothian Council and the Scottish Government. This has provided social opportunities for children and young people and also support/respite for families when term time activities are not available.

The service has reviewed processes and systems to improve practice, for example to ensure timely referrals to Adult Services, with the aim of improving transitions and providing continuity of support. Adults services have created new posts to support more effective transition planning.

### **Supporting Mental Health and Wellbeing**

In recognition of the impact of the pandemic on the mental wellbeing of children and young people, a children and young people's mental health strategic needs assessment was carried out in June 2021 which provided a clearer picture of what the needs of the families were in West Lothian. In addition, data was collected from the Wellbeing Recovery Group (WRG), the multi-agency group of professionals that meet regularly to match the most appropriate services to children and young people who are referred to the Inclusion and Support Service for additional support. This, along with the national drivers, led to changes within the service provision and participation and engagement became a priority in West Lothian.

The WRG identified an increase in demand for mental health and wellbeing support for children, young people and their families. To respond to this demand, it was agreed that a partnership of third sector partners with the provision of a new model of accessible, multi-agency support based on local need in West Lothian could help to manage the demand.

Following the implementation of the Community Young People's Mental Health and Wellbeing Support and Services Framework values and principles, and using learning from assessments and evaluations, a new Public Social Partnership (PSP), of 11 partner agencies was formed called Roots with referrals being screened via the WRG.

The Roots model provides services that meet the needs of children, young people and their families. The services are available when/where families need it, and are provided by people with the right knowledge, skills and experience. Through discussion with the families we have ensured the received support is embedded in the community either close to their home, education, or employment.

To compliment the work of the Roots PSP, five Listen and Link workers have been recruited to take forward the newly developed self-referral phone line for young people and their families. This service will empower families to manage their own wellbeing by providing a

listening ear, signposting to appropriate services that meet their needs and providing further support where required.

### **Whole Family Approach – substance misuse**

In January 2021, the Scottish Government announced a new National Mission to reduce drug related deaths and harms with associated funding available to support the implementation of the 'Whole Family Approach' to ensure families affected by alcohol and drugs are supported in holistic, family centred ways and there is support for the whole family. In West Lothian there was an investment of £109,727 per annum to WLADP. In November 2021, a Public Social Partnership (PSP) model was approved to manage the 'Whole Family Approach' monies in West Lothian for 3 years (2022/25). The PSP's steering group membership includes partners in the NHS, Council, third sector and chaired by an independent Professor from Stirling University.

### **Intensive support – Families Together**

There has been a longstanding commitment in West Lothian to strengthening whole family approaches to prevent children having to be placed out with their home and family network. It is a priority to support more young people in non-residential settings and in their local communities. This drive and direction has partly involved realigning resources in children's services by reducing capacity within our Residential House care provision and developing the Families Together service. This has enabled an increase of staffing compliment in the Families Together Service during 2021/22. The service priority has been to provide intensive support for families but also crisis intervention when necessary so we can respond in a timely way when support is required, have availability to build relationships with families that will enable them and to assist in building capacity within family networks to prevent children being accommodated.

In 2021-22, the service has supported 107 children, of which 22 became looked after and accommodated. The service has been involved in higher numbers of crisis intervention, particularly relating to teenage children and relationship breakdowns within families. Families together have remained involved when children and young people have been accommodated and have been successful in supporting some children to return home after short periods. The service has been successful in sustaining kinship placements and for a high number of children to remain at home.

### **Family Group Decision Making**

As an early intervention approach, West Lothian is committed to utilising family group decision making (FGDM), a service provided by Children 1<sup>st</sup>. This is intensive work with a family to draw on the wider network in deciding how best to care and support a child. The focus is on the family network, finding solutions to difficulties and developing a plan with a co-ordinator. In 21/22, 110 children from 68 families were supported in FGDM work. Although some of the children were from the same families, the approach was different as it required specific plans to be created for each child. Children 1<sup>st</sup> also provide Lifelong Links for children and young people to support building and sustaining relationships, recognising the value positive support networks have into adulthood.

### **Supporting kinship arrangements**

Over the reporting time period, the service has continued to work closely with an independent organisation in delivering kinship support to approximately 40 families per year. Despite this however, over the reporting period there was a notable increase in difficulties experienced and disruption of kinship arrangements. Additional short-term council funding enabled the

appointment of additional support workers to complement the existing supports. The workers have been in post since 1 November 2021 and in the reporting period, supported more than 60 families providing practical and emotional support, parenting support, one to one work with children and young people and supporting kinship carers at meetings. The feedback has been very positive from kinship carers and has included comments around feeling less stressed, wishing they had access to the support sooner, feeling more knowledgeable in meetings and in understanding processes and benefiting from support groups. The kinship services have facilitated monthly support groups, provided financial support and arranged numerous events and activities for families to meet up. The extension of the service has improved the support and training on offer and has supported better participation and engagement from kinship carers.

### **Foster Care**

During the reporting period, recruitment of foster carers has continued although this has been challenging. There are seven assessments of potential fostering households ongoing which started during this reporting period. A revised mandatory training programme has been rolled out which carers have advised has provided them additional support and strengthened their knowledge and confidence in undertaking their caring role. To support children and young people, we have developed a revised welcome booklet and also have been completing carer profiles for all our carers. A number of processes have been refreshed as part of ongoing work to support us in keeping The Promise. The service continues to run monthly support groups, virtually during the pandemic but these and carer consultative forums are back up and running face to face driven by the views of our carer population. The family placement team have run a number of events which there has been positive feedback, one of which included a picnic in the park for carers, children and young people.

### **Residential houses**

Due to organisational change following redesign in keeping with shifting the balance of care and the impact of the pandemic, only one of the residential houses was open for a significant period. A full staffing group has now been recruited to enabling both houses with a stable and consistent staff group to be operating at full capacity. All staff have been involved in Promise sessions contributing fully to the necessary changes required moving forward.

Missing young person's training has been rolled out and there is some evidence this may be having a positive impact on reducing the number of young people being reported as missing. A new protocol is being rolled out across a range of professionals including Residential Houses, Social Care Emergency Team (SCET), children's services teams and Police colleagues. A multi-agency group meets on a monthly basis to discuss cases where there are repeated incidents of someone going missing with a view to addressing the causes. This considers all children going missing including children who are looked after.

### **Level Up**

The Level Up Attainment Project is a partnership between Education and Social Policy services, using Scottish Attainment Challenge funding to support West Lothian's Looked After Children. It is a multi-agency team made up of an Inclusion Officer, Teachers and Family Support Workers. The main aim of the project is to maximise the attainment of Looked After Children through a creative and flexible approach. However, there is an increased focus on supporting wider achievements and promoting all areas of health and wellbeing.

In 2021/22, the project has supported a cohort of 25 young people: 9 have now left school and progressed to positive destinations and some are continuing to be supported by the

project to explore further employment and training opportunities; 16 are still at school, 10 of which continue to receive support from one or more of the project team. The young people have had opportunities to be involved in the Duke of Edinburgh Award Programme and Rural & Urban Training Scheme in addition to activities such as curling and rock climbing.

### **Young carers**

An action plan was established to underpin the West Lothian Carers Strategy 2020-2023 and the actions are grouped in areas of priority, of which one is Young Carers. The strategic outcome is that Young Carers are supported and protected from inappropriate caring and from negative impacts on their education, social lives and future development.

A review of the referral pathways for young carer statements was completed and a new statement has been produced. An information session was delivered by a trainee Educational Psychologist and the YC worker from Carers of West Lothian to secondary school head teachers to raise awareness of the new processes and referral mechanisms to support young carers complete a statement if required.

Throughout this reporting period, other actions were prioritised which include:

- Ensuring young carers voices are heard and they have the opportunity to engage in strategic decisions that will affect them
- Schools actively play a key role to identify and support young carers and signpost / refer to the necessary support organisations
- Ensure the necessary support for young carers is in place when transitioning from school to their next positive destination; further and higher education or into employment
- Promote the financial support available for young carers including; Young Carer grant, Young Scot Package, free bus travel
- Young Carers are made aware of their Children's Rights in line with the GIRFEC principles which reflect the United Nations Convention on the Rights of the Child (UNCRC)

Aligned to the work of "The Promise" and as a key action of the Children's services Plan, a children's rights group has been established. This group will also be tasked with considering the rights of young carers and ensuring their voices and experiences are recognised and considered in matters that affect their lives.

### **Supporting older young people**

There has been a longstanding commitment to recruiting carers to provide supported accommodation and support for young people aged 16 years and over. The approach was initiated prior to the introduction of formal continuing care and originally focused on ensuring children in foster care settings would be able to remain there past their 18<sup>th</sup> birthday. The service has developed over the years and is no longer only about offering supporting living for children in foster care over age 18 years. A new coordinator has been appointed and work has begun on updating key processes and creating a handbook that supports work in keeping The Promise. The focus is on recruitment activity and developing a recruitment plan to ensure there is a larger group of supported young adult carers. In addition, we have strengthened our supported adult placement panel and are working on developing training.

We continue to build on the successful implementation of the Housing First Model which enables young people with multiple and complex needs, who are homeless or care experienced to access and sustain permanent accommodation. The service builds on the success of a pilot project, run in partnership between The Rock Trust and Almond Housing Association, which launched in 2017 and was the first of its kind in the UK. Young people are

supported into a permanent tenancy, without condition, and provided with the high-intensity, wrap around support for as long as they require it. Funding allocated through the West Lothian Rapid Rehousing Transition Plan and Social Policy has allowed the service to grow and there are now 17 young people supported through the project.

### **Anti-Poverty work**

With support from the Anti-Poverty Service, West Calder High School has developed the role of pupil 'Challenge Poverty Ambassadors' who aim to support the school community to promote inclusion and equality and address barriers and stigma associated with poverty. During Challenge Poverty Week 2021, Challenge Poverty Ambassadors delivered poverty awareness training around the cost of the school day to their teachers in the school and created a display board to raise awareness of poverty related issues.

A targeted campaign to focus on lone parent families and those with a disability to provide long term support, was taken forward in the 2021-22 period with the recruitment of 3 new Campaign Development Officers who will work directly with 6 high schools to embed advice and support services for families and young people directly through the school setting.

### **Ukrainian support work**

West Lothian Council prepared for welcoming and supporting people displaced from Ukraine, working with partners and communities. Social Policy, Housing and other services have worked closely together to quickly establish systems to ensure a co-ordinated approach for Ukrainians coming to West Lothian via the UK Homes for Ukraine Scheme where households have directly registered to be hosts and matched with Ukrainians and also the Scottish Government Super Sponsor Scheme, allowing Ukrainians to apply for visas without prior matching. Social Policy staff have a key role in undertaking safeguarding checks for hosts, providing guests with direct practical, financial and emotional support and signposting to other services as required.

### **Domestic Abuse**

The long-established Social Policy Domestic Abuse and Sexual Assault Team (DASAT) have worked to overcome the challenges posed by the pandemic and supported a total of 2055 people in West Lothian during 2021/22. This is an increase of 16% compared to the previous year when 1773 referrals were received and is an increase of 28% compared to the same period in 2019/20.

Covid-19 impacted on the referrals received by DASAT with a change in the demographic of service users noted. This included individuals and their children who have not previously accessed the service and an increased number of older individuals being referred. Additionally, there has also been an increase in the number of people who experience additional barriers such as substance misuse and mental health issues and those who require the support of translation services. Professionals faced significant challenges during 2021/22 in providing effective responses due to delays with cases involved in the Justice System.

To support increased demand, the Council invested short term resources to allow additional support worker posts to be added to the team to support recovery and reduce waiting times. The team have also been awarded funding for 2 years from Inspiring Scotland and have attracted further 1-year funding from Scottish Government to tackle waiting lists as a result of the pandemic. Short term funding was also identified to employ a part time lead officer for gender-based violence for a two-year period. This has had a positive impact on the work of DASAT.

DASAT have changed their delivery of service in response to the backlog of cases in the court system and longer waiting times. A pilot virtual court support group has been established which is offered to women receiving support from the duty service and court advocacy service. The initial pilot was well received with 8 women taking part in February and March 2022. This was evaluated positively with plans to develop this and offer a Court Support Group quarterly.

The team offers a range of services including:

#### **The Court Advocacy Service**

The Court Advocacy Service works closely with the Domestic Abuse Investigation Unit within Police Scotland, and the Procurator Fiscal's Officer to deliver a high-quality service for victims of domestic abuse involved in the court process. The service received and supported 780 referrals during the period 2021/22, this is an increase of 2%. This is still a significant increase from pre-pandemic figures of 615 referrals with a total of a 27% increase. The court advocacy workers continue to provide support throughout the court process and ensure that the views and the voices of individuals (victims/survivors) are represented in court.

#### **Living in Safe Accommodation (LISA)**

The LISA service aims to keep women and children safe in their own homes and provide other housing options to support women.

In 2021/22 the LISA project supported 230 women. This is an increase of 7% on the previous period and an 11% increase on pre-pandemic figures. West Lothian Council introduced a new housing allocation policy in 2020/21 which allocated higher point levels to people fleeing Domestic Abuse. As a result of this new policy, people experiencing domestic abuse are no longer presenting with homeless services and are being offered permanent accommodation in an area of their choice. This had a positive impact on the families supported by DASAT as it reduces the number of housing moves required, reduces the disruption to children's education and access to child care and employment.

#### **Court Contact Children's Right's Service**

Although not accountable to the DASAT service, the Court Contact Children's Right's Officer (CCCRO) is very closely aligned. This role aims to increase awareness of domestic abuse in the context of child contact improving outcomes and highlighting patterns of coercive control perpetrated through child contact. The worker ensures that children's voices are heard and their rights upheld within an adult judicial system by allowing Sheriffs to hear directly from the child so decisions can be made in a child's best interests. During 2021/22 the CCCRO received 114 referrals and supported 40 children. The role has been part of a research group within Edinburgh University.

#### **DASAT Children's Services**

DASAT children's service supported 126 children, either in the form of intensive 1-1 support, groupwork or both. 1-1 support typically takes place within schools or community-based resources and is relationships based, building trust and exploring experiences of abuse to tailor the focused work on children's ability to understand and process. The nurture group is a 6-week programme, allowing young children to express their feelings and includes work around safe people, worries and emotions. A nurture parents' group is also offered which supports parents in understanding the needs of their children and how domestic abuse can impact on the child's development. For older young people, groupwork runs for 8 weeks and includes sessions around personal and online safety, healthy and unhealthy relationships, anxiety, self-esteem and resilience.

### **CEDAR (Children Experiencing Domestic Abuse Recovery)**

CEDAR is a group work model for children who have experienced domestic abuse. During 2021/22 COVID 19 continued to impact on group work and support offered had to be adapted resulting in delivery remotely via online platforms or 1:1 support with children within their education setting. It is noted that face to face delivery is more effective.

### **Trauma Therapist**

The trauma therapist provides a high-quality holistic service for young people within the judicial system who have experienced sexual abuse. This early intervention at the point of reporting abuse, allows the service support to be optimised. Working in partnership with the sexual violence service ensures that people are supported in practical ways, preparing them for any legal process as well as offering a therapeutic response to support them to process and recover from their experiences of abuse. The trauma therapist has provided a safe consistent space for young people engaged in the service with sessions being flexible to fit round young people's education and/or child care issues. The focus is on young people in pre or post court conditions as well as young people who have had their cases deemed as not proceeding by Police/Procurator Fiscal. An increase in funding allowed for an increase in service provision by volume and age of people being referred which is now for ages 13-25 years. The trauma therapist also facilitates consultation to the DASAT team on a monthly basis helping them to process and work in a trauma informed way.

MARAC is a Multi-Agency Risk Assessment Conference to discuss how to help victims at high risk of death or serious harm. In West Lothian there is a number of people who require the support and protection of a multiagency framework, ensuring safety planning and highlighting the behaviour of abuse perpetrators.

During 2021/22, DASAT supported 202 people presented to MARAC conference, which is a 35% increase on 2020/21. During the pandemic there has been an increase in repeat offenders, an increase of people referred to MARAC generally and an increase in the number of referrals where there are additional barriers to support such as substance misuse, mental health issues. There has also been an increase in people from minority ethnic backgrounds being presented.

### **2.3.3 Justice Services**

Children and Young People under the age of 18 years who come into conflict with the law and are subject to Compulsory Measures of Supervision via the Children's Hearing system, continue to be supervised and supported by the Youth Justice Team. The use of Early and Effective Intervention (EEI) remains in place with key agencies to address earlier concerns, where appropriate.

The Age of Criminal Responsibility (Scotland) Act 2019 took effect on 17 December 2021. The Act raised the age of criminal responsibility from 8 to 12 years and provides new specific investigative powers for Police investigating the most serious cases of harmful behaviour and new duties for Local Authorities. This included considering appropriate Places of Safety arrangements. Within West Lothian, dependent on levels of risk and need, we would consider various options as an appropriate place of safety including family home, kinship care, foster care, and residential care.

Justice and Youth Justice services continue to maintain high levels of contact with those subject to statutory supervision. The criminal courts over 2021/22 returned to running at pre-

pandemic levels and they have in place a recovery programme with recovery courts.

As levels of pre-pandemic operation have returned, those serving long term prison sentences or short-term sentences subject to statutory post release supervision are being released at their due date on parole or other licences.

The unpaid work order scheme which had been significantly impacted upon in 2020/2021 has returned to being fully operational in 2021/22 from an organisational perspective. There has continued to be an impact on attendance to unpaid work due to COVID cases which fluctuate dependant on outbreaks. This has been managed with increased health and safety measures and reducing numbers sharing transport or being in close proximity to each other.

The Red, Amber, Green (RAG) analysis has also continued to be undertaken in line with National Outcomes and Standards and presenting levels of risk. In some circumstances video calling continued to be used where a risk assessment dictated that seeing internal physical environments was necessary and this was not possible due to COVID status. In the main face to face visits resumed.

Multi Agency Public Protection Agency (MAPPA) continued to operate at all levels through virtual meetings and those presenting as a risk supervised appropriately.

Over the reporting period the justice service maintained a presence in courts so that a response could be provided to those appearing from custody.

### 2.3.4 Whole Service Developments

#### **Self-Directed Support (SDS)**

The Social Care (Self-directed Support) (Scotland) Act 2013 came into effect on 1st April 2014. In March 2021 the Scottish Government published the Self-Directed Support Framework of Standards. This framework consists of a set of standards (including practice statements and core components) written specifically for local authorities to provide an overarching structure, aligned to legislation and statutory guidance, for further implementation of the self-directed support approach and principles.

Social Policy is committed to the principles of SDS and recognises that when people have more control over how they live their lives and any support they may require, they are likely to achieve better outcomes.

An SDS Project Board has recently been established with an aim to further embed SDS across all relevant service areas and ensure that we are delivering services of a high standard in line with the Framework of Standards. The project board is currently in its 'discovery phase' and an action plan has been developed which will initially focus on engagement with practice teams and people receiving support under SDS as well as third sector and community-based providers. It is envisaged that information gathered as a result of this engagement will help to shape and further develop the action plan as it progresses. The board aims to develop an SDS Training Strategy for staff that will be informed in part by identifying training and development needs through engagement with staff and people receiving support. The board also plans to explore opportunities to expand the use of technology in relation to SDS and the type of supports that people are choosing. This will be done by working jointly with the TEC Board to explore ways of delivering new innovative technology to promote independence, self-management and wellbeing.

## Unpaid Carers

Social Policy values the vital role that carers play within West Lothian and in particular how they enable the people they care for to enjoy a quality of life and independence that would otherwise not be possible. However, we recognise that without appropriate support there can be a cost to the carer in terms of their own health and well-being. In recognition of this, Social Policy and key partners are working together to identify how best the statutory and the voluntary sector could support carers in their caring role and ensure compliance with the requirements of the Carers (Scotland) Act 2016.

With input from internal and external partners and more importantly carers themselves, the West Lothian Carers Strategy and Carers Short Breaks Statement were approved by the IJB in August 2020 and sets out our vision and aims for unpaid carers in West Lothian. The Carers Strategy is underpinned by an Implementation Plan which is overseen by the West Lothian Carer Strategy Implementation Group (CSIG). The group was established in May 2021 and will ensure that aims and objectives of the strategy are implemented in West Lothian and will:

- Develop a coordinated approach for the implementation of the Carers (Scotland) Act 2016
- Develop a coordinated approach for the implementation of West Lothian's Carer Strategy and Action Plan.
- Project manage the implementation of the priorities and actions included in the Action Plan and monitor progress made in implementing the strategy.
- Communicate and engage with partner organisations to ensure a broad range of carer experience is represented on the group
- Develop and implement performance management systems with all key partners to collate and prepare performance information to report to the Integration Joint Board (IJB) and Community Planning Partnership (CPP)
- Develop processes which maintain a regular and effective means of communication
- Oversee the development of performance reports and annual reports
- Act as a key consultative group for national and local policy development

The critical role carers play in the health and social care system has never been more apparent than during Covid-19 and the subsequent emergence from the pandemic. People have reported feeling increasingly isolated over the past year and are concerned about their mental health and wellbeing. To ensure that unpaid carers can access the help that they need to maintain and improve their mental health and wellbeing, investment has been made in a range of early intervention and prevention supports, in particular the Unpaid Carer Health and Wellbeing Fund. The fund will be open to all local, community-based organisations with the aim of encouraging the development of innovative ways to support carers to have short breaks from caring to support their health and wellbeing. The fund was launched at the end of April 2022.

To better understand the needs of carers and prepare for the review and refresh of the next Carers Strategy, a survey was undertaken from January to March 2022 where people in West Lothian who help care for others were asked to share their experiences of their caring role. The aim of the survey was to provide a better understanding of the level of care that is currently being delivered by unpaid carers in West Lothian and also to determine the supports that they require to enable them to continue with their caring role and stay in good health themselves. 592 people responded to the survey and the results have given meaningful information especially around the information, advice and support needed by carers. The findings will be used to shape the next Carers Strategy 2023-2026.

## **Rights, Participation and Engagement**

The pandemic undoubtedly impacted our ability to undertake engagement activity in our standardised way but it has also provided new opportunities to look at different ways to communicate with and engage with partners and stakeholders and in particular explore digital solutions. Social Policy services continue to work in close partnership with other agencies, service users and their carers to ensure that the support and care services provided are as person centred and flexible as possible.

Overall, across Social Policy, work continues to redesign services to ensure that they best meet the needs of those who are most vulnerable in our society and are sustainable for the future. Social Policy actively engages customers and potential customers in the delivery and redesign of services to ensure that these are accessible and focused on their needs and preferences.

We have commissioned advocacy services to provide support to the most vulnerable groups of people who need our support to ensure they have a voice to have their views expressed:

- Adults up to age 65 with mental health issues
- older adults (over 65)/ adults with physical disabilities
- adults up to age 65 with learning disabilities
- care experienced children and young people and children involved in child protection

## **2.4 Delivery of Statutory Functions**

The council's scheme of delegation allows senior social work staff to make certain decisions on behalf of the local authority in the following areas:

- Mental health
- Looked After Children and Young People:
  - Adoption
  - Secure accommodation and emergency placement of children
- Protection and Risk Management:
  - Child Protection
  - Adult Protection
  - MAPPA

Details of the annual monitoring in these areas are included in the subsequent paragraphs.

### **2.4.1 Mental Health**

Section 32 of the Mental Health Care & Treatment (Scotland) Act 2003 places a statutory duty upon local authorities to appoint a sufficient number of Mental Health Officers (MHO) within their area to appropriately discharge the functions of Mental Health Officers.

The core tasks and responsibilities of Mental Health Officers stem from 3 main Acts of the Scottish Parliament and these are:

- Mental Health (Care and Treatment) (Scotland) Act 2003
- Criminal Procedures (Scotland) Act 1995
- Adults with Incapacity (Scotland) Act 2000

The Adult Support and Protection (Scotland) Act 2007 has also brought significant additional duties and responsibilities for all council staff including MHOs. There has been consistent demand on MHO services to consider measures under the Adults with Incapacity Act for service users under the multi-agency Adult Protection procedures where Welfare and/or Financial Guardianship is considered necessary to provide safeguarding measures.

A duty Mental Health Officer is available 24 hours a day across the whole council area. Since the Covid-19 pandemic, the MHO service has operated a 'hybrid' model of working involving a blend of office based and home-based working and there has been no impact on the continued delivery of the Duty MHO service.

MHO's continue to undertake the full remit of work under the Mental Health Care and Treatment (Scotland) Act 2003. There has been a decrease in the number of practising MHO's across the Council over the past year due to a number of MHO's leaving the council to take up alternative employment, in some cases leaving the social work profession and in other cases to take promoted posts with other agencies. However, the decrease in absolute numbers of practising MHO's in the Council has been balanced with an increase in FTE numbers of MHOs due to investment and successful recruitment to two dedicated MHO posts, one in the Integrated Discharge Hub at St John's Hospital and another in the dedicated MHO Team. Local pressures in relation to the numbers of practising MHO's in West Lothian remains similar to the national picture where there are significant issues with the demographic of the MHO workforce and recruitment and retention of MHO's. While this is a national issue, West Lothian Council continues to prioritise the training of MHO's with a further two candidates in place to undertake the 2022/2023 MHO course and with two candidates in the process of completing their training from the 2021/22 intake. The establishment of a full-time MHO at the Integrated Discharge Hub at St John's Hospital to assertively progress Guardianship applications and offer advice and guidance in relation to lawful discharges from hospital has been well-received.

A short-life group continues to operate to implement change in relation to the findings of the Mental Welfare Commission; Authority to Discharge Report, 2021. A training needs analysis has been completed and a rolling programme of training related to the recommendations of the Report has been implemented. There is ongoing work related to the introduction of improved recording practices and of audit procedures related to hospital discharges where an issue related to 'mental incapacity' has been identified.

The numbers of Emergency Detentions under the Mental Health Act have continued to rise nationally but these detentions are increasingly done without MHO involvement although the number of recorded MHO assessments in this regard in West Lothian has remained relatively static since 2020/21. There has been a slight decrease in the number of Short-Term Detentions completed locally over the past year but a significant increase in the number of Compulsory Treatment Order applications over the same period. The Mental Welfare Commission reports a national increase in the rates of detention for Emergency Detention, Short-Term Detention and Compulsory Treatment Orders.

A significant part of the work and responsibility of a Mental Health Officer is work emanating from the Adults with Incapacity (Scotland) Act 2000. Under the Act, the council has a protective function towards those adults who lack capacity. The largest area of work for MHOs under the 2000 Act continues to fall within Part 6 of the Act, namely Intervention Orders and Guardianship Orders.

Since the introduction of the 2000 Act, the trend in Guardianships has changed significantly and the number of applications granted by the Sheriff Courts continue to rise year on year. Guardianships are now routinely granted for a time limited period by the Court which has led to an increase in demand in relation to provision of MHO reports for renewal of Guardianship applications.

Over the current reporting period there has been an increase of over 40% in renewal applications on the previous year. There has also been a significant increase in the total number of applications for Guardianship and Intervention Orders made within the Council area in the past year, rising from 73 in the previous reporting period to 121 in the current period. This increase is likely to reflect in some part the return to 'normal business' in the Court system following the Covid pandemic but also reflects a greater awareness of the need for legal measures to protect the human rights of adults who lack capacity.

There has also been an increase in the number of younger adults with learning disabilities being made subject to Guardianship due to a greater awareness of legal rights and safeguards for service users transitioning from child to adult services.

There remains a trend towards an increased number of private applications for Guardianship as opposed to local authority applications which is consistent with the picture across Scotland. Local authority applications continue to tend to relate to individuals where there are significant vulnerabilities and safeguarding issues where Guardianship is viewed as a protective measure.

The increase in the staffing establishment of the MHO resource within the Council over the reporting period has meant that there has been a marked improvement in the reduction of waiting times for the allocation of MHOs to prepare statutory reports in relation to applications under the 2000 Act by the end of this reporting period. There have also been marked improvements in relation to local authority responsibilities in relation to the supervision of Welfare Guardians due to investment in staffing and successful recruitment within the MHO service.

The following table indicates assessments undertaken under the Adults with Incapacity (Scotland) Act 2000.

	2019/20	2020/21	2021/22
<b>New Guardianships granted</b>	Private 69 CSWO 12	Private 50 CSWO 19	Private 90 CSWO 26
<b>Total</b>	81	69	116
<b>Existing Guardianships</b>	Private 269 CSWO 57	Private 326 CSWO 66	Private 350 CSWO 73
<b>Total</b>	326	392	423
<b>New Intervention Orders</b>	10	8	4

The following table indicates assessments undertaken under the Mental Health (Care & Treatment) (Scotland) Act 2003

	2018/19	2019/20	2020/21	2021/22
<b>Emergency Detention Certificates – Sec 36</b>	44	38	56	54
<b>Short term Detention Certificates – Sec 44</b>	153	163	210	199
<b>Compulsory Treatment Orders (new applications)</b>	48	37	39	64
<b>Assessments (Sect 86, 92, 95)</b>	352	336	431	471

#### 2.4.2 Looked After Children and Young People

Local Authorities are responsible for providing care and support for Looked After Children whether at home, within their kinship network, residing in foster care, residential houses or school and in secure care accommodation. The number of looked after children in West Lothian has reduced by 6% overall from on average 411 in 2020/21 to 384 in 2021/22. A contributing factor to this is the reduction in children who are looked after at home.

The total number of Children Looked After in West Lothian at 31/03/2021 and 31/03/2022 by statute and length of time under statute is detailed in the table below:

Looked After Children												
	Under 1		1-4		5-11		12-15		16+		Total	
	2021	2022	2021	2022	2021	2022	2021	2022	2021	2022	2021	2022
<b>At Home with parents</b>	1	1	14	7	40	24	23	21	4	4	<b>82</b>	<b>57</b>
<b>Away from home – Community setting</b>	12	13	48	65	110	105	71	72	29	32	<b>270</b>	<b>287</b>
<b>Away from home – Residential setting</b>	0	0	0	0	3	1	18	22	9	9	<b>30</b>	<b>32</b>
<b>Secure care</b>	0	0	0	0	0	0	0	0	0	0	<b>1</b>	<b>0</b>
<b>Total</b>	<b>13</b>	<b>14</b>	<b>62</b>	<b>72</b>	<b>153</b>	<b>129</b>	<b>112</b>	<b>115</b>	<b>43</b>	<b>45</b>	<b>383</b>	<b>376</b>

In line with the findings and recommendations of the Independent Care Review (2020), West Lothian is committed to delivering services for children and families in line with The Promise. There has been investment by resource shifting from residential services to earlier intervention and intensive family support services to prevent children becoming looked after.

The percentage of children being looked after in the community for 2021/22 is 91% which is a slight decrease from 92% in 2020/21. It continues to be a priority in West Lothian for children and young people to be cared for in their family and community with Family Group Decision Making routinely being utilised to enable families to come together to make plans to prevent children becoming accommodated or to promote a return home at the earliest opportunity. New kinship care support staff have been appointed who are providing support for children and carers. Four weekly review meetings are taking place with the team around the child for all children looked after away from home. This is in addition to formal My Planning Meetings to ensure timely progression of care plans with the aim of identifying and addressing any problems in planning as they arise and supporting return home to family or kinship networks where that is possible.

The service is committed to reducing the number of children and young people placed out with West Lothian in external foster care and residential placements. Ongoing recruitment campaigns aim to increase the number of West Lothian foster carers and supported young adult placements, alongside a focus on utilising and supporting family and kinship placements. The appointment of a Transitions Worker will further target the return of children home or into an internal provision more local to their home communities.

For children and young people accommodated out with West Lothian, care plans are continually reviewed to explore a return to care and support locally. Young people who are looked after are being supported with transitions to independent living through close partnership with Housing and third sector. This includes stabilising current care arrangements, support with independent living skills, assessing need and support with appropriate move on options at the right time. This has allowed matching young people to suitable support packages and accommodation provision when making the transition from being looked after.

In November 2021, the National Transfer Scheme became mandatory for all Local Authorities due to the increasing numbers of Unaccompanied Asylum-Seeking Children (UASC) entering the UK. West Lothian Council is allocated children through a rota-based system. To date 4 young people are being supported by the service and cared for by internal and partner resources. It is anticipated that the rate of young people arriving in West Lothian through this program will further increase due to the high numbers of arrivals by boat to the UK.

In the design of its services, Social Policy is taking account of responsibilities for unaccompanied children and is working with its accommodation providers in relation to how young people can transition to independent living successfully at the right time.

### **Permanence planning and adoption**

Achieving early permanence and stability is crucial to enhancing the life chances of care experienced children and young people. Towards this aim, West Lothian Council continues to implement the aims of the Permanence and Care Excellence (PACE) programme, applying improvement methodology to identify and address any areas of delay in securing permanence for looked after children. Initial improvements have been impacted by the Covid-19 pandemic. The target for all children (under the age of 12) to have a timely decision regarding permanence in 2019 was 62.9 weeks from the date the child was accommodated. By 31 March 2020 this figure had been reduced to 53.4 weeks. On 31 March 2022 the length of time for children requiring a permanence decision has increased to 71.6 weeks. Between 1 April 2020 and 31 March 2021 children looked after and under the age of 5 in need of permanence through an Adoption or Permanence Order, had this decision made within 43.1 weeks. By the 31 March 2022 this timescale increased to 57.2 weeks.

The Covid 19 pandemic presented immediate challenges in service delivery and performance to the targets set. Initial lockdowns and restrictions directly impacted on capacity to undertake the rigorous assessments needed to inform permanence planning and the intensity of support that could be provided to families leading to many assessments and plans becoming outdated. This has hampered the speed at which permanence planning could progress. Consequently, there has been delays in assessment and planning and in the numbers of children being presented at the Adoption and Permanence Panel. Simultaneously the pandemic has impacted staffing, and the functioning or reduced capacity of partner agencies to operate including the Courts.

	2019/20	2020/21	2021/22
<b>Children registered for adoption</b>	7	6	4
<b>Children matched to adopters</b>	6	6	5
<b>Children registered for permanence order with authority to adopt</b>	6	4	3
<b>All children under the age of 12 registered for permanence excluding kinship/residence orders</b>	7	11	6

Despite the challenges West Lothian Council has been able to make some progress reducing the timescales in lodging legal applications in Court to slightly below pre-pandemic levels.

West Lothian Council continues to have a 100% success rate in family finding for children requiring adoption. This has been achieved by improvements in the use of Child Assessment and Permanence Reports (CAPR), matching considerations reports alongside the ongoing commitment to working in partnership with Adoptions Agencies.

Social work services continue to work in partnership with St Andrew's Children's Society to deliver concurrent planning, avoiding unnecessary delay in making permanent plans for very young children in families where children have previously been removed on a permanent basis. Children are placed with concurrent carers who will be their foster carers while West Lothian Council pursues a rehabilitation plan with the parents. If the child cannot return to birth parents, the concurrent carers, who are already caring for the child petition the Court to adopt the child in line with their wishes. There are currently two children placed with concurrent carers.

West Lothian Council is currently looking at ways to build upon and broaden the adoption service. Including examining how this service currently operates, reviewing existing policy and procedure, staff knowledge and skills and the support provided for adopted children and their families. Work is ongoing to ensure we deliver high quality, robust assessments and advance the knowledge, skills and confidence of our workforce. Consultation and peer support is routinely made available. Every adopted child has an adoption support plan. Adopted children requiring therapeutic services are routed through the Mental Health and Wellbeing screening group. This includes counselling, parenting, play therapy and resilience services. Post adoption support is also provided via arrangements with partner adoption agencies.

### **Continuing Care**

Continuing Care was established by the Children and Young People (Scotland) Act 2014 and offers looked after young people the right to remain in their care setting until aged 21 years. On 31 March 2022, West Lothian were supporting 34 young people in continuing care placements: 15 remained with foster carers, 12 with kinship carers and 7 in residential care. For the young people, the benefits of continuing care include continuity of care and provision of a stable home and the opportunity for further preparation for leaving care at the right time for them.

There are challenges in relation to the available funding supporting legal duties placed on local authorities and this and resulting capacity pressures contributes to the budget pressures experienced by children and families social work services in West Lothian.

### **Through Care and After Care**

The throughcare and aftercare service continue to support young people transitioning from being looked after and those previously looked after. The service works closely with housing and third sector partners to support moving towards independence and also to sustain tenancies. Staff are

also working with partners to support young people in further education/employment, budgeting and financial matters, as well as many aspects of health and wellbeing. On 31 March 2022, of the 309 young people eligible for aftercare, 122 were in receipt of a service. During the pandemic, throughcare staff made contact with those who were not in receipt of a service and maintained links with young people who were open to having ongoing contact. The service is reviewing the capacity for this going forward and also considering other ways to support young people, for example, a drop-in resource with partners.

### **Secure Accommodation of Children**

Secure care placements have been used in specific circumstances of high risk during the last year where it is assessed there is no safe alternative for care. There have been three young people in Secure Care during the reporting year, with two of these being new placements. The Children and Young People's Commissioner Scotland undertook an investigation into secure care across Scotland between 2018 and 2019 and published its report, Statutory Duties in Secure Accommodation: Unlocking Children's Rights, in 2021 making recommendations for local authorities and Scottish Government. Since this investigation, there has been full review of local guidance, processes and recording requirements to ensure compliance with legal duties and competence of staff in assessing the need for secure care and ensuring the rights of children and their families are promoted and upheld throughout these processes.

### **2.4.3 Protection and Risk Management**

The assessment and management of risk posed to individual children, adults at risk of harm and the wider community, are part of the core functions of social work.

The effective management of risk depends on a number of factors, including:

- Qualified, trained and supported staff, with effective professional supervision
- Clear policies and procedures and use of agreed or accredited assessment tools and processes
- Consistency of standards and thresholds across teams, service and organisational boundaries
- Effective recording and information sharing
- Good quality performance management data to inform resource allocation and service improvement
- Multi-disciplinary and inter-agency trust and collaboration.

Reflecting the importance of joint working, the following multi-agency mechanisms are well established in West Lothian:

- West Lothian Chief Officers Group
- West Lothian Child Protection Committee
- West Lothian Adult Support and Protection Committee
- Gender Based Violence Committee
- Offender Management (MAPPA) Committee
- Community Justice Partnership

Membership of the Chief Officers Group (COG) allows the Chief Social Work Officer to have an overview of related risk management activity, both within the council and across agencies. As Chair of the Child Protection Committee, the CSWO also meets quarterly with the Chairs

of all the public protection committees in West Lothian and the ADP Chair to share relevant learning, identify cross cutting themes and consider any actions needed.

Each of the areas of Public Protection has a performance framework in place with regular reporting to the COG and Community Planning Strategic Group.

### Child Protection

	2018/19	2019/20	2020/21	2021/22
<b>Child protection referrals</b>	413	422	410	428
<b>Joint Investigations</b>	193	173	156	180
<b>Initial and Pre-birth Child Protection Case Conferences</b>	84	122	101	119

The West Lothian CPC is the local body for developing, implementing and improving child protection strategy across and between agencies and the local community. The CPC performs a number of crucial functions in order to jointly identify and manage risk to children and young people, monitor and improve performance and promote the ethos that “its everyone’s job to make sure I’m alright”.

The key functions of the West Lothian CPC are; continuous improvement, public information, engagement and participation, strategic planning and connections and reporting annually on the work of the CPC. West Lothian CPC has 3 subcommittees to support its work: Quality Assurance & Self Evaluation (QASE), Practice and Training (P&T) and a Learning Review (LR) subcommittee. A multi-agency group of senior staff meets fortnightly to review all IRDs for quality assurance purposes, to monitor practice and to identify emerging themes which are reported to the Child Protection Committee. A management Information Group analyses data on a quarterly basis and reports to the CPC.

The CPC has strong links with the Children and Families Strategic Planning Group with its overall oversight and leadership of Getting It Right for Every Child in West Lothian and promotes partnership working to keep children and young people safe, provide strong and clear leadership and direction, ensures staff learning and development, evaluates performance and ensures continuous improvement and communicates and engages with children, young people and families.

There has been a range of improvement activity started and completed over the reporting year. This has included taking forward learning from an SCR themed on child neglect, auditing and evaluating practice in cases where children’s names were reregistered on the child protection register, embedding improvements after developing revised approaches to reports and chronologies at child protection core groups. A pilot to produce a multi-agency chronology and core group report for 6-month child protection review case conferences was positively evaluated by the Quality Assurance Self Evaluation (QASE) subcommittee, partners and parents and is now embedded in practice. Parental attendance is encouraged at CPCCs and barriers to non-attendance explored after each CPCC. Participation of children and young people is being reviewed to ensure there is meaningful engagement.

It was identified that the role of case conference chairs should be strengthened to be more robust in case conferences to ensure plans address identified risks and are reviewed to

evidence impact. Audit activity identified that some reports were lengthy and a need to refocus on analysis of information to improve the quality of some assessments.

Two cases met the criteria for a Significant Case Review. It was agreed that both cases should be considered as part of a wider review to identify the barriers to changing culture and practice. The review report was completed in December 2021 and the subcommittees have been developing plans, incorporated into the CPC Improvement Plan 2022-2024 to address the issues identified in the report. There were several messages to emerge from case reviews, feedback and surveys undertaken about the barriers to embedding learning into practice. Work has begun to more embed a learning culture to ensure that staff are involved in and aware of the need for any practice changes and how it will be achieved and how we can better engage them in this work. Staff have consistently spoken of the benefits of multi-agency events allowing them to build relationships, understand each other's roles and responsibilities and hear different perspectives. It is also recognised that one off formal training increases knowledge but to embed change, this learning also needs to be talked about, reinforced and reiterated by managers and practitioners.

The CPC also recognises that for the different professionals involved in child protection core groups there are varying levels of supervision in place for time to reflect. Core group supervision will be built into the child protection process, delivered by a Social Work Team Manager independent of the case and a template and approach developed to support this. The impact of this change will be evaluated.

The new approach to joint interviewing of children (Scottish Child Interview Model) has been implemented in West Lothian following a commitment to the intensive training programme for police and social work staff. Further work is needed and planned as to the development of the Bairn's Hoose concept in West Lothian.

The updated 2021 National Child Protection Guidance has been published, incorporating UNCRC and fundamentals of the Promise. In light of this the Edinburgh and the Lothian child protection procedures are in process of being updated and implications for local practice assessed and planned for.

### Adults Support and Protection

	2018/19	2019/20	2020/21	2021/22
<b>Adult Protection Referrals</b>	732	799	1,116	1,491
<b>Inter-agency Referral Discussions (IRDs)</b>	147	195	171	139
<b>Adult Protection Case Conferences</b>				
<b>(this includes Adult Protection Case Conference Reviews)</b>	82	82	70	75

The Adult Protection Committee (APC) has a leadership role in working with partners to ensure the continuous improvement of adult protection services in West Lothian. The Committee provides links with wider adult support services and reinforces and develops, through joint multi-agency practice, the integration of adult support and protection services across West Lothian.

The APC works in close collaboration with the West Lothian Child Protection Committee, Gender Based Violence Committee and Offender Management Committee, sharing information, communicating and co-ordinating protection policies and practices for adults, children and family services, and justice services.

The APC in the delivery of its key objectives is supported by the work of its Quality Assurance subcommittee and a practice and training subcommittee.

The Quality Assurance Subcommittee is responsible for audit and quality assurance activity in relation to the key processes associated with Adult Support and Protection. Audit activity provides assurance to the APC that key processes are meeting their agreed aims in protecting adults at risk of harm. The subcommittee also considers the learning from other National sources such as published Significant Case Reviews.

Over the reporting period, West Lothian has not undertaken any significant case reviews, however has progressed two initial case reviews. These have provided important learning actions. For example, highlighting the importance of multi-agency information sharing to ensure continued focus on Adult Support and Protection when working with individuals who find it difficult to engage with support they receive.

Whilst there have been no Large-Scale Investigations over this reporting period, there has been one multi agency meeting held under the terms of the Large-Scale Investigation protocol. Multi-agency meetings provide a robust framework to share information, identify risks and determine if any immediate action is necessary to minimise risk.

The Practice and Training subcommittee links with the quality assurance sub-committee to ensure their work plan reflects necessary training. To date this has informed key activities relating to the strengthening of Adult Support and Protection process including – Duty to Inquire, use of chronologies and risk assessment.

Understanding the experiences of individuals, families and carers who come into contact with adult support and protection arrangements is a key area of development we will also focus on over the next reporting period.

A full review of local Adult Support and Protection procedures has been progressed to ensure these align with developing practice and revised codes of practice.

West Lothian's Appropriate Adult service deploys an Appropriate Adult to support people to understand what is happening and to be understood, during police investigations. They provide support to people aged 16 years and over with communication support needs.

The purpose of the West Lothian statutory Appropriate Adult service is to fulfil the duties from the Criminal Justice (Scotland) Act 2016 (Support for Vulnerable Persons) Regulations 2019 to Local Authorities - which came into force on 10 January 2020.

West Lothian continues to have representation at national and Pan Lothian Appropriate Adult groups and forums. The Appropriate Adult Coordinator holds meetings with Appropriate Adults and circulates the COSLA Appropriate Adult newsletter to support them in their role and remit. New Appropriate Adults will be trained using the national eLearning training programme.

During 2021/22 there has been a further increase in the number of Adult Support and Protection referrals compared to the previous year, a trend that is replicated nationally.

Additional Scottish Government funding has been utilised to strengthen our approach to managing adult support and protection concerns. A centralised team has been developed to ensure there is a robust and consistent approach to all aspects of ASP activity. The team are located with the Adult Social Care Enquiry Team (ASCET) to ensure early identification of adult protection issues at initial point of referral. The team will work closely with both multi agency partners and other teams to ensure individuals receive the necessary levels of support and protection.

The Care Inspectorate with partners from Healthcare Improvement Scotland and Her Majesty's Inspectorate of Constabulary in Scotland undertook a joint inspection of Adult Support and Protection arrangements within West Lothian in May 2022. The findings from this inspection were published by the Care Inspectorate in September 2022.

The inspection report identifies a number of key strengths and identified areas for improvement. Against the two quality indicators the inspectors identified weaknesses within key processes, whilst assessing that there was effective strategic leadership with clear strengths in supporting positive experiences and outcomes.

A social work improvement plan has been drafted with key actions to address the necessary improvements for social work services. This work will be monitored by a social work leadership board. The APC will oversee the development and review of the partnership improvement plan which will contain the single agency social work improvements.

### Justice Services - Statutory Supervision

The responsibility for Community Justice rests with the Community Planning Partnership. In West Lothian this has been undertaken by the Community Justice Partnership which is part of the West Lothian Community Planning Partnership structure. The revised National Strategy for Community Justice was launched in June 2022 and it includes four national aims and associated priority actions. The West Lothian *Community Justice Outcome Activity Annual Report* has been submitted. The Community Justice planning partnership is now working on a revised action plan and will ensure this aligns to the Outcome Performance Improvement Framework (OPIF) when it is revised in April 2023.

	At 31 March 2020			At 31 March 2021			At 31 March 2022		
	Male	Female	Total	Male	Female	Total	Male	Female	Total
CPO requirement for supervision	269	48	317	136	27	163	266	41	307
CPO with a requirement for unpaid work	253	28	281	94	3	97	189	18	207
Drug treatment and testing orders	13	0	13	6	1	7	7	3	10
Number of individuals subject to Statutory Through Care	160	3	163	153	2	155	159	2	161

The figures in the table detail the new orders put in place during the period April 2021 to March 2022 and does not reflect existing orders that can be in place for up to 3 years. Post custodial sentence (Justice Throughcare) can be for life.

In respect of the volume of new cases that could be processed through the courts, this is now back up to almost pre-pandemic levels. The Coronavirus (Scotland) Act 2020 provisions which allowed for the early release of specific prisoners, and a 35% reduction of some unpaid work orders and the extension of time to complete said orders has now expired.

The Scottish Government committed in its 2019-20 Programme for Government to extend the presumption against short sentence of 12 months or less, once additional safeguards for victims in the Domestic Abuse (Scotland) Act 2018 were in force. We anticipate a likely increase in the need for more community-based support. In the last two years, Justice nationally has developed and implemented a range of alternatives to custody. Enhanced Direct Measures including the expansion and further development of bail which includes supervision and electronic monitoring along with a national drive to increase the uptake of Diversion from Prosecution is in progress. In addition, the introduction of Structured Deferred Sentences should afford further options for community sentencing alongside Community Payback Order and Drug Treatment and Testing Orders.

The management of high risk sexual and violent offenders in the community is one of the highest priorities for Justice services and Police working together. Housing and Health services along with other statutory agencies also play a significant role in the detailed multi-agency public protection procedures which are followed in West Lothian. This activity requires to be reported to Scottish Ministers.

When subject to statutory supervision on release from prison or community supervision, such individuals require to comply with any conditions attached to their licence / orders. They are subject to robust risk management which is regularly reviewed. If the individual breaches any of the conditions imposed on them, they may be subject to further investigation or a recall to prison, either by Scottish Ministers, the Parole Board or the Courts.

Multi-Agency Public Protection Arrangements (MAPPA) are defined in legislation and national guidance currently applies to the management of all registered sex offenders. In West Lothian these arrangements are well established. In the last few years Scotland has now implemented MAPPA Category 3 which covers very high-risk violent offenders. This supports multi-agency risk management of the critical few which can include high risk domestic cases. Justice Services along with Police and Health are the key responsible authorities that manage those subject to MAPPA in the community.

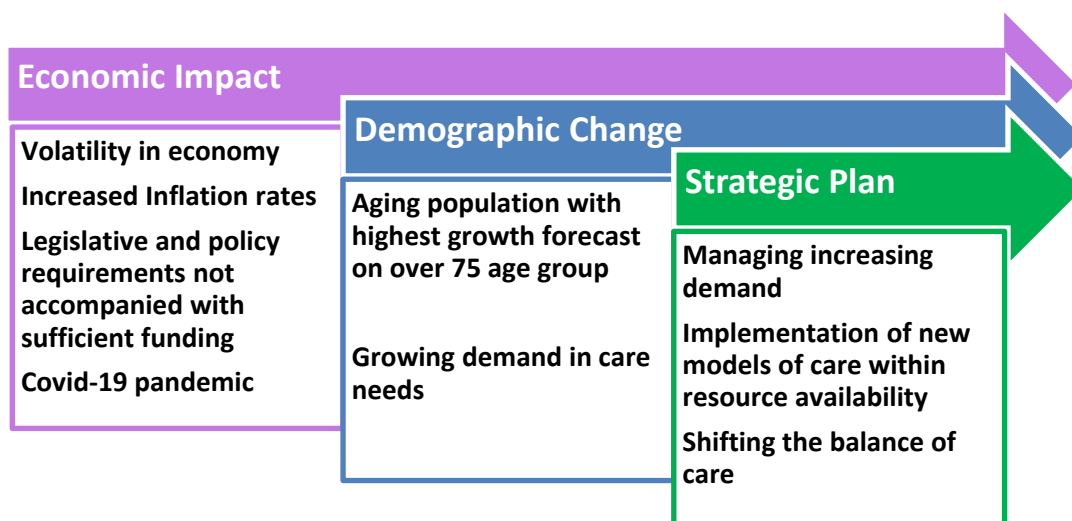
Young people in conflict with the law are also managed through either the above MAPPA Process or in line with the Young Person Risk Management Procedure (YPRMP) depending on age and stage of development or the statutory and legal status of the child/young person. The impact of the change in Age of Criminal Responsibility has required us to review how we support children who will no longer meet the threshold for Early and Effective interventions. Whilst small numbers, the ethos of early intervention has resulted in close partnership working with local Police to ensure these cases are still identified. For young people in the adult justice system, the national focus of the new pre and post sentence orders are particularly welcomed to support young people. The Youth Justice Team provide the knowledge and skill required to work with young people and support them to engage with any statutory requirement imposed by the Procurator Fiscal or the Courts. No young people received a custodial sentence between 2021 and 2022.

The Up2U Domestic Abuse programme is established within the Justice Service. The Courts and Parole services are now actively mandating attendance via community disposals / licence conditions. The programme can be tailored to work with both males and females from the age of 16 years and can also be delivered for people who use domestically abusive behaviours in same sex relationships. No evaluation of the programme was possible due to the limited number of clients who completed the programme over the last year. Now that pandemic restrictions have eased, an increase in delivery including group work is anticipated which will allow for evaluation.

### 3. Resources

The medium-term financial plan plays an important role in informing the planning and prioritisation of future service delivery, and strategic planning and commissioning. Financial planning assumptions are reviewed on an ongoing basis to take account of events such as changes to funding levels, economic forecasts, care demands and policy decisions impacting on the delivery of social work services.

Medium-term financial planning requires to take account of a number of risks as summarised below:



In February 2018 West Lothian Council agreed a five-year revenue budget strategy including measures to address a budget gap of £65.3 million over the five years from 2018/19 to 2022/23. The Social Policy element of these savings was £23.3 million. Social Policy delivered £5,583,000 of these savings in 2021/22. The council is now in the fifth year of this strategy and continues with its ambitious project management approach to ensuring a break-even budget is achieved at the end of each financial year.

The total net expenditure for Social Policy in 2021/22 was £114,549,000 which represented an overspend of £79,000, due to pressures in external placements for children within residential schools, continuing care and foster care placements.

There remain a number of significant pressure areas as outlined below

### 3.1 Financial Pressures

- External Placements for Looked After Children
- Residential Care for Older People
- Care at Home for Adults with Learning Disabilities

These areas are all subject to ongoing monitoring and all form part of the council's redesign programme that will ensure that we can continue to deliver quality services within the available budget.

During a time that has been particularly challenging, due to the disproportionate effect that the pandemic has had on vulnerable people, social care resources continue to be focused on supporting those most in need. The health and social care joint strategic commissioning plans are focused on supporting people through this difficult time, whilst also continuing to deliver services in new and innovative ways such as expanding the use of technology. The increasing complexity of care requirements means that there will be an ongoing need to develop more sustainable delivery models. This will result in a greater emphasis on prevention and supporting people within their home environment.

### 3.2 Social Services Delivery Landscape

West Lothian is in Central Scotland, has a population of approximately 183,820 (National Records of Scotland 2020 mid-year estimate). This is an increase of 0.4% from 183,100 in 2019.

It covers an area of 165 square miles, two thirds of which are predominantly used for agriculture and a tenth of the area is taken up by urban development. In the east-central band there is a large shale oil field, whilst the area in the west is dominated by Scotland's central coalfield. Both of these natural resources were greatly exploited in the 19th and early 20th centuries and contributed to the development of a number of West Lothian's communities. The rapid development of these 'boom' communities meant the loss of these industries was felt heavily, and this legacy has resulted in some small but prominent concentrations of deprivation.

Between 2018 and 2028, the population of West Lothian is projected to increase from 182,140 to 192,812. This is an increase of 5.9%, which compares to a projected increase of 1.8% for Scotland as a whole.

West Lothian had the 9th highest population in 2020, out of all 32 council areas in Scotland. Between 1998 and 2020, the population of West Lothian has increased by 20.0%. This is the 2nd highest percentage change out of the 32 council areas in Scotland. Over the same period, Scotland's population rose by 7.7%.

Between 2018 and 2028, the 0 to 15 age group is projected to see the largest percentage decrease (-5.4%) and the 75 and over age group is projected to see the largest percentage increase (+39.4%). In terms of size, however, 45 to 64 is projected to remain the largest age group.

#### Inequalities

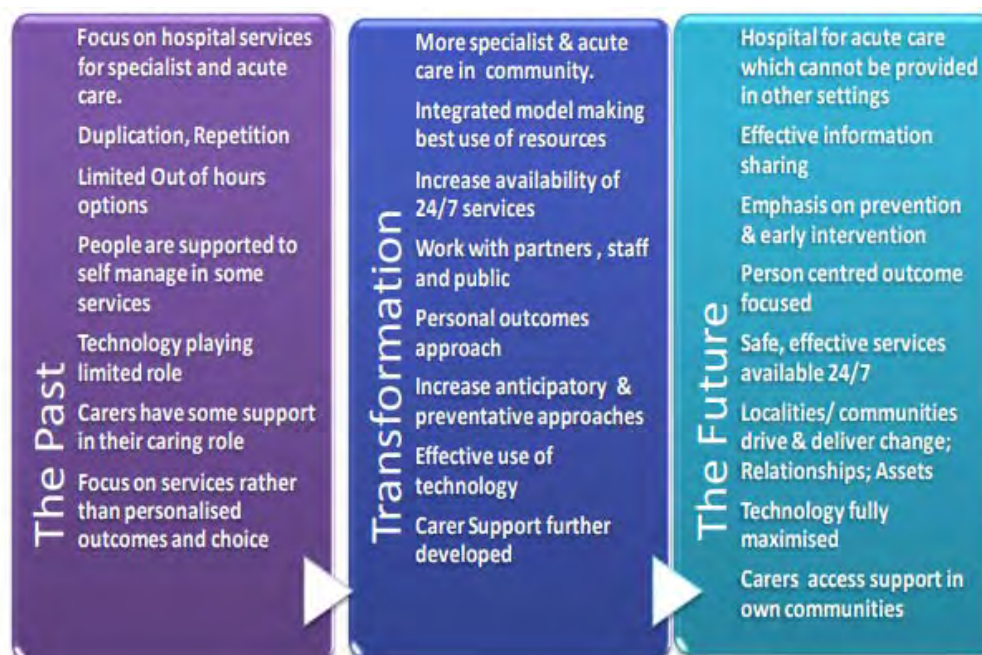
There is increasing evidence that the impact of Covid-19 is likely to widen existing inequalities and may have a disproportionate impact on groups of people already facing challenge and disadvantage. It is as yet unclear what the lasting impact of Coronavirus will be but there will undoubtedly be poorer health and economic outcomes for some. It is recognised that we will need to collaborate closely with stakeholders across health and social care, community planning and the third sector to build new ways of working to support people.

- Latest estimates (2020/21) show that 21.1% of children in West Lothian experience poverty. This is a reduction from 24.6% in 2019/20. This is likely due to the implementation of Scottish policies such as the Scottish Child Payment as rates appears to be lower across all 32 Scottish local authorities.
- SIMD 2020 shows that West Lothian has 35 data zones in the 20% most deprived areas.
- 19% of West Lothian residents experience fuel poverty and 9% experience extreme fuel poverty
- 14.5% earn below living wage (2021 – latest estimates)

Social Policy is committed to contributing to the delivery of the West Lothian Anti-Poverty Strategy 2018-23 and the Child Poverty Action Plan.

## Strategic Commissioning

Strategic commissioning is the term used for all the activities involved in assessing and forecasting needs, linking investment to agreed outcomes, considering options, planning the nature, range and quality of future services and working in partnership to put these in place. This includes challenging historical spending patterns in light of what we know about our population needs and in particular managing the major trends of a growing, ageing population with increasing comorbidity.



A strategic approach has been taken to commissioning and there is commitment to working with partners to:

- Empower people to live independently through applying the principles of personalisation in the way in which we commission services.
- Undertake appropriate consultation and involvement with service users and their carers to achieve their agreed outcomes when commissioning services.
- Engage positively with providers of health and social care services in the public, voluntary and private sector.
- Adhere to relevant procurement legislation and guidance and ensure that services are commissioned in a way that is fair, transparent and open;
- Ensure that quality, equality and best value principles are embedded through our commissioning processes.

Commissioning is an ongoing and evolving process and our approach is based on an annual Analyse, Plan, Do and Review cycle

## Strategic Commissioning Plans

The Public Bodies (Joint Working) (Scotland) Act 2014 placed a duty on Integration Authorities to develop a 'strategic plan' for integrated functions and budgets under their control. In compliance with this requirement, strategic commissioning plans have been developed for all adult care groups. These strategic commissioning plans incorporate the important role of informal, community capacity building and asset-based approaches, to deliver more effective

preventative and anticipatory interventions, in order to optimise wellbeing and the potential to reduce unnecessary demand at the ‘front door’ of the formal health and social care system.

The IJB’s strategic plan and strategic commissioning plans will help inform decisions around prioritisation of resources, new models of service delivery and disinvestment decisions, all of which will be necessary in the medium-term financial planning process associated with health and social care services. The implications arising from Covid-19 on delivery of care services are being taken account of in the ongoing review of strategic commissioning plans.

With regard to future years, health and social care services will be faced with significant challenges to meet demands and operate within tight fiscal constraints for the foreseeable future. The implications associated with Covid-19 will further increase the financial challenges and may impact on current plans to meet demands. In line with the Board’s agreed approach to IJB financial planning, budget plans have been and continue to be developed across IJB health and social care functions with the objective that overall health and social care considerations are taken into account in joint IJB / Partner financial planning.

In 2022/23 strategic commissioning plans will be developed for services for children and families and also for Community Justice services.

## **4. Workforce**

### **4.1 Workforce Planning and development**

As a result of the Covid-19 pandemic, the workforce planning context for health and social care services has changed radically.

In recognition of these unprecedented circumstances, Scottish Government has asked for all Health and Social Care Partnerships to provide workforce plans outlining within a local context how they intend to meet the challenges of this change. All HSCPs are asked to provide integrated workforce plans for the period 2022-25. A working group has been established across the Health and Social Care Partnership to take this work forward.

The initial development of the plan was formed through a series of engagement events with staff groups and a short online survey to gauge views on what skills the workforce will require as we progress, what career paths and development staff would like to see and what would good look like for them and the development of their service. Virtual meetings based on these questions were held with senior and group managers and an e-survey circulated amongst staff. The plan has been developed following this feedback with 4 emerging themes of: Effective Management; The right structure for teams; A nurtured and empowered workforce; A workforce that can deliver excellence.

Health and Social Care services have been under increasing recruitment pressures that have been exacerbated by the Covid-19 pandemic. Recruitment in this area is challenging and is an area of national concern. Efforts have focussed on identifying potential routes into social care and where there might be success in recruiting new people. These include those returning to the workforce, those seeking a career change, those impacted by the pandemic and in attracting younger people to the profession.

A new Business Support Officer post has been recruited to support Careers in Care. This post will support the recruitment of unqualified staff to Care Homes and Care at Home Service and

the undertaking of SVQ2 Social Care and Health qualification achievement to support SSSC registration requirements for these staff. The post incorporates a mentoring scheme to support staff in their new role and support the retention of staff.

### **Lothian Care Academy Mentoring Programme**

The mentoring programme is linked to the development of Lothian Care Academy whose main objectives are;

1. To agree the soft skills required to take on a role in care and identify the means where staff are able to develop these skills.
2. To understand pastoral workplace support, required for health and social care workers.
3. To identify the initial barriers for a career in care and how to alleviate these barriers.

The workstream taking forward this work has progressed over the past year with the aim of launching a mentoring programme and this began in May 2022. The Mentoring Programme has 2 pilots running, one within Social Policy Business Support Customer and Community team and one within a Care Home in Edinburgh. The Edinburgh pilot is trialling an 'in house' support with experienced carers supporting new care staff. West Lothian Council are providing external mentoring support for both Care Homes and Support at Home.

Mentoring roles have now been established in both pilots with the Edinburgh Care Home identifying 5 mentors, with 1 mentor currently matched with 1 mentee. West Lothian have 1 mentor matched to 12 mentees', this has been developing over a longer period from February 2022. The evaluation of the mentorship programme will take place in August 2022, with the aim; 'By 30 August 2022 the Lothian Care Academy will develop a mentorship programme to increase the recruitment, retention and support for 75% of participating staff to increase the retention rate by 5%'.

In the longer term, the post will seek to expand opportunities for careers in care with the young workforce and those looking for new career direction and the continuing development of the Lothian Care Academy.

There have been several recruitment campaigns across social media, on council website, on advertising boards in shopping centres and banners developed for use in and around Council and NHS premises. The autumn 2021 social media campaign reached over 100,000 people and was shared over 4,000 times. The campaign resulted in 66 enquiries, 34 applications and 23 appointments. Further campaigns have resulted in the recruitment of 8 additional care workers.

An internal recruitment campaign for staff working across the council resulted in 65 inquiries and 20 applications to assist with providing cover for sickness absence and annual leave. This campaign has recruited 15 people to support these services. Work is now underway to incorporate these staff into the existing Locum Bureau.

There are established links with Access2Employment, in particular for young people who would be supported through the Jobs Fund process. This fund is aimed at young people aged 16-25 years to support them into work. Young people are paid an allowance and are supported to achieve qualifications leading to permanent employment. Four opportunities have been created in Care Homes and 5 in Care at Home. As a consequence, opportunities were explored to support adults within the long-term unemployment programme to provide adults aged 25 years+ with a 6-month placement of between 16 and 30hrs per week paid at

Living Wage rate. Two placements are now established within the Home Safety Service supporting enhancement and roll out of TEC supports.

A programme of HNC/HND placements for students from West Lothian College has been developed. All four of the directly provided Care Homes are taking part in this with 7 students on placement within the care homes 2 days per week for the next 6 months. It is hoped that on completion of their studies, students will have enjoyed their experience of working in our care homes and will be better placed to seek full time employment.

A partnership programme was established with West Lothian College to develop opportunities through the Skills Boost programme. Two courses have been developed. An introduction to technology that linked with a pilot project to issue tablets/iPads to care workers and the drive towards more digital processes within the service. Staff used their allocated tablets and participated in various sessions including introduction to ICT, staying safe online, the use of MS Teams and connecting with people, Wellbeing and taking care of yourself whilst working in social care, PVG applications, SSSC and use of MyHR.

The 2nd course is a two-week social care (Skill Boost Programme) induction course for new staff which will form part of their induction. The first session took place in May 2022 for 20 members of staff from Support at Home, Care Homes and Housing with Care. The second session will take place in October 2023 and this will form part of our into work recruitment programme for care homes and care at home.

There is a planned programme of work to support the recruitment of new social workers with a dedicated post to support this at the heart of it. In 2021 a concentrated effort was made to increase the number of social work student placements available. A review of current Practice Educators (PE) was carried out and opportunities for experienced social workers to become link workers as part of the SSSC regulations on the resumption of social work student placements. This gave staff the experience of supervising students and resulted in an increase in applications for the Post-graduate course in Practice Education. As a result of this, 13 student placements were offered in 2021 and 5 candidates undertook the PE course. A new Practice Learning (PL) course has been introduced at Edinburgh Napier University and 3 candidates started this course in January 2022.

It is envisioned that the current cycle of student placements will continue and the number of placements increased over the next 2 years to 24 placements per year.

Initial discussions have taken place with the Open University to establish a pathway for existing staff to progress and study for a degree in Social work. Staff do undertake this degree route at present, although difficulties can arise with the requirements of a longer placement as studies progress with one candidate currently accommodated on a 6-month placement. It is hoped to establish reciprocal arrangements across Social Policy service areas to allow staff to work in another service area other than their own to complete the placement requirement.

As well as these routes into Social work, it would be our intention to re-introduce a process to recruit and support 2 candidates per year to study for a degree in Social work.

## 5. Conclusion

2021/22 has been another challenging year for social work and social care services in West Lothian. The service has continued to manage the changing impact of the Pandemic, manage the demands resulting from this, return to more usual ways of working, continue to focus on

service developments, make improvements to practice and address pandemic related performance dips. This has taken place against a backdrop of a challenging budget position, managing significant areas of demand related pressure, staff recruitment challenges whilst also managing the requirement to meet statutory obligations.

There are many examples of good practice developed or implemented over the last year and these are referenced in this year's report. The impact of some of this work may not yet be fully realised but services are moving forward with a clear strength based strategic direction focused on delivering care and support informed by GIRFEC, The Promise, Coming Home, Home First and Community Justice focus. There is a strong connected theme running through the work social work and social care is engaged in whatever the age range of people being supported or the focus of work. Much of this work will be a continuing priority moving forward as will developing the workforce.

Services delivering protection for West Lothian citizens are of the highest priority and there is ongoing self-evaluation and improvement work in all those areas. A strong focus will remain on strengthening the learning culture across all areas to enable learning opportunities to be fully identified and ensure improvement is embedded and sustained. Addressing the findings of the joint inspection of Adult Support and Protection in West Lothian are of the utmost priority to the Adult Support and Protection Partnership and the CSWO.

The CSWO and relevant managers keep abreast with the progress of the Scottish Child abuse Inquiry and have taken opportunity to reflect on foster care and kinship practice.

The responsiveness and flexibility of teams and leaders continues to be significant and bodes well for the future. This is exemplified by responses to new events such as supporting those from the Ukraine into our communities and also in the persistence and resilience of all those working to identify options to address very enduring and complex issues of workforce availability or complex social work practice improvements.

We will continue in our work to improve and enhance the participation and engagement of service users and carers in decisions affecting their own lives and in informing service planning.

Looking ahead, the role of the Chief Social Work Officer will be significant in ensuring that there is stability across the profession and a continued focus on critical priorities whilst the direction of the future in terms of the National Care Service is decided upon and implemented. It will be important to mitigate against risks presented by uncertainty as the detail of the most significant changes to the professions of social work and social care is awaited.

Finally, I would like to acknowledge and thank all for the excellent work undertaken by social work and social care teams in West Lothian over this last year. The flexibility, dedication, compassion and professionalism they have all shown has been truly outstanding.

WEST LoTHIAN COUNCIL

22 NOVEMBER 2022

QUESTION TO THE EXECUTIVE COUNCILLOR

### **COUNCIL SOLICITORS**

Recently, the shortage of solicitors at the Council has caused issues.

Recent examples include:

- a business in Armadale being unable to complete a sub-lease of a council-owned commercial property due to the unavailability of a solicitor to complete the process
- a road safety improvement near a school in Armadale unable to be progressed due to a lack of legal staff to conclude the process
- a regulatory committee supported by a partner in an Edinburgh legal firm due the lack of Council legal staff.

What are the causes and what steps is the Council taking to remedy matters?



**Councillor Stuart Borrowman**  
Independent  
Armadale and Blackridge Ward

Received on 1 Nov 2022 at 16:15





## **WEST LOTHIAN COUNCIL LABOUR GROUP**

### **Response to the Question from Councillor Stuart Borrowman for the Council meeting on 22<sup>nd</sup> November 2022**

#### **Council Solicitors**

I would like to thank Councillor Borrowman for his question.

Q	<p>Recently, the shortage of solicitors at the Council has caused issues.</p> <p>Recent examples include:</p> <ul style="list-style-type: none"> <li>• a business in Armadale being unable to complete a sub-lease of a council-owned commercial property due to the unavailability of a solicitor to complete the process</li> <li>• a road safety improvement notice near a school in Armadale unable to be progressed due to a lack of legal staff to conclude the process</li> <li>• a regulatory committee supported by a partner in an Edinburgh legal firm due the lack of Council legal staff</li> </ul> <p>What are the causes and what steps is the Council taking to remedy matters?</p>
A	<p>Recruitment and retention of solicitors has always been challenging. In buoyant market conditions such as now, the private sector is able to offer enhanced salaries and career progression to attract practitioners.</p> <p>The market is particularly buoyant for property and planning practitioners, the private sector has seen a surge in the necessity to recruit, and their ability to offer enhanced salaries to attract talent has resulted in a significant migration of practitioners from the public to the private sector. The retention of working practices and arrangements established during the pandemic in the private sector has further impacted this.</p> <p>Vacancies within Legal Service, along with all other local authority legal services, have been impacted by these shifting market conditions.</p> <p>The Council is aware of the particular challenges around recruitment and retention of solicitors. To address the position, a review of the service structure has been undertaken. This has resulted in the introduction of additional Senior Solicitor posts with a view to attracting talent seeking career progression, increased responsibility and challenge.</p> <p>A review of Managing Solicitor and Senior Solicitor gradings has also been undertaken and re-evaluation of those posts has been completed. This allows recruitment at more competitive salary levels.</p>

	<p>Pending successful recruitment, arrangements have been secured to allow business to be delivered via externally procured firms where required. Recruitment agencies have been consulted and will, where necessary, support recruitment processes. Payment of a market supplement is also being considered for Solicitor grade posts which will ensure that they are as competitive as they can be pending market conditions settling.</p> <p>Legal Services will continue to manage and deliver business, supporting the Council to achieve its strategic objectives, with an approach to service delivery, incorporating the use of external resources, pending changes in market conditions and successful recruitment.</p>
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**Councillor Lawrence Fitzpatrick**  
**Leader**

WEST LoTHIAN COUNCIL

22 NOVEMBER 2022

QUESTION TO THE EXECUTIVE COUNCILLOR

## REPAIRING COUNCIL HOUSE WINDOWS

What is the average time for the repair/replacement of broken windows in council houses, from to report to completion?



**Councillor Stuart Borrowman**  
Independent  
Armada and Blackridge Ward

Received on 1 Nov 2022 at 16:15





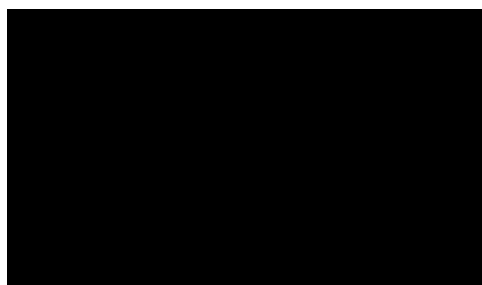
***WEST LOTHIAN COUNCIL LABOUR GROUP***

**Response to the Question from Councillor Stuart Borrowman  
for the Council meeting on 22<sup>nd</sup> November 2022**

**Repairing Council House Windows**

I would like to thank Councillor Borrowman for his question.

Q	What is the average time for the repair/replacement of broken windows in council houses, from report to completion?
A	<p>The council has replaced 177 damaged windows since the 1 April 2022.</p> <p>The average time for replacing damaged was 32 days, with 106 windows (60% of all damaged windows) being replaced within this average time.</p> <p>This timescale includes the period where the service is required to request access from our tenants to measure the damaged window, for the supplier to manufacture the replacement double glazed units, and for access to the property to be granted to carry out the actual replacement. In some cases, there are multiple occasions when access is not authorised to properties and these have increased the average timescale.</p>



**Councillor George Paul  
Executive Councillor  
Housing Services**





## **WEST LoTHIAN CONSERVATIVE AND UNIONIST COUNCIL GROUP**

West Lothian Council

22<sup>nd</sup> November 2022

Question – Condition of Housing

Question to George Paul – Executive Cllr for Housing Services Policy Development and Scrutiny Panel

I am aware there are a number of houses in my Ward that are suffering from green mould/black mould and dampness. How many houses in West Lothian are in such a condition?

Received on 7 Nov 2022 at 9:16am

[REDACTED]  
Councillor Angel Doran-Timson  
Broxburn, Uphall and Winchburgh Ward



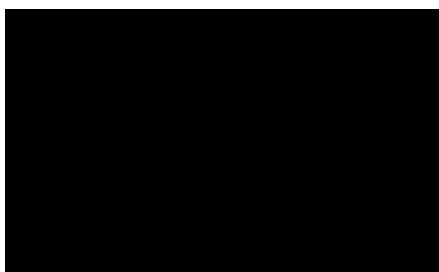
<b>WEST LOTHIAN COUNCIL LABOUR GROUP</b>
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**Response to the Question from Councillor Angela Doran-Timson  
for the Council meeting on 22<sup>nd</sup> November 2022**

**Condition of Housing**

I would like to thank Councillor Angela Doran-Timson for her question.

Q	I am aware there are a number of houses in my Ward that are suffering from green mould/black mould and dampness. How many houses in West Lothian are in such a condition?
A	<p>In many cases where tenants complain of dampness, investigations reveal that the problem is really one of condensation and with proper ventilation in the tenancy, the matter can usually be successfully resolved. Officers do remind tenants about the need for adequate heating, ventilation and the importance of having air movement within the property.</p> <p>There are currently 30 houses scheduled for inspection as a result of complaints of damp/mould. Officers liaise with tenants to provide advice and where there is requirement to undertake works these will be scheduled, in agreement with the tenant.</p>



**Councillor George Paul**  
Executive Councillor  
Housing Services





## **WEST LOTHIAN CONSERVATIVE AND UNIONIST COUNCIL GROUP**

West Lothian Council

22<sup>nd</sup> November 2022

Question to the Executive Councillor for Housing Services

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Why was the recent report "Deans South Regeneration Update" not presented for scrutiny at Housing Services PDSP on 20 October prior to presentation at Council Executive on 25 October?



**Councillor Alison Adamson - Livingston North**  
**West Lothian Council Conservative Group**

Received on 7 Nov 2022 at 11:34am





## **WEST LOTHIAN COUNCIL LABOUR GROUP**

### **Response to the Question from Councillor Alison Adamson for the Council meeting on 22<sup>nd</sup> November 2022**

#### **Deans South Regeneration Update**

I would like to thank Councillor Alison Adamson for her question.

Q	Why was the recent report "Deans South Regeneration Update" not presented for scrutiny at Housing Services PDSP on 20 October prior to presentation at Council Executive on 25 October?
A	<p>The regeneration project at Deans South has been ongoing for numerous years and has been discussed and approved at Council Executive many times as the project has evolved from a council led project to the current project led by Springfield. More recently when a Deans South regeneration update was reported to Council Executive as that was what was agreed by Council Executive on 17 November 2020.</p> <p>Council Executive on 17 November 2020 also noted that 'further updates will be provided as the proposals outlined in the report are progressed' and in Section D.4 of the report it was noted that 'A future report would be brought forward to committee for consideration of any requirement for a Compulsory Purchase Offer, and determination as to whether formal approval of the promotion of a Compulsory Purchase Order should be given, prior to any properties that remain in private ownership being compulsory purchased by the council.</p> <p>Furthermore, the project at Deans South no longer involves any West Lothian Council owned housing land or properties nor will the new development include any West Lothian Council owned houses. As a consequence, it was not appropriate for the issue to be brought before the Housing PDSP.</p> <p>Housing, Customer and Building Services have included updates on the project alongside the Council's own developments in the Deans South as part of affordable housing programme updates to the Livingston North LAC and will continue to do this while it remains a live project.</p>

**Councillor Lawrence Fitzpatrick**  
**Chair**  
**Corporate Policy & Resources**