

Minute

Education, Leisure and Housing Committee

Wednesday, 3 April 2019, 10:30.

Council Chamber, Council Offices, School Place, Kirkwall.



Present

Councillors Robin W Crichton, Stephen G Clackson, Alexander G Cowie, Barbara Foulkes, Steven B Heddle, J Harvey Johnston, W Leslie Manson, John T Richards, Stephen Sankey, James W Stockan and Owen Tierney.

Jo Hill.

Clerk

- Sandra Craigie, Committees Officer.

In Attendance

- Wilfred Weir, Executive Director of Education, Leisure and Housing.
- Peter Diamond, Head of Education (Leisure, Culture and Inclusion) (for Items 1 to 7).
- Scott Hunter, Head of Children and Families and Criminal Justice and Chief Social Work Officer (for Items 1 to 3).
- Frances Troup, Head of Housing, Homelessness and Schoolcare Accommodation Services.
- James Wylie, Head of Education (Curriculum and Community Learning).
- Paul Kemp, Strategic Finance Manager.
- Kerry Spence, Community Learning and Development Manager (for Items 1 to 4).
- Peter Trodden, Solicitor.
- Luke Fraser, Team Leader (Policy and Planning).
- Graham Bevan, Service Improvement Officer (for Items 1 to 5).

Observing

- Edward Abbot-Halpin, Principal, Orkney College (for Items 1 to 6).
- Don Hawkins, Head Teacher, Kirkwall Grammar School (for Items 1 to 5).
- Jane Partridge, Head Teacher, Stromness Academy (for Items 1 to 5).
- Christine Scott, Business Manager, Orkney College (for Items 1 to 6).
- Craig Walker, Senior HR Adviser (for Items 1 and 2).
- Andrew Hamilton, Performance and Best Value Officer (for Items 1 and 2).
- Morag Miller, Service Improvement Officer (for Items 1 to 5).
- Carol McManus, Service Improvement Officer (for Items 1 to 5).
- Lesley Mulraine, Team Leader (Housing and Homelessness).

Apologies

- Councillor John A R Scott.
- Hugh Halco-Johnston.
- Mary Maley.

Declarations of Interest

- No declarations of interest were intimated.

Chair

- Councillor Robin W Crichton in the Chair.

1. Disclosure of Exempt Information

The Committee noted the proposal that the public be excluded from the meeting for consideration of Item 13, as the business to be discussed involved the potential disclosure of exempt information of the class described in the relevant paragraph of Part 1 of Schedule 7A of the Local Government (Scotland) Act 1973 as amended.

2. Local Government Benchmarking Framework

After consideration of a report by the Executive Director of Education, Leisure and Housing, copies of which had been circulated, the Committee:

Noted the performance of the Education, Leisure and Housing Service against the Local Government Benchmarking Framework Indicators for 2017 to 2018, attached as Appendix 1 to the report by the Executive Director of Education, Leisure and Housing.

3. Child Poverty in Orkney

After consideration of a joint report by the Executive Director of Education, Leisure and Housing and the Chief Officer/Executive Director, Orkney Health and Care, copies of which had been circulated, and after hearing a report from the Head of Children and Families and Criminal Justice and Chief Social Work Officer, the Committee:

Noted:

3.1. The research into child poverty in Orkney and its pernicious effect on children, young people and families as well as the broader fabric of the community, as detailed in Appendix 1 to the joint report by the Executive Director of Education, Leisure and Housing and the Chief Officer/Executive Director, Orkney Health and Care.

3.2. The new statutory reporting requirements for local government to address child poverty, as set out in the Child Poverty (Scotland) Act 2017.

3.3. That a Local Child Poverty Working Group would be established to take forward the recommendations from the 2018 research into child poverty, commissioned by Orkney Children and Young People's Partnership, as detailed in the executive summary attached as Appendix 1 to the joint report by the Executive Director of Education, Leisure and Housing and the Chief Officer/Executive Director, Orkney Health and Care.

4. Education Scotland

Continuing Engagement of Community Learning and Development in Orkney

After consideration of a report by the Executive Director of Education, Leisure and Housing, copies of which had been circulated, and after hearing a report from the Head of Education (Curriculum and Community Learning), the Committee:

Noted:

4.1. That, following an inspection of Community Learning and Development in Orkney during November 2017, Education Scotland returned in October 2018 for a continued engagement visit.

4.2. That Education Scotland's continuing engagement visit focused on the following two areas of improvement, as identified in the Community Learning and Development Inspection report published in January 2018:

- Improving governance of Community Learning and Development in line with legislation.
- Further developing joint self-evaluation and monitoring to include shared ownership of actions.

4.3. That very good progress had been made in the areas identified for improvement and, as a result, HM Inspectors would make no further evaluative visits.

4.4. The Continuing Engagement Inspection Report by Education Scotland, attached as Appendix 1 to the report by the Executive Director of Education, Leisure and Housing.

5. Orkney Schools Attainment 2017 to 2018

After consideration of a report by the Executive Director of Education, Leisure and Housing, copies of which had been circulated, and after hearing a report from the Head of Education (Curriculum and Community Learning), the Committee:

Noted the Orkney Schools Attainment Report for academic session 2017 to 2018, attached as Appendix 1 to the report by the Executive Director of Education, Leisure and Housing, which outlined the level of success and achievement of Orkney's young people.

Councillor Alexander G Cowie joined the meeting during discussion of this item.

6. College Management Sub-committee

After consideration of the draft Minute of the Meeting of the College Management Council Sub-committee held on 18 March 2019, copies of which had been circulated, the Committee:

Resolved, on the motion of Councillor Robin W Crichton, seconded by Councillor Alexander G Cowie, to approve the Minute of the Meeting of the College Management Council Sub-committee held on 18 March 2019, attached as Appendix 1 to this Minute, as a true record.

7. School Roll Forecasts

After consideration of a report by the Executive Director of Education, Leisure and Housing, copies of which had been circulated, and after hearing a report from the Team Leader (Policy and Planning), the Committee:

Noted the School Roll Forecasts, attached as Appendix 1 to the report by the Executive Director of Education, Leisure and Housing, which were based on information the Council had available in respect of the following matters:

- Current school rolls.
- Demographic forecasts and estimates.
- Birth data.
- Migration data.
- School transfer requests.
- Housing development forecasts.

Jo Hill left the meeting at this point.

8. Sheltered Housing – Housing Support Service

Care Inspectorate Inspection

After consideration of a report by the Executive Director of Education, Leisure and Housing, copies of which had been circulated, and after hearing a report from the Head of Housing, Homelessness and Schoolcare Accommodation Services, the Committee:

Noted:

8.1. That the Sheltered Housing Service was inspected by the Care Inspectorate during December 2018.

8.2. That the Care Inspectorate's inspection focussed on the following three areas:

- Quality of care and support.
- Quality of staffing.
- Quality of management and leadership.

8.3. That, of the three areas inspected, two received a level 3 or "adequate" grading and one received a level 4 or "good".

8.4. That the inspection report, attached as Appendix 1 to the report by the Executive Director of Education, Leisure and Housing, contained four recommendations and no requirements and consequently the Council was required to submit an Action Plan for improvement.

8.5. The Action Plan, attached as Appendix 2 to the report by the Executive Director of Education, Leisure and Housing, which had been submitted to the Care Inspectorate.

9. Annual Assurance Statement

After consideration of a report by the Executive Director of Education, Leisure and Housing, copies of which had been circulated, and after hearing a report from the Head of Housing, Homelessness and Schoolcare Accommodation Services, the Committee:

Noted:

9.1. That the Scottish Housing Regulator had published a new Regulatory Framework and associated guidance relating to housing services' performance.

9.2. The requirement for the Council to produce an Annual Assurance Statement covering housing services' performance and submit it to the Scottish Housing Regulator between April and October.

9.3. That, accordingly, guidance on the Annual Assurance Statement had been produced.

9.4. That the Annual Assurance Statement required to be completed and agreed by the relevant local authority committee prior to submission to the Scottish Housing Regulator.

9.5. That the Housing Service currently undertook a broad range of performance related tasks and was subject to various inspections, as detailed in section 5 of the report by the Executive Director of Education, Leisure and Housing.

9.6. That, in order to produce an Annual Assurance Statement that met the requirements outlined in the Scottish Housing Regulator's guidance, the Housing Service's existing performance processes required to be refined and enhanced.

9.7. That, accordingly, in order to meet the Scottish Housing Regulator's requirements in respect of publication of an Annual Assurance Statement, the Executive Director of Education, Leisure and Housing would submit annually, to the June cycle of meetings, a report on the Housing Service's performance.

10. Homelessness – Local Connection and Intentionality Provisions

After consideration of a report by the Executive Director of Education, Leisure and Housing, copies of which had been circulated, and after hearing a report from the Head of Housing, Homelessness and Schoolcare Accommodation Services, the Committee:

Noted:

10.1. That the Scottish Government's Homelessness and Rough Sleepers Action Group made a range of recommendations intended to eradicate rough sleeping, transform the use of temporary accommodation in Scotland and end homelessness.

10.2. That the recommendations included implementation of amendments to the intentionality and local connection criteria within the Homelessness etc (Scotland) Act 2003.

10.3. That the Scottish Government was undertaking a consultation in respect of implementation of the amendments to intentionality and local connection criteria, for which responses required to be submitted by 25 April 2019.

10.4. The Council's draft response to the consultation on local connection and intentionality provisions in homelessness legislation, attached as Appendix 1 to the report by the Executive Director of Education, Leisure and Housing.

The Committee resolved to **recommend to the Council:**

10.5. That powers be delegated to the Executive Director of Education, Leisure and Housing, in consultation with the Chair and Vice Chair of the Committee, to amend the draft response to the consultation on local connection and intentionality provisions in homelessness legislation.

The Committee noted:

10.6. That, due to the time constraints involved, the Chief Executive would be requested to exercise emergency powers to authorise submission of the response, referred to at paragraph 10.5 above, prior to approval by Council.

Councillor Stephen Sankey left the meeting at this point.

11. Rapid Rehousing Transition Plan

After consideration of a report by the Executive Director of Education, Leisure and Housing, together with an Equality Impact Assessment, copies of which had been circulated, and after hearing a report from the Head of Housing, Homelessness and Schoolcare Accommodation Services, with reference to the Minute of the Meeting of the Education, Leisure and Housing Committee held on 12 September 2018, paragraph 12, the Committee:

Noted:

11.1. That the Council was required to produce a Rapid Rehousing Transition Plan for Orkney, to cover a 5-year term.

11.2. That the draft Rapid Rehousing Transition Plan was required to be completed within a short timescale with a draft submitted to the Scottish Government by 31 December 2018.

11.3. That the Scottish Government provided feedback on the first draft of the Rapid Rehousing Transition Plan in late February 2019.

11.4. That a consultation had been undertaken with a range of partner agencies and that consultation would continue during the early stages of implementation of the Rapid Rehousing Transition Plan.

11.5. That the Rapid Rehousing Transition Plan should be implemented by 1 April 2019 and be fully costed.

11.6. That the Scottish Government required Rapid Rehousing Transition Plans to aim to end rough sleeping, transform the use of temporary accommodation and end homelessness in Scotland in a 5-year period.

11.7. That the Rapid Rehousing Transition Plan required to be aligned with various strategic documents, including the Local Housing Strategy, the Homelessness Strategy, the Strategic Housing Investment Plan and the Housing Contribution Statement.

11.8. That the Housing and Homelessness Service had strong foundations on which to build, as outlined in section 6.4 of the report by the Executive Director of Education, Leisure and Housing.

11.9. Issues with the level of resource provision particularly as regards the supply of accommodation.

11.10. That the draft Rapid Rehousing Transition Plan, together with the Action Plan, attached as Appendices 1 and 2 respectively to the report by the Executive Director of Education, Leisure and Housing, was submitted to the Scottish Government by the deadline of 1 April 2019.

11.11. That the Scottish Government had been advised of timelines for consideration of the Rapid Rehousing Transition Plan, by both the Integration Joint Board and the Education, Leisure and Housing Committee, with ratification by Council on 2 May 2019, and that the documents submitted by the deadline may be subject to amendment and, on that basis, had agreed to a short extension.

The Committee resolved to **recommend to the Council:**

11.12. That the Rapid Rehousing Transition Plan, together with the Action Plan, attached as Appendix 2 to this Minute, be approved.

12. Home Energy Efficiency Programme for Scotland

Area Based Schemes

After consideration of a report by the Executive Director of Education, Leisure and Housing, copies of which had been circulated, and after hearing a report from the Team Leader (Policy and Planning), the Committee:

Noted:

12.1. That the Home Energy Efficiency Programme for Scotland: Area Based Schemes was a Scottish Government scheme designed to improve the energy efficiency of private sector housing stock.

12.2. That the Council's contract with Firefly Energi (Orkney) Limited to deliver the programme had been extended by one year and was now due to expire on 31 March 2020.

12.3. Progress with the 2018 to 2019 programme, as detailed in section 4 of the report by the Executive Director of Education, Leisure and Housing.

12.4. That, during financial year 2018 to 2019 to date, over £1,100,000 in Home Energy Efficiency Programme for Scotland: Area Based Schemes funding had been allocated, totalling over 194 installations, which provided the Council with sufficient overallocation to cover any cancellations and provide a good initial batch of casework for the 2019 to 2020 project year.

12.5. That the Council's bid to the Warm Homes Fund was successful, receiving funding of £1,500,000 towards the installation of 200 new central heating systems for the period November 2017 to May 2019.

12.6. That the Warm Homes Fund was being run alongside the Home Energy Efficiency Programme for Scotland: Area Based Schemes programme in order to maximise the benefit of both schemes.

12.7. That the Council was also making use of Energy Company Obligation (ECO) Flexible Eligibility funding via the Home Energy Efficiency Programme for Scotland: Area Based Schemes programme to ensure the benefits of the Home Energy Efficiency Programme for Scotland: Area Based Schemes funding and, by 28 February 2019, 159 cases had been processed.

12.8. That, combining the Warm Homes Fund funding, referred to at paragraph 12.5 above, together with the Energy Company Obligation and Warm Zones funding that was also available, over £2,500,000 in funding may be available in respect of fuel poverty and energy efficiency works through the Council's Home Energy Efficiency Programme for Scotland: Area Based Schemes programme in 2019 to 2020.

12.9. That the Scottish Government had not yet announced the level of grant award for 2019 to 2020 and, as a result, there had been no confirmation on the level of funding reserved for Orkney, although expectations were that the figure would be in line with previous years of approximately £1,300,000.

12.10. That, from previous experience of the Home Energy Efficiency Programme for Scotland: Area Based Schemes programme, it was anticipated that a bid for £1,000,000 in funding would deliver installations to around 150 properties, which would be an achievable scale of project, particularly if other funding, such as Warm Homes Fund and Energy Company Obligation funding, was obtained.

12.11. That discussions had been held with the Scottish Government regarding the potential for an additional pilot project which would allow the remaining £300,000 of the estimated £1,300,000 Home Energy Efficiency Programme for Scotland: Area Based Schemes to be spent on bringing between 5 and 10 very poor properties in the isles up to a high energy standard, utilising higher levels of funding than those available through the general Home Energy Efficiency Programme for Scotland: Area Based Schemes.

The Committee resolved to **recommend to the Council:**

12.12. That powers be delegated to the Executive Director of Education, Leisure and Housing, in consultation with the Chair and Vice Chair of the Education, Leisure and Housing Committee, to submit a bid for Home Energy Efficiency Programme for Scotland: Area Based Schemes funding for 2019 to 2020, together with any other fuel poverty or energy efficiency funding that may become available throughout 2019 to 2020.

13. Empty Homes Development Officer

On the motion of Councillor Robin W Crichton, seconded by Councillor W Leslie Manson, the Committee resolved that the public be excluded from the meeting for this item on the grounds that it involved the disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 7A of the Local Government (Scotland) Act 1973 as amended.

After consideration of a report by the Executive Director of Education, Leisure and Housing, copies of which had been circulated, the Committee:

Noted:

13.1. That Scottish Government figures indicated Orkney had the highest percentage of empty homes in Scotland.

13.2. That the Council appointed an Empty Homes Development Officer in June 2017 and, to date, 25 empty properties had been brought back into use in Orkney.

13.3. That the Council's Empty Homes Project had proved very successful, winning one award and being shortlisted for the Best Service award at the 2018 Empty Homes Awards.

13.4. That the initial two-year Empty Homes Project was due to end in June 2019 and would require extension if the targets of the Empty Homes Strategy were to be met.

13.5. That, in December 2018, Council approved a budget of £23,700 to be allocated towards implementation and development of the Council's Empty Homes Strategy, from additional revenue raised through reducing Council Tax discounts and additional surcharges on empty properties.

13.6. That the funding, referred to at paragraph 13.5 above, could be utilised to make the temporary 0.6 full time equivalent post of Empty Homes Development Officer (Grade 6) permanent to allow the objectives of the Empty Homes Strategy to be developed.

The Committee resolved to **recommend to Council:**

13.7. That the temporary post of Empty Homes Development Officer be established on a permanent basis, at its current level of 0.6 full time equivalent (Grade 6).

14. Conclusion of Meeting

At 12:45 the Chair declared the meeting concluded.

Signed: Rob Crichton.