

SCOTTISH BORDERS COUNCIL
29 SEPTEMBER 2022
APPENDIX I

OPEN QUESTIONS

Questions from Councillor Ramage

1. To Executive Member for Developing Our Children and Young People

Finance for foster carers. SBC foster carer allowance are made up of the following.

1. Additional food costs
2. Utilities bills, including phone.
3. Insurance
4. General wear and tear
5. Additional travel including mileage reimbursement
6. Child care and activities.

What additional funding is in place to provide adequate funding for the children SBC have the duty of care for?

Points 1 & 2(above) in daily life have increased by a minimum of 8%. What % increase has been made to ensure our LAC (Looked after children) are adequately cared for?

Response from Councillor C Hamilton

There has been no % increase in funding provided to carers in relation to food costs or utilities bills as a result of inflationary increases, however if a child requires additional funding to meet their need this is provided through discussion with the child's social worker on a case by case basis.

For the financial year 2022-23 an increase of 3% was provided to foster carers' fees and allowances, and this was agreed by Council during the budget setting process. Every foster carer receives a weekly fee plus weekly allowance.

The current fees are:

- Level 1* - £173.16 per week per child
- Level 2 - £230.93 per week per child

*Level 1 is paid to all new carers and for minimum of 3 years until all mandatory training is completed. The majority of Scottish Borders foster carers are Level 2.

The current allowances are:

- Age 0-10 years - £136.52 per week per child
- Age 11 plus - £204.74 per week per child

An allowance of £20.60 per month for telephone and broadband is also paid

Additional payments include:

- 1 week allowance payment for each child's birthday
- 1 week allowance payment for each child at Christmas
- 2 weeks allowance additional payment for each child at Summer
- Carers are provided full fee and allowance for each child if they are taking a short break - up to 30 days per year
- Additional payment is provided for equipment needed for the child e.g. car seats, beds, prams, etc.
- If a carer does not have a child in placement, a retainer fee of £114.29 per week is paid

A paper is due to be presented at Council on 29 September 2022 recommending an uplift to the foster carer mileage rate, to remunerate foster carers at the Approved Mileage Allowance Payment (AMAP) rate of 45p per mile for the first 10,000 miles and 25p thereafter.

The report also recommends a more systematic approach to reviewing allowances and fees paid to foster and kinship carers.

The National Review of Care Allowances reported in September 2018, and made a number of recommendations including that the Scottish Government and CoSLA consider a Scottish Recommended Allowance for children in kinship and foster care. Whilst work is underway regarding the introduction of the Scottish Recommended Allowance it is likely that this may take time to be agreed and implemented.

2. To the Executive Member for Education and Lifelong Learning

Can you tell me how the Nurture Policy was formulated and from what Authority it was based on?

Response from Councillor L. Douglas

The purpose of the Nurturing Approaches Guidelines ties in with both the Inclusion Framework and Inclusion Policy that were brought to and shared with the Executive Committee in January 2020.

The documents were formulated in response to feedback from school staff from the Inclusion Audit in November 2018. Nurturing approaches is an evidenced-based approach and is informed by data and research – it has been promoted as a key approach to supporting behaviour, wellbeing, attainment and achievement in Scottish Schools in a number of policy documents including “Included Engaged and Involved, Part 2” and “Better Relationships, Better Learning and Better Behaviour”.

Education Scotland fully endorse and promote nurturing approaches and have provided a toolkit and framework for all schools. A number of other Local Authorities have evidenced success in using nurturing approaches to reduce the poverty related attainment gap and reducing school exclusions – but should be noted that embedding these approaches takes years. We introduced our first training in November 2020. We visited Glasgow City Council and North Ayrshire to speak to their Educational Psychology Service who led on their journey.

Supplementary

Councillor Ramage asked what was wrong with the previous pastoral support model which met the needs of all children rather than a policy which only served troubled children. Councillor Douglas advised that the policy would take time to embed and training to upskill staff was ongoing. Bullying was a difficult topic and needed to be dealt with on a case by case basis. The aim was to avoid exclusion from school.

3. To the Executive Member for Social Work and Community Enhancement

For the response to the supplementary question of 30/1/20 the Council was advised that a risk of successful legal challenge, similar to McHattie vs South Ayrshire Council, was “unlikely” and on what actual, evidential assessment was this advice proffered?

What actions will the Council now undertake, with urgency, and in accordance with Lady Carmichael’s instructions, to redress the unlawful actions the Council has taken, not just with regard to Teviot Day Service but in respect of all Day Service closures across the Borders?

Response from Councillor Parker

When the McHattie judgment was issued, its terms were carefully considered. It was noted that the Court, in that case, had intimated that there had been no EIA prepared at all before the decision to close the relevant centre had been taken.

The relevant Officers advised, at that time, that an EIA had been prepared regarding Day Centres in the Scottish Borders and that it had been kept under regular review. The view

was expressed that it was considered to be a substantial document and that it would stand up to scrutiny.

Further information on the next steps is included in item 20a: 'Court judgement - day services paper'.

Supplementary

Councillor Ramage asked what action the Council would take and Councillor Parker advised this would be agreed when the report was considered later in the meeting.

Questions from Councillor Anderson

To the Executive Member for Roads Development and Maintenance

1. Does the relevant department (was neighbourhood services) have a time frame for giving staff the correct vehicle or adaption to a vehicle to empty bins and go about their sanitation duties in East Berwickshire? The staff are forced on busy days to do a one hour round trip to Duns to tip the transit van into the appropriate site. Having a transit with a cage on the back would enable the men to carry a heavier load and would save 31 working man hours in August alone. It would also save 806 miles or £362.70 in fuel costs in August. Can Council have a time frame for the desirable outcome of appropriate actions to be taken; specifically the correct vehicle or adaptation supplied to ground staff.

Response from Councillor Greenwell

The vehicle currently in use to service the street cleaning function in and around the Eyemouth area is a transit van without caged sides. This is a hired vehicle, it is not possible to hire vehicles with these adaptations currently, and as it is hired then we cannot modify it.

The service is currently trying to develop a more efficient approach to servicing of on street waste which may see modifications to existing routes and responsibilities within the I&E department. The conclusions of this exercise are not yet known. As such, it is not possible at this time to define a definitive timescale for the acquisition of a new vehicle. This vehicle along with a large number of other similar vehicles at or around the 3.5tonne Capacity are currently being procured as part of an ongoing fleet replacement programme which will see vehicles start to arrive over the summer of 2023 from June, given the lead-in times given for ordering and delivery. In the meantime, the service will continue to use spot-hire of vehicles to ensure cleansing operations can be conducted.

Officers will also continue to consider ways in which to make this operation more efficient, working with the front line staff to do so.

2. What is the total rental costs for Cooks van hire vehicles on an annual basis (not within Covid restricted years) to SBC?

Response from Councillor Greenwell

Year	Spend
2019/20	98,422
2020/21	185,429
2021/22	275,873
2022/23 (YTD)	136,812

Our fleet consists of circa 450 vehicles and 1000 items of plant. We use vehicle hires to support our fleet maintenance and replacement programme, and as one alternative to incurring the fixed cost of a permanent in-house vehicle as opposed to a temporary flexible hire. In hiring through Cooks and other local suppliers we also continue to support the Scottish Borders Economy.

We have an accelerated fleet replacement programme underway in 22-23 and as part of this programme we intend to significantly reduce our use of third party hires in future.

To the Executive Member for Community Engagement

3. With the coming of the new Scheme of Establishment for Community Councils, there will be a specific requirement for Community Councils to have web site information; specifically the need to publish the minute of meetings, agenda and annual accounts. Community Councils play a valuable role in our communities and in particular will be vital in delivering the Place Plans. However Community Councils do not always have the expertise needed to run web sites. As these are specific requirements being asked by SBC before and after the review of the Scheme of Establishment, can SBC provide a simple page for each Community Council to publish their minute and other needed documentation to ensure they have the tools to meet the requirements for Community Councils?

Response from Councillor Cochrane

The review of the Scheme of Establishment for Community Councils is currently underway, with any proposals for change due be submitted to Council and then go out for public consultation. There is no current requirement in the Scheme for Community Councils to have website information available and while public notice needs to be given of agendas, reports and minutes of meetings, but publication in an online format is not compulsory.

Many Community Councils have their own websites, or have a page within a local community website or social media site. It is not possible for SBC to provide a page for each Community Council to access on its website as external users cannot publish information on its website. Neither is it possible for Scottish Borders Council to publish documents on behalf of Community Councils as, with 69 Community Councils holding a minimum of 3 meetings per annum each, it would be too resource intensive.

It is suggested that this could be a service that could be provided through the Scottish Borders Community Council Network, who may be willing to set up a specific website, with either links to where Community Councils publish their documents, or a facility which would allow Community Councils to publish documents directly to such a site.

Supplementary

Councillor Anderson advised that SBCCN was already tasked with a number of duties and asked if a support package could be included as part of the Review. Councillor Cochrane undertook to discuss this with officers.

4. Berwickshire Area Partnership members are keen to delegate full decision making powers on the Community Grant Fund to its Assessment Panel for a trial period. Can the Executive Member advise on how and when this can be achieved?

Response from Councillor Cochrane

The remit of the Berwickshire Area Partnership includes decision making on the Neighbourhood Support Fund. The Assessment Panel is not a legally constituted body and this creates significant difficulties in achieving the proper governance which would be necessary. At the heart of this issue is a spend of public money and therefore it is vital that appropriate safeguards are in place around that spend.

Officers are working to see what can be done to delegate decision making authority directly to a group who are not mainly SBC Elected Members but that work is not yet complete as it is complex and we need to ensure that the Council is "following the public pound" and that no personal liability rests with individual members of such a group. It is hoped to have a report on this by the end of the year.

Supplementary

Councillor Anderson asked if officers could meet to discuss delegation and report back to Area Partnership Chairmen. Councillor Cochrane advised that this would be undertaken as part of the Review.

To the Executive Member for Estate Management and Planning

5. What was the spend on the designs for the new Eyemouth primary school from 2015 to 2019?

Response from Councillor Mountford

Summary of fees from September 2019 to February 2020 equating to a total sum of £504,347.65. These fees form part of the overall cost of construction and are inclusive of architectural and engineering design services, project and cost management services and project related surveys.

Fees are in line with those expected on a construction project of this size and complexity and officers regularly monitor fees to ensure that they are delivering best value for the Council.

Conceptual proposals for the project will be presented to elected members later this financial year.

6. Can the Executive Member advise when a report on the future operation of public toilets will be considered by Scottish Borders Council so that we have a final policy in place following the closures due to Covid?

Response from Councillor Mountford

The policy and financial implications with the future operation of public toilet provision across the Borders will be considered, along with other resource priorities, as part of the budget process in 2023/24 and as such, Council can expect to receive a report on this issue by February 2023 at the latest.