

MINUTES OF THE MEETING OF THE CABINET

TUESDAY 9 SEPTEMBER 2025
COUNCIL CHAMBER, TOWNHOUSE, HADDINGTON/ DIGITAL MEETING
FACILITY

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Cabinet Members Present:

Councillor S Akhtar
Councillor A Forrest
Councillor C McGinn

Councillor F Dugdale
Councillor N Hampshire (Convener)
Councillor J McMillan (r)

Other Councillors Present:

Councillor G McGuire (r)
Councillor S McIntosh (r)

Council Officials Present:

Ms H Barnett, Head of Corporate Support
Ms L Brown, Executive Director for Education and Children's Services
Ms L Byrne, Head of Children's Services
Ms M Cockburn, Transformation and Digital Portfolio Manager
Mr S Cooper, Service Manager - Communications
Mr K Dingwall, Head of Development
Ms E Dunnet, Head of Finance
Ms S Fortune, Executive Director for Council Resources
Ms R Grangeret, Organisational Development Manager
Mr C Grilli, Service Manager – Governance
Mr E John, Head of Communities & Partnerships
Ms N McDowell, Head of Education
Ms McGuire, Head of Housing
Mr T Reid, Head of Infrastructure
Ms A Robertson – Gaelic Language Officer
Mr L Rockey, Chief Executive

Clerk:

Ms F Currie, Committees Officer
Ms E Barclay, Democratic Services Assistant

Apologies:

None

Declarations of Interest:

None

(r) = remote attendee

The clerk advised that the meeting was being held as a hybrid meeting, as provided for in legislation; that the meeting would be recorded and live streamed; and that it would be made available via the Council's website as a webcast, in order to allow public access to the democratic process in East Lothian. She noted that the Council was the data controller under the Data Protection Act 2018; that data collected as part of the recording would be retained in accordance with the Council's policy on record retention; and that the webcast of the meeting would be publicly available for five years from the date of the meeting.

The clerk recorded the attendance of Cabinet members by roll call.

1. MINUTES FOR APPROVAL: CABINET, 13 MAY 2025

The minutes of the meeting of the Cabinet on 13 May 2025 were approved.

2. FREEDOM OF INFORMATION (SCOTLAND) ACT 2002, ENVIRONMENTAL INFORMATION (SCOTLAND) REGULATIONS 2004 AND DATA PROTECTION ACT 2018 / UK GDPR – COMPLIANCE STATISTICS IN 2024

A report was submitted by the Executive Director for Council Resources reporting on the Council's compliance with the 20-working day timescale laid down by the Freedom of Information (Scotland) Act 2002 and the Environmental Information (Scotland) Regulations 2004 for the calendar year 2024 (i.e.: from 1 January 2024 to 31 December 2024); and reporting on the Council's compliance with the timescale laid down by the Data Protection Act 2018 / UK GDPR for the calendar year 2024 (i.e.: from 1 January 2024 to 31 December 2024).

The Service Manager - Governance, Carlo Grilli, presented the report. He highlighted the significant increase in FOI/EIR and Subject Access Requests (SAR) over the last 5 years, and the resulting pressures on many service areas and the Customer Feedback Team. Following feedback from the Information Commissioner, additional staff resource was being sought for the team to help improve target response rates for SARs, and officers were developing a new EIR charging policy; with charging currently suspended until the new policy was in place.

Mr Grilli responded to questions from Members on further promotion of the publication scheme, deployment of additional staff, the increasing complexity of SARs and how this impacted on staff time, and the lack of leeway in response times for these and FOI/EIRs. He also explained some of the difficulties in statistical recording and the processes in place to help refine requests which were considered too general.

There followed a debate, with Members commenting on the volume and complexity of requests and the additional workload that created; and the importance of highlighting the information that was already publicly available and of adding to this wherever possible.

Decision

The Cabinet agreed to note contents of the report and provide feedback on the compliance statistics:

3. STRATEGIC WORKFORCE PLANNING

A report was submitted by the Executive Director for Council Resources updating Cabinet on the plan of work underway in response to the recent Best Value Audit recommendations related to Workforce Planning.

The Head of Corporate Support, Hayley Barnett, drew attention to the key points in her report and confirmed that the new plan would be presented to Cabinet for approval in the new year, with regular reviews submitted to the Policy & Performance Review Committee to ensure appropriate scrutiny.

Officers responded to questions from Members on the work taking place to support staff development, particularly within Finance and Infrastructure services; the staff mentoring scheme; leadership opportunities and development; and how this linked with work on supporting skills development in schools and colleges.

There followed a debate, with Members commenting on the importance of staff development to improve skills and to support progression and succession planning; the use of trauma informed practice; the professionalism and enthusiasm of staff; the positive response to leadership training programmes; and the vital importance of the workforce in tackling the ongoing challenges facing the Council.

Decision

The Cabinet agreed to:

- i. Note the progress with completion of the current 2023-2027 Workforce Action Plan.
- ii. Note and support the proposals and work underway to develop the new East Lothian Council (ELC) Strategic Workforce Plan 2026-2029.

4. ROUNDABOUT SPONSORSHIP POLICY 2025

A report was submitted by the Executive Director for Council Resources updating the existing policy to include the use of third-party providers and to provide clear signage specifications

Following presentation of the report, the Head of Infrastructure, Tom Reid, responded to questions from Members on the size and positioning of signage to protect existing planting on roundabouts and reduce the risk of distraction for drivers. He advised that the responsibility for the upkeep of signage would lie with the third-party contractor but that issues should be reported to the Council who would retain full control of any signage and could remove it if necessary. Signage would mainly promote local businesses and would generate some income for the Council.

Mr Reid agreed to discuss with Councillor McIntosh the type of businesses that would be included in the policy.

There followed a debate, with Members welcoming the proposals as a way of supporting local businesses and generating income for the Council. They noted the work done to address public concerns around the policy and looked forward to receiving a further report on its implementation.

The Convener moved to a roll call vote on the recommendations, which were approved unanimously.

Decision

The Cabinet approved the updated Roundabout Sponsorship Policy.

5. EAST LoTHIAN GAELIC LANGUAGE PLAN 2025-30

A report was submitted by the Executive Director for Council Resources presenting the East Lothian Council Gaelic Language Plan 2025-30 for approval.

The Service Manager - Communication, Stewart Cooper, spoke to the report highlighting that this was a legislative requirement for all local authorities; that this plan had been subject to consultation; and that the commitments and actions in the plan were intended to be reasonable and proportionate.

Officers responded to questions from Members confirming that the plan was a legal requirement of the Gaelic (Scotland) Act 2005; that while no specific resource had been made available for the implementation of the plan, many of the actions involved officer time rather than additional costs; some grant funding had been provided to support the promotion of Gaelic in schools, however, it did not cover the full cost of the actions required; and any work to replace signage would be done on a renewal basis.

There followed a debate, with Members commenting on the importance of safeguarding and respecting the Gaelic language as part of our culture and heritage, while being mindful of the Council's financial constraints. They agreed that the plan was reasonable and proportionate and reflected the duties set down in legislation; and they accepted that the Council must do as much as it could, within existing resources.

The Convener moved to a roll call vote on the recommendations, which were approved unanimously.

Decision

The Cabinet approved the East Lothian Gaelic Language Plan 2025-30.

Signed

Councillor Norman Hampshire
Council Leader and Convener of Cabinet

The webcast for this meeting will be available at the link below for five years from the date of the meeting: https://eastlothian.public-i.tv/core/portal/webcast_interactive/1009837

Cabinet Action Note 2025/26

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Action ref.	Meeting Date	Agenda Item	Action(s) Agreed	Action Owner(s)	Target Completion Date	Actual Completion Date	Comments/ Responses/ Additional Information
25/01	09.09.25	4 Roundabout Sponsorship Policy 2025	Additional question: Tom Reid to discuss with Councillor McIntosh the possibility of excluding high carbon forms of advertising as part of developing lists of approved and non-approved businesses.	Tom Reid	None stated	29.10.25	Mr Reid confirmed that this consideration would be added to the sponsorship determination process. Recommended for closure

Emailed to Tom Reid, cc to Ellie Dunnet, Hayley Barnett, Exec Drs &, CHX on 09/09/25.

COMMITTEE: Cabinet

MEETING DATE: 11 November 2025

BY: Chief Executive

REPORT TITLE: Corporate Risk Register 2025-2026

REPORT STATUS: Public

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1 PURPOSE OF REPORT

- 1.1 To present to Cabinet the Corporate Risk Register as at 21 October 2025 for discussion, comment and approval.
- 1.2 This Risk Registers are developed in keeping with the Council's Risk Management Strategy and is live documents, which is reviewed and refreshed on a regular basis.

2 RECOMMENDATIONS

- 2.1 It is recommended that Cabinet approves the Corporate Risk Register and, in doing so, Cabinet is asked to:
- Note that the Corporate Risk Register is maintained as a 'live' document which will be reviewed by the Council Management Team (CMT), the CMT sub-group on Risk Management, Service Management Teams (SMT), risk owners and the Corporate Risk Management Group on a regular basis and reported back to Council as and when required.
 - Agree that the relevant risks have been identified.
 - Agree that the significance of each risk is appropriate to the current nature of the risk.
 - Agree that the total profile of corporate risk can be borne by the Council at this time in relation to the Council's appetite for risk but in the context of the planned mitigations.

- Recognise that, although while Corporate Risks require close monitoring and scrutiny over the next year, many are long term risks for the Council that are likely to be a feature of the risk register over a number of years.

3 BACKGROUND

- 3.1 In keeping with the Council's Risk Management Strategy and reflecting upon the concurrent nature of risks managed by the Council, the Corporate Risk Register has been updated following a review by the Corporate Risk Management Group on behalf of and in consultation with Council Management Team.
- 3.2 In presenting the updated Corporate Risk Register to Cabinet for approval, the Council Management Team would wish to draw to the Committee's attention that all risks have been evaluated using the standard (5x5) risk matrix which involves multiplying the likelihood of occurrence of a risk (scored 1-5) by its potential impact (scored 1-5). This produces an evaluation of risk as either 'low (1-4)', 'medium' (5-9), 'high' (10-19) or 'very high' (20-25).
- 3.3 The Council's response in relation to adverse risk or its 'risk appetite' is such that:
 - Very High risk is unacceptable, and measures should be taken to reduce, transfer or treat the risk to a more tolerable position
 - High risk may be tolerable providing the Council is assured that adequate and effective control measures are in place
 - Medium risk is tolerable with control measures that are cost effective
 - Low risk is broadly acceptable without any further action to prevent/mitigate risk.
- 3.4 The Corporate Risk Register as updated, currently includes 6 Very High Risks, 7 High Risks, 6 Medium Risks and 1 Low Risk.
- 3.5 Cabinet can be reassured that CMT, its Sub-Group, the Corporate Risk Management Group and its Linking Risks Sub-Group, continue to closely monitor all Corporate Risks. Management of our risk environment is informed by global and national risks, via the annual Global Risk Report produced by the World Economic Forum in January each year, by the Scottish Government's National Risk Assessment (NRA) and the UK National Risk Register which are produced annually. Every effort is made to ensure that the Corporate Risk Register reflects current and future risks with appropriate mitigations in place.

4 POLICY IMPLICATIONS

- 4.1 In approving this report, the Cabinet will be ensuring that risk management principles, as detailed in the Corporate Risk Management Strategy, are embedded across the Council.

5 RESOURCE AND OTHER IMPLICATIONS

- 5.1 Financial – The financial impact of the corporate risks and mitigation measures remain under close monitoring and review, aligned with the Council's Financial Strategy. Any unplanned and unbudgeted costs that arise in relation to any of the corporate risks identified will be subject to review by the Council Management Team, and if required will be reported to Council.
- 5.2 Personnel – There are no immediate implications impacting on the administration and oversight of the Corporate Risk Strategy and Framework.
- 5.3 Other – Effective implementation of the Corporate Risk Register will require the support and commitment of the risk owners identified within the register.

6 INTEGRATED IMPACT ASSESSMENT

- 6.1 ***Select the statement that is appropriate to your report by placing an 'X' in the relevant box.***

An Integrated Impact Assessment screening process has been undertaken, and the subject of this report does not affect the wellbeing of the community or have a significant impact on: equality and human rights; tackling socio-economic disadvantages and poverty; climate change, the environment and sustainability; the Council's role as a corporate parent; or the storage/collection of personal data.

X

or

The subject of this report has been through the Integrated Impact Assessment process and impacts have been identified as follows:

Subject	Impacts identified (Yes, No or N/A)
Equality and human rights	N/A
Socio-economic disadvantage/poverty	N/A

Subject	Impacts identified (Yes, No or N/A)
Climate change, the environment and sustainability	N/A
Corporate parenting and care-experienced young people	N/A
Storage/collection of personal data	N/A
Other	N/A

7 APPENDICES

7.1 Appendix 1 – Corporate Risk Register

7.2 Appendix 2 – Risk Matrix

8 AUTHOR AND APPROVAL DETAILS

Report Author(s)

Name	Lee Wright
Designation	Emergency Planning and Resilience Officer
Tel/Email	lwright@eastlothain.gov.uk
Date	21/10/2025

Head of Service Approval

Name	Eamon John
Designation	Head of Communities & Partnerships
Confirmation that IIA and other relevant checks (e.g. finance/legal) have been completed	
Approval Date	21/10/2025

East Lothian Council Corporate Risk Register

Risk ID	Category	Title	Description	Impact	Probability	Current Risk Score	Residual Risk Score	Corrective Actions	Review Date	Latest Update
R266	Financial Impact	Managing the Financial Environment	The financial environment continues to present substantial risks to the council's capacity to meet its objectives and sustain service provision over the medium term. The Council faces a significant residual budget gap over the next 5 years, despite efforts to close this through identification of savings and planned increases to council tax income. Pressures arise from: - The level and complexity of national funding, with resources not keeping pace with growing demands, and around 70% of national funding being directed to support specific policy obligations and settlement conditions. - Significant increased cost of service delivery arising from previous high inflation and pay settlements. - Growing pressure within demand led services arising from social, demographic and legislative change. - Significant and sustained population growth, giving rise to costs of new associated infrastructure such as new schools. - Significant capital expenditure pressures including higher levels of inflation and interest charges, gaps between s75 contributions and the cost of new infrastructure, significant investment needed to support an aged and wide-ranging asset base, as well as meeting the cost of enhanced infrastructure policy obligations including net zero. The level of unallocated reserves being held by the Council as a contingency to mitigate any unforeseen events remains very low relative to the concurrent risks the Council currently faces. Given the risk environment, it is possible that the current level of reserves may not be sufficient to meet future unplanned events leading to earmarked reserves needing to be redirected. The funding settlement for 2026/27 and beyond is not anticipated until mid-January meaning that there will be a very limited timeframe to set a balanced budget if the settlement does not provide adequate funding to meet the existing shortfall. The IJB has set a balanced budget for 2025/26 but has now fully depleted its general reserve meaning that any future budget overspends will need to be met by funding partners in the future. In 2024/25 this resulted in an additional contribution of £2.8m from the council to the IJB being required. This combination of financial challenges facing the council presents a risk to the delivery of current and future obligations within the resources which are now available, and it is important that focus is given to targeting resources at key priority areas, and redesigning services to ensure on-going financial sustainability.	5	5	25	20	Enhanced programme of monitoring of Council's budget aligned to risk currently being developed. On-going review of Capital Planning and capital infrastructure priorities. Continue to support national discussions through CIPFA Directors of Finance aligned to ensuring the on-going financial sustainability of local government. On-going engagement with Scottish Government and COSLA on local government funding and distribution to support a fair and adequate allocation of resources to deliver local services. Continue to engage with Scottish Government and COSLA to adequately resource the funding requirements associated with population growth arising from the Local Development Plan, taking into consideration both revenue and capital costs. Continue to support regional placed based funding discussions with City Region Deal Partners. The financial and capital strategies will be refreshed and presented to Council in December. Support national conversations aligned to SOLACE Improvement Service Transformation Programme. Updated scenario planning will be present to Council in August 2025. 2025/26 budget approved by Council. This incorporates significant new investment in demand led services which aims to deliver on the council's priority of targeting resources to areas of highest need, and reduce the risk of in year overspends. Council management team leading on work to model the impact of budget reductions across all service areas. Joint discussions with elected members are progressing through the cross party budget group. Continue to prioritise and support the statutory annual audit process which underpins strong financial governance. CIPFA's financial management code has been adopted and remains under regular review by CMT and Audit & Governance Committee with a view to promoting collective responsibility and a culture of strong financial management across the council. The implementation of the new finance system aims to further support effective financial management and opportunities for efficiency through improved reporting and greater visibility of financial information.	31/01/2026	10/06/2025

			Rapid rehousing policy requires the Council to transform homelessness services, place people quickly into permanent accommodation (negating use of temporary accommodation) and significantly reduce temporary accommodation stock. Resource allocation, further exacerbated by a series of legislative change, has been and will continue to be insufficient for service transformation. Legislative change regarding local connection came into force in 2022 and requires the Council to accept rehousing responsibility for additional homeless cases. This adds to pressures posed by discretion around intentionality. Changes continue to be enacted without clear guidance on practical implementation, placing the Council at risk regarding threats of judicial review and presentations from neighbouring authorities are exacerbating existing pressures. There is a higher financial cost burden for the general services budget due to as a result of the emergency accommodation being retendered. Ongoing breaches of the Unsuitable Accommodation Order due to a shortage of 'suitable' temporary accommodation, and subsequent daily breaches. Enforceable temporary accommodation standards framework implemented from 2021/22 which further reduces the existing portfolio of 'suitable' accommodation. Proposed changes re the new prevention duty poses further risk to existing practice. Implementation will likely result in increased referrals and homeless assessments. Reduced supply of private lets due to landlords' ongoing concerns re Private Residential Tenancy, legislative change, welfare reform impacts and cost of living increase,					The City Region is taking a holistic approach to reviewing and understanding the pressures across the region, particularly in relation to Homelessness and Ukraine to help find a more joined up solution Mid-market rent properties coming forward to be targeted at homeless / threatened with homelessness households. The leader will write to both UK and SG asking for an urgent response to the affordable housing emergency. Housing Options Training Toolkit is being rolled out to Community Housing and Homelessness staff Implementation of recent changes to Allocations Policy agreed at Cabinet September 2024 Plan to reduce service demand, temporary accommodation, and associated costs to continue being rolled out and monitored closely. Revised Homelessness Operations Policy is ongoing, alongside comprehensive review of existing policies and procedures, to ensure service is operating efficiently		
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R287	Legal	Homelessness and Housing Pressures	resulting in increased rents. A significant increase in LHA rates from April 2024 makes private lets even more unaffordable. The policy area of migrant homelessness and destitution is becoming increasingly complex within a context of limited guidance. SHR has highlighted ELC is at heightened risk from systemic failure, noting breaches and length of stay in temporary accommodation. There has been a slowdown in the Affordable Housing Supply Programme as a result of earlier reduction in investment. Although investment has been reversed, the mobilisation of sites has taken a bit longer. There is also uncertainty regarding future investment, meaning less affordable housing properties coming forward to meet the needs of homeless households. The Homelessness Service is at risk of being unable to operate within budget going forward, due to a combination of rising costs generally, procurement of emergency accommodation which directly resulted in increasing costs, increasing demand from outwith EL, and lengthy periods of time in temporary accommodation. ELC is in the process of developing a new housing management system, with the current system no longer fit for purpose. However a range of potential issues have been highlighted and implementation delayed, with ongoing concerns regarding the ability of the system to meet identified needs. AVD homelessness database poses significant risks in respect of ownership, data capacity and noting ongoing technical issues. ELC declared an affordable housing emergency in November 2024, with corresponding homelessness action plan, noting the issues associated with shortage of / reducing new build affordable housing and impact upon housing need and demand generally / homelessness pressures.	5	5	25	20	and effectively. Improved partnership working RSLs could potentially result in formal revisions to nominations for single person households. Continue to engage with the Scottish Government to review and monitor the impact that legislative changes and Resettlement Schemes Significant resource channelled to improve void turnaround times Further communication with the Housing Minister is likely, regarding requests for assistance to help alleviate housing pressures, with a focus on the issues presented by local connection Planned tenancy conversions and temporary increase in % allocations to increase flow through the system and enable reduction in temporary accommodation to be met. Ongoing consideration of AVD / alternative options with key partners and stakeholders Ongoing consideration of new housing management system in respect of identified issues, working closely with key partners Monitoring of the Council's position regarding the housing emergency, noting regular updates to Cabinet	31/01/2026	16/10/2025
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R267	Financial Impact	Maintenance of Assets	The Council has a significant asset base covering a wide range of services. Many of these physical assets require significant capital investment to ensure they meet both condition and suitability asset requirements and will also require significant on-going maintenance to ensure they can be maintained to an appropriate condition. There is a risk that the Council will not have the available financial resource and staffing requirement to carry out essential repairs and maintenance programmes to ensure buildings are maintained in a good condition, and on-going capital investment is required to ensure suitability and condition of buildings remain appropriate and aligned to national conditions. Failure to carry out repairs and maintenance programmes could result in unavailability of buildings e.g. school closure and reputational damage to the Council and could ultimately result in a failure of building elements and impacts on safe operation of an asset with the risk of closure or enforcement by Statutory or Regulatory authorities. Failure to carry out repairs and maintenance programmes could result in injury/loss of life of public building users and legal action against the Council. There is also a high risk to health and safety and of reputational damage. The risks posed through the identification of RAAC/Siporex and subsequent costs from the implications in respect of management, remediation and or total loss of assets. There remains significant cost pressures aligned to on-going cost of construction including challenges around availability and supply of goods/ services. There are a growing range of new policy requirements aligned to public infrastructure and funding including net zero and energy targets, which require additional monitoring, specification requirements and costs. These require significant additional finance commitment and staff resource is required to achieve this, assess the current status, and plan works to bring buildings up to the required standard.	5	5	25	20	On-going monitoring of condition and other data to inform the planned delivery of works required to ensure buildings comply with statutory and legal requirements and are maintained in a safe operating condition. The service continues to regularly evaluate the current situation as regards material availability and works to mitigate any adverse effects of cancelled or delayed orders for this year's major summer works programme. Review and identify staffing resource required within SACPM, Education and Engineering Services. Identification and management of assets affected by RAAC and Siporex with option appraisals to identify remediation and or demolition and future provision. The Asset and Engineering teams will use both the asset review, available budgets and asset management partnership working to identify temporary and permanent solutions. Contingency plans are being prepared to mitigate restricted use or unavailability of parts of buildings following assessments. Council Management and Executive Team to be made aware of emergency planning proposals. The security of secondary school grounds will be reviewed with Education and will be prioritised in terms of risk and available capital and revenue budget. Work is ongoing. The security of primary school grounds will be reviewed with Education and will be prioritised in terms of risk and available capital and revenue budget. Progress with work to support the asset review including Place Based Asset Review which will assist in prioritising future place-based assets and will inform future capital investment opportunities.	01/05/2026	02/09/2025
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R270	Impact on People	Refugee Asylum Schemes	Both the UK and Scottish Government have responded to recent immigration and humanitarian crisis by introducing refugee schemes that largely required to be administered by local authorities, with confirmation January 2024 that changes to visa requirements / schemes will enable Ukraine households to remain in the UK until 2026. These schemes are broader in scope and of a significantly greater scale than previous refugee schemes. Consequently, this means greater demands placed on Council services (including service areas not previously involved) in administering the schemes, supporting hosts and refugees as well as placing additional demand on schools and Health and Social Care services. The challenges posed are further compounded by the requirement for local authorities to commit to accommodating refugees via the cap on safer and legal routes and request to assist Mears regarding local procurement of properties and corresponding support requirements. Two Tenancy Support Officer (refugee and asylum seeker) posts ended Nov 2023 and Feb 2024 with no dedicated resource for this client group. Implementation of mandatory national transfer scheme means the Council must accept an allocation of unaccompanied asylum-seeking young people set by the Home Office. Notification will be short notice and frequency is dependent on rate of arrival in the UK. This presents a resource challenge re-provision of accommodation and social work support. The national local crisis in fostering resources is compounding the service risk. A change in Scottish Government policy focus from a 'warm Scots welcome' to delivery of a 'warm Scots future' within the context of wider homelessness and housing pressures. Mears procurement is being carried out with limited communication and arrivals flagged to local authorities with limited notice.	4	5	20	16	Quantification of future resource requirements to be identified and articulated as new and changing schemes are rolled out. Working closely with SG and COSLA to inform future iterations of Guidance for clarity and confirming with SG and COSLA colleagues that ELC cannot source social housing properties as housing pressure continues to be extreme. Children's services are considering a host families scheme to provide accommodation and support for UASC. Discussions are ongoing with Scottish Government and the Home Office about the increase in numbers of UASC children coming to East Lothian. Work with ALACHO, SOLACE, COSLA and others to ensure future funding arrangements are adequate, in accordance with the revised approach to a 'warm Scots future'. Completion and allocation of seven properties in Haddington (Brown Street) for a small number of Ukraine households to be accommodated in settled accommodation until 2026 as host accommodation comes to an end.	31/01/2026	16/10/2025
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R268	Impact on People	Risk to Services Delivery due to Workforce Challenges Maintaining a stable and skilled workforce is essential to efficient, effective and safe delivery of services. The Council continues to face on-going workforce challenges to meet the diverse range of services including: Recruitment and retention of staff High level of sickness absence in some service areas, placing pressure on service delivery Impact of pay and grading structure and annual pay awards Attractive employment opportunities in other sectors risks staff migrating out of Council services Impact of Council financial mitigation measures including enhanced recruitment mitigations Aging workforce and impact on succession planning 35 hour working week makes Council salaries look lower than neighbouring authorities paying the same hourly rate. Failure to preserve business critical activities within these services could lead to increased risks in respect of 'life and limb' services, financial and severe reputational damage to the Council. Insufficient staff can also lead to an inability to open facilities, or to reducing opening hours/days, impacting on local access to services and reducing community programmes of activity, particularly those supporting early intervention and prevention activities. Staffing challenges may result in a lack of cross-service staff capacity to meet emergency response requirements and any other concurrent risks which may create risks to public safety, bringing reputational damage to the Council. The Council has a duty of care to the workforce, a breach of which may affect the health, safety and wellbeing of employees leading to increased sickness absence, pressures on service delivery and added potential for employee liability claims against the Council for incidents involving employees or non-employees or enforcement action by the Health & Safety Executive.	4	5	20	15	Update Management Arrangements on Fire Safety and First Aid Workforce planning to be added to service plan templates. A review of the Council's workforce plan action plan.	26/03/2026	13/10/2025
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R271	Impact on Reputation	Cyber Security Threats	External Cyber Security Threats There is a risk that the Council suffers a cyber-attack by a 3rd party (e.g. hacker, terrorism, nation state) causing the loss of access to or the destruction of all or part of its IT infrastructure and / or information systems. This could be caused by a direct attack on the Council or indirectly via an attack on a trusted supplier or element of national infrastructure. The attack vectors continue to evolve and in recent months the supply chain has become a favoured route. The current conflicts in Ukraine and the Middle East are resulting in a continuous risk of Nation State led cyberattacks on the UK which could potentially affect National Infrastructure in a way that has a direct impact on East Lothian Council. Internal IT Security Threats Council IT systems are compromised by the actions of an internal employee - causing the loss of a system, virus/trojan/ransomware infection or loss/disclosure of data. Unpatched/unsecured/hardened "shadow IT" has been identified in some areas this alongside IOT devices. These provide easy path into the ELC network. IT are essentially blind to these devices and systems until they are found and decoupled. Our traditional security architecture needs to align with modern approaches, this has been the key finding for many data breaches, ransomware attacks alongside supply chain attacks which are becoming increasingly intelligent in their attack vectors.	4	5	20	15	Contract a 24x7 Network Operations Centre to monitor our network log and perform MXDR SOC duties ELC to take tech lead for procurement of National SOC project by Digital Office. Initial meetings with 3rd parties around managed SOC SIEM solution initiated. Evaluate and initiate project to deploy a Zero trust Architecture effectively changing how we handle cyber security internally versus our traditional LAN WAN based network.	01/12/2025	01/10/2025
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R273	Legal	Limitation (Childhood Abuse) (Scotland) Act 2017 The Act covers the period prior to 2004 for civil actions arising from allegations of childhood abuse for children who have been in the care system. The Scottish Child Abuse Inquiry is currently in its 10th Phase, and currently we are not involved in this phase. Survivors may continue to come forward for the period from 1964 to 2004. Historic and current insurers are put on notice where claims are received. The level of deductible or excess is the financial pressures if historic claims of child abuse are made and upheld against East Lothian Council as the statutory successor. The Council's insurers have indicated that where the policy can respond, they will cover appropriate external legal costs and compensation payments subject to the deductible in force. However, the requirements to comply with SCAI S21 requests are placing significant strain on internal resources within the legal, social work and records management teams for which there is no additional budget. Redress Scotland established to provide survivors with an avenue to compensation where they do not wish to submit a claim directly to a successor organisation. Where the Redress Scheme is not used, any legitimate claimant may still raise action against ELC. Note that there remains a period from 2004 to present which is not covered by Scottish Government proposals/legislation for compensation schemes and as such any legitimate claim arising would need to be taken forward through ELCs Insurers.	4	4	16	12	Discussions planned to consider how to ensure sufficient staffing resource available to deal with claims, court actions, and submission of S21 requests and recovery of documentation and to preserve the Council's position. Fully engage with the SCAI to anticipate and forecast future claims and ensure ELC is represented well in the public hearings. Ensure current social work practice with children who are accommodated away from home meets high professional standards and complies with legislation and national standards to ensure they are safe and reduce the likelihood of any 'new' claims arising. Full review of the overall Council Records Management systems and behaviours required to be undertaken to streamline obtaining the relevant information requested. A draft agreement regarding historical liabilities for the successor authorities of LRC is out for consultation with each authority and it is hoped it will be agreed in 2024.	31/03/2026	15/10/2025
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			Climate change will increase the severity, duration, and frequency of extreme weather events that will disrupt service delivery and reshape the East Lothian area. The same human activity that causes climate change also causes devastation to the natural environment, which further endangers the quality of our area. The Scottish Government's Climate Change Act (2009) requires the Council to support the delivery of the national net zero targets and adaptation programmes. The risks associated with the responsibilities are: Failure to meet our statutory duty under Scotland's Climate Change Act (2009). Failure to meet our statutory duty under the Nature Conservation (Scotland) Act 2004. Lack of financial and staff resources to respond to the climate and nature emergency.					Identify budget and funding streams to continue delivering transformational change to Fleet and Asset Management (e.g. staff		
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R272	Impact on People	Climate and Nature Emergency	Deteriorating natural environment and extreme weather affect our ability to deliver services reliably and to acceptable standards. There are no clear funding paths to meet the budgeted costs to reduce greenhouse gas emissions and adapt to climate change. This includes moving all our energy in buildings and our fleet and supporting infrastructure to zero emission sources. To meet the challenge, investment for Buildings is estimated at £1bn. Fleet is more difficult to calculate at present due to the emerging technology and changes in market costs, but it is noted as a significant investment. Both cannot be met through existing core funding or grant availability. The latest IPCC sixth assessment reports show that we have reached a tipping point where we will face extreme weather and climate change impacts despite efforts to mitigate greenhouse gas emissions. These will be cascading risks that can lead to power outages, shortages of water and supplies, and disruptions to transportation. The Council must reduce its emissions to mitigate the severity of climate change and have robust climate adaptation measures to respond to this growing crisis. The State of Nature Scotland Report (2019) found that 49% of Scottish species have decreased in abundance and 11% are under threat from extinction. Failure to halt biodiversity loss and restore nature will have a detrimental impact on our environment, economy, jobs, health and wellbeing and impact our capacity to adapt to and mitigate the climate crisis. The Council is making progress in reducing the Climate and Nature Emergency risks. However, there is an urgent need to secure the funding, resources, tools and powers to enable us to deliver net zero and become nature positive. Until then, our capability for transformational change to reduce these risks is uncertain.	4	4	16	12	transformational change to meet and asset management (e.g. staff resources to chase funding opportunities and support services to access them). Secure the tools, powers and resources to enable the delivery of a 'Net Zero Council' and a Climate-ready Council. Identify interim emission reduction targets across Council Services. Identify effective and necessary climate adaptation measures for Council assets and services. Implement a monitoring and evaluation framework for both. Engage East Lothian Partnership to include carbon emissions reduction targets in review and update of the East Lothian Plan. Re-engage with the Resilient Communities initiative	01/01/2026	12/05/2025
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R274	Impact on People	Flooding and Coastal Erosion	As the incidence of flooding and coastal erosion increases as an impact of Climate Change, there is an increased risk of disruption and damage to road and path networks, impact on public and community safety, property, businesses, harbours and natural heritage sites and an associated increase in claims against the Council.	4	4	16	9	Musselburgh FPS is not yet approved under the Flood Risk Management (Scotland) Act 2009 full report on Coastal Change in Musselburgh was completed and published in March 2024. Flood studies for Dunbar, West Barns and North Berwick (Coastal), Cockenzie, Port Seton, Longniddry and Prestonpans, and Tranent and Macmerry have been included in the 2021-28 Flood Risk Management Plan and the 2022-28 Forth Estuary LFRMP. As part of the 2022-28 Local Flood Risk Management Plans Flood Protection Schemes for Musselburgh and Haddington are included in the list of actions for the Forth Estuary Local Plan District. ELC have undertaken Flood Studies for Musselburgh and Haddington within the 2016-2022 FRM cycle and are currently progressing the Musselburgh Flood Protection Scheme which is a fully established project.	20/03/2026	09/05/2025
R277	Impact on People	Public Protection – Risk of Harm	The Council has a legal responsibility to protect people from harm under a range of public protection functions. This includes the management of offenders and adhering to MAPPA arrangements. A failure to have in place efficient and effective Public Protection arrangements, covering Child Protection, Adult Support and Protection, local MAPPA arrangements, Violence against Women and Girls (VAWG) and Substance Misuse services, may result in the Council being unable to fulfil its statutory duties/duty of care which could contribute to a child or adult suffering harm and in some circumstances, death. The Council could face prosecution, compensation claims and serious reputational damage. Multi-agency public protection functions are governed by the Critical Services Oversight Group (CSOG). Any risks to public protection service delivery are formally raised to CSOG.	4	3	12	12		30/04/2026	14/10/2025

R276	Impact on Reputation	Data Protection Threats	Under the Data Protection Act 2018 and the UK GDPR, the Council is required to ensure that personal data is processed lawfully, fairly and securely. Breaches of the Data Protection Act / GDPR could result in: - harm to individuals; - legal action; - fines of up to £17.5 million or 4% of turnover, whichever is higher; - requirement to pay compensation; - adverse publicity; - damage to reputation The Council has a mandatory 72-hour window in which to report relevant breaches to the Information Commissioner's Office. Limited security, procedural and environmental controls at the Dunbar Road records store mean that records and personal data are at risk of security breach and/or accidental loss or destruction. The shift to home/digital working has also placed additional pressures to digitise paper records management systems and ensure new ways of working remain secure. Requests for personal data (SARs) and other information (FOIs) continue to increase persistently in both number and complexity (average increase of 28% every year since 2021). Staffing challenges and disproportionate impact of frequent requesters mean the Council is at higher risk of missing statutory timescales for responses. DP compliance is dependent on good records management. The Council's Records Management Plan 2014-2019 needs to be formally updated to account for GDPR/DPA18 as well as changes to recordkeeping practice across the Council. This is also a requirement of the Public Records (Scotland) Act 2011 (PRSA). Current pressures on Registration service and increased demand from Services for review of Data Sharing Agreements / Data Protection Impact Assessments are impacting capacity to address Records Management.	4	3	12	8	The Team Manager Information Governance and Team Manager IT Infrastructure and Security drafting an Information Transformation Strategy and associated Action Plan	30/04/2026	15/10/2025
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R278	Impact on Service Objectives	Duty of Care to Public	Members of the public access services in many public buildings which require to operate within statutory health and safety requirements relating to the building itself, and spaces within it. Some services are provided in the outdoor public realm. Failure to operate services safely both within ELC buildings and in outdoor spaces could risk harm to members of the public and staff, resulting in injury, financial liability and reputational damage. Serious and Organised Crime (SOC) poses a physical and virtual threat, be that human trafficking, drug supply, sexual exploitation, fly-tipping, fraud, unsafe consumer sales et al. These risks can include cyber-attacks, corruption, bribery, IT system infiltration, human 'plants' into organisations. SOC poses risks to our communities through targeting of vulnerable people and their properties e.g. to act as conduits for drug supply, door-step fraud, on-line crime et al. Concerns raised from staff that budgetary/financial constraints are impacting on service delivery and compromising social workers working to their code of practice. While there have been improvements on assurance processes there still remains challenges with financial resource to meet the needs of people at risk. For example those on unmet need list rated as red, waiting on care and those waiting on local authority care home placements.	4	3	12	8	Refresh of Serious and Organised Crime Multi-Agency Plan, aligned to review of Anti-social Behaviour Strategy Development of clear outcome focused assessments and reviews	10/02/2026	09/10/2025
R279	Impact on People	National Power Outage	The National Electricity Transmission System (NETS) transports electricity across Great Britain. Total failure of this system would cause a nationwide loss of electricity supplies instantaneously and without warning. This would cause cascading failures across multiple sectors including telecoms, water, gas, sewage, food, health and fuel, and cause significant disruption to public service provision and most businesses and households. These disruptions could lead to physical and psychological casualties or fatalities due to the loss of the services relied upon by many, especially those with health and wellbeing vulnerabilities. ELC must be prepared, as best we can, to respond and recover should widespread electricity failure ever occur. Communications will be seriously interrupted, the care of vulnerable people will become hugely challenging and the continued provision of our critical activities, highlighted within our Business Continuity plans, will be seriously tested.	5	2	10	6	Complete ELC NPO framework Plan All services to carry out an annual BC test based on NPO.	30/04/2026	14/10/2025

R275	Impact on Service Objectives	The Impact of the National Care Service on East Lothian Council	Following feedback and discussion with people who access or deliver social care, social work and community health, as well as other stakeholders, the Scottish Government will not be creating a National Care Service. There will be changes to the Bill and a different approach to improving the social care system. Scottish Government will introduce a non-statutory advisory board, comprising of people with lived experience of accessing care, social care workers, care providers, trade unions, the NHS and local government. The board will be established to provide guidance and drive improvement within the sector. It is expected to meet for the first time in spring 2025. While the change in approach reduces the level of uncertainty for the workforce and protects current structures of service delivery, there will still be significant work to lead to improved outcomes for vulnerable people. There remains a degree of uncertainty about the impact of the work of the board and it will be crucial for East Lothian Council to be well engaged with the proposals through suitable national groups.	3	3	9	9	The Chief Social Work Officer and Chief Officer for the IJB will remain linked in with national forums to monitor the progression and expectations of the new board and ensure East Lothian is in a position to respond.	30/04/2026	14/10/2025
R280	Impact on People	Severe Weather	There is a risk that severe winter weather will lead to an increase in demand for gritting and snow clearing of roads/footpaths which exceeds normal capacity and supplies of salt. This could result in travel disruption, difficulties for people in accessing services, failure to maintain refuse collection timetable and school closures at short notice as well as a possible increase in insurance claims related to pothole damage. Communities may become isolated, particularly in rural areas, due to heavy and prolonged snow. In such cases communication with residents within these areas may become difficult as they become cut off, possibly aligned to power failure caused by strong winds and/or the weight of snow on the lines. There are limitations to the service the council can offer. The Council Roads team focus on treatment and snow clearing of the main priority road network, made up of the major routes where the majority of	3	3	9	9	Upskill CMT and Service Manager cohort to increase response capacity in the event of any incident enduring more than 1 day. Facilitate Resilient Communities workshop to include Severe Weather element and resilient community plans.	20/03/2026	09/05/2025

R282	Legal	publish in a manner that is accessible. The Scottish Government has introduced the Fairer Scotland (socio-economic) duty. This will require the Council to consider the impact of our work on those living in poverty. The Council will need to respond to the full requirements of this new duty and raise awareness of the requirements on the Council. There is a risk that the Council may not be able to meet its general or specific duties and in particular at a time when difficult budget decisions are having to be made that there will be cuts in services or increases in charges that have a disproportionate impact on people who may need those services most because of their equality background. The Council would be open to legal challenge of not meeting its duties and in particular of not carrying out adequate assessment of impact of policies and budget decisions. The Scottish Government continues to extend their commitment to Equality, Inclusion and Rights, this includes the recent incorporation of the United Nations Convention on the Rights of the Child (Incorporation)(Scotland) Act, the British Sign Language (Scotland) Act 2015 and additional Public Sector Equality duties. At the time of writing this may bring in a duty on accessible and inclusive communication. To meet new legal duty to ensure compliance with the 26 October 2024 Prevention of Sexual Harassment duty which places an anticipatory and preventative duty on employers to take reasonable steps to prevent harassment. This duty is specific only to sexual harassment and briefings to SMT and CMT have been provided. As an employer, to actively prevent sexual harassment at work in relation to all employees, ensuring prevention of sexual harassment by colleagues and workers – with a new duty to protect employees and workers from third parties such as service users and members of the public et. Financial consideration should complaints go to Tribunal given any compensation payment would be uncapped and could be further uplifted by 25% by the Equality & Human Right Commission of any financial compensation. Equality & Human Rights Commission has new additional powers to enforce non-compliant employers to complete prevention of sexual harassment action plans.	3	3	9	6	A Childrens Rights and Wellbeing Impact Assessment (CRIWA) template and guidance are now in place Development of a Sexual Harassment Policy, processes, and procedures. Updated and ongoing training for all employees and managers. Toolbox Talks and Equalities and or Banter training. Ongoing communications and engagement with employees. Ensure that Prevention of Sexual Harassment Risk Assessments are undertaken by management. Third party posters zero tolerance and bee nice. Review of work settings where risk may be higher e.g., community settings, schools etc.	31/03/2026	15/10/2025
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R281	Impact on People	Threat of Terrorism	Delivering the UK Government's Counter Terrorism (CT) strategy, known as CONTEST (comprised of four components - Prevent, Protect, Prepare and Pursue). All Local Authorities in Scotland are required to comply with the statutory legislation issued under section 24 of the Counter Terrorism and Security Act 2015 that relates to Prevent. Failure to discharge this duty could mean sufficient steps are not taken to prevent an incident taking place, under Prevent, and could result in the Secretary of State issuing a direction to the Council via the powers within the act and would also result in a loss of reputation and negative publicity.	3	3	9	6	Awareness-raising sessions are being arranged with Police colleagues with independent service providers operating in East Lothian. CT police are offering bespoke Prevent training across other council services and supporting managers to update paper-based training materials for manual staff. Further service specific Prevent training is being arranged for children's and justice social work services. ELC have carried out Penetration Tests at JMH, Penston House and Wallyford Campus with Red Group in early 2025. A report with recommended actions was submitted to CMT in April 2025 with actions to be implemented by December 2025.	28/11/2025	14/08/2025
R283	Impact on Service Objectives	Failure to ensure currency of ELC Business Continuity	Failure to ensure currency of Business Continuity Plans could lead to services not having a robust response to an incident affecting their service area or critical services may not be maintained, while critical services for the public could be affected and statutory requirements not completed. Non availability of: premises, through fire, flood or other unexpected incident; key staff or significant numbers of front-line staff for any reason e.g. a Pandemic; systems (IT, telephony, power failure etc.); any form of transportation due to a fuel shortage. The occurrence of any of these may have an adverse effect on the Council to function fully and to complete critical services and statutory requirements.	4	2	8	6	Progress Business Continuity Plans with Education and HandSCP in order that each School and Care Home has a plan. Progress updates to Council wide BC plans to ensure each Service has a live BC plan which is exercised fully on an annual basis and provides support to the Team if BC is invoked, including loss of premises and or staff etc.	31/03/2026	13/08/2025

R284	Legal	Failure to maintain, review and exercise Emergency Contingency Plans and to comply with current guidance and legislation or to contravene current legislation, which may result in severe penalties as well as an ineffective response to an emergency. Any ineffective preparation and planning for potential crises and disruptive events such as those reflected within the Community/UK Risk Register, that directly relate to the council as a 'Category 1 Responder' may result in the council's inability to effectively respond and manage the event in a way that minimises harm to the community, our employees and the reputation of the council. For example, connectivity between partner agencies during a response to spontaneous events/incidents is challenging due to several agencies using different software and platforms.	4	2	8	4	Ongoing communication with ELC 'Resilient Communities' and or Community Councils to create Resilient Communities plans. Future Emergency and or Resilience training will be progressed with ELC staff, strategic, tactical and operational. An ELC response plan for incidents of significant electricity failure	30/04/2026	14/10/2025
R286	Legal	Failure to meet Standards in Public Life Failure of corporate governance or to meet standards in public life. Failure of the Council's corporate governance or of officials or members to meet standards in public life could result in reputational damage.	2	2	4	4	The Council's Standing Orders are reviewed regularly, and a further review will be undertaken in late 2024 after a period of operation of the Hybrid Committee Meetings system to ensure they remain up to date and relevant.	31/03/2026	28/04/2025

East Lothian Council Risk Matrix

Likelihood Description

Likelihood of Occurrence	Score	Description
Almost Certain	5	>90% chance of occurring
Probable	4	70%-90% chance of occurrence
Possible	3	30-70% chance of occurring
Unlikely	2	10-30% chance of occurring
Rare	1	<10% chance of occurring

Impact Description

Impact of Occurrence	Score	Description							
		Impact on Service Objectives	Financial Impact	Physical and/or Psychological Impact on People	Impact on Time	Impact on Reputation	Impact on Assets	Business Continuity	Legal & Regulatory
Catastrophic	5	Catastrophic failure in service delivery and key service standards are not met, long-term catastrophic interruption to operations, several major partnerships are affected	Severe impacts on budgets (emergency Corporate measures to be taken to stabilise Council Finances. Consideration should be given as to whether this is an insured or uninsured risk and whether there may be reliance on reserves. The Council is expected to hold a reserve to budget ratio of 2%.	Single or Multiple fatality and or psychological impact, within council control, leading to fatal accident enquiry.	Serious - in excess of 2 years to recover pre-event position.	Highly damaging, severe loss of public confidence, Scottish Government or Audit Scotland involved. Prolonged regional and national condemnation.	Significant disruption to building, facilities, vehicles or equipment (Loss of building, vehicles, rebuilding required, temporary accommodation required, vital equipment lost without replacement capability available resulting in services being unable to be delivered).	Complete inability to provide service/system, prolonged downtime with no back-up in place.	Catastrophic legal, regulatory, or contractual breach likely to result in substantial fines or other sanctions, including substantial involvement from regulators.
Major	4	Major impact to service quality, multiple service standards are not met, long-term disruption to operations, multiple partnerships affected.	Major impact on budgets (need for Corporate solution to be identified to resolve funding difficulty). Consideration should be given as to whether this is an insured or uninsured risk and whether there may be reliance on reserves.	Number of extensive injuries (major permanent harm) or major psychological impact to employees, service users or public.	Major - between 1 & 2 years to recover pre-event position.	Serious negative national or regional criticism and publicity.	Major disruption to building, facilities, vehicles or equipment (Significant part of building unusable for prolonged period of time, alternative accommodation required, equipment or vehicles unavailable to provide significant elements of service delivery and no appropriate contingency arrangements in place).	Significant impact on service provision or loss of service.	Legal, regulatory, or contractual breach, severe impact to Council, fines and regulatory action publicly enforced.
Moderate	3	Significant fall in service quality, major partnership relationships strained, serious disruption in service standards.	Moderate impact on budgets (can be contained within overall directorate budget).	Serious injury requiring medical treatment or moderate psychological impact to employee, service user or public (semi-permanent harm up to 1yr), council liable.	Considerable - between 6 months and 1 year to recover pre-event position.	Adverse national media public attention with elected members becoming involved.	Moderate disruption to building, facilities, vehicles or equipment (loss of use of building for medium period, loss of equipment or vehicles requires contingency arrangements to be employed and has moderate impact on overall service delivery).	Security support and performance of service/system borderline.	Legal, regulatory, or contractual breach, moderate impact to Council, regulator action and or improvement required of the Council.
Minor	2	Minor impact to service quality, minor service standards are not met, short-term disruption to operations, minor impact on partnerships	Minor impact on budgets (can be contained within service head's budget).	Non life changing injury or psychological impact to staff or member of the public requiring treatment.	Some - between 2 and 6 months to recover.	Minor adverse local, public or media attention and complaints.	Minor disruption to building, facilities, vehicles or equipment (alternative arrangements in place and covered by insurance, equipment or vehicles unavailable for small period of time minor impact on service).	Reasonable back-up arrangements, minor downtime of service/system.	Legal, regulatory, or contractual breach, minor impact to Council, regulator advice and improvement requested of the Council.
Minimal	1	No impact to service quality, limited disruption to operations.	Minimal impact on budgets (can be contained within unit's budget).	Minor injury or minor psychological impact to employee, service user or public.	Minimal - Up to 2 months to recover.	Public concern restricted to local complaints and of no interest to the media.	Minimal disruption to building, facilities, vehicles or equipment (alternative arrangements in place, equipment or vehicles alternative quickly available to replace or substitute).	No operational difficulties, back-up support in place and security level acceptable.	Legal, regulatory, or contractual breach, negligible impact to Council, regulator suggested improvements requested.

Risk	Impact				
Likelihood	Minimal (1)	Minor (2)	Moderate (3)	Major (4)	Catastrophic (5)
Almost Certain (5)	5	10	15	20	25
Likely (4)	4	8	12	16	20
Possible (3)	3	6	9	12	15
Unlikely (2)	2	4	6	8	10
Remote (1)	1	2	3	4	5

Key

Risk	Low	Medium	High	Very High
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REPORT TO: Cabinet

MEETING DATE: 11 November 2025

BY: Depute Chief Executive Resources and Economy

Report title: East Lothian Council Equality Plan 2025-2029

Report status: Public

4

1 PURPOSE

- 1.1 To provide Cabinet with the final version of the East Lothian Council Equality Plan 2025-2029 for consideration and approval.

2 RECOMMENDATIONS

Cabinet is recommended to:

- 2.1 Approve the East Lothian Council Equality Plan 2025-2029.
- 2.2 Note that a detailed action plan based on the six outcomes and 25 new actions will be progressed and reported publicly through biennial Equality Outcomes and Mainstreaming Reports.

3 BACKGROUND

- 3.1 The Equality Act 2010 (The Act) places a legal duty on public authorities to address practices which could lead to unlawful discrimination and consequently poorer access and outcomes for the Protected Characteristic groups.
- 3.2 The Act introduced the term 'Protected Characteristics,' which refers to the nine equality characteristics protected by the duty. These are: age, disability, gender reassignment, pregnancy and maternity, marriage or civil partnership, race, religion or belief, sex and sexual orientation. Intersectionality is having one or more protected characteristic which can compound inequality of access or outcome.

- 3.3 As a local authority, East Lothian Council is also legally required to implement the Public Sector Equality Duty (PSED). This is comprised of two elements, the general and the specific duty. The General Duty (GED) requires public listed authorities to consider the need ('due regard') to:
- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act
 - Advance equality of opportunity between people who share a protected characteristic and those who do not, and to
 - Foster good relations between people who share a protected characteristic and those who do not.
- 3.4 The Act requires public authorities to adopt a new Plan every four years setting out a set of Equality Outcomes for the new period. This plan meets the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 which require an authority to:
- report on mainstreaming the equality duty
 - publish equality outcomes and report progress.
- 3.5 This Equality Plan 2025-2029 sets out what we will do over the next period towards achieving our aim of ensuring everyone who lives, works or receives a service in East Lothian should be free from discrimination, and able to achieve their fullest potential with no one denied opportunities because of who they are. These principles underpin all work across the Council and contribute to its vision of: *'A prosperous, safe and sustainable East Lothian, with a dynamic and thriving economy that enables (all) our people and communities to flourish'*.
- 3.6 In developing the plan, we worked in partnership with Mid, East and West Lothian councils, NHS Lothian and the associated Health and Social Care Partnership/Integrated Joint Board's¹, we considered the Equality and Human Rights Commission 'Is Scotland Fairer report 2023' and data from national and local third sector organisations to inform a set of outcomes for consultation.
- 3.7 Consultation held online between December 2024 - January 2025 tested the proposed outcomes for relevance. We asked if these are the right outcomes, and whilst there was lots of feedback and various views, overall respondents agreed. More than 100 people took the time to respond, sharing their experience, ideas and thoughts.
- 3.8 These have been analysed and taken into account in the final drafting of the Plan.
- 3.9 The Plan does not sit alone in its objective to reduce inequality of access and outcome but is part of a suite of Council and partnership plans, policies and strategies that contribute to this objective.

¹ With the exception of the City of Edinburgh council

- 3.10 The Council has a large number of other strategies and plans such as the Council Plan, the Local Housing Strategy, the Workforce Development Plan and the Education Improvement Plan, and specific sectoral equality plans and policies such as the British Sign Language Plan, the Education service Inclusion and Accessibility Policy and Respect for All (Anti-Bullying) Strategy, for example, which address equalities and set out how they aim to meet the objective of reducing inequalities.
- 3.11 Our statutory public sector partners, including NHS Lothian and Police Scotland, are also required to produce Equality plans under the Act.
- 3.12 The Equality Plan identifies key priorities to improve equality outcomes across what we do as a Council, Education Authority, Licencing Board and employer. These priorities have been identified through reviewing progress with the previous Equality Plan, and through engagement with the public and with stakeholders and partners such as NHS Lothian.
- 3.13 The Plan sets out seven high level equality outcomes that the Council will work towards during 2025–2029 to meet its statutory duties under the Equality Act and, also align with the overarching commitments within other plans to reduce inequalities within and across our communities. These are:
- **Participation:** Everyone is able to receive the right information in the right place, in the right format, at the right time
 - **Living Standards (poverty):** Poverty decreases across the protected characteristic groups with improved health and well-being
 - **Living standard (housing):** Everyone is able to access timely support and information in the right format to make informed decisions
 - **Education:** All children are valued and respected; improved educational and social outcomes for protected groups
 - **Justice:** People are confident to report hate crimes including sexual abuse and violence and receive help and support to be safe
 - **Work:** Everyone is respected at work and confident to report racism and other unlawful behaviours
 - **Health and Wellbeing:** Who we are is not a barrier to being healthy, active and independent.
- 3.14 The Plan includes 25 aligned actions to be progressed by the Council over the course of this Plan to ensure that it meets its duties under the Equality Act and achieves its overarching commitment to '*reduce inequalities within and across our communities*'.
- 3.15 Progress in meeting the seven outcomes and actions will be reported in biennial Equality Outcomes and Mainstreaming Reports. The Equality Act 2010 stipulates that the outcomes and mainstreaming reports must be in the 'public domain'; to meet this requirement, these reports will be

published in the Members Library, which is publicly accessible via the council website.

4 POLICY IMPLICATIONS

- 4.1 The East Lothian Council Equality Plan 2025-2029 sets out the Council's commitment to equality and demonstrates compliance with the requirements of the Equality Act 2010.
- 4.2 The Plan also takes account of legislative and other developments that have come into force since the previous Plan was adopted including the Fairer Scotland Duty, under Part 1 of the Equality Act 2010, which came into force in Scotland in April 2018.

5 RESOURCE IMPLICATIONS

- 5.1 Finance: None arising from the Plan. Any reasonable adjustments or actions that require resources to be implemented, that cannot be contained within existing budgets, will be considered as part of the budget planning process.
- 5.2 Human resources: none
- 5.3 Other: none.
- 5.4 Risks: Non-compliance with the Equality Act 2010 may result in litigation pursued by the Equality and Human Rights Commission, an individual (including employees/tribunal) or third sector organisation, which could result in financial settlement, or loss of organisational Integrity for example.

6 INTEGRATED IMPACT ASSESSMENT

- 6.1 The subject focus of this plan addresses barriers to equality informed by the [Is Scotland Fairer report](#) and local consultation, including protected characteristic groups, who identified where negative impacts exist. This has informed the outcomes and actions, to mitigate those impacts.

Select the statement that is appropriate to your report by placing an 'X' in the relevant box.

An Integrated Impact Assessment screening process has been undertaken, and the subject of this report does not affect the wellbeing of the community or have a significant impact on: equality and human rights; tackling socio-economic disadvantages and poverty; climate change, the environment and sustainability; the Council's role as a corporate parent; or the storage/collection of personal data.

☐

or

The subject of this report has been through the Integrated Impact Assessment process and impacts have been identified as follows:

x

Subject	Impacts identified (Yes, No or N/A)
Equality and human rights	yes
Socio-economic disadvantage/poverty	yes
Climate change, the environment and sustainability	
Corporate parenting and care-experienced young people	
Storage/collection of personal data	
Other	

The Integrated Impact Assessment relating to this report has been published and can be accessed via the Council's website:

https://www.eastlothian.gov.uk/info/210602/equality_and_diversity/12014/integrated_impact_assessments

7 APPENDICES

7.1 Equality Plan 2025-2029

8 BACKGROUND PAPERS

8.1 None

9 AUTHOR AND APPROVAL DETAILS

Report Author(s)

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Name	Linda Alexander
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Date	13 October 2025

Head of Service Approval

Name	Hayley Barnett
Designation	Head of Corporate Support
Confirmation that IIA and other relevant checks (e.g. finance/legal) have been completed	Confirmed
Approval Date	30 October 2025

Equality:

Mainstreaming report 2023-2025

Equality plan 2025-2029

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Alternative Formats: If you would need this document in a different language or format, please email translation@eastlothian.gov.uk or phone 01620 827199.

For all other enquiries please email: equalities@eastlothian.gov.uk, call 01620 89 827827 or write to Equalities Officer, John Muir House, Brewery Park, Haddington, East Lothian, EH41 3HA

Foreword by the Chief Executive Officer

I am pleased to share East Lothian Council's latest Equality Outcomes Progress report and a set of Equality Outcomes for the period 2025-2029.

The report has been prepared in the context of the East Lothian Council Plan 2022-2027, which continues the journey towards realising our vision for an even more prosperous, safe and sustainable East Lothian, with a dynamic and thriving economy, which enables our people and communities to flourish.

One of the Council Plan's overarching objectives is 'reduce poverty and inequality – supporting our communities to deal with the growing levels of poverty and inequality.' Our approach to equality links to many other strategies and plans, including our Poverty Plan, as part of our Fairer Scotland duty.

While the council continues to operate in an extremely challenging operating environment, we remain committed to tackling inequality and working with our partners to improve outcomes for people across the protected characteristic groups, as well as those in our communities who may also be experiencing inequality and socio economic hardship. However, within the period of this plan, East Lothian Council is facing an estimated recurring financial gap of over £70 million. Third sector partners who contribute significantly to our work to address inequalities, will continue to be impacted by short-term funding cycles that restrict their strategic planning and contribution to addressing inequality.

In one of Scotland's fastest growing local authority areas, we are working hard to ensure we continue providing excellent housing options, develop infrastructure and grow the local economy for the benefit of all residents, old and new.

It is essential that, in addressing the challenges and grasping the opportunities ahead of us, we ensure that our equality outcomes – together with our council values: Enabling Leading and Caring – underpins all that we do.

This mainstreaming report provides us with an opportunity to highlight the progress we have made against our equality outcomes in line with our legal duty under the Equality Act 2010 and to set out our determination to build on this in the years ahead.

Laurence Rockey
East Lothian Council

Introduction

This document is in two parts. Part one sets out our progress towards the mainstreaming outcomes for the final years of the existing plan (mainstreaming report 2023-2025), and part two, the new 2025-2029 outcomes.

Part one: Mainstreaming report 2023-2025

This mainstreaming report shows progress against our equality outcomes in line with our legal duty under the Equality Act 2010. It sets out how East Lothian Council has taken forward work in its role as both service provider and employer in the final two years (2023-2025) of the current Equality Plan 2021-2025.

This Equality Plan continued our commitment to eliminate unlawful discrimination, promote equality of opportunity, and foster good relations between people. It built on our previous work which informed our overarching commitments. Our previous plans can be viewed on our website.

The Fairer Scotland Duty which came into force in April 2018 forms part of this work and is reflected in the outcomes. This additional duty tasks local authorities to actively consider how to reduce inequalities of outcome caused by socio-economic disadvantage.

This mainstreaming report does not provide an update on the many outcomes and actions set out in our other strategic plans which also deliver on equality, diversity and inclusion including the 2022-2027 Council Plan, the Poverty Plan, and the Local Housing Strategy for example, although some of these actions are demonstrated.

Both the Education Authority and the Licensing Board have an independent duty to report progress on actions to meet their Equality duties as named bodies. This report includes these updates and uses the terms 'East Lothian Council/council' as shorthand for the Council, Education Authority and Licensing Board.

Our duties under the Equality Act 2010

The Equality Act 2010 places a duty on public authorities to address practices which could lead to unlawful discrimination and consequently poorer access and outcomes for those affected.

It introduced the term 'Protected Characteristics,' which refers to the nine equality characteristics protected by the duty. These are: age, disability, gender reassignment, pregnancy and maternity, marriage or civil partnership, race, religion

or belief, sex and sexual orientation.¹ Intersectionality is having one or more protected characteristic which can compound inequality of access or outcome.

1. Pay due regard to: As a local authority, East Lothian Council is legally required to implement the Public Sector Equality Duty (PSED). This is comprised of two elements, the general and the specific duty. The General Duty (GED) requires public listed authorities to consider the need ('due regard') to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act
- Advance equality of opportunity between people who share a protected characteristic and those who do not, and to
- Foster good relations between people who share a protected characteristic and those who do not.

2. Specific duties: Additionally, the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 require an authority to:

- report on mainstreaming the equality duty
- publish equality outcomes and report progress
- assess and review policies and practices
- gather and use employee information
- publish gender pay gap information
- publish statements on equal pay
- consider award criteria and conditions in relation to public procurement
- publish in a manner that is accessible.

The broad purpose of the equality duty is to integrate or 'mainstream' consideration of equality and good relations into the day-to-day business of a listed public authority as set out. To find out more go to the [Equality and Human Rights Commission website](#).

3. Mainstreaming: As part of this work, we:

- make equality part of the day to day business as service planners, providers and employers, rather than a 'bolt-on' at the end of projects and other programmes of work;
- ensure that equality of opportunity is part of the culture of the organisation, recognising that both employees and customers benefit from organisations where they feel valued, with their interests and issues respected alongside the issues and values of others; and
- demonstrate a commitment to equality by publicly demonstrating that unlawful discrimination, victimisation and harassment are not condoned.

¹ [Home Page | Equality and Human Rights Commission \(equalityhumanrights.com\)](#)

The council's equality considerations are mainstreamed into council plans and our day-to-day work. The Equality Plans do not replicate the various equality aligned outcomes, objectives and actions set out elsewhere but a specific set of Equality outcomes which relevant services progress.

4. Impact Assessment

To ensure policy and practice supports equality mainstreaming, an Equality Impact Assessment (EIA) of any proposed, or changed policy, practice or strategy is completed. We do this to test for potential areas of discrimination, differential or adverse impact, including socio economic causes, across the protected characteristic groups. These reports accompany council papers to inform decision making as part of an Integrated Impact Assessment process.

5. Reporting

Relevant authorities must report on progress to the Equality and Human Rights Commission (EHRC) in a mainstreaming report, every two years. The current specific equality outcomes in the Equality mainstreaming plan 2021-2025, highlight three high level mainstreaming priorities, which set out to:

- Ensure high level commitment to equality through all levels of the Council structure and planning procedures – for example, the current Council Plan has an explicit commitment to reduce poverty and inequality.
- Understand the impact of our work – such as, the completion of an IIA; monitoring and reporting on equalities performance indicators; and building consultation and engagement with equalities groups.
- Build Organisational Capacity – for example by providing equality training and embedding fair work in the council's procurement policy and practice.

The 2025-2029 Equality Plan is in development and builds on work to date to address better outcomes for all.

Equality Outcomes 2021 – 2025

In our current Equality Plan we set out to progress the following outcomes:

1. East Lothian Council services are accessible to and will meet the needs of all in the community, including people who share a protected characteristic;
2. In East Lothian we are breaking the cycle of poverty so that fewer people experience poverty;
3. The gap in educational outcomes for children and young people impacted by socio-economic disadvantage will be closed; and the health and wellbeing of children and young people with protected characteristics will be improved;
4. Everyone in East Lothian has access to a decent, affordable, warm and dry home;
5. People lead healthier, more active and independent lives;
6. People feel safe and experience less crime in their communities, and at home; there is zero tolerance of hate, abuse and violence against women and girls and people feel their communities are inclusive;
7. East Lothian Council is an Equal Opportunities employer, and our workplace feels inclusive to staff with protected characteristics.

The following pages set out the work completed, which either directly, or in the realm, contribute to addressing these ambitions, including the development of skills, knowledge and tools required.

Outcomes Report 2023-2025

This section provides information on progress made against each of the seven objectives in the 2021-2025 Equality Plan and concludes with an update from the East Lothian Council Licensing Board.

Outcome 1: East Lothian Council services are accessible to and will meet the needs of all in the community, including people who share a protected characteristic.

Proposed actions:

- Ensure that the Integrated Impact Assessment tool is used effectively so that protected characteristics and socio-economic disadvantage are taken into account when planning and designing services and when making policy decisions
- Review the Translation and Interpretation service to ensure that communication is provided in minority languages
- Review progress in implementing the recommendations of the Council's British Sign Language Plan
- Review the accessibility of the Council website
- Monitor Customer Feedback for complaints that raise concerns about inequality and discrimination and ensure that appropriate action is taken
- Ensure the Digital Inclusion Strategy takes account of equality issues and the Fairer Scotland Duty
- Review how the equalities and Fair Work clauses in the Council's procurement process are operating
- Monitor the Scottish Government's review into the effectiveness of the Public Sector Equality Duty (PSED) in Scotland and take appropriate action if required
- Update the Council's 'Guide to Monitoring Equalities in Council Services' to ensure it provides clear guidance on how to monitor equalities effectively
- Update the Equality Training Plan
- Re-establish the East Lothian Diversity and Equality Network
- Review the Council's performance indicators and update the suite of Equality Outcomes Indicators that will report on progress in meeting this Plan's outcomes in bi-annual Equality Outcomes and Mainstreaming Progress Reports.

Update

Assessing Impact

Understanding the experiences of people facing discrimination and disadvantage enables us to design inclusive services to better meet different needs. As previously

stated, we have updated our Integrated Impact Assessment (IIA) framework and supporting information. This supports staff to consider the equality and socio-economic impact of our work, together with consideration of both Human and Children and Young people's rights. Staff are additionally signposted in the IIA to complete a Children's Rights and Wellbeing Impact Assessment (CRWIA) as required.

Leadership is provided by the Council Management Team (CMT including Heads of Service who sign off the completed Integrated Impact Assessments and the CRWIA prior to publication alongside the relevant Strategy, Policy or Plan, prior to Council Cabinet meetings. Completed IIAs and CRWIAS are available on our [website](#).

Our Integrated Impact Assessment guidance and template has also been reviewed and updated within this period; this continues to be reviewed regularly to meet any changes to our legal requirements. Staff are also advised of online face to face learning opportunities, as well as day to day support, and guidance where required.

Accessible services and information

Like many organisations we have adopted a digital first approach to facilitate easier and increased access and inclusion, aligning with our revised [Customer Strategy 2023 - 2028](#) and [Communication Strategy 2022-2027](#). In doing so we are able to provide timely, dedicated and face to face services to people requiring additional support and/or information on more complex matters.

The council website is accessible in line with Web Content Accessibility Guidelines and is monitored to maintain its performance and accessibility. Additionally, service information is accessible via the 'Recite me' function on the council website, this enables adjustments for viewing format preferences and language translation, including Read aloud. We are currently developing a new website which will continue to be accessible.

A review of the Translation and Interpretation service by our Feedback team within Governance, ensures that communications are provided in minority languages with the process now embedded. Services are signposted to suppliers to organise access with agreed providers.

Web editors and content creators receive training and advice in digital accessibility, including the procurement of new websites and application services. Internal IT updates continue to increase accessibility for employees. All staff receive information on IT accessibility, and support as required. Our brand guidelines also support accessible communication.

The 2023 Customer Strategy sets out the intention and actions to ensure we remain accessible and inclusive as we move more services and information online. This

includes the development of in-person customer hubs which are at an early stage of development.

We continue to implement our British Sign Language Plan 2024-2030 and work with Deaf led organisations to support communication with customers and promote the use of the Scottish Government's British Sign Language contact BSL service.

Our Digital strategy 2022-2027 is in place to transform the way we work, engage with residents, and deliver council services. It aims to 'put our citizens at the heart of everything we do and will redesign our services accordingly, co-designing whenever it is appropriate to do so.'

Equality monitoring and data collection

The updating of the Equality Monitoring guidance in relation to this outcome has been achieved and will be monitored for ongoing changes. We continue to build practice to ensure we include options to complete equality data in our community involvement and engagement work online or in person.

Human resources via myjobscotland, has access to employment application data, where it is supplied. However, it is not mandatory to complete. Once in post staff are encouraged to complete and update their equality information with periodic reminders. This information enables us to monitor our employment practices across the protected characteristics where it is provided.

We aim to monitor customer feedback for complaints that raise concerns about inequality and discrimination, however, it remains impractical at the point of customer services and systems to capture the data, if asked and supplied. This will continue to be a focus within the Customer Strategy.

Learning and Development

Within this period the E-Learning module has been reviewed, updated and strengthened to ensure staff know their responsibilities to behave and carry out their work and interactions with colleagues and customers in line with the Equality Act, and the recent Worker Protection Act. This is an extension to the existing Equality Act 2010 and came into force in October 2024.

The Worker Protection Act compels employers to take 'reasonable steps to prevent sexual harassment of employees in the course of their employment,' that is to take action against inappropriate conduct in the workplace. It also gives workers further protection, rights and support should they experience sexual harassment at work.

Completion of the module is monitored; however, we are identifying ways to ensure that it is completed by those unable to access it online for reasons of venue, IT availability, or format. Recent numbers indicate a 67% (3637 completed out of a total of 5415) completion rate for the current year, which increases to 71% for education

staff. Staff complete the mandatory Equality module, and Sexual Harassment at work (Worker Protection Act) modules annually, it also forms part of induction information for new staff.

We continue to communicate our values, and legal requirements towards each other and our customers, with the aim of equipping staff with the knowledge to implement equality practice, address barriers, and ask questions of their work. Additionally, an E-Learning module to provide information and illustrate the impact of poverty in relation to the Fairer Scotland duty, is in development. The Equality Training plan will be updated within the period of the next plan.

Human rights and children's rights

Since the last update, the implementation of the United Nations Convention on the Rights of the Child (UNCRC) passed into Scottish domestic law. East Lothian Council has established a lead officer/champion group to provide leadership of UNCRC implementation and also to play a lead role in each service. The Council's work has been recognised very positively by the Improvement Service, particularly given the approach to ensure all Council service areas understand their role around Children's Rights. As a result of these developments, children's rights are now included in the council's Integrated Impact Assessment framework. These are also published online.

Engagement with equality groups

Our ability to connect with our equality communities is an ongoing priority as our population and diversity increases, including Ukrainian refugees and unaccompanied child asylum seekers. Each service takes responsibility to engage with service users, representative organisations, community and protected characteristic groups to inform service actions and outcomes including our Equality duties.

Uptake and feedback through online consultation continues to be low across the population as a whole, which may be due to lack of online access, time constraints or disaffection to affect change. Services engage with communities on specific areas within local venues and localities to explore specific topics which also inform the completion of the Equality Impact Assessment. Monitoring guidance has been reviewed and updated, it underpins best practice and there is evidence of an increased use of equality data questions being included in consultation. A draft Participation and Engagement strategy is in development which will also consider how best to engage all parts of East Lothian's communities.

As part of this approach, we seek to re-establish the Equality and Diversity network/sounding board and a local access panel. In this gap we work closely with our neighbouring local authorities, NHS Lothian and Edinburgh based groups as well as engagement completed within East Lothian Council services.

Across our services we continue to work in close partnership with partner agencies through the East Lothian Partnership (Community Planning Partnership). This supports our shared endeavours to support more effective communications, encourage engagement to shape and inform equality requirements and address barriers. Developing our revised British Sign Language plan in 2024 has enabled the development of a local Deaf group which is supported by VCEL.

Our website Recite me function, as well as dedicated staff support, has enabled access to council services, information and involvement by addressing barriers to participation and information. We continue to use Customer Feedback – complaints, comments and compliments – to improve what we do.

Organisational approach to mainstreaming equality

The increased visibility of the Integrated Impact Assessment process and the requirement to provide an IIA as part of council reports, has increased awareness of equality considerations and encouraged managers and relevant officers to attend training through this period.

Managers continue to support the development and implementation of good practice, and this is particularly true of the IIA process.

Procurement and Fair Work clauses

The council's revised Procurement Strategy 2023-2028, affirms its obligations under relevant legislation, including the Equality Act 2010 and the use of Fair Work clauses. The application of the Strategy will enable the council to lever change more effectively through influencing awards using Equality and Fair Work criteria. To find out more please go to [Procurement Strategy | East Lothian Council](#).

Measuring performance

The council adopted a suite of 50 Council Plan Performance Indicators, with half of these measuring poverty and equality. Where possible the Council Plan and Equality Plan indicators are disaggregated according to protected characteristics. Coupled with the update of the data monitoring guidance, it is anticipated that services will be able to identify disaggregation across the protected characteristics to inform service delivery and the Impact Assessment process.

Working in partnership with Lothian councils, NHS Lothian and the Health and Social Care Partnership we continue to share and analyse data to inform equality practice.

Outcome two: In East Lothian we are breaking the cycle of poverty so that fewer people experience poverty.

The Council Plan 2022-2027 set an ambition to: 'Reduce poverty and inequality - supporting our communities to deal with the growing levels of poverty and inequality' embedding this outcome into core business.

The Poverty Plan 2021-2023 took this forward, setting out how the council and its partners meet their responsibilities under the Fairer Scotland Duty to reduce inequalities of outcome caused by socio-economic disadvantage. These are:

- Working and free from poverty
- Financially Included – people have access to income maximisation and money advice
- Having a decent, affordable and warm home
- Educated – reduce the attainment gap and raise the attainment and achievement of our children and young people
- Healthy and Well – people in East Lothian are enjoying healthier lives and health inequalities are eliminated
- Resilient and Well Connected individuals and communities; connected public services taking a prevention and early intervention approach to tackling poverty
- Empowered and Responsible – citizens and communities are empowered to influence policy, and the council and partners take responsibility to reduce poverty.

A review of the forty-nine actions contained in the 2021-2023 Poverty Plan carried out in July 2023 showed that 49% (24) of the actions are complete, 41% (20) are ongoing with 10% (5) to be progressed. For example, the Parental Employability Support (funding from Scottish Government) supported:

- 142 parents
- 80 Paid Work Experience Placements included for example hospitality, administration, classroom assistants
- Forty-seven job outcomes
- Sixty-two qualifications gained
- Eighty non-accredited training courses completed

Update

Fuel Poverty has been addressed through work with Changeworks with the provision of energy advice, including access to grants and billing advocacy. This included advice to lone parents with young children which resulted in significant financial savings to mitigate the impact of fuel poverty and its impact on health. Overall significant financial savings were achieved (circa £85K).

Transport

National Entitlement Cards provide free bus travel for under 22-year-olds. Between April and September 2024, 853,745 free bus journeys were taken in East Lothian with approximately 18k cards being issued. 126 young people in East Lothian have benefitted from the Young Carers package over the past five years. Currently there are ninety-nine young carers from East Lothian signed up to the package.

Money and equivalent benefits

In 2023/24, East Lothian Council Financial Inclusion team carried out 845 benefit checks resulting in monetary benefits.

Child poverty: East Lothian's Local Child Poverty Action Reports set out work to address child poverty.

During this period consultation and engagement took place to inform the new Poverty plan 2024-2028 which focuses on four objectives to increase income (cash in people's pockets), towards creating resilient communities ready for the future.

These focus on:

- Good quality jobs that pay fairly, and where we support people to gain the skills and training needed to find and maintain work, in secure, flexible jobs that pay fairly
- Enough money from benefits, our social security system should provide people with a fair income, but millions of pounds go unclaimed each year. We will support people to claim the income that they are entitled to and provide support with the cost of living
- A good life with access to the essentials. Housing, good health, quality food and a resilient community are part of our human rights. We will take a preventative approach to homelessness, hunger and health inequalities caused by poverty
- Climate change ready, climate change will impact vulnerable and low-income communities the hardest. We will take preventative action to protect and support these communities from the effects of climate change.

This will be underpinned by specific improvements to our current ways of working, such as the impact of budgetary decision-making and poverty.

One of the three overarching objectives in the 2022-2027 Council Plan is to: **Reduce poverty and inequality** - *supporting our communities to deal with the growing levels of poverty and inequality.*

The Poverty Plan 2021-2023 shows how the council and its partners meet their responsibilities under the Fairer Scotland Duty to reduce inequalities of outcome caused by socio-economic disadvantage.

The 2021-2023 plan builds on the previous 2017-2021 plan and sets out forty-nine actions around seven outcomes which reflect the Equality Outcomes in this Equality Plan:

- Working and free from in poverty
- Financially Included – people have access to income maximisation and money advice
- Having a decent, affordable and warm home
- Educated – reduce the attainment gap and raise the attainment and achievement of our children and young people
- Healthy and Well – people in East Lothian are enjoying healthier lives and health inequalities are eliminated
- Resilient and Well Connected individuals and communities; connected public services taking a prevention and early intervention approach to tackling poverty
- Empowered and Responsible – citizens and communities are empowered to influence policy, and the council and partners take responsibility to reduce poverty.

A review of the forty-nine actions contained in the 2021-2023 Poverty Plan carried out in July 2023 showed that 49% (24) of the actions have been completed, 41% (20) are ongoing / long term commitments and 10% (5) have still to be progressed.

Key actions/ activities to support the delivery of the Poverty Plan and meet the reducing poverty and inequality outcome in 2021-2023 include:

- Developing cash first approaches to supporting people in financial difficulty, including increasing Scottish Welfare Fund funding to provide £50 and £100 cash payments to people as an alternative to referring them for a Foodbank parcel; supporting the Community Wind power Energy Fund that distributed almost £800,000 to help over 1,400 households pay their fuel bills and meet the rising cost of living in winter 2022/23; and, providing additional funds to Children's Services and Adult Social Work to provide cash support to vulnerable children, families and adults including carers
- Running a Benefits Campaign in September 2022 that generated almost £125,000 in financial gain for over sixty people who accessed advice services as a direct result of the campaign
- Establishing a £758,000 Cost of Living Assistance Fund in 2022/2023 to support low income households through the cost of living crisis.

The review of the 2021-2023 Plan and its actions has helped to inform the development of the new Poverty Plan 2024-2028 which was developed by a multi-agency working group and active engagement with the voluntary and community sector and people with lived experience.

Engagement

- Eight community engagement sessions in June 2023 (in Musselburgh, Prestonpans, Tranent, North Berwick, Haddington and Dunbar) listening to people's broad experiences of poverty and how they want to see services developing in East Lothian
- Three Network for Change development days bringing together third sector and statutory partners to develop their key themes and requirements for the poverty plan
- Three poverty self-assessment sessions identifying areas for improvement in the partnership approach to tackling poverty. An online survey hosted and analysed by the Improvement Service guided this work
- Thematic sessions on gender, disability, climate change, childcare, crisis support and housing
- Working for Change Collective conversation cafes at which people with lived experience of poverty were encouraged to feed into the process
- Young people were consulted through the Growing and Changing lived experience group (15-18 years old) and S2 Consultation Group (12-13 year olds). Family feedback was input through the Families Together East Lothian group
- Online consultation with in-person drop-ins.

East Lothian's Local Child Poverty Action Reports are available [online](#).

Outcome 3: The gap in educational outcomes for children and young people impacted by socio-economic disadvantage will be closed; and the health and wellbeing of children and young people with protected characteristics will be improved.

Proposed actions:

Wellbeing, Equality and Inclusion inform our universal commitment to inclusive practice set out within our Council Plan 2022-2027. We committed to the following:

- Review progress being made in reducing the poverty-related attainment gap and improving the health and wellbeing of children and young people with protected characteristics
- Review progress being made in reducing the attainment gap of looked after children and young people through the Corporate Parenting Plan
- Review the implementation of the Accessibility Strategy (2020-2023): Included, Engaged & Involved: Inclusion, Equality and Accessibility for all, with a particular focus on ensuring it meets the needs of all children and young people with protected characteristics

- Review the implementation of the Anti-bullying Policy: Respect for All. Promoting Positive and Respectful Relationships in our schools with a particular focus on ensuring it meets the needs of all CYP with Protected Characteristics
- Review Progress in achieving the eight actions under Educated theme in the Poverty plan.

Reporting 2023-2025: Our most recent work is reported through the Education Service Progress Report and Improvement Plan 2024/25 and reflects that:

- At National 5 level the attainment gap narrowed for students living in the most disadvantaged and least disadvantaged areas by 8 percentage points (from 19 in 2024 to 11 in 2025)
- At Higher level the attainment gap narrowed to 13 percentage points (reduced from 21).
- At Advanced Higher we recorded the largest improvement reducing from 21 percentage points in 23/24 to 7 percentage points in the next reporting period.

Stretch aims in Scotland are part of the Scottish Attainment Challenge, aimed at raising attainment and closing the poverty-related attainment gap. Local authorities are required to set ambitious but achievable stretch aims for progress in overall attainment and in closing the poverty-related attainment gap. These aims include achieving Curriculum for Excellence Levels, passing National Qualifications, and increasing participation in education, employment, or training. The framework emphasises the importance of setting high expectations and using existing improvement systems to track and report on these aims.

East Lothian stretch aims are being adjusted accordingly to ensure that we continue to strive for further improvement.

Our most recent work is reported through the Education Service Progress Report and Improvement Plan 2023/24 and 2024/25

Ensuring Wellbeing, Equality and Inclusion (GIRFEC) In Session 2022/23 we aimed to ensure a universal commitment to inclusive practice. Notable areas of improvement include:

- Autism Support - The Autism Support Service pilot project supported twelve children and young people, sixteen parents and sixty professionals, improving confidence, knowledge and skills.
- Rights Respecting School Award (RRSA) is the main framework to support pupil leadership and voice. The RRSA is now being implemented in 83% of our schools, with one gold award school, eight silver award schools and seventeen bronze award schools.

- LGBT Youth Scotland - The central Equity and Inclusion Team obtained accreditation from LGBT Youth Scotland in the form of the Foundation Charter Mark. Four secondary schools newly attained LGBT's Youth Scotland's Silver Charter Mark.
- Safeguarding & Child Protection – Our Included, Engaged and Involved: Child Protection and Safeguarding Policy was approved at Education Committee in June 2023 and has been subsequently shared and implemented. Associated guidance on the storage of pupil information was also finalised and shared with all educational establishments.
- Young Carers' Service - To increase awareness of the service, awareness raising PSE lessons have been delivered in all secondary schools and workshops were delivered to P6/7 pupils in seventeen primary schools. Two hundred and seventy one young carers were encouraged to register in 2022/23, and one hundred and eighty-one new Young Carer Statements were created. This is an increase on the sixty-two statements which were created in 21/22.
- Strategic Equity Fund (SEF) - Through the Strategic Equity Fund:
 - I. We have set Core and Core Plus stretch aims to support the attainment, inclusion and health and wellbeing of children and young people impacted by poverty, with care experience and additional support needs.
 - II. An equity tracker was produced with key data sets shared with schools on a monthly basis to allow them to track progress against stretch aims.
 - III. A Principal Teacher of Equity was appointed in each of our secondary schools to track and monitor attainment in relation to the stretch aims and identify interventions which contribute to the closing of the attainment gap.
 - IV. Funding for supported study was made available in all of our secondary schools.
 - V. In three Primary Schools, School and Family Support Workers were appointed to support the delivery of the stretch aims.
- Pupil Equity Fund (PEF) - New guidelines to support the efficacy and evaluation of PEF spending was issued to schools in session 22/23.
- Child Planning Framework – Locality Teams - A steering group was established to formulate guidelines for the establishment of multi-agency Child Planning Framework- Locality Team forums as a continuum of GIRFEC approaches. These have since been agreed and the first CPF-LT has been established at the Preston Seton Gosford locality.
- Educational Psychology Service (EPS) - The EPS continued to develop its new service delivery model for Requests for Assistance (RFAs) for individual children and young people, with all requests coming through a central process.
- Single Point of Access (SPA) - The SPA received one thousand two hundred Requests for Assistance in 22/23. During the session 72% of these cases were fully completed in terms of the requests being made e.g., have received an outcome for all requested services. During the school session three hundred and fifty children and young people engaged in and completed a mental health

intervention. Sixty-five percent of young people who received MYPAS or Art Therapy reported an improved outcome. Eighty percent of young people who received an intervention from the Mental Health Youth Workers reported an improved outcome or progress towards a desired goal.

Outcome 4: Everyone in East Lothian has access to a decent, affordable, warm and dry home.

Proposed actions:

- Reviewed how the Local Housing Strategy 2018-2023 meets the needs of people with protected characteristics, including ensuring that people with particular needs are able to get and sustain their choice of housing, including independent living
- Reviewed progress in achieving the seven actions under the 'Having a Home' theme in the Poverty Plan 2021-2023
- Ensure housing pathways for offenders are addressed by establishing a pan-Lothian approach involving the Community Justice Partnership, the Council, Police Scotland, NHS Lothian and the Scottish Prison Service.

In this period, we have developed a draft protocol which aims to ensure that those leaving prison can access a suitable place to live. The protocol (SHORE: Sustainable Housing On Release for Everyone) sets out a formal revised way of working to facilitate access, including defined pathways for prison leavers to have a place to live on release. This will be progressed through our Homeless Operations Policy.

The Local Housing Strategy 2018-2023 is now approaching the end of its timeframe, and the new Local Housing Strategy 2024-2029 is now available.

Complying with the statutory duties of Local Housing Strategies, it will continue to set out how the council will meet the needs of people with protected characteristics, and ensure homes are accessible and adaptable to meet the needs of those with particular requirements and promote independent living.

Outcome 5: People lead healthier, more active and independent lives.

This outcome is led by the East Lothian Health and Social Care Partnership (HSCP) governed by East Lothian's Integration Joint Board (IJB). The HSCP is responsible for the delivery of community health and social care services locally. The arrangements for the IJB and HSCP are set out in the IJB's Integration Scheme. The IJB's key functions are to:

- Prepare a Strategic Plan for all delegated functions

- Allocate the integrated budget to deliver the aims of the Strategic Plan
- Oversee the delivery of services.

Functions delegated to the H&SCP/ IJB include:

- Adult social care services
- Adult primary and community health care services
- Some elements of adult hospital care.

A full list can be found in the [East Lothian IJB Integration Scheme](#).

The IJB is subject to the duties and responsibilities of the Equality Act 2010 in its own entity. This includes:

- Better and more focused use of Integrated Impact Assessments (IIAs) when considering policy or practice change or development at the outset and during the life of projects
- Assembling better data about equalities groups who use services and potential gaps in our understanding of what particular groups need and potential barriers for them in accessing services.

Since 2023 the HSCP has employed an Equalities and Engagement Officer to maintain an overview of equality, diversity and inclusion, raise awareness, promote effective use of Integrated Impact assessments (IIAs) and ensure IJB members access appropriate training. The IJB publishes an independent Equality Outcomes Report. The [2023-2025 Equality Mainstreaming report](#) sets out their work.

East Lothian Council also contributes to this outcome through our Active Schools programme which has shown significant improvement in combating the decline in youth physical activity since the COVID-19 pandemic. For the purposes of this report:

- The number of active young people who reside in SIMD² 1 and 2 areas has increased from 120 (2023/24) to 193 (2024/25).
- The number of active young people from a minority ethnic community has increased from 128 (2023/24) to 2012 (2024/25)
- The number of active young people with a ASN indicator has increased from 846 (2022/23) to 1,141 (2024/25) no data for 2023/24.
- The number of active young people who have a registered disability has increased from 16 (2023/24) to 67 (2024/25)

Outcome 6: People feel safe and experience less crime in their communities, and at home; there is zero tolerance of hate, abuse

² [Scottish Index of Multiple Deprivation](#)

and violence against women and girls and people feel their communities are inclusive.

Proposed actions:

- Implement the Equally Safe Scotland Strategy; analyse how well the Equally safe is being delivered
- Support events and programme such as religious festivals, international women's day

Working towards the aspiration of a zero tolerance of hate and abuse, where everyone, including women and girls, feel safe and included at home, at work and in our communities is progressed chiefly through the Violence against Women and Girls (VAWG) work. This is co-ordinated by the delivery group. Work during 2023-2025 includes but is not limited to the following:

- The Violence Against Women Partnership is the principal vehicle for implementing Equally Safe: Scotland's Strategy for Preventing and Eradicating Violence Against Women and Girls . This supports a joined-up, evidence informed approach to prevent and eradicate violence against women and girls, including human trafficking
- Publishing the Equally Safe Delivery Plan August 2024 to support East Lothian Council to develop an Equally Safe Strategy, including governance and financial arrangements, service pathways and gaps
- Focusing on the national Violence Against Women Partnership Guidance published by the Scottish Government and COSLA, to inform and shape local outcomes
- Worked in partnership with the Authentic Voice Project led by SafeLives to understand support needs and embed lived experience of violence against women and girls to effectively shape systems and services. This work included engagement with those directly impacted
- The Authentic Voice project delivered a series of online networking and knowledge sharing workshops for anyone with an interest, to inform their work outcomes and service delivery.
- Time management and meeting review to facilitate more purposeful discussion and engagement for partner agencies
- Taking a trauma Informed approach to Violence against women and girls to inform policy and practice more broadly
- Developed supporting guidance for staff and leaders to embed the Commercial Sexual Exploitation Position Statement in Practice. This is intended to assist practitioners (staff and volunteers) across East Lothian and Midlothian to respond effectively, consistently and safely to people involved in commercial sexual exploitation. This has been promoted across the council.

Good Practice Guidance - Identifying and Responding to Commercial Sexual Exploitation. A briefing was also delivered as part of our work around the 16 days of activism.

Further information on Female Genital mutilation.

Staff briefings such as:

- Secured three accredited trainers to provide in-person staff training and briefings to embed the Safe and Together agenda as a key action of the National Equally Safe Delivery plan in March 2025. This work will continue.
- Three staff modules are also now active:
 - Together for Gender Equality (mandatory for all staff)
 - Understanding Domestic Abuse
 - Understanding Sexual Violence
- Progression of the Equally Safe in Practice framework to support workforce development towards a sustained attitudinal, behaviour and practice change.

The framework aims to equip the Scottish workforce with knowledge, understanding and the tools necessary to improve responses to VAWG and ensure safe and positive outcomes for women, children and young people. The framework is designed to support workers across all levels of the workforce, and targets different levels with specific knowledge and skills. The tiers of the framework range from basic knowledge to a range of enhanced workforce development and improved commitment and understanding, through to engagement with senior and strategic leaders.

The delivery group has been reviewed through this period to examine effectiveness and make best use of resources. The group brings together statutory and voluntary partners to identify and deliver integrated, relevant and effective services to those affected by violence and abuse. Within this period Scottish Government national funding has been reviewed and consequently funding has remained the same, which presents a risk to future service delivery.

In addition to the work listed we also provide safe spaces within our buildings including libraries and museums.

Finally, the Violence against women and girls work is to be integrated into strategic plans, aligning with existing strategies to create culture change across East Lothian Council.

- **Support events and programmes such as religious festivals, International Women's Day**

Our Connected Communities team, libraries and museum teams, continue to support and promote community activities and promote the fostering of good relations in their work.

Outcome 7: East Lothian Council is an Equal Opportunities employer, and our workplace feels inclusive to staff with protected characteristics.

Proposed actions:

- Ensure the Council's Workforce Plan takes into account the specific needs of employees with protected characteristics
- Review the Annual Equal Pay Audit to assess whether it should include information and actions to address pay gaps faced by employees with protected characteristic groups along with the gender pay gap
- Review the Equality in Employment Monitoring Report to assess whether further actions are required to ensure the council is an Equal Opportunities employer and our workforce reflects the demographics of the population with protected characteristics in East Lothian
- Undertake work to ensure the Council meets the recommendations of the Scottish Parliament's Equalities and Human Rights Committee report, Race Equality, Employment and Skills: Making Progress, such as carrying out a review of our recruitment procedures and practice against the Scottish Government's Minority Ethnic Recruitment Toolkit and make the necessary changes
- Carry out a stress and mental health audit of our employees which will include data disaggregated by protected characteristics of employees and use the results to inform further development of training and support services to improve the mental health and wellbeing of all employees
- Seek Equally Safe at Work accreditation.

East Lothian Council is committed to being an Equal Opportunities employer. It aims to ensure that the workplace feels inclusive to all staff and is a positive place for all employees. The following provides our progress towards this outcome which is being progressed as part of a suite of actions contained within the Workforce Plan 2023-2027.

- **Ensure the Council's Workforce Plan takes into account the specific needs of employees with protected characteristics**

The East Lothian Way, which sets out behaviours for all staff has been revised to ensure Council behaviours reflect the Workforce Plan to include an emphasis on

delivering customer focused, person-centred trauma-informed, and inclusive services. The East Lothian Way is now included in the Welcome to the Council Induction and all E-Learning; the Performance, Review and Development process as well as webinars where appropriate. A standalone Equality module is already in place and updated 2024/5.

An Equalities Working Group led by Human Resources, established with Trade Union representatives is assisting the momentum on Equality actions.

- **Review the Annual Equal Pay Audit to assess whether it should include information and actions to address pay gaps faced by employees with protected characteristic groups along with the gender pay gap.**

Employee Equal Pay Audits and Equality in Employment reports continue to be produced annually by our Human Resources department and publically available online. These help to monitor the composition of our workforce, including across the protected characteristics, identifying potential discrimination, as well as actions to address pay differences between men and women.

[Equalities in employment monitoring report 2022-2023](#)

[Equalities in employment report 2023-2024](#)

[Equal pay audit 2023-2024](#)

ELC has achieved accreditation as a Living Wage employer and regularly reviews progress towards equal pay. This includes monitoring pay gap information for ethnic minority and disabled employees

- **Review the Equality in Employment Monitoring Report to assess whether further actions are required to ensure the council is an Equal Opportunities employer and our workforce reflects the demographics of the population with protected characteristics in East Lothian.**

To date:

- Positive Action Campaign for the recent Craft Apprentice recruitment.
- Introduced part time opportunities, which is included in job adverts, for middle management roles to encourage females to apply
- Gender decoder applied to job adverts randomly
- Guidance doc on Flexible Working Policy and procedure finalised and distributed to Head Teachers
- Signposting to East Lothian Works added to all apprenticeships job adverts – includes guidance on completing applications, interview skills, training and further learning opportunities
- Info and signposting for support from East Lothian Works now included as standard on all Craft/Modern Apprenticeship role adverts

- Information on compulsory professional subscription requirement now captured on Job Register managed by Service Review Team.
- **Continue to advertise all vacancies through myjobscotland, enabling potential candidates to easily access information on vacancies**

All vacancies are advertised through myjobscotland, however, to enhance accessibility we continue to use and accept paper applications, as part of adaptations. Additionally, to enable applications, we promote East Lothian Works (ELW) for all apprenticeship job adverts. ELW provides guidance on completing applications, interview skills, training, and further learning opportunities.

- **Equality in Employment Monitoring Report provides an action plan to ensure the council remains an equal opportunities employer.**

Equalities information is captured through the staff survey to inform our understanding of the experience of working at East Lothian Council. This is reported to staff annually and informs policy and practice. We continue to encourage completion of the categories, as the numbers of staff choosing the 'prefer not to say' option is increasing. These are included in our [Annual Equalities monitoring report](#).

Aligned to this is our annual pay gap report which captures data across the protected characteristics of Sex and Gender reassignment. Health and Safety monitoring also delineates along the same protected characteristics. Both Disability and Ethnic minority (Race) pay gap information continues to be measured and is included in the annual pay gap report.

A review of job advertising is ongoing. This includes the use of the [Scottish Governments Ethnic Minority toolkit](#) e.g. Images on myjobscotland website now more ethnically representative; and approaching COSLA to identify modifications in the application form to avoid unconscious bias. Where equality data is provided to myjobscotland it is broadly in line with our local demographic information.

Other actions include:

- Job Evaluation Scheme is applied to ensure equal pay for work of equal value supports equality outcomes
- We continue to apply and improve policies that help support a diverse workforce. These include Flexible working, Special Leave Policy, Work Smart, Domestic Abuse Policy, Family and Maternity Leave, flexible retirement, Menopause and hormonal conditions policy, and Shared Parental leave. All policies are reviewed in line with legislative changes or other information as appropriate

- A new policy on Harassment (including sexual harassment) is in place in response to legislative changes. Additionally, mandatory staff training rolled out for all employees
- We maintain our Carer Positive employer accreditation
- We continue to be recognised as an accredited Disability Confident employer and provide reasonable adjustments as required.

As part of this outcome, we also maintain a Healthy Working Lives Working Group which meets up to twelve times a year, and continue to provide the Employee Assistance Programme, which is regularly promoted with data anonymously monitored. Additional measures to support staff include:

- Occupational health and physiotherapy provision
- Listening Ears Support Service Development
- Menopause: support Menopause Group.

Additionally, we are identifying initiatives to improve work life balance including extending the part-time post option to middle management posts. This will be progressed as an action in our new plan.

These measures ensure that we continue to meet our overarching aim of being a positive place for all employees and acknowledge the support and positive behaviours of all staff working towards this.

Governance

An Equality Working Group has been established to include relevant staff and members from teacher and non-teacher trade unions. It aims to review and test practices for barriers and potential discriminatory practice.

We continue to participate in the Society of Personnel Development Scotland Equality Portfolio Group and associated Equalities Working Groups with focus on developing consistent equalities pay gap reporting and improving inclusive recruitment practices.

As mentioned in this outcome report we continue to utilise an Integrated Impact Assessment process in the development of policies and practice.

Part two: Equality Outcomes 2025-2029

As part of the Equality Act 2010 named public authorities have a legal duty to identify a set of equality outcomes which contribute to a fairer society. A fairer society within the Act is achieved by advancing equality, diversity and inclusion; tackling discrimination and creating good relations between people, as part of the Public Sector Equality Duty (PSED). The broad purpose of this Duty is to integrate or 'mainstream' consideration of equality and good relations into the day-to-day business of a listed public authority. To find out more please visit the [Equality and Human Rights Commission website](#). (EHRC)

To meet this duty, public bodies must, in addition to day to day practices, identify a set of outcomes which contribute to a fairer society. A fairer society within the Act is achieved by advancing equality, tackling discrimination and creating good relations between people. The Act also identifies a set of protected characteristics. These are: age, disability, gender-reassignment, marriage or civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation. Intersectionality refers to having one or more of the protected characteristics, which may compound inequality.

As part of this work, we consider, and keep reviewing, how we promote equality, inclusion and fairness in:

- decision-making
- internal and external policies
- procuring goods and services
- the services we provide; and
- recruitment, promotion and performance management of employees.

We also advance equal opportunities by:

- Removing or reducing the disadvantage that people with protected characteristics face accessing services etc
- Taking steps to meet the specific needs of people with protected characteristics
- Removing barriers to encourage people with one or more protected characteristics to participate fully in all activities, especially where they are underrepresented.

Additionally, East Lothian Council has a duty to consult and engage with those impacted by our decisions and the way in which we deliver services and provide information.

Council Plan: the [East Lothian Council Plan 2022-2027](#) continues a commitment towards a vision for an even more prosperous, safe and sustainable East Lothian,

with a dynamic and thriving economy, to enable people and communities to flourish. We continue to:

- Grow our Economy – increase sustainable and inclusive growth as the basis for a more prosperous East Lothian
- Grow our People – give our children the best start in life and protect vulnerable and older people
- Grow our Communities – give people a real say in the decisions that matter most and provide communities with the services, infrastructure and environment that will allow them to flourish
- Grow our Capacity – deliver excellent services as effectively and efficiently as possible within our limited resources.

New Outcomes: Working in partnership with Mid, East and West Lothian councils, NHS Lothian and the associated Health and Social Care Partnership/Integrated Joint Board's³, we considered the EHRC 'Is Scotland Fairer report 2023' and data from national and local third sector organisations to inform a set of outcomes for consultation.

Consultation held online between December 2024 - January 2025 tested the proposed outcomes for relevance. We asked if these are the right outcomes and whilst there was lots to consider, overall respondents agreed. Over one hundred people took the time to respond, sharing their experience, ideas and frustrations; this has been helpful. These will not only inform this plan but shared with services.

A summary of the responses and themes can be viewed in the Appendices.

2025-2029 Outcomes

The following pages set out our new Equality outcomes for the period 2025-2029. They apply to all the protected characteristic groups or a specific protected characteristic where specified.

Outcome 1

Participation	Everyone is able to receive the right information in the right place, in the right format, at the right time • People can communicate with us in a timely, accessible and effective way • People can access our services, facilities and public spaces
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³ With the exception of the City of Edinburgh council

	• We take a human rights-based approach to community engagement.
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Outputs:

- Implement the Customer Strategy 2023-2028 across council functions to meet its customer principles of: customer at our heart; consistently high quality; joined up; digital first; delivering better service
- Undertake a systemic equality and diversity audit to identify customer barriers to access and information, identify staff skills and knowledge, and ascertain support and information gaps within the delivery of our statutory duties
- Staff training and information are available to inform and support a Human Rights Based approach to participation, service delivery, engagement and inclusion
- Procurement requirements evidence consideration of how they meet accessible communication, inclusion and physical access as part of any contract.

Outcome 2i

Living Standards (poverty)	Poverty decreases across the protected characteristic groups with improved health and well-being • People live healthier and more comfortable lives • People have a home that is warm and meets their needs • People have more money.
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Within this section we have linked the existing 2021-2025 outcomes to address the association between poverty, housing, vulnerability, and health; themes which evidence shows are interlinked to create better or worse outcomes.

Context: The East Lothian Partnership Poverty Plan 2024-2028 is leading actions to mitigate poverty and increase wellbeing across East Lothian. It sets out four key objectives to increase 'cash in people's pockets' and create and support resilience against the causes of poverty. These focus on:

- Good quality jobs that pay fairly, where we support people to gain the skills and training needed to find and maintain work, in secure, flexible jobs that pay fairly
- Enough money from benefits, our social security system should provide people with a fair income, but millions of pounds go unclaimed each year. We will support people to claim the income that they are entitled to and provide support with the cost of living
- A good life with access to the essentials. Housing, good health, quality food and a resilient community are part of our human rights. We will take a preventative approach to homelessness, hunger and health inequalities caused by poverty
- Climate change ready, climate change will impact vulnerable and low-income communities the hardest. We will take preventative action to protect and support these communities from the effects of climate change.

The way we work will promote these outcomes:

- Making sure that poverty is everybody's business, and that actions to tackle poverty are part of every service plan. We will make sure that those making budget decisions understand how poverty affects people in East Lothian
- Working in a way that is person-centred and stigma- and trauma-informed. We have heard very clearly that stigma is preventing people from reaching out for support. We will make sure that our services are approachable, discreet and offer dignity and choice. We will help our workforce understand the impact of trauma and poverty
- Working effectively as a partnership, we will build on our existing strong partnership in East Lothian. We will share resources and knowledge more effectively, using shared data to identify tailored solutions, and work towards a collective vision for East Lothian.

This will be underpinned by specific improvements we need to make to our current ways of working. These include actions around our housing, transport, childcare, and the economy. It will require changes in the way we work with people with lived experience of poverty, how we evaluate our projects, share our data and shape our places. It will also shape how we deliver our services, communicate about our work, and advocate for East Lothian residents.

Outputs:

- Implement the poverty plan 2024-2028
- Council budgetary decisions consider evidence of impact across the protected characteristic groups
- Protected characteristic group data is monitored for cumulative negative impact
- Customers can access timely information, advice and support in their right format (reasonable adjustments apply).

Outcome 2ii

Living Standards (housing)	Everyone is able to access timely support and information in the right format to make informed decisions • People live healthier and more comfortable lives • People have a home that is warm and meets their basic needs • People have more money.
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The correlation between the protected characteristic groups and vulnerability to poverty is well documented. This is exacerbated by the lack of housing to meet the basic requirements of affordability, warm, dry and in a good state of repair for health and wellbeing. The Scottish Government identified the following as being at greater risk of poverty:

- Minority ethnic families: 37% of children in relative poverty
- Families with a disabled adult or child: 30% of children in relative poverty

For many, housing also needs to be accessible and provide a place of safety. The East Lothian Housing Strategy 2024-2029 is underpinned by five key principles to support communities to flourish, be distinctive and well connected:

- housing supply is accessible, affordable, and provides a range of choices to meet the needs of households
- homelessness is prevented as far as possible, where unavoidable a rapid response with the appropriate support is provided
- housing and support services are effective, accessible to, and will meet the needs of those most vulnerable in the community
- all homes are maintained to a high standard, are energy efficient and contribute to meeting climate change targets.

Outputs:

- Increase percentage of vulnerable women with or without /disabled child/children, housed in secure, safe, 'forever' homes
- Baseline Data is disaggregated across the protected characteristics to enable measurement, identify gaps and instigate bespoke intervention
- Response time data is disaggregated across the protected characteristic groups
- Vulnerable women and children/disabled child get timely access to appropriate safe, warm housing.

Outcome 3

Education	All children are valued and respected; improved education and social outcomes for protected groups • Everyone achieves well at school • More young people from deprived backgrounds get a job or go to further education • All children feel valued and respected at school • Pupils feel safe at school.
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We aim to address the gap in educational outcomes for children and young people impacted by socio-economic disadvantage and to ensure all East Lothian children are valued and respected.

Outputs:

- Baseline data is disaggregated across the protected characteristics to enable measurement and bespoke intervention
- Education reports apply protected characteristic data to enable and measure outcomes (maintaining child and parent anonymity with smaller populations).

Outcome 4

Justice	People are confident to report hate crimes including sexual abuse and violence, and receive help and support to be safe • People report hate crime if they experience it or see it • People help prevent violence and sexual harassment against women and girls • People help prevent discrimination and violence against people with a protected characteristic.
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Outputs:

- Our Equally Safe, and the prevention of violence against women and girls work (VAWG) will continue to deliver and inform work that contributes to the safety of women and girls in our public spaces
- Third party reporting facilities or functions are reviewed (accessible and free to call)
- Community events supported to facilitate interactions between people with a protected characteristic and those who do not.

Outcome 5

Work	Everyone is respected at work and confident to report racism and other unlawful behaviours • Our staff feel valued and respected • People feel comfortable to report racism and we will do something to stop it • Our staff treat everyone with dignity and respect • People can get qualifications and learn key skills.
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Outputs:

- Employment Equality and Diversity Action Plan 2025-2029 is finalised (outlines employment-specific strategies to increase employee inclusion)
- Manager training to support skills and increase confidence to create inclusive workplace environments in place
- Increased availability, breadth and uptake of employment behaviours in areas such as banter and harassment as well other HR functions including performance management and disciplinary investigations by protected characteristic
- Empowering managers and staff to create inclusive workplace environments through acquiring key knowledge and skills in an accessible way
- Sexual harassment helpline and email helpline operating

Outcome 6

Health and wellbeing	Who we are is not a barrier to being healthy, active and independent Our staff • Encourage and facilitate participation for all • Uphold dignity and respect • Challenge stereotypes.
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East Lothian Council contributes to the improved health and wellbeing of its population in its leisure activities, green spaces, active travel and consideration of safe spaces. Impact assessments ensure we consider the needs and barriers of the protected characteristic groups in this wider work.

Outputs:

- The participation of women and girls in physical activities increases
- Data is collected and disaggregated by biological sex to monitor girls participation in being physically active
- Barriers are identified; adjustments or removal of barriers completed to encourage participation

East Lothian Integration Joint Board

The East Lothian Integration Joint Board (IJB) is the governing body that is responsible for allocating funds, planning delegated services and overseeing the delivery of health and social care in East Lothian. Its role is to direct East Lothian Health and Social Care (East Lothian HSCP) to deliver services to the community in line with national standards and levels of service.

East Lothian HSCP is a cooperation of staff employed by East Lothian Council, NHS Lothian, contracted service suppliers and third sector partners to deliver health and social care services to the community.

East Lothian Integration Joint Board is required by law to develop and publish information that sets out how it will fulfil its commitment to the Public Sector Equality Duty general needs.

You can read the [East Lothian Integration Joint Board's Equality Outcomes 2025-2029 here](#). The services that East Lothian IJB directs (delegated services) can be viewed on pages 3 and 4 of the document.

The East Lothian Integration Joint Board Equality Outcomes 2025-2029 are:

Outcome 1: Participation and co-production

- We will place human rights at the heart of our approach to community engagement
- We will take time to listen to the needs of our community, remove barriers to participation and empower people to participate in health and social care planning
- We will build healthy, long-term relationships with the community based on transparency, honesty, trust and equality.

Outcome 2: Dignity and Respect

- People of all abilities, ages, races and ethnic backgrounds, religions, sexual orientations, genders and /or those experiencing social and health disadvantages feel they are treated with dignity and respect.
- Staff have an awareness of different cultures that supports them to carry out their role.

Outcome 3: Anti-racism

- Service users and staff feel supported and confident to report racism
- Managers and team leaders feel equipped and confident to address reports of racism, harassment or unequal treatment.

Outcome 4: Enabling independence

- We will work collaboratively across our organisation and with partners to support individuals to be more independent, to enable them to live more fulfilling lives.

Outcome 5: Addressing health inequalities

- Our staff and community have a greater awareness of the role of poverty in unequal mental and physical health outcomes
- Our services and those commissioned by us will be trauma-informed, stigma aware, simple to access and focussed on prevention / early intervention.

Enquiries: please email: engagement-hscp@eastlothian.gov.uk

East Lothian Council Licensing Board

The East Lothian Licensing Board is constituted in terms of the Licensing (Scotland) Act 2005 and the Gambling Act 2005. The regimes under these Acts set out broad aims which the Board must and will support in all its functions.

The pursuit of these aims is a principal feature of the Board's statement of policy: https://www.eastlothian.gov.uk/downloads/file/27884/statement_of_licensing_policy_2023-2028 and Statement of Gambling Principles: https://www.eastlothian.gov.uk/downloads/file/32198/gambling_statement_of_principles_2025-2028

The Board's policies and decisions are governed by legislation in particular The Licensing (Scotland) Act 2005 and the Gambling Act 2005. Under the Licensing (Scotland) Act 2005's the Licensing Board is directed to:

- prevent crime and disorder
- secure public safety
- prevent public nuisance
- protect and improve public health
- protect children and young persons from harm.

Under the Gambling Act 2005 the Board has duties to:

- prevent gambling from being a source of crime and disorder, being associated with crime or disorder or being used to support crime
- ensure that gambling is conducted in a fair and open way
- protect children and other vulnerable young persons from being harmed or exploited by gambling.

Our Outcomes (2023-2025)

In all the Licensing Board's work we will contribute to the long-term outcome: **'Fewer people are the victim of crime, disorder and abuse in East Lothian.'**

The Board Statement of Licensing Policy 2023-2028, adopted in November 2023, goes a long way towards demonstrating the progress made and the commitment to continuing equalities work, addressing public health issues, preventing crime and disorder, and the protection of children and young people.

Whilst there have been changes to the Statement of Policy these changes have not affected the Integrated Impact Assessment of 2018-2023.

The Board has three short-term priorities:

1) Developing the Licensing Application process to ensure fair access, including the development of electronic applications

- Following new legislation in March 2018, the premises licence application form was updated to include a disabled access statement
- The application form was further updated to reflect a decision taken by the Board (as part of approving the 2018-2023 Statement of Policy) requiring applicants to include specific details of how they will comply with each of the five licensing objectives
- In 2020 every alcohol licence application form was redesigned and has improved layout, font type, white space and page numbering. These are now in use where a paper-based application is requested. All licensing forms now comply with Accessibility Standards (WCAG 2.2)
- A redesign of the Licensing pages on the ELC website was completed in 2024 and all forms are available to be downloaded from the site
- A fully integrated online application and payment system is still to be introduced. At the time of publishing, procurement of a new Licensing IT solution was being progressed. This will be prioritised into the IT workflow.

2) Licensing Board works in partnership with a range of stakeholders to ensure the most effective decisions are made to meet the aims of the Board

- Police Scotland and the Licensing Standards Officer continue to be standard consultees for all alcohol licence applications
- NHS Lothian receive papers for all Licensing Board meetings
- The annual statutory joint Licensing Board and Local Licensing Forum meeting is scheduled annually in November but may take place during a different month to ensure it is quorate
- Community Councils receive the link to all papers for Licensing Board and are statutory consultees for all applications for premises licences and variations.

- Licensing Board meetings are required to be held in public and now take place as hybrid meetings via video-conferencing facilities and in person. Webcasts are made available
- Alcohol Focus Scotland provided information to the Board to help inform the content of the Board Policy 2023-2028
- The Board consulted widely when determining the 2023-2028 Board Policy – this included the general public, the education service and the public protection office.

3) Licensing Board works with license holders and other Council services to support positive behaviour on and around license premises

- The Licensing Standards Officer regularly visits licensed premises, provides advice to current and prospective licensees and acts as a liaison between licensees and neighbours
- Colleagues in the anti-social behaviour team and in Planning are amongst those who have contributed to supporting well run licensed premises.

Gathering Information

The Licensing Board works with a range of partners to ensure that they have the appropriate information they need to make the right decisions about applications presented. Key partners include Police Scotland, Health Services and Scottish Fire and Rescue Service, anti-social behaviour team, community councils, and any other relevant stakeholders. Where relevant, this can include information about equalities issues and experiences of equality groups in the community, such as women who have experienced commercial sexual exploitation.

The East Lothian Licensing Board will use the Integrated Impact Assessment Tool that has been developed by East Lothian Council. All reports presented to the Board proposing new policies or guidelines setting out new functions, or proposing any other changes with implications for equality strands will include details of the results of the impact assessment.

The Licensing Board 2025-2029

The Licensing Board contributes to the current Council Plan to ensure that 'Fewer people are the victim of crime, disorder and abuse in East Lothian' and continues our equalities work as it addresses public health issues, preventing crime and disorder, and the protection of children, set out in its [statement of licensing policy](#).

All reports presented to the Board which propose new policies or guidelines, or other changes are accompanied by an equality impact assessment. The Board has also reviewed the accessibility of its application processes, including the application

form and its Disability Access Statement which has resulted in each licensing objective requiring specific accessibility information as part of the licence process.

The East Lothian Licensing Board is constituted in terms of the Licensing (Scotland) Act 2005 and the Gambling Act 2005. The regimes under these Acts set out broad aims which the Board must and will support in all its functions. It works with a range of partners to ensure appropriate information informs decision making. Key partners include Police Scotland, Health Services and Scottish Fire and Rescue Service, anti-social behaviour team, community councils, and any other relevant stakeholders. Where relevant, this can include information about equalities issues and experiences of equality groups in the community, such as women who have experienced commercial sexual exploitation.

The East Lothian Licensing Board will further this work with the implementation of the Integrated Impact Assessment tool. All reports presented to the Board proposing new policies or guidelines setting out new functions or proposing any other changes with implications for equality groups and will include details of the results of the impact assessment.

Appendices: Proposed outcomes 2025-2029

Participation	People can communicate with us People can access our services, facilities and public spaces We take a human rights based approach to community engagement.
Living Standards	People live healthier and more comfortable lives People have a home that is warm and meets their needs People have more money.
Education	Everyone achieves well in school More young people from deprived backgrounds get a job or go to further education All children feel valued and respected at school Pupils feel safer at school.
Justice	People report hate crime if they experience it or see it People help prevent violence and sexual harassment against women and girls People help prevent discrimination and violence against people with a protected characteristic.

Work	Our staff feel valued and respected People feel comfortable to report racism and that we will do something to stop it Our staff treat everyone with dignity and respect People can get qualifications and learn new skills.
Health and wellbeing⁴	Women from Black and/or minority ethnic groups have good NHS maternity care Trans and non-binary people have their health care needs met People have better NHS mental health care People who live in deprived communities have healthier lives People from Black and minority ethnic groups, disabled people LGBT people, older and younger people and women feel they are treated with dignity and respect accessing health services.

Sample of consultation responses

Participation:

- Look after our elderly better and include them in the community.
- Understanding voice of all public.
- As a Council, promote groups in the community that people can join.
- Not everything online.
- We have a generation of older people feeling left out as everything is on the internet these days and also paying bills/renewal etc.
- Disabled people are not in the loop when decisions affecting them are made.
- Reaching out to seldom heard voices and taking action to enable and support their participation in service design and decision-making: this could negatively colour choices made if only a few minority voices are heard.
- We need to get better at using non-traditional methods of communication. Disenfranchised groups do not communicate via email or in attendance at meetings.
- Services are dwindling and they require to go in the opposite direction to allow members of the public to actually have access to them.
- We need to be more accessible and flexible to the needs of our communities.
- Aim for co-production as well as participation.
- Creating and supporting community champions. Give the people a voice let them speak and be listened and understood.

⁴ Progressed by NHS Lothian and where relevant the East Lothian IJB (page 38)

- Systems and policy for lived experience and voice.
- Let people talk and listen.
- Earlier engagement with cultural events for people from disadvantaged/excluded communities
- Community facilities need to be made physically and financially accessible to all citizens. More internet cafes and facilities to encourage communication skills to be built. Teaching the older generation to use tablets or other portable digital devices might help but a resource centre where help is available might help.
- Include young people especially with regards to participation and involvement in wider society
- As UNCRC is being incorporated improving children's rights should be a priority
- Local councils were responsible for ensuring that people with disabilities could have adaptations and equipment required to support them. People are confused about where to go to get what they need. There needs to be clarity.
- Sometimes there is no instructor, not enough places available or lack of transportation.
- Enabling people from rural areas to be able to participate. These areas may have poor/no public transport. Be inclusive in membership of community councils etc by supporting those who may not be IT literate or have communication needs e.g. BSL to be able to take part.
- Make it much easier for members of the public to find everything they need or want to know about sport and physical activity opportunities across the Authority.
- Collaborating with partners to hear the less heard voices.
- Working with the 3rd sector to improve input from those less likely to participate.
- Use the social model of disability and have greater representation for disabled people across the council.
- Educate staff to a professional level of dealing with equal rights.
- Don't just send out surveys. Have people based in communities, building relationships and mechanisms for the views to be heard or represented. The people we need to hear from generally don't complete surveys, vote or engage with local governments.

Themes and key words: transport; keep it open; disenfranchised; publicise (accessible, ELC one stop website page for sport, activities, events); inclusion; computer literacy; safety (criminal activity; anti-social behaviour; barriers); accessible services and language; support to participate; BSL; limited hours = limited access = closures; right support at the right time; trade unions; more staff; availability of simpler information; disaffection.

Living Standards:

- The process of application is arduous and subjective so this needs overhauled and streamlined.

- Help for heroes- disabled and homeless veterans should be included in priority lists.
- Fairer levels of income would surely alleviate these problems. What you have stated are just goals with no action. We also need more affordable homes and fewer luxury ones. We also need services to go alongside these homes - doctors, dentists, schools, transport links, etc.
- I really do hope that you actually improve communication so that it's accessible to everyone including those with hearing loss as we've been told many things over the years, but nothing is actually done to improve it.
- More pressure on builders to pay for community facilities and more Social Housing.
- Poverty as a priority.
- Domestic abuse and its impact among the population - education for young people regarding healthy relationships and domestic abuse. Greater awareness of budgeting and finances for young people - financial responsibilities as an adult.
- Ensure everyone has access to sheltered accommodation and has no need to sleep rough.
- Increase the percentage of social housing that developers are required to include in new housing developments. Ensure adequate public transport links/amenities for households that do not have a car. Too many out of town housing developments are not on bus routes and people have to travel to shops etc, because there is nothing nearby.
- How do young people leave home now, they cannot be housed by the council, especially young single men, they cannot afford mortgages, especially young single men, females are more likely to be housed, especially if they have a child, there is no support and housing for young single MALES.
- More social housing with affordable rents. Housing designed with children in mind e.g. creative play spaces outside and in the home. Passive housing made affordable to buy.
- I think this as a focus should be prioritised over education and working.
- working age people, and people working, who have disabilities or long-term conditions who cannot get social housing or afford to get on the housing ladder due to low income.
- Looking after local constituents and residents as a priority then if possible accommodating newcomers to the local authority.
- Women/men and children should not be forced to stay in abusive relationships because they have no alternative home to go to. People pay rents to the council for substandard accommodation. This needs to be a priority, the council should be called to answer for the state of some of the houses people are expected to live in. Council homes should not be forced upon new houses developments, People feel like they don't belong and find it difficult to integrate.
- Trades Union membership and activities should be encouraged and supported throughout the workforce. Gender, disability and ethnicity pay gap within the

workforce. Pensions gap, especially between men and women and also those with disabilities, which dwarfs the pay gap.

- Increase the availability of social housing.
- Living standards should also include access to green space and play for children as well as local services.
- Financial abuse contributes to the social issues many people face, especially women.
- Some households have two wages coming in but can't afford to eat well. There needs to be an awareness of the problems people face.
- Inclusion within school curriculum.
- Treat male/female people equally

Themes and Key words: wellbeing; struggling; violence and barriers; service connectivity; them and us; no faith in change; equal access to services; improve housing conditions; affordable food; play spaces; financial barriers; belonging; trust in systems; fair income; budgeting; transport infrastructure; sense of belonging; accessibility.

Education:

- Additional support needs more support.
- Enable inclusive environments to work for everyone.
- Better systems.
- Access to education resources for at-risk or vulnerable groups.
- More opportunities for extracurricular activities that are lower cost / free.
- Increasing alternative provision for pupils that the mainstream school environment isn't right for, nor is it safe for them and their peers.
- That children feel safe in the school environment and are not subjected to volatile or violent classmates.
- Make an explicit commitment to delivering the Equally Safe agenda through both ensuring girls are safe in school and providing relevant education for boys and girls.
- Staff within education including support staff should be adequately paid, treated with respect and protected from violence and harassment at work. Improving educational performance of White British, Black Caribbean and Mixed White and Black Caribbean children from low socio-economic backgrounds, especially boys, which evidence shows are underperforming, should be specifically considered, as well as the categories listed. The ethnic and gendered dimension of this should be included in the aim of narrowing the poverty related attainment gap. Even where girls are doing better than average than boys, it can be that they are choosing school subjects which will lead to less well paid careers. Actively aiming to reduce gender stereotyping is important from an early stage, as is good career guidance. By aiming that 'all' pupils feel increasingly valued, the necessary focus on those that currently experiencing poorer outcomes may be lost.

- An outcome to help ensure learning support in classrooms is sustained to ensure pupils requiring different strategies to help them be the best they can be is core.
- Physical and mental health improvement through promoting accessible sports and activities through being free at the point of access.
- Migrant children and their families being supported and accepted by their communities without having to completely assimilate British culture and forgo their native one.
- Young people who are d/Deaf will always have better access to learning in their communication needs are adequately supported and they have access to BSL in the classroom at their required level.
- Teaching children about online misogyny and transphobia at an earlier age.
- You have identified the sex gap as being a concern, with boys generally not doing as well as girls.
- Getting more pupils involved in sport to help create a greater sense of belonging and safety
- Areas of personal development that foster resilience. Leadership Opportunities, Outdoor Education, Work Experience, Volunteering etc. Having systems in place to facilitate the above in collaboration with local community groups.
- A diagnosis shouldn't be needed for children to be treated as individuals and have their rights met. Would be better to change to something like: We will create and maintain inclusive learning environments in which all pupils, regardless of their background, protected characteristics and needs, feel increasingly valued, respected and supported to fulfil their potential. Also, add - reduce numbers of emotional based school avoidance. The current statistics are alarming. As UNCRC is being incorporated some of the articles should be referred to.
- Improving educational outcomes for children in care.
- Issues for pupils from rural communities. These villages may have poor or no transport links. Thus, children may have less opportunity to go to out of school /after school activities e.g. sports, music or socialise with classmates. Issues for children who are gifted e.g. musically being able to progress rather than be held back in mainstream education rather than have to travel to St Mary's Music School. Issues for youngsters whose first language is not English. Issues for children from refugee backgrounds who may either be with family or by themselves. They may have experienced trauma.
- Equal opportunities for all - less grouping at primary school level and more individualised approach to students' progress in school. Outcomes could be more specific in terms of percentages / numbers.
- Range of experiences and opportunities for all children.
- Prevention and reduction of bullying.
- Improving children's attendance in school.

Themes and key words: one size doesn't fit all; timely; responsive; struggling; fighting; systems; neurodivergence; access; inclusion; safety; Rights; frustration; the

right tools; not getting it right for every child; communication needs; age, stage, and ability; resources; trauma informed; inclusive; BSL.

Justice:

- Supportive of the focus on violence against women and girls, but we need to not forget men and boys (as well as trans or non-binary individuals) are also targets.
- I'd ditch the nonsense about hate crime, it's the stupidest thing to be worrying about. Actions are all that matter, regardless of worrying about motivation. All efforts in this area should go into the violence and sexual harassment theme. Focusing both on men and women.
- Educating about hate crime at school, start early, plus the prevention of crime.
- the reporting of hate crimes is being abused. there requires to be very clear guidance of what is considered a hate crime.
- Is the violence against people not required to be a general outcome. Focusing on minority or particular groups can have the opposite effect where they become a target.
- Provision of support in relation to domestic violence within ELC workplaces - informal support networks facilitated by those with lived experience.
- Need to recognise shifting gender identities and related issues.
- Promotion of Zero tolerance to crime. Why are we still discussing religious/ racist based crime in 2024. We have and have had a multicultural society, but we do not address prejudice.
- Hate crime, disability, either as victim or perpetrator - more research needed support for those already doing this work to bring into focus.
- All of the above are important, but older people are also vulnerable. Especially those with memory issues.
- Supporting all young people who are statistically most likely to experience crime. Increasing awareness and understanding for staff, the public, schools and the community about cyber-crime and the dangers facing young people as they begin to use social media.
- There needs to be a focus on young people/teens who are low offending in the community. This is impacting people feeling safe and may lead to more serious offending. We need to find out what will support them and provide services to tackle this.
- focus on rehabilitation and supporting offenders or those on the fringe of the justice system into their communities to prevent reoffending.
- Strengthen preventative and diversionary activities for young people to reduce the risk of them becoming perpetrators or victims of crime.
- You are flogging a dead horse. Women in particular will probably not report crimes against them because they don't think anything will be done. Teenagers are bored and lack ambition because they see that for generations, nothing has changed.

- Social media, misogyny, attitudes towards domestic abuse. be educating young people about healthy relationships giving them the confidence to stand up for themselves. Teaching young people to have self-respect.
- Put police back on the streets. Engage with the public to build trust. Manage teenage bullying of shopkeepers and customers. Work with parents and young people to help them understand expectations of community life. Teach respect, responsibility and accountability. Invest in policing so that the elderly, vulnerable and children can walk freely without fear. Encourage community involvement and tolerance. Don't label people! Everyone has the right to feel safe in the workplace or community.
- Justice social work services need to be easier to access from rural areas.
- People have the right to be treated with dignity and respect at work, to do their job to the best of their ability, free from discrimination and harassment. Employers should also seek to protect staff from discrimination, harassment including sexual harassment, and violence. The 'outcomes' should consider whether it is appropriate to have an increase in reporting of hate crime as a target, or reduction in the amount of hate crime in areas where the organisations have control or influence, as well as ways of monitoring this. Drug misuse is a problem throughout Scotland. Sometimes people use drugs to try to cope with stress at work.
- Educate young people, have better understanding of why these outcomes happen.
- Give Young People a perspective in life. Open skill centres, youth clubs and leisure centres which are financially accessible. Spot talent and nurture it. Give youth opportunities to learn skills they might never have otherwise had. Promote education in all forms. Our children are the future leaders, start building well rounded individuals from nursery care onwards. Pay mums/dads to stay at home for the first 5 years of life, to nurture children. Reduce the working week to allow parents time to bond with their children. Pay grannies to help out with childcare. Have consequences for the youth who terrorise society with bad behaviour. Have consequences for parents who neglect their parental responsibilities.
- Open government policies in easy to read formats.

Themes and key words: early intervention; more (police, social workers, community psychiatric nurses); children's safety; trauma informed staff; visible policing; social media; healthy relationships; disaffection; clear guidance (Easy read); Zero tolerance; support; mitigate tensions; tipping points; better communications; anticipate flash points; teach (respect, responsibility and accountability).

Work:

- Affordable transport to reach workplaces.
- Recognition of the huge role Library staff play in the Community.

- Your staff aren't the issue and aren't the ones suffering the issues that you mention. What can you do to address cultures that are perfectly formed for the outcomes you see; how can you improve them? Or can you accept the validity of cultures that don't want to see the outcomes you believe are correct, aren't you imposing your values onto them?
- Access to employment agencies and support activities.
- The trans-and non-binary concerns can be a real can of worms. Acceptance is one thing (as in I accept that you think you are actually a man/woman) but affirmation is another (I affirm that you are actually a man/woman) and often it is the demand for affirmation that is the problem and leads to feelings of non-inclusivity or harassment. The whole trans movement has the feeling of a moment in history where things go too far and then swing back. I'd be very careful about doing more other than insisting on basic levels of respect.
- Autistic people struggle with work because of burnout, masking, sensory issues, social issues, difficulties with interviews, the ones who do work can't function outside of work because of using all their energy there.
- My workplace is a great advocate for diversity and makes it easy for managers to support this. I think there should be a focus on long-term sickness, more support to bring workers back to the workplace.
- All of our staff have a greater cultural awareness of different groups and their needs.
- Support the equally safe agenda.
- Support families into employment, working with the whole family wellbeing team.
- older people are also subject to not being employable. Making employers aware of the skills that older people bring to a work place. Many employers will only employ younger staff as they are ""cheaper"" to hire.
- All of our employees are and feel increasingly valued and respected.
- role of disabled people and people living with long-term conditions in work, support from employers, the state, fellow employees.
- Removing pay inequality for women.
- Providing the support for women to remain in work after children. E.g. reducing overtime/evening working requirements.
- From an early age encourage boys to take on caring roles. Ensure minority voices are heard and supported. Talk to primary children about unconscious bias. Normalise disability. Encourage employers to hire disabled people.
- There are not enough opportunities for gaining access to quality employment for the groups listed above. East Lothian Council is taking advantage of female staff by employing staff on limited hours and school staff on term time only contracts. People have bills year round.
- Much more focus on peoples mental health.
- Remember racism works both ways white people can be racially attacked as well.
- Stop splitting primary classes by gender, such as lining up based on gender. I have seen this happen. Stop ""boys and girls"" language. Encourage boys to be

hairdressers and girls to be engineers. Let 'children' choose what they want to be, not be guided by the socio economic status or gender.

- Not just race awareness also awareness increased around disability and old age.
- Of course, trans and non-binary people should have their health care needs met. But please ensure that women are also able to access health care in a setting which is for biological women only.
- Transport is a major issue where employment is concerned. Hospitality needs late buses and trains to be operating. The cost of transport is too high in relation to wages. Places like Dunbar are isolated which is not good for economic growth and development.
- BSL local plan need to include this a more direct statement about equality of opportunity would be good.
- Ask minority communities what they need.
- To deliver the outcomes you have chosen is a momentous task and I sincerely hope that you can carry it out. How good it would be if you could.

Themes and key words: transport (accessible, affordable, available); pay (equal, cost of living, fair working conditions); equally safe; carers needs; trans and non-binary; accessible work; support to report abuse; women's rights; trauma informed; impacts (who); safety; apprenticeships; Employment opportunities; whose values; cultural awareness; value diversity; accessible communication and personal choice/need; BSL..

Health:

- There are no improvement targets for men's mental health, specifically rates of suicide.
- Trauma informed approach supports the provision of environments, services and interactions which respect and support everyone.
- Greater support in relation to mental health for young people. Focus on impact of social media and its negative consequences.
- View poverty as 'ill health' or inequality of health.
- Improve the access to the elderly trying to attain their own appointments - making their own phone calls to lines that are full for long periods of time, or ones that you can only get through to at a specific time are not practical and accessible.
- Widening the provision of local healthcare, making healthcare accessible where people are'
- Improve GP services- as difficult to get any appointment unless you say you are really ill.
- Focus on meeting the health care needs of disabled people, of deaf people, of blind people, of learning disabled people.
- Generational repetitive cycles - without supporting people to heal from trauma we will continue to see increased criminality, drug use and children being accommodated. Access to counselling and trauma work is scarce with waiting lists for CAMHS at 3 years and for adult therapy 1-2 years.

- Greater assistance and support for people who become disabled.
- Better access to GP services irrespective of which group in society you align. Earlier intervention could reduce a number of chronic illnesses irrespective of identity.
- Support for people with Learning Disabilities. Services cut back to the bone and beyond and support is virtually non-existent.
- Social prescribing
- Widening the provision of local healthcare, making healthcare accessible where the people are.
- Access to services in rural areas. Centralised services in places like Haddington and Edinburgh can be difficult to get too from places like the Lammermuir villages with poor/no public transport.
- Culturally, many immigrants are covered and Babies kept indoors for the first few months of life. Therefore, more cultural awareness is needed to tackle issues from an insider perspective.
- The elderly and vulnerable need better care and services in the community. Age discrimination in healthcare is a real issue which is not being addressed.
- The infrastructure in East Lothian does not meet the needs of the diverse communities within. Moreover, Mobile services for dental care, vaccinations, CTAC services might help.
- A black woman has the same maternity needs as a white woman. Irrespective of how you identify, a person requires good health and social care. Some people need a wheelchair to accommodate specific needs, others might need gender reassignment surgery. Let's get back to being human beings with specific needs and work together to meet those needs.
- A focus on accessible generalist services that can provide continuity has been shown to have the greatest impact on health inequalities.

Themes and key words: Health education; dwindling; transport; access-keep it open and local; person centred; BSL; relationships matter; barriers impact health; preventative; timely intervention; accessible communication; competing for access to services.

COMMITTEE: Cabinet

MEETING DATE: 11 November 2025

BY: Depute Chief Executive Resources and Economy

REPORT TITLE: Access to Information Policy

REPORT STATUS: Public

5

1 PURPOSE OF REPORT

- 1.1 To request approval of the new Access to Information Policy for corporate adoption, including a new approach to charging for environmental information requests under the Environmental Information (Scotland) Regulations 2004 ('the EIRs').

2 RECOMMENDATIONS

- 2.1 Members are recommended to approve the new Policy for adoption.

3 BACKGROUND

- 3.1 The Environmental Information (Scotland) Regulations 2004 ('the EIRs') provide a general right of access to environmental information held by public authorities. As is the case for Freedom of Information legislation, the EIRs are regulated by the Scottish Information Commissioner ('the SIC').
- 3.2 In November 2024, East Lothian Council ('the Council') received a Decision Notice from the SIC in relation to an appeal of the Council's response to a request for environmental information. The SIC found that the Council's existing Schedule of Fees and associated Policy on charging under the EIRs were not compliant with legislation. In particular, he found the Council's 'blanket approach' to charging to be incompatible with the spirit of the legislation.

- 3.3 The SIC noted the terms of Regulation 8(8) of the EIRs, which states that a Scottish public authority must publish a schedule and information on the circumstances in which a fee may be charged, waived or required to be paid in advance in relation to requests for environmental information. The SIC noted that, while he considers the Council to be compliant with the first part of this requirement, it is not with the second. He further noted that 'In the Commissioner's view, the requirement to detail these circumstances carries with it the expectation that fees will not be charged invariably, they will be waived on occasion, and they will not always require to be paid in advance.'
- 3.4 The SIC accordingly asked the Council to review its approach to charging to produce environmental information, along with all relevant material published or provided to applicants. In July 2025, the SIC also published revised guidance on the application of charges in relation to environmental information requests. The revised guidance clarifies:
- Any costs charged must not be such that requesters are dissuaded from seeking to obtain environmental information or that the right to access is restricted (it should be possible to identify – and address - any deterrent impact from regular scrutiny of case handling statistics).
 - It is not unreasonable to have a policy on charging (generally, it will be helpful to do so), but a policy providing or allowing for the indiscriminate application of charges is unlikely to be reasonable...the Commissioner's view is that charging should be resorted to in limited circumstances only and not routinely.
 - Public authorities should be able to demonstrate to the Commissioner that, in setting charges, they have undertaken a proper study of all of the relevant factors which should be taken into account; that they have given those factors proper consideration and that they have not taken into account any other, irrelevant factors.
 - the cases in which advance payment is required should be limited...A blanket approach to advance fees is likely to fall foul of the Directive. Equally, the inclusion of the other matters specified in regulation 8(8) (the circumstances in which a fee may be charged or waived) suggests that a blanket approach to either is not what the EIRs have in mind.
- 3.5 The new Access to Information Policy has been drafted with regard for this guidance. Pending approval of the new Policy, the Council has elected to suspend all charging in relation to EIRs since 01 January 2025. Approval of this new Policy will allow modified charging to resume in line with current guidance.
- 3.6 In addition to changing the Council's approach to charging, the new policy covers all aspects of providing access to Council-controlled information. In particular, the new policy adds provisions regarding:

- the circumstances where requests may be classed as malicious or vexatious;
- commitment to proactive publication via the Council's Publication Scheme;
- third-party requests for personal data.

4 POLICY IMPLICATIONS

Training and awareness

- 4.1 The shift from a policy that charges by default to a policy that sets out a framework whereby charges may be applied gives greater discretion to Services on when and where to charge. Accordingly, there will be a need for increased training and engagement to ensure that all relevant staff have a good understanding of the factors that need to be taken into account.
- 4.2 Additions to the Policy include a more explicit focus than previous policies on the circumstances when the Council can decline to respond to a request. Training should therefore empower staff to be confident in knowing when they can decline to respond to requests that place an unreasonable burden on the Council.

Business Impact

- 4.3 EIR request statistics since fees were waived on 01 January 2025 indicate a significant increase in the number of requests progressing through the full request process. The Service areas most commonly affected have been:
 - Roads
 - Property Maintenance
 - Planning
 - EHTS
 - SACPM
 - Insurance (not chargeable)

It is likely therefore that trends under the new Policy will continue with increased impact on Services charged with responding to EIRs.

Proactive Publication

- 4.4 Acknowledging the resource impact, the new Policy presents an opportunity to shift the Council's approach to its Publication Scheme, which is currently under-utilised. Proactive publication will allow the Council to redirect requesters earlier in the request process, as we are able to apply a straightforward exemption to published information, and

it will enhance the Council's compliance with other information legislation (such as the Re-Use of Public Sector Information Regulations) and Open Data initiatives, in addition to strengthening the Council's relationship with the public through increased transparency.

Records Management

- 4.5 A key measure to enhance compliance and reduce the impact on staff time will be a focus on improving records management, which current rests at low maturity throughout the organisation. While some requests received by the Council will be clearly excessive, significant improvements to the structure and quality of Council records are also needed to reduce staff time and costs overall.

5 RESOURCE AND OTHER IMPLICATIONS

- 5.1 Finance: the increase in EIR requests progressing through the full response procedure will have an impact on costs to the Council, primarily in terms of staff time. Prior to implementation of the new Policy, the costs of processing reviews and appeals were significantly greater than the income received via fees, resulting in a net cost to the Council. Due to the in-built time for submitting requests for internal review (40 days from the date of the Council's response) or appeals to the SIC (6 months from the date of the Council's review response), we are unlikely to be able to quantify the impact of the new Policy on requests for internal review/appeals until at least the second quarter of the next financial year.
- 5.2 Human Resources: there will be an impact on staff time in the Customer Feedback team as well as Services charged with responding to requests for environmental information. Request statistics indicate an increase of c.63% in EIR requests requiring a full response when compared with a similar period in the previous year.
- 5.3 Other (e.g. Legal/IT): there will be a positive impact on legal compliance as the Council aligns more closely with statutory guidance.
- 5.4 Risk: there will be reduction in risk of non-compliance with legislation and associated reputational damage.

6 INTEGRATED IMPACT ASSESSMENT

- 6.1 ***Select the statement that is appropriate to your report by placing an 'X' in the relevant box.***

An Integrated Impact Assessment screening process has been undertaken, and the subject of this report does not affect the wellbeing of the community or have a significant impact on: equality and human rights; tackling socio-economic disadvantages and poverty; climate change, the

☐

environment and sustainability; the Council's role as a corporate parent; or the storage/collection of personal data.

or

The subject of this report has been through the Integrated Impact Assessment process and impacts have been identified as follows:

X

Subject	Impacts identified (Yes, No or N/A)
Equality and human rights	Yes
Socio-economic disadvantage/poverty	Yes
Climate change, the environment and sustainability	No
Corporate parenting and care-experienced young people	No
Storage/collection of personal data	No
Other	No

The changes will have a positive impact on transparency and public access to information, particularly for individuals with lower incomes.

The Integrated Impact Assessment relating to this report has been published and can be accessed via the Council's website:

https://www.eastlothian.gov.uk/info/210602/equality_and_diversity/12014/integrated_impact_assessments

7 APPENDICES

7.1 Access to Information Policy v2.0

8 BACKGROUND PAPERS

8.1 [Decision 257-2024](#) – Scottish Information Commissioner

9 AUTHOR AND APPROVAL DETAILS

Report Author(s)

Name	Zarya Rathé
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Date	23/10/2025

Head of Service Approval

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Designation	Executive Director for Council Resources
Confirmation that IIA and other relevant checks (e.g. finance/legal) have been completed	Confirmed
Approval Date	28 October 2025



**Access to Information Policy
2025-2028**

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Document Control

Version	Date	Description	Reviewed by
1.0	September 2012	ELC Freedom of Information and Environmental Information Regulation Policy created	Not recorded
1.1	June 2013	Information Charging Policy created to supplement FOI & EIR Policy	Not recorded
1.2	2015	Information Charging Policy reviewed	RG
1.3	May 2017	FOI & EIR Policy reviewed – post titles, team names amended	SDN
1.4	May 2017	Information Charging Policy reviewed	SDN
2.0	August 2025	FOI & EIR Policy and Information Charging Policy reviewed and amalgamated to form Access to Information Policy	Zarya Rathé

1. Introduction

Under information legislation in Scotland, individuals have the right to ask East Lothian Council ('the Council') for access to the recorded information it holds. This legislation is key to protecting individual rights, promoting government accountability and fostering good relationships between public authorities and individuals, founded on transparency and openness.

This document sets out the Council's Policy for providing access to its recorded information in line with the following legislation (and any successor legislation as it is updated and amended):

- Freedom of Information (Scotland) Act 2002
- Freedom of Information (Fees for Required Disclosure) (Scotland) Regulations 2004
- Environmental Information (Scotland) Regulations 2004
- Re-Use of Public Sector Information Regulations 2015
- Data Protection Act 2018 / UK GDPR
- Data Use and Access Act 2025

2. Statement of Intent

- 2.1. East Lothian Council is committed to transparency about the way in which it operates and makes decisions and will favour disclosure of information whenever possible.
- 2.2. The Council will ensure that the public will have a general right of access to the information it holds, subject to certain conditions and exemptions.
- 2.3. The Council will adopt and maintain a publication scheme, approved by the Scottish Information Commissioner, which relates to the publication of information by the Council.
- 2.4. The Council will ensure that training (including refresher training) is provided to officers who may be required to provide information, and that these officers are familiar with the requirements of information legislation.
- 2.5. The Council recognises its obligations to make information readily available and does not want charges to prohibit this right of access to information. There may be situations, however, where it is appropriate to charge for the production of information. The Council will ensure that the basis for any such charges is reasonable, transparent and applied in compliance with the relevant legislation.

3. Scope

- 3.1. This Policy applies to all Council staff.

- 3.2. Where Elected Members work on behalf of the Council, this Policy applies to them. This Policy excludes constituency or party political work carried out by Elected Members.

4. Definitions

In this document,

- 4.1. 'DPA' or 'DPA2018' means the Data Protection Act 2018;
- 4.2. 'EIRs' means the Environmental Information (Scotland) Regulations 2004;
- 4.3. 'FOISA' or 'FOI' means the Freedom of Information (Scotland) Act 2002;
- 4.4. 'ICO' means the UK Information Commissioner, who is the regulator in the entire United Kingdom for matters relating to compliance with data protection legislation;
- 4.5. 'ROPSI' means the Re-use of Public Sector Information Regulations 2015;
- 4.6. 'SAR' means Subject Access Request, i.e. an individual's request for their own personal information;
- 4.7. 'Section 60 Code of Practice' means the Code of Practice produced by Scottish Ministers to describe best practice for Scottish public authorities to follow in discharging their functions under FOISA and the EIRs;
- 4.8. 'Section 61 Code of Practice' means the Code of Practice produced by Scottish Ministers to describe best practice in records management to support compliance with FOISA and the EIRs;
- 4.9. 'SIC' means the Scottish Information Commissioner, who is the regulator in Scotland for matters relating to compliance with FOISA and the EIRs;
- 4.10. 'UK GDPR' means the UK General Data Protection Regulation.

5. Roles and Responsibilities

- 5.1. **All staff** are responsible for:
- undertaking mandatory training on how to handle information requests;
 - forwarding relevant information requests to the Freedom of Information and Subject Access Request mailboxes for processing;
 - searching for and producing requested information promptly in line with statutory timescales;
 - maintaining a record of searches conducted and sharing this with the Customer Feedback and FOI team.
- 5.2. The **Customer Feedback and FOI team** is responsible for:

- receiving and processing requests for information via relevant email mailboxes and the Customer Portal;
- communicating with requesters about the progress of their request;
- providing advice and assistance to requesters in making valid requests;
- providing guidance to internal staff on the execution of relevant procedures;
- redacting exempted data from disclosures;
- issuing responses to information requesters;
- developing and promoting the Council's Publication Scheme;
- monitoring, promoting and reporting on compliance with statutory timescales, the Section 60 Code of Practice and the online guidance produced by regulators;
- liaising with relevant regulators.

5.3. The **Reviewing Officers** are responsible for:

- undertaking internal reviews of the Council's EIR and FOI responses as requested and in line with internal and online guidance and the Section 60 Code of Practice;
- drafting and issuing Review responses in line with statutory timescales.

5.4. **Heads of Service** are responsible for:

- Acting as Reviewing Officers or nominating Reviewing Officers within their Service areas;
- Promoting active contribution to the Publication Scheme by their Services.

5.5. The **Governance Service management team** is responsible for:

- producing submissions for the SIC on behalf of the Council in response to appeals lodged by applicants;
- providing ad hoc advice and guidance on compliance with information legislation;
- liaising with the SIC as required.

5.6. The **Data Protection Officer** and/or their deputy is responsible for:

- reviewing the Council's responses to Subject Access Requests if requested by applicants;
- advising on the application of exemptions to disclosure under the DPA2018;
- advising on the application of exemptions to the Data Protection Principles under the DPA2018 (also known as "Schedule 2 requests");
- advising on the application of escalated measures including (but not limited to) the serious harm test and 'complex' classifications;
- liaising with the ICO as required.

6. **Statutory Framework**

6.1. Information legislation provides right of access to three main types of information, with limited exceptions. The pieces of legislation work together: the EIRs enable access to environmental information; the DPA enables access to one's own personal data, and FOISA enables access to all other information. ROPSI provides a legal gateway for third

parties to re-use information held by the Council, where the Council holds the intellectual property rights in the information.

- 6.2. Requests for an individual's own personal data are called Subject Access Requests, or SARs, and they correspond to the individual's 'right of access' under the UK GDPR. Individuals are normally only entitled to receive copies of their own information, and information relating to third parties is exempt from disclosure. A number of other exemptions under the Data Protection Act may also apply.
- 6.3. The Council may also receive requests for third-party personal data from agencies such as Police, professional regulatory bodies and tax authorities. This information may be lawfully disclosed in line with the relevant legal gateways and exemptions in the DPA, subject to the Council's 'Schedule 2' handling procedures.
- 6.4. Requests for environmental information are handled under the EIRs. 'Environmental information' includes information about the elements and factors of the environment, and is fully defined in Regulation 2 of the EIRs.
- 6.5. Requests for any information that is not personal data or environmental information may be handled under FOISA.
- 6.6. ROPSI applies to the re-use of documents by third parties where the Council owns the relevant intellectual property rights and the documents are supplied as part of the Council's Public Task.¹ ROPSI does **not** apply to any part of a document which is accessible under information access legislation, such as FOISA or the EIRs.
- 6.7. ROPSI also does not apply to information which is exempt from disclosure under FOISA or the EIRs, apart from information that is subject to s.25 of FOISA, which relates to information that is already readily accessible to the requester (for example because it is published on the Council's website).

7. East Lothian Council Policy Framework

- 7.1. This Policy supersedes the following Council Policy documents:
 - Freedom of Information and Environmental Information Regulation Policy
 - Information Charging Policy – May 2017
 - Schedule of Fees – prior to November 2025
- 7.2. This Policy should be read with reference to the:
 - Data Protection Policy
 - Information and Records Management Policy
 - Records Management Plan
 - Internal guidance and procedures for staff on the Council Intranet

¹ Please note that the Council's Public Task under ROPSI is different from the lawful basis 'public task' under the Data Protection Act 2018 / UK GDPR, Article 6(1)(e).

8. Receiving Requests

- 8.1. Any written request for information could be in scope of the information legislation; the applicant does not need to state 'this is an FOI request' or 'this is a Subject Access Request' in order for information legislation to apply. If in doubt, staff should seek guidance from the Customer Feedback and FOI team.
- 8.2. The information in scope of a statutory information request includes **all recorded information, in any location and in any format**. This includes information that may be difficult to retrieve, for example data on back-up tapes, email accounts belonging to departed staff, or information in chats and phone messages. All staff are required to maintain effective records management controls to ensure compliance.²
- 8.3. All information requests received by Council employees (including School staff) must be sent promptly to the correct mailboxes for processing. Strict statutory timescales apply to requests:

Request type	Statutory response timescale	Mailbox
Freedom of Information request ('FOI')	20 working days	foi@eastlothian.gov.uk
Environmental Information request ('EIR')	20 working days (may in very limited cases extend another 20 working days)	foi@eastlothian.gov.uk
Internal Reviews under FOISA or EIRs	20 working days	foi@eastlothian.gov.uk
Re-Use of Public Sector Information Regulations request ('ROPSI')	20 working days	foi@eastlothian.gov.uk
Subject Access Request ('SAR')	1 calendar month (may in some cases extend to 3 calendar months)	sar@eastlothian.gov.uk
Schedule 2 request	No statutory timescale	sar@eastlothian.gov.uk

Failure to comply with statutory timescales may result in enforcement action by regulators.

- 8.4. Anyone can make a request for information to the Council under the information legislation, regardless of their nationality, location or motive. A requester is not required to state the purposes for their request.
- 8.5. If the Council receives a request for information which it does not hold, but which it knows is held by another public authority, the Council will provide as much assistance

² For more information on effective records management, refer to the Council's Records Management Plan, the Information and Records Management Policy and intranet guidance. The Section 61 Code of Practice on Records Management, produced by Scottish Ministers, also provides a framework for effective records management in the context of FOISA and the EIRs.

as possible to the applicant in transferring their request to the other authority. This may be by simply directing them to the appropriate public authority or, for environmental information, by transferring the request directly to the other authority, informing the applicant if this is to be done.

- 8.6. The Council will as soon as possible, but within no more than 2 working days, acknowledge receipt of an information or review request. If the request does not provide sufficient detail to allow the Council to identify the information, the Council will request clarification as quickly as possible but in any event no later than the statutory deadline for response.

8.7. **Valid/Invalid requests**

Freedom of Information

- 8.7.1. For a FOISA request to be valid, it must:
- Be in writing or other recorded form (e.g. audio recording);
 - State the name of the applicant and an address for correspondence (email address is acceptable); and
 - Describe the information requested.

In general, a request posing a question with a simple ‘yes/no’ answer will not be considered a valid request for information under the Act, although the Service might choose to respond as a ‘business as usual’ (‘BAU’) request .

Environmental information

- 8.7.2. Under the EIRs, a request for environmental information may be made in any form, including verbally.

Personal data

- 8.7.3. Subject Access Requests can be made in any form, including verbally. Valid requests must be accompanied by information that confirms the requester’s identity, for example a driver’s license. The Council is not obliged to respond to a SAR until it is satisfied that the requester is who they say they are.

8.8. **Advice and assistance**

- 8.8.1. When handling FOI and EIR requests, the Council will provide advice and assistance to requesters at all stages of a request, tailored to the particular request, so far as a reasonable person would expect. The Council shall at all times have regard to its duties under equalities legislation to ensure accessibility for all.
- 8.8.2. If the Council receives an invalid request for information, it will provide the requester with advice and assistance in how to make a valid request.

8.9. Requests for clarification

- 8.9.1. If the Council receives a valid request for information, but needs more information from the requester to identify and locate the information, it will ask the requester for clarification as soon as reasonably possible and in any case before the statutory deadline for response.
- 8.9.2. For all statutory information requests, once the Council requests clarification, the statutory deadline for response will be suspended until clarification from the requester is received.

9. Responding to Requests

- 9.1. The Council will provide a formal response as soon as possible, but no later than the statutory deadline. This response will either:
 - Provide the information requested;
 - Decline to disclose the information requested, citing the relevant exemption, the reasoning behind decision to apply the exemption, and (where applicable) why the public interest in withholding the information outweighs the public interest in disclosing it; or,
 - Advise the requester that the Council will be applying an extension, citing the relevant statutory grounds.
- 9.2. In circumstances where information may be disclosed only in part, the Council shall securely redact the exempted data to an appropriate technical standard.
- 9.3. **Council officers are not expected to create new information** in order to respond to requests, and responses will be consistent with the wording of the request. If the Council does not hold the information requested in a recorded form at the time of the request, a response of 'information not held' will be returned. The collation of recorded data from multiple sources is not considered to be 'creating' new information, and such information will be considered in scope if it is held at the time of the request.
- 9.4. In circumstances where the Council holds information that was created by a third party, the Council will (as far as possible) consult with that third party to seek their views on disclosure of the information requested and any possible impact of disclosure. The decision on whether to disclose the information, however, rests with the Council alone.
- 9.5. If the Council decides to withhold the information requested or decline to respond, it will cite the relevant statutory exemption in its response. The response will also advise the applicant on next steps and how to contact the relevant regulator if they remain unhappy with the Council's response.

Request type	Regulator
Freedom of Information request ('FOI')	Scottish Information Commissioner ('SIC')
Environmental Information request ('EIR')	Scottish Information Commissioner ('SIC')
Re-Use of Public Sector Information Regulations request ('ROPSI')	UK Information Commissioner's Office ('ICO')
Subject Access Request ('SAR')	UK Information Commissioner's Office ('ICO')
Schedule 2 request	UK Information Commissioner's Office ('ICO')

10. Charging for Information

10.1. The laws for charging for information requests are similar to each other, but not the same. Charging regimes differ between FOISA, the EIRs and ROPSI. This section sets out these key differences for the purposes of calculating and applying fees for information requests.

10.2. The Council is not permitted to charge for requests made under data protection legislation, including Subject Access Requests.

10.3. See [Appendix 2](#) for a decision tree on applying fees.

10.4. Freedom of Information charges

10.4.1. In certain circumstances, the Council may charge a fee to produce information requested under FOISA. The method of calculating charges is defined by the Freedom of Information (Fees for Required Disclosure) (Scotland) Regulations 2004. The Council does not have discretion to modify this statutory charging regime.

10.4.2. The Council is entitled to charge for the direct and indirect costs incurred in locating, retrieving and providing information.

10.4.3. The Council is not entitled to charge for any costs incurred in determining whether it actually holds the information. Similarly, the Council is not entitled to charge for any costs incurred in determining whether an exemption from disclosure should be applied.

10.4.4. Charges may only be applied if the projected costs of complying with a written request for information exceed £100. The fee will be 10% of the difference between the projected costs and £100.

10.4.5. When estimating the costs of complying with a written request for information, a maximum rate of £15 per hour of staff time is permitted. If the work can reasonably be done by a member of staff on a lower grade of pay, then the calculations must reflect the cost of that lower grade. Charges for a person's time should not be rounded up to the hour, but should be expressed as a fraction of an hour if only a fraction is expected to be required.

10.5. **EIR charges**

- 10.5.1. In certain circumstances, the Council may charge a fee to produce information requested under the EIRs. These charges shall be in accordance with Regulation 8 of the EIRs. The Council has some discretion to determine the method of applying reasonable fees, with reference to the SIC's guidance and decisions (see [Appendix 3](#) for links).
- 10.5.2. Each EIR request shall be assessed on a case-by-case basis to determine whether charges should be applied in line with the charging guidelines below. The Council shall not adopt a blanket approach to charging in relation to EIRs. When in doubt, staff should consult with the Council's Customer Feedback and FOI team for advice on charging.
- 10.5.3. Charges shall not be applied such that requesters are dissuaded from seeking to obtain environmental information. The Council shall regularly record statistics regarding charging as part of its case handling statistics.
- 10.5.4. The Council will not normally require payment of fees in advance. If the Council does need to request payment in advance, it will do so in limited circumstances only.
- 10.5.5. The Council will publish its Schedule of Fees, including information on the circumstances in which a fee may be charged, waived or required to be paid in advance. The Charging Guidelines in section 10.5.8 below shall form the basis for the Schedule of Fees.
- 10.5.6. The [Schedule of Fees](#) is appended to this Policy and will be updated annually.
- 10.5.7. Any charges applied shall not exceed a reasonable amount and in any case shall not exceed the costs to the Council of producing the information requested. The term 'reasonable' is not defined in the EIRs, but for the purposes of this Policy the following guidelines should be considered in deciding whether to apply a charge and whether the charge is reasonable.

10.5.8. EIR Charging Guidelines

Fees may apply:	Reasonable fees are based on:
Where the costs to the Council exceed the average cost of an appeal, provided that the overall fee is proportionate to the volume and type of data requested.	Staff costs at the rate of the lowest grade having the necessary knowledge, skills and competencies to produce the information. If the work can reasonably be done by a member of staff on a lower grade of pay, then the calculations must reflect the cost of that lower grade. Charges for a person's time should not be rounded up to the hour, but should be expressed as a fraction of an hour if only a fraction is expected to be required.
Where the Council makes the environmental information available on a commercial basis, and this income is necessary to guarantee the collection and publication of the information.	Market-based fees
Where there is a cost incurred by the Council in order to locate and retrieve files, for example by ordering paper files from off-site storage or for scan-on-demand services. Such a fee will only apply if the information is not already published online or routinely made available to the public (see the table setting out when fees will not apply below).	Costs of retrieval and transport, including staff time to the extent that it is required to locate and retrieve the information.
Where there is a cost incurred by the Council in order to photocopy, print and/or post information in order to comply with the request. The Council will by default provide data in the least costly format, unless otherwise requested by the applicant.	Materials, postage costs, and staff costs at the rate of the lowest grade having the necessary knowledge, skills and competencies to produce the information.
Where there is a cost incurred by the Council in order to redact exempt information.	Staff costs at the rate of the lowest grade having the necessary knowledge, skills and competencies to produce the information.

Fees will not apply:
For time spent determining whether information is held.
For time spent determining whether information is subject to an exception for disclosure.
For any costs incurred in relation to a request for information that is not held.
For access to public registers or lists if they are already published or otherwise made publicly available for the purposes of inspection (except where there is a fee set by other legislation.)
If the information is not already published, the Council may charge a fee for location and retrieval (see above re: location and retrieval fees).
If the Council has not published a Schedule of Fees.
If the Council decides to waive fees: • In order to ensure that financial barriers do not form an impediment to access to information; • On the basis that the chargeable fees are less than the average cost of an appeal; • On the basis of the request handler's or Reviewing Officer's discretion.

Examples:

- 1- Jane Doe emails the Council's Planning Service asking for a copy of a Planning policy. The Planning policy is already published on the Council website. The Council should advise the requester that, in line with Regulation 6(1)(b) of the EIRs, the information is already publicly available and easily accessible on the Council website. The Council should **not** apply a charge in relation to this request.

- 2- John Smith telephones the Council asking for a copy of a Planning Application. The Planning Application is held in paper format only, and it consists of several volumes held in a secure off-site records store which is not accessible to the public. Because it would be costly to scan or copy the file, the Council can offer to produce the file for the requester to view on-site in Council premises. The Council **may** charge a reasonable fee to cover the costs of retrieving the information, but is not required to do so.

- 3- The Council receives a request for information about the inspection of road conditions and associated costs over a 10-year period. Newer information about road inspections is held in a database, but older information is held in different places including paper files, spreadsheets, folders on the file network, and emails owned by departed members of staff. All of this information falls within the scope of the request. The Council **may** charge a fee in relation to this request, but is not required to do so. In order to determine what charges are reasonable, the Service will need to consider:
 - The actual total costs to the Council to produce the information (including consideration of whether the request might meet the tests for applying the 'manifestly unreasonable' exception);
 - The staffing cost threshold as indicated in the Schedule of Fees;
 - Whether all efforts have been made to minimise costs;
 - Whether a fee waiver might apply.

10.6. ROPSI charges

- 10.6.1. In certain circumstances, the Council may charge a fee to produce information requested under ROPSI. These charges shall be in accordance with Regulation 15 of ROPSI.
- 10.6.2. The Council is only permitted to charge for the marginal costs of reproducing, providing and disseminating information under ROPSI, apart from documents produced by libraries, museums and archives.
- 10.6.3. For libraries, museums and archives, income from ROPSI charges must not exceed the aggregate of direct costs, a reasonable apportionment of indirect and overhead costs attributable to the chargeable activity, and a reasonable return on investment.

11. Publication Scheme

- 11.1. Proactive publication of Council information is a key element of compliance, enhancing transparency and reducing the administrative burden on Council staff of responding to ad hoc requests.
- 11.2. The Council is legally required to have a Publication Scheme under FOISA. The Publication Scheme must include, at minimum, information about:
 - The Council's functions, how it operates (including decision-making processes) and its performance; and
 - The Council's finances, including funding allocation, procurement and the awarding of contracts.
- 11.3. All Council Services should regularly and proactively publish information about their activities by liaising with the Information Governance team.

12. Third-Party (Schedule 2) Personal Data Requests

- 12.1. Council officers regularly receive requests for third-party personal data from external agencies such as Police, HMRC, professional regulators, etc. This information can be lawfully disclosed as long as:
 - there is a lawful basis for the data processing under Article 6 of the UK GDPR and/or Schedule 1 of the Data Protection Act 2018 (for special category and criminal offence data);
 - the data is being requested for one or more of the purposes listed in Schedule 2 of the Data Protection Act 2018, which sets out exemptions to the Data Protection Principles;

- the data requested is relevant, necessary and proportionate to the purposes of the request and this is clearly evidenced by the requester.

12.2. One-off requests for third-party personal data should be forwarded to the Customer Feedback and FOI team for processing, **unless the request is part of regular data sharing covered by a data sharing agreement or protocol**, in which case the data may be shared directly by the Service area via secure channels.

12.3. Council officers are not obliged to disclose personal data to third parties unless or until they are satisfied that the purposes for the request are lawful and the requester has demonstrated that the data requested is relevant, necessary and proportionate to those purposes.

13. Malicious/Vexatious Requests

13.1. From time to time, the Council will receive requests that are unreasonable, not serious in nature, malicious or otherwise have a disproportionate impact on Council resources with a corresponding detriment to the Council's ability to deliver public services. In these circumstances, the Council may decline to respond to a request.

13.2. The Council will not decline a request lightly. Council staff must consider all the relevant circumstances to reach a balanced conclusion as to whether the Council should decline to provide the information requested.

13.3. Each statutory regime has different definitions of the circumstances where the Council may decline a request. Staff should refer to the statutory guidance issued by the relevant regulator to inform their decision on whether to decline a request. See [Appendix 3](#) for relevant links.

13.4. Any response stating that the Council declines to provide the information requested must include an explanation of the reason for declining, citing the appropriate legal exemption.

13.5. **Council officers must keep records of their decision-making process when declining to respond to an information request.** It is likely that such a response will be challenged by the requester, and the Council may be called upon to evidence its decision by the relevant regulator.

13.6. There is no prescriptive definition of what makes a request malicious, vexatious, or excessive. The following considerations are not exhaustive, but they may be relevant in considering whether the Council should decline to respond:

FOISA requests (Section 14)	• Responding would impose a significant burden on the Council; • The request does not have a serious purpose or value; • The request is designed to cause disruption or annoyance to the Council;
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	• The request has the effect of harassing the Council; • The request would otherwise, in the opinion of a reasonable person, be considered to be manifestly unreasonable or disproportionate.
EIR requests (Regulation 10(4)(b))	• All points noted above in relation to FOISA; and • An extension of an additional 20 working days is not sufficient to make dealing with the request manageable; • The public interest in withholding the information is greater than the public interest in disclosing it.
SARs	The request is clearly unreasonable when considering all the circumstances of the request, including: • the nature of the requested information; • the context of the request and the relationship between the Council and the individual; • whether a refusal to provide the information or acknowledge if it is held may cause substantive damage to the individual; • the Council's available resources; • whether the request largely repeats previous requests and a reasonable interval hasn't elapsed; or • whether the request overlaps with other requests.

- 13.7. For FOISA and EIR requests, it is the request that is considered vexatious, not the requester. This means that any request must be judged on its own merits. As a general principle, an applicant's history of contact with the Council will only be relevant insofar as it demonstrates that a request lacks serious purpose or value, or that it is intended to cause disruption, based on clear evidence.

East Lothian Council

Schedule of Fees for Information Requests

1.0 What we charge for:

- 1.1 In some cases, we may choose to apply charges to make information available. These charges will never exceed the costs to us to produce the information requested.

Charges may include:

- Staff time associated with locating and retrieving information;
- Staff time associated with preparing and redacting documents;
- Scanning;
- Photocopying;
- Postage;
- Transport/retrieval fees (where relevant for access to paper files).

- 1.2 If you request environmental information, charges may be applied in line with the Environmental Information (Scotland) Regulations 2004. While there is no upper fee limit, we may decline to provide environmental information if the request is deemed to be manifestly unreasonable.
- 1.3 If you request any other kind of (non-personal) information, charges may be applied in line with the Freedom of Information (Fees for Required Disclosure) (Scotland) Regulations 2004. We may decline to provide this information if the total costs to us exceed £600.
- 1.4 We will never charge for access to personal data.

2.0 Calculation of charges:

- 2.1 Staff costs will be charged on the basis of the actual cost of employing the staff in question for the time spent retrieving the information requested.
- 2.2 The information will be located and retrieved by the lowest-graded member of staff available who holds the required skills and knowledge to provide the information requested. Salary scales will apply.
- 2.3 For Freedom of Information requests, the rate applied to staffing costs will not exceed £15 per hour.
- 2.4 For Environmental Information requests, we will only charge in relation to staffing costs where the total costs to us exceed the EIR charging threshold in Section 6.0 below, provided that the overall fee is proportionate to the volume and type of data requested. We may charge in relation to scanning, photocopying, postage and/or transport and retrieval fees even if the total fees are less than the EIR charging threshold.

For example: if you wish to view a Planning file, and the file only exists in paper format, we may offer you the opportunity to view the file on-site in Council offices. We may apply a modest charge to recoup the costs of retrieval and transport of the file.

- 2.5 The Council will offer the most cost-efficient method of providing the information.

3.0 Timescales:

- 3.1 We will not normally require payment of fees in advance. If we do need to request payment in advance, we will do so in limited circumstances only.
- 3.2 If we assess that a fee is payable in relation to your request, we will give you written notice of this before the statutory deadline for response and provide you with a Fees Notice setting out the amount to be paid.
- 3.3 You will have 60 working days to pay the full amount. If we do not receive payment within this timescale, we will conclude that you no longer require the information and we will close the request.
- 3.4 During the period of payment notice, the compliance timescale will pause and will only start again once the fees have been paid in full.
- 3.5 In the event that we find that it has cost less to provide the information than advised in the Fees Notice, we will arrange a refund of your overpayment.

4.0 Free inspection:

- 4.1 We will make available our public registers of environmental information free of charge in accordance with the Environmental Information (Scotland) Regulations 2004. This provision only applies where registers or lists are publicly accessible (for example online).
- 4.2 You may also examine these public registers within Council offices free of charge, although you will need to provide prior notice.
- 4.3 We may also offer you the opportunity to view information on-site that is not in public registers, for example where the information would be costly to reproduce. In these instances we may still charge for the location and retrieval of the information, as well as any costs associated with scanning and/or photocopying.

5.0 Unhappy with fee charges?

- 5.1 If you are unhappy with a Fees Notice, you may ask us to review our decision about how much we are charging you for the information. Your Fees Notice will tell you how to do this.

- 5.2 A request for review must be received within 40 working days of the date that you receive our Fees Notice. The review request must be in writing (e-mail accepted) or another permanent format and should be addressed to:

Customer Feedback and FOI Team
 People and Governance
 East Lothian Council John Muir House Haddington
 EH41 3HA
foi@eastlothian.gov.uk

- 5.3 Once we receive your request we have 20 working days from the date of receipt in order to complete our review of the fee amount and give you our decision.
- 5.4 If you remain unsatisfied with the Council's response, you may ask the Office of the Scottish Information Commissioner (OSIC) to investigate the matter. You must appeal to the Commissioner within six months of receiving the review decision.

6.0 Fees

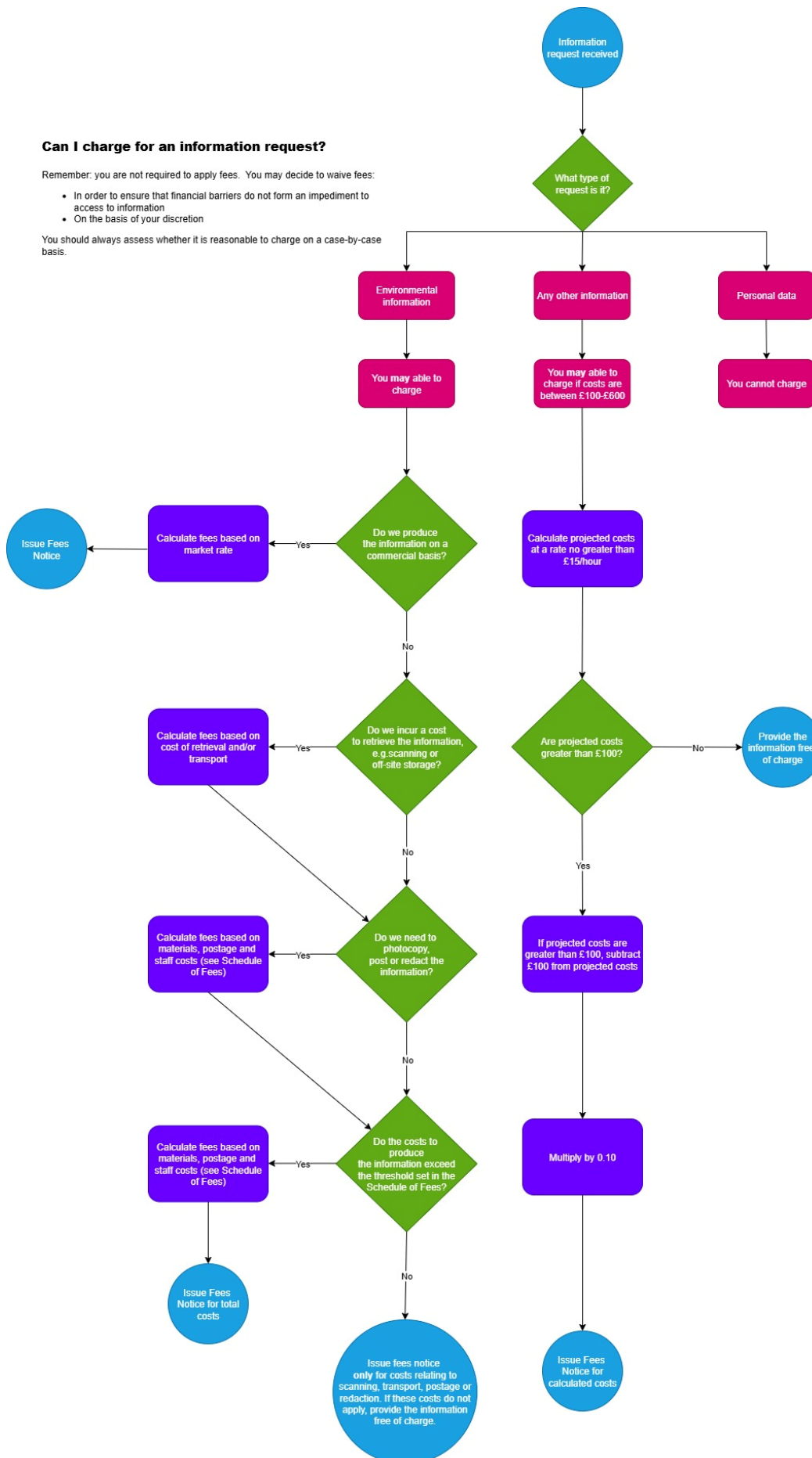
Year:	2025-26
Date effective:	01 December 2025
EIR threshold for staffing costs:	£250.00
Staff grade:	Hourly rate:
Grade 3 - Administration	£17.12
Grade 4 - Administration	£19.11
Grade 5 - Administration	£21.32
Grade 6 – Administration	£23.94
Grade 7 – Senior Administration	£27.41
Grade 8 - Officer	£30.24
Grade 9 – Officer	£34.44
Grade 10 – Officer	£40.11
Grade 11 - Officer/Manager	£46.41
Grade 12 - Officer/Manager	£54.08
Grade 13 - Service Manager	£62.58
Photocopying costs:	Rate:
Black and White copy	See Charges Book
Colour Copy	See Charges Book
Large scale black and white documents	See Charges Book
Copies of Planning/Building Standards drawings	See Charges Book
Copies of Decision Notices/Completion Certificates	See Charges Book
Access to paper files:	Rate:
Planning and Building Standards file retrieval	See Charges Book
Postage:	
Charged at full cost recovery to the Council of sending the information via Royal Mail or Courier.	

Can I charge for an information request?

Remember: you are not required to apply fees. You may decide to waive fees:

- In order to ensure that financial barriers do not form an impediment to access to information
- On the basis of your discretion

You should always assess whether it is reasonable to charge on a case-by-case basis.



LEGISLATION	GUIDANCE
FOISA and the EIRs	
Compliance with FOISA and the EIRs is regulated by the Scottish Information Commissioner ('SIC'). Guidance on compliance and the application of exemptions is available on the SIC's website:	https://www.foi.scot/briefings-and-guidance
Access the full text of the Freedom of Information (Scotland) Act 2002:	https://www.legislation.gov.uk/asp/2002/13/contents
Access the full text of the Environmental Information (Scotland) Regulations:	https://www.legislation.gov.uk/ssi/2004/520/contents
Data Protection and ROPSI	
Compliance with the DPA2018 / UK GDPR, Data Use and Access Act 2025 and ROPSI is regulated by the UK Information Commissioner ('ICO'). Guidance on compliance and the application of exemptions is available on the ICO's website:	https://ico.org.uk/
Access the full text of the Data Protection Act 2018:	https://www.legislation.gov.uk/ukpga/2018/12/contents
Access the full text of the UK GDPR:	https://www.legislation.gov.uk/eur/2016/679/contents
Access the full text of the Data Use and Access Act 2025:	https://www.legislation.gov.uk/ukpga/2025/18/contents
Access the full text of the Re-use of Public Sector Information Regulations (2015):	https://www.legislation.gov.uk/uksi/2015/1415/contents

COMMITTEE:	Cabinet
MEETING DATE:	11 November 2025
BY:	Depute Chief Executive Resources and Economy
REPORT TITLE:	Annual Pension Report – 2024/25
REPORT STATUS:	Public

6

1 PURPOSE OF REPORT

- 1.1 To summarise the early retirement activity within the financial year 2024/25, in accordance with External Audit requirements and Council Policy.

2 RECOMMENDATIONS

Members are recommended to:

- 2.1 Note the content of the report with regard to the pension activity in respect of early retirements in the financial year 2024/25.
- 2.2 Agree that future reports are lodged in the Members' Library.

3 BACKGROUND

3.1 Council's Retirement Activity in Financial Year 2024/25

There are currently three types of pensionable early retirements available to the Council, for all employees other than teaching employees (see paragraph 3.2). These are:

- **Due to Efficiency or Redundancy, at the discretion of the Council.**

This allows the individual, aged over 55 years (50 if in the Scheme before 5 April 2006), at the discretion of the Council, to retire early, drawing their pension without any actuarial reduction being applied. In this case the strain costs relating to the early release of the pension are borne by the Council.

- **Ill-Health retirement**

This occurs where an employee is confirmed by Occupational Health as being permanently incapable of efficiently discharging their duties because of ill-health or infirmity of mind or body. The employee is permitted early access to an enhanced pension in accordance with the superannuation regulations and requires no exercise of Council discretion. The costs are fully borne by the pension fund.

- **Flexible Retirement**

This is a discretionary element of the pension regulations which allows employees who meet certain criteria to draw their pension and continue working on the basis of reduced hours. To qualify, the employee must be over 55 years old, have a minimum of 2 years pensionable service and must reduce their working hours by a minimum of 40%. Generally, there are no costs to the Council as the employee would have their pension actuarially reduced. However, in some circumstances, as a result of historical pension protections, there can be costs. The Council's agreement must be obtained for the early release of the individual's pension. If agreed, the employee then continues working on reduced hours and will automatically be re-enrolled into the pension fund while drawing the pension benefits, they have already accrued (if they did not wish to join the scheme then they would need to opt out).

3.2 A summary of the pension activity in the financial year 2024/25 is as follows:

Department	Health & Social Care	Education & Children's Services	Place	Council Resources	Totals
Compulsory Severance (pensionable)	7	2	5	-	14
Voluntary Severance (pensionable)	-	-	-	-	-
Medical Retirement (Lothian Pension Fund)	4	1	5	1	11
Medical Retirement (Teachers Scheme)		1			1

Flexible Retirements	2	4	9	4	19
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- 3.3 Details of the Council's financial commitments relating to pensions are included in the unaudited 2024/25 Financial Statements. The unaudited 2024/25 Financial Statements were reported to Members' Library on 30 June 2025. As a result of ongoing pension costs arising from decisions taken in earlier years, in addition to the up-front strain costs now due in the year they accrue, during 2024/25 the Council spent £0.764 million (£0.741 million in 2023/24) on early retirements for Local Government Workers and £0.485 million (£0.470 million in 2023/24) for teachers.
- 3.4 The Council continues to have an obligation to pay pension costs in the future. At 31 March 2025 the pension fund was reported to have a pension surplus through the annual actuarial assessment. This means that as at 31 March 2025 the value of the pension assets exceeded the value of the pension liability. The value of the pension surplus has been actuarially assessed as £270.984 million (and as at 31 March 2024 a pension surplus of £172.411 million). As noted in the unaudited 2024/25 Financial Statements the pension surplus has not been recognised as an asset as the Council does not control the setting of future employer contribution rates. An asset ceiling has been applied so that no net pension liability or asset is recognised for the funded liabilities.
- 3.5 Future employer contribution rates will continue to be reviewed through an actuarial valuation of the pension fund which takes place every three years. The most recent valuation date was 31 March 2023 and resulted in a reduction in the contribution rate from 22.6% to 17.6% from 1 April 2024. The contribution stability mechanism was paused for the 2023 valuation, but the principle remains in place with the Lothian Pension Fund and will be reviewed aligned to the 2026 valuation. Based on the valuation results at 31 March 2023 the contribution rate will remain at 17.6% until 31 March 2027 and will then increase or decrease by a maximum of 0.5% per annum.
- 3.6 In addition to the above figures, the Council also makes 'ex gratia' pension payments to 77 former employees who worked less than 16 hours per week, were aged under 50 at 31 December 1993 and were unable to join the LGSS pension scheme under the statutory rules at the time. The value of these payments during 2024/25 was £53,157 (and in 2023/24 it was £51,249). The Council took the decision to remove this discretion at Cabinet on 9 June 2009. No new ex gratia pension payments will arise, and the existing estimated value of future liabilities based on the actuarial mortality estimate is £0.199m and will therefore reduce over time.

4 POLICY IMPLICATIONS

- 4.1 The Council is required to report its pension activity annually to elected members in accordance with the Audit Scotland requirements. It is

recommended that in future years this report is lodged in members Library rather than being reported to Cabinet, which allows for wider member scrutiny.

5 RESOURCE AND OTHER IMPLICATIONS

- 5.1 Finance: There are no immediate budgetary implications associated with this report
- 5.2 Human Resources: Finance and Human Resources continue to ensure that any retirals are in accordance with Council Policy and within the Standing Orders and the supporting Scheme of Delegation and also that managers are aware that any pensionable retiral must meet the strict efficiency or redundancy requirements and will generate the necessary savings.
- 5.3 Other (e.g. Legal/IT): None
- 5.4 Risk: None

6 INTEGRATED IMPACT ASSESSMENT

- 6.1 ***Select the statement that is appropriate to your report by placing an 'X' in the relevant box.***

An Integrated Impact Assessment screening process has been undertaken and the subject of this report does not affect the wellbeing of the community or have a significant impact on: equality and human rights; tackling socio-economic disadvantages and poverty; climate change, the environment and sustainability; the Council's role as a corporate parent; or the storage/collection of personal data.

☒

or

The subject of this report has been through the Integrated Impact Assessment process and impacts have been identified as follows:

☐

Subject	Impacts identified (Yes, No or N/A)
Equality and human rights	
Socio-economic disadvantage/poverty	
Climate change, the environment and sustainability	
Corporate parenting and care-experienced young people	

Subject	Impacts identified (Yes, No or N/A)
Storage/collection of personal data	
Other	

The Integrated Impact Assessment relating to this report has been published and can be accessed via the Council's website:

https://www.eastlothian.gov.uk/info/210602/equality_and_diversity/12014/integrated_impact_assessments

7 APPENDICES

7.1 None

8 BACKGROUND PAPERS

8.1 Policy on Enhanced Compensation for early Retirement on Grounds of Redundancy and Efficiency– December 2010

8.2 Lothian Pension Fund Website: www.lpf.org.uk

8.3 Local Government Pensions Scheme (Scotland) Regulations 2014

8.4 Flexible Retirement Policy – December 2013

8.5 Members' Library Report 30 June 2025, item 67/25

https://www.eastlothian.gov.uk/meetings/meeting/17445/members_library_service

9 AUTHOR AND APPROVAL DETAILS

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Approval Date	30 October 2025

COMMITTEE:	Cabinet
MEETING DATE:	11 November 2025
BY:	Depute Chief Executive Resources and Economy
REPORT TITLE:	ELC Procurement Annual Report 2024-25
REPORT STATUS:	Public

1 PURPOSE OF REPORT

- 1.1 To inform the Cabinet of East Lothian Council's Annual Procurement Report for financial year 2024-2025.

2 RECOMMENDATIONS

Members are recommended to:

- 2.1 Note the report.

3 BACKGROUND

- 3.1 Under the obligations of the Procurement Reform (Scotland) Act 2014, a Contracting Authority is obliged to prepare and publish an annual procurement report on its regulated procurement activities as soon as reasonably practicable after the end of its financial year. This report covers the period from 01 April 2024 to 31 March 2025.
- 3.2 The Act details that the annual procurement report should be relevant and proportionate to its size and spend. The annual report can aid visibility of purchasing activities; be a mechanism for conveying how a contracting authority is meeting legislative requirements and outline how a contracting authority's procurement activity is contributing to the delivery of its broader aims and objectives.
- 3.3 The East Lothian Council Plan 2022-2027 and the three corporate priorities feed into the Councils Procurement Strategy 2023-2028.

- 3.4 This is the second Procurement Annual Report against the Procurement Strategy 2023-2028, which was approved by Cabinet in November 2023. East Lothian Council's Procurement Strategy 2023-2028 sets out actions to deliver against the following:

Enablers	Outcomes
Procurement Capability	Good for Businesses and their Employees
Supplier Development	Good for Places and Communities
Engagement	Good for Society
Collaboration	Open and Connected

- 3.5 The Annual Report (see Appendix 1 to this report) provides details of our monitoring and review of procurement activities against the enablers and objectives outlined above.
- 3.6 The following are some of the highlights that may be of particular interest to members:

Good for business and their employees

In 2024-25, we managed a total of 477 live contracts worth over £712 million throughout their lifetimes (across all types of contracting activity).

For regulated procurements, we managed 259 live contracts worth over £689 million throughout their lifetimes (across all types of contracting activity).

We awarded 53 new regulated contracts with a total value of circa £169 million (across all types of contracting activity).

Good for places and communities

67.5% of £251 million Council spend in 2024-25 was with Local (3) suppliers. Of the £197million Procurement spend, £90 million (46%) went to SMEs. Around £22 million (11%) went to third sector bodies.

Good for society

As well as supporting existing jobs, the Council's contracts created local employment opportunities including the agreement of 6 employment contracts, 4 apprenticeships and 19 work placements during 2024/25. We also delivered or agreed a range of other benefits, including volunteering, financial and other contributions to community projects, the employment of local suppliers and donations to local foodbanks.

Open and connected

Our national advertising portal (Public Contracts Scotland - PCS) aims to make it as easy as possible for SMEs to bid for public contracts through notice alerts and enabling main contractors to advertise sub-contract opportunities, giving suppliers the chance to bid for contracts further down the supply chain.

For East Lothian Council, 85 new business opportunities were advertised, and suppliers were awarded 95 public sector contracts through PCS during the reporting period.

We continued to develop our engagement with our supply base and the SME community through our annual survey.

4 POLICY IMPLICATIONS

- 4.1 The production of an Annual Procurement Report is an obligation of Procurement Reform (Scotland) Act 2014, as outlined in the Corporate Procurement Strategy of 2017-2022.

5 RESOURCE AND OTHER IMPLICATIONS

- 5.1 Finance: Finance implications associated with procurement activity are set out within the appendix to this report.
- 5.2 Human Resources: None
- 5.3 Other (e.g. Legal/IT): N/A
- 5.4 Risk: None

6 INTEGRATED IMPACT ASSESSMENT

- 6.1 ***Select the statement that is appropriate to your report by placing an 'X' in the relevant box.***

An Integrated Impact Assessment screening process has been undertaken, and the subject of this report does not affect the wellbeing of the community or have a significant impact on: equality and human rights; tackling socio-economic disadvantages and poverty; climate change, the environment and sustainability; the Council's role as a corporate parent; or the storage/collection of personal data.



or

The subject of this report has been through the Integrated Impact Assessment process and impacts have been identified as follows:



Subject	Impacts identified (Yes, No or N/A)
Equality and human rights	
Socio-economic disadvantage/poverty	
Climate change, the environment and sustainability	
Corporate parenting and care-experienced young people	
Storage/collection of personal data	
Other	

The Integrated Impact Assessment relating to this report has been published and can be accessed via the Council's website:

https://www.eastlothian.gov.uk/info/210602/equality_and_diversity/12014/integrated_impact_assessments

7 APPENDICES

- 7.1 Appendix 1: East Lothian Council Annual Procurement Report 2024-2025.
- 7.2 Appendix 2: Annual Procurement Report Template – Annex A

8 BACKGROUND PAPERS

- 8.1 SPPN 2/2025 Public Procurement update – annual procurement reports for 2024-2025: (<https://www.gov.scot/publications/public-procurement-update-annual-procurement-reports-for-2024-2025-sppn-2-2025/>)

9 AUTHOR AND APPROVAL DETAILS

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Approval Date	30 October 2025

APPENDIX 1

ANNUAL PROCUREMENT REPORT

2024-25



Promoting economic, environmental and social outcomes which support recovery and growth.



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Introduction

Background

This report provides an overview of East Lothian Council procurement activity during the period 1st April 2024 to 31st March 2025. It reflects our performance as a contracting authority.

The report is prepared in accordance with the requirements set out in the Procurement Reform (Scotland) Act 2014 which forms part of the public procurement legislation that governs how Scottish public bodies buy their goods, services and works.

We aim to deliver maximum value through public procurement activity.

The Public Procurement Strategy for Scotland

During the reporting year, on the first anniversary of the Public Procurement Strategy for Scotland, a collection of case studies were shared to demonstrate how public bodies across Scotland have begun to embed the strategy into their governance arrangements. On the second anniversary, the Scottish Government will introduce key performance indicators (KPI's) to help measure progress against the strategy's vision. The objectives in their strategy replaced the previous public procurement priorities and put them in the context of the vision that the strategy sets out for Scotland.

Annually, we review our Procurement Strategy to make sure it remains relevant and fit for purpose. In November 2023, Cabinet approved an update to our Procurement strategy 2023-2028 to align to and deliver against Public Procurement Strategy for Scotland.

Methodology

This report draws on Council data and management information (MI) as well as two other primary sources:

Public Contracts Scotland portal

The Public Contracts Scotland (PCS) service provides a national advertising portal for Scottish public bodies to post contract opportunities and contract award notices.

It is mandatory for all Scottish public sector organisations to use PCS to advertise all regulated procurements (£50,000 and over for goods/services; £2 million and over for works) and their subsequent awards.

In addition, East Lothian Council also uses PCS for direct requests for quotations (Quick Quotes), for lower-value, unregulated procurements.

Scottish Procurement Information Hub

Public procurement spend data is available through the Scottish Procurement Information Hub ('the Hub'). Each year, our raw accounts payable data is enhanced by a third-party supplier using publicly available data to classify suppliers by size, location, area of business, charity status and other characteristics, before it is uploaded to the Hub, where it is made available to us for analysis.

Spend data

Where data on total spend with all SMEs is reported (UK-wide), this is based on total size of organisations being known. For total spend in Scotland, this is based on postcode of organisations being known. Scottish SME spend is based on size and postcode being known.

Where relevant, this information is supplemented by evidence from other sources and from other research carried out by the Council during the year.

Reporting highlights

Some of our significant achievements in the period April 2024 to March 2025:

Good for business and their employees

In 2024-25, we managed a total of 477 live contracts worth over £712 million throughout their lifetimes (across all types of contracting activity).

For regulated procurements, we managed 259 live contracts worth over £689 million throughout their lifetimes (across all types of contracting activity).

We awarded 53 new regulated contracts with a total value of circa £169 million (across all types of contracting activity). The number of new awarded regulated contracts has increased by approximately 30% from the previous reporting year where 41 new regulated contracts were awarded.

Good for places and communities

67.5% of £251 million of Council spend in 2024-2025 was spent with Local (3 local definitions) suppliers. For the previous reporting period, this percentage was 53.5% so an increase of 14% of spend with local suppliers.

Of the £197 million Procurement spend in 2024-2025, £90 million (46%) went to SME's and £22 million (11%) went to third sector bodies.

Good for society

As well as supporting existing jobs, the Councils' contracts created local employment opportunities including the agreement of 6 employment contracts, 4 apprenticeships and 19 work placements. We also delivered or agreed a range of other benefits, including youth work, funding for community gardens and other contributions to community projects and the employment of local suppliers as well as donations to local food banks.

Open and connected

Our national advertising portal (Public Contracts Scotland - PCS) aims to make it as easy as possible for SMEs to bid for public contracts through notice alerts and enabling main contractors to advertise sub-contract opportunities, giving suppliers the chance to bid for contracts further down the supply chain.

For East Lothian Council, 85 new business opportunities were advertised, and suppliers were awarded 95 public sector contracts through PCS during the reporting period.

We continued to develop our engagement with our supply base and the SME community through our annual survey.

Procurement Capability

For the reporting period, the Service Plan Improvement Plan had 42 actions for the year. 23 were complete, 19 were carried over into the improvement plan for 2025/26. See Annex 4 Action Improvement Plan 2024-25.

Supplier Development

During the reporting period, we attended Scotland's Meet the Buyer event (June 2024), Meet the Council business event (October 2024), Meet The Buyer South (October 2024) and ran our annual Supplier Survey (Summer 2024).

74 Quick Quotes were issued during the financial period 2024/2025. 60 Quick Quotes were awarded (12 of those awarded were to local suppliers which equates to 20%).

Engagement

Throughout the year, we engaged with our executive team and Heads of Service at our Corporate Management Team (CMT) to ensure senior leaders understand their role in driving and enabling impactful procurement.

In September 2024, we engaged our internal customers via our annual customer survey, results of which informed our Service Plan Action Plan for 2025-26.

Collaboration

We collaborate with Scotland Excel for most of our requirements. During the reporting period, we procured 67% of contracts via collaborative frameworks.

For 2024-2025, East Lothian Council was participating in 58 of the 67 SXL frameworks available (87% participation) with a utilisation percentage of 73%. Estimated benefits accrued through use of these contracts for the reporting period are £175k.

17 suppliers local to East Lothian were engaged in 12 SXL arrangements, of these, 5 shared a total spend of £7.3 million (£3,225,277 of this figure was East Lothian Council spend).

Summary of Council Procurement Activity

Overview

Through the reporting period the Council's procurement team have operated in the context of several challenges such as inflationary pressures and the cost-of-living crisis. We have worked with our suppliers, to progress sustainable procurement policies. A key piece of work focussed on preparation for meeting the requirements and achieving Living Wage Accreditation during the reporting period 2024-2025.

Our Procurement Strategy 2023-2028 set out enablers and objectives and what success looks like. The following sections explore our approaches and achievements against this in the reporting year 2024-2025.

Good for businesses and their employees

Maximise the impact of procurement to boost a green and inclusive economic recovery. Promote and enable innovation through Procurement.

By 'business' we include any organisation or enterprising entity engaged in commercial, industrial, or professional activities including, voluntary, charity, for-profit and non-profit entities.

Suppliers

Promoting early supplier engagement to foster innovative and entrepreneurial responses to Public Sector needs and requirements. Collaborating with organisations to deliver positive, green, and inclusive social impacts within public contracts. Having a holistic approach with key suppliers.

The national [Supplier Journey](#) provides free online, easy-to-access guidance for suppliers on all aspects of bidding, from finding opportunities and preparing bids, to lessons learned, and additional support.

East Lothian Council also provides [Procurement](#) guidance on our website for suppliers who may wish to work with us. It also provides contact details for the team, should suppliers have additional questions.

Feedback from suppliers is gathered via an annual survey as well as post-tender surveys. The annual Supplier Survey that was open from August-September 2024 informed updates to the guidance we

provide on our website. Other key improvements planned for financial year 2025-2026 using this feedback are as follows:

- Mailing List: Business Directory to improve on contract & frameworks opportunities for suppliers.
- Video Guide: Producing video guidance to clarify added value requirements for suppliers
- Events: Collaborating with Supplier Development Programme (SDP) to provide 'Talking Tenders/Aligned Tender' training sessions.
- Social Media: Increasing our use of social media to promote opportunities
- Quick Quotes: PCS Quick Quote Supplier Support Sessions Training sessions relating to completion of tender documentation
- Support: Supplier Support Sessions in collaboration with Community Wealth Building (CWB) to improve knowledge on tender completion.

A communications plan has been created between Procurement and Community Wealth Building to support local businesses understanding of the procurement process and provide alerts of new procurement opportunities as they arise.

We also worked with the communications service to promote training sessions available from the Supplier Development Programme (SDP) after working with the SDP to create a training programme for local suppliers (Talking Tenders event held January 2025).

Video creation is also being utilised to provide additional tools on specific areas such as Community Benefits and this will be promoted during the next reporting period.

We continue to use Scottish Procurement Information Hub Data to identify collaboration opportunities with other Local Authorities.

We monitor participation in collaborative procurements, specifically the use of Scotland Excel (SXL) frameworks via our quarterly business review meetings and reports.

For 2024-2025, East Lothian Council was participating in 58 of the 67 SXL frameworks available (87% participation) with a utilisation percentage of 73%.

2024/2025	Total 24/25
Net Reported Spend	£29,778,138
Total Estimated Savings	£175,036
Spend incl. savings	£29,953,174
% Savings	0.6%
Forecast Total Spend	£35,573,902

The percentage saving that is applied is the savings that is agreed at the time of contract award. The savings figures are not intended to represent cashable/bankable customer savings but are an estimate of the benefits that may be accrued through use of the contract.

Local suppliers engaged in Scotland Excel Frameworks 2024-2025:

- 17 suppliers available across 12 arrangements,
- Of these, 5 shared a total spend of around £7.3 million
- £3,225,277 of this figure was East Lothian Council spend
- In total 5 suppliers registered as local to East Lothian shared a combined spend > £4 million from other SXL Members

Our Procurement Strategy 2023-2028 re-defined Local as “Local means East Lothian first, expanding to the Lothians, which includes Edinburgh, Midlothian and West Lothian and finally expanding to the Edinburgh and South-East Scotland City Region, which includes Fife and Scottish Borders local authorities”:

- Local 1: East Lothian
- Local 2: The Lothians (adds Edinburgh, Midlothian, and West Lothian)
- Local 3: Edinburgh and South-East Scotland City Region (adds Fife and Scottish Borders council areas)

2024-2025 spend from Scotland Excel frameworks against suppliers within the wider ‘local area’ is as follows:

Local Reporting Tier	Council Area	Scotland Excel Framework Spend £m
Local 1 Total	East Lothian Council Area	£3.2m
	Midlothian Council Area	£0.28m
	West Lothian Council Area	£0.48m
	City of Edinburgh Council Area	£3.3m
Local 2 Total	The Lothians	£7.26m
	Scottish Borders Council Area	£0.15m
	Fife Council Area	£5.37m
Local 3 Total	Edinburgh and South-East Scotland City Region	£12.78m

Increased transparency will be introduced during financial year 2025-26 on sub-contractor/supplier number of employees and area of work of those engaged in the delivery of services/goods.

Supply Chain and Resilience

Encouraging a sustainable supply base that can support the work of the Public Sector to provide resilient and robust supply chains.

Developing appropriate relationships and putting forward looking plans in place to support the development of the Supply Markets, improving security of supply, and reducing risk.

The Economic Crime and Corporate Transparency Act 2023 introduced a new corporate criminal offence of 'failure to prevent fraud' and requires organisations to implement robust fraud prevention procedures. This new legislation will be embedded into the Council during financial year 2025-2026 with the creation of a fraud specific risk register.

All procurement colleagues have completed the Competition and Markets Authority (CMA) E-Learning on bid rigging in public procurement. Learning from this is used to flag specific risks and shared with internal stakeholders via our Introduction to Procurement E-Learning module, "ethical issues in procurement" section that covers the procurement cycle and the contract management cycle.

Our Procurement Risk Register, Corporate Risk Register as well as risks captured within individual commodity strategies are informed using intelligence on Supply Chain Resilience gathered from various sources, including the Scotland Excel's Supply Chain Intelligence Reports, which we share with our internal stakeholders.

Key supply chain challenges during the reporting period continue to include inflationary cost increases, high interest rates and increased

energy prices impacting supplier costs. There has also been increased pressure on Council budgets and supply chain disruption due to international conflict. Monitoring, managing, and reporting on corporate risks have transited over to the Council's new risk management software during the reporting period. An increase in employers National Insurance Contributions (NIC's) will have an affect the supply chain heading into financial year 2025-2026.

We produce regular "Inform" articles (Procurement Updates) for our Service colleagues, topics covered in 2024-25 include:

- May 2024: Changes to Procurement Thresholds
- July 2024: Supplier Finder, New Procurement Toolkits, New PID for Quick Quotes, Contact with suppliers during the Procurement Process.
- December 2024: Quick Quote training available for staff.

SMEs, Third Sector and Supported Businesses

Consider how procurements are conducted and contracts are developed, to reduce barriers and enable participation for SMEs, Third Sector organisations, and Supported Business, in Public Sector Procurement.

As part of the Councils current Top 50 Indicators, we report against 3 tiers of Local as described earlier. Performance for the reporting period is as follows:

Measure	Actual	Target
% of procurement spent on local enterprises with East Lothian (Local 1)	15.0%	20%
% of procurement spent on local enterprises East Lothian, Edinburgh & the Lothians (Local 2)	57.40%	55%
% of procurement spent on local enterprises City Region Deal area (Local 3)	60.50%	57.5%

During the reporting period, we awarded regulated contracts to 52 SMEs and to 5 third sector bodies.

Within the sustainability considerations section of our commodity strategy for regulated procurements, the question of opportunity for a reserved contract with a supported business is incorporated.

Procurement has been working in collaboration with the Community Wealth Building Officer (CWBO) to encourage supported businesses and third sector organisations. Procurement colleagues attended a Social Enterprise Meet the Vendor event for the first time in February 2025 and another event is scheduled for the next reporting period.

During the reporting period, the Council has procured from the following supported businesses:

- Sight Scotland
- Hey Girls
- IntoWork
- Lady Haig
- Changeworks

The Council will continue to look for opportunities to work with supported businesses.

See also Good for businesses and their employees & Supplier Development sections for other relevant improvements made during the reporting period.

Contract Management

Carrying out ongoing proportional contract management to ensure the right outcomes are delivered and the performance of contracts is maximised.

In line with the Council's Standing Orders, we use Centre of Excellence (CoE) frameworks where there is a suitable pre-existing contract to fulfil our requirements. Most of our collaborative contracts are procured via SXL frameworks, where they lead on contract management at a framework level, and we undertake contract management at a local (call-off) level. At a framework level we benefit from a reduction in effort as well as cost avoidance.

During the 2024-2025 reporting period, the Council commenced a Pilot scheme to roll out CSM via the Procurement Software (Contract and Supplier Registers).

Training on the Contract Management aspects of the Procurement Software was provided to the pilot service area with contract management activity recorded over a three month period.

Feedback has been requested to incorporate any further improvements prior to full Council roll out.

Full roll out of the CSM scheme will take place during the next reporting period, financial year 2025-2026.

Functionality has now been enhanced to support, document and report on Contract & Supplier Management, contract savings, fair work first obligations and benefits (financial, economic, environmental, or social).

During the financial year 2025 -2026, the Council will introduce a Category Management strategic approach aligned with Standard Industrial Classification (SIC) system based on the UK SIC 2007 framework (as utilised within the Public Contracts Scotland). By categorising related requirements under a unified SIC code, the department aims to enhance visibility, reduce duplication and drive value through aggregated demand and improved supplier engagement. This structure of methodology will support increased alignment and reduce risks.

See Community Benefits Table in next section for details of obligations delivered and agreed/in progress.

Good for places and communities

Maximising the impact of procurement with strong community engagement and development to deliver social and economic outcomes as a means to drive wellbeing by creating quality employment and skills.

Community Wealth Building – Fair Work First and Community Benefits

Maximising economic and social benefits through procurement and commissioning, applying fair work practices, developing good enterprises, and secure supply chains.

During the reporting period 2023-2024, the Council established a Community Wealth Building (CWB) working group.

This Working Group meets regularly to contribute to the CWB diagnostic that was prepared as part of development of the Local Economic Strategy and to develop the East Lothian Community Wealth Building Charter and Action Plan. The East Lothian Community Wealth Building Charter and Action Plan was approved by the East Lothian Partnership in December 2023.

Anchor Charter Mission Statement

To commit to long-term collaboration between East Lothian anchor institutions, supporting shared community wealth building goals to improve collective wellbeing and create strong, resilient and inclusive local and regional economy. This includes a commitment to the embedding of community wealth building principles and reporting on progress to the East Lothian partnership.

Signing up to the charter meant that organisations commit to the Anchor Charter to deliver Community Wealth Building in East Lothian through the Pillar Purposes, Objectives and Pledges. The Action Plan covers the actions under the following Pillars/Activities:

- Overarching
- Progressive Procurement
- Advancing fair employment and just labour markets
- Plural ownership of the economy
- Socially just use of land
- Financial power

Following this, the Council appointed our first Community Wealth Building Officer (CWBO) in April 2024, to work across Economic Development and Procurement Services to apply community wealth building principles to develop and maximise spend with local businesses. During the reporting period, the CWBO co-ordinated the delivery of the Councils CWB action plan and has established sub-groups in three ELC CWB focus pillars; Progressive Procurement, Fair Work and Land/Assets. These sub-groups progress work with partners in Plural Ownership and oversee Financial Power and Climate change.

In February 2025, Anchors Queen Margaret University (QMU) and Edinburgh College also became signatories of the Edinburgh & South East Scotland (ESES) Communities CWB Pledge as part of wider City Region colleges and universities.

Sub Group achievements for Progressive Procurement during the reporting period include:

- Supplier engagement communications plan
- ELC staff/Anchor representatives training.
- Delivery of Local Supplier support sessions, covering pipeline of opportunities.
- Engagement with Hub South East to develop local supply chains with Tier one contractors.
- Engagement with Supplier Development Programme (SDP) to co-ordinate events for ELC and tier one contractor supply chain opportunities. A SDP/ELC Introduction to frameworks event was held January 2025.
- **ELC's Local definition 'Local 2' approach has been adopted across all anchors – the common target is 'Lothian Spend'.**

We ensure consideration of sustainable procurement for Relevant or Priority contracts at an early stage as part of commodity strategy development (using the Sustainable Prioritisation tools) and include savings/benefits obligations and Fair Work First Criteria within tenders, where it is proportionate and relevant.

Sub-group Fair Work achievements include:

- All anchors are Real Living Wage Employers.
- Anchors strong on local/priority group recruitment.
- Development of good relations with Employability - they work closely with the Anchor network and beyond.

Community Wealth Building events attended by Procurement during the reporting period include:

- Social Enterprise Meet the Vendor Session (February 2025)
- Plural Ownership (February 2025)

The delivery of Community Benefits is a contractual obligation for all contracts where the aggregated spend is more than £50k and a statement/question is included in the tender documents for all such contracts. The table below shows Community Benefits delivered or agreed during 2024/25.

Community Benefit Category	Delivered in 2024/25	Agreed in 2024/25
Category 1: Training and Work experience (East Lothian resident)	13 x work experience placements	1 x working with contractor for minimum of 12 months on a full time/part time/flexi/hybrid basis. 5 x work experience placement (college/university) 2 x extended work experience 4+ weeks (unpaid)
Category 2: Employability & Skills	3 x 4 year apprenticeships including a mechanic apprenticeship 2 x minimum of 12 months (East Lothian resident employed on a full time, part time, flexi or hybrid)	1 x minimum of 6 months 1 x minimum of 12 months (East Lothian resident employed on a full time/part time/flexi/hybrid basis) 1 x 2 year apprenticeship (adult) 1 x staff (East Lothian resident) for minimum of 3 months
Category 3: Education and Outreach	4 x interview preparation mock interview 2 x employability site events 3 x career community events 1 x employability workshop Provision of asbestos awareness training to ELC staff	2 x interview preparation 2x non-accredited half day education 1 x 4 opportunities for local social enterprises to benefit from contract activity & provision of discounted rates to local sports clubs and teams in East Lothian. 2 x employability workshop or site visits. 10 x support schools with Enterprise/STEM programmes 5 x interactive sessions on health and safety requirements Workplace training accredited day Annual training with region covering Microsoft technology stack (interactive training workshop). Legionella awareness training to council staff or members of a community/charity organisation operating in a premises.
Category 4: East Lothian's Local Economy and social enterprises	£750 being spent with local businesses Purchase of vehicle parts in East Lothian area 1 x employ local business to act as sub-contractor	6 x purchase of goods and services from local business

	4 x purchase of goods and services from local business	
Category 5: Community Engagement Projects	Monetary donation of £250 towards Youth work £1000 towards community project Holiday hunger x £750 donation £500 towards Foundation apprenticeships £250 presentation packs Donation of materials £3500 in donations to community engagement projects	£3000 to food banks £1500 towards food banks £700 donation towards Carefree charity organisation Provision of old equipment for local clubs 1 x growing activities (in bloom, community gardens)
Category 6: Protecting and Improving our Environment		£2000 donation to fuel poverty in East Lothian 1 x environmental project through Corporate volunteering.
Scotland Excel Community Benefits		New approach to Scotland Excel community benefits has resulted in 3750 points being accrued during the reporting period as a result of the Council's participation and utilisation of SXL Frameworks. Staff will work with suppliers during the year to ensure relevant community benefits are delivered.

Contracted social benefits are captured in and reported from our Procurement Software. The table below shows the typical details recorded:

Contract Saving/Benefit Ref	Benefit Type	Comments	Benefit Status
CS-00190	Community Engagement Events	Financial Donation: £1,000 towards foodbank	In Progress

We have engaged with all our suppliers to meet requirements of becoming an accredited Living Wage Employer. Living Wage status is captured in and reported from our procurement software.

During the 2024-2025 reporting period, the Council achieved Living Wage accreditation to reflect its commitment to fair work and reducing in-work poverty for its staff and the contractors it uses.

In-scope suppliers (according to the Living Wage Licence Agreement) are:

Those supplying an employee (other than an apprentice) who provides a service involving 2 or more hours a week, for 8 or more consecutive weeks in a year on:

- 1) The Licensees's premises and/or
- 2) Property owned or occupied by the Licensee and/or
- 3) Land which the licensee is responsible for maintaining or on which it is required to work.

The number of 'in-scope' suppliers as of November 2024 was 34. Out of those 34 in-scope, 4 were Real Living Wage accredited.

Where applicable, contracts shall implement Living Wage at point of renewal.

The announcement was made during Living Wage Week 2024 and the press release on 6th November 2024 contained the following information:

The Living Wage Foundation offers accreditation to employers who go further than the government minimum wage to ensure that wages reflect the cost of living. The Living Wage rates are calculated by the Resolution Foundation annually based on an analysis of the wage that employees need to earn to afford a decent standard of living. This includes housing, childcare, transport and heating costs. Organisations must pay all directly employed staff the real living wage and make sure that regularly contracted employees receive the rate during the hours they work for the council.

The real Living Wage rose from £12 per hour to £12.60 per hour on 23 October and accredited employers have six months to implement the rate. The council currently pays £12.56 and will implement the real Living Wage by May 2025. In comparison, the hourly national minimum wage is £11.44 (due to rise to £12.21 from 1 April 2025 following last week's budget announcement).

East Lothian Council Leader Councillor Norman Hampshire said: "Reducing poverty and inequality is a key focus in our council plan. The real living wage reflects the costs for the basics that we all need

and deserve. It cannot be right that, in this day and age, people find themselves in work but also in poverty because their wages haven't kept pace with the cost of living. It aims to tackle this situation by offering a fair wage for fair work."

As well as committing to pay its own staff and contractors the real Living Wage, it is also using its position as a major purchaser of goods and services to benefit the wider economy. The authority spends approximately £140 million every year on goods, services and works, which represents a substantial opportunity to deliver additional social, environmental and economic benefits to East Lothian through its procurement processes. This includes checking whether accredited suppliers are already an accredited living wage employers of it they would commit to paying the real living wage to their employees during the lifetime of their council contract.

Councillor Hampshire added: "While the real Living Wage undoubtedly benefits council staff who already receive it as a minimum, we are using our position as a major consumer of services in East Lothian to ensure these benefits are felt in other workplaces too. We want contractors or contract workers undertaking roles on council projects or on behalf of the council, including care staff, to also receive the real Living Wage. This will contribute to achieving our vision for an even more prosperous, safe and sustainable East Lothian, with a dynamic and thriving economy that enables our people and communities to flourish."

Lynn Anderson, Living Wage Scotland Manager said: "We're delighted that East Lothian Council has become an accredited Living Wage employer. They join a growing movement of over 3750

employers in Scotland who together want to ensure workers have what they need.

"Our Living Wage employer network includes well known organisations such as SSE plc, ENABLE Scotland and the University of Strathclyde as well as lots of smaller employers and we hope to see many more follow their example."

In line with the councils Standing Orders, we use Centre of Excellence (CoE) frameworks where there is a suitable pre-existing contract to fulfil our requirements.

Many of our contracts are procured via Scotland Excel Frameworks, as of the start of the reporting year, Scotland Excel had 1,115 unique suppliers appointed to framework agreements. 89.8% of which are paying the Real Living Wage, whilst a further 3.41% are committed to pay during the lifetime of the framework period.

Supporting a sustainable built environment

Maximising opportunities in procurement to develop, enhance and maintain a sustainable built environment. Creating a portfolio of frameworks delivering a range of construction activity across the public sector which considers the economic impact and the sustainability of the construction industry, and the requirement for inclusive growth and climate change targets. Ensure construction projects reflect and help deliver all pertinent Scottish Government

obligations including Fair Work First and Net Zero. Actively consider issues including but not limited to Fair Work First and Net Zero early in procurements and commissioning activity.

Construction related procurement was the largest category of Council spend for the reporting period. Following analysis of our management information, the table below represents the five largest categories of Council spend, using the top five suppliers in each category. Spend with Local construction suppliers during 2024-25 was £6.8m:

Business Sector	Value
Construction	£80,578,104
Social Care	£16,135,798
Utilities and Energy	£9,134,565
Waste and Environmental Services	£7,576,075
Transport	£5,246,966

Our CWB Charter / Action Plan, Community Benefits Wish Lists, regional working with neighbouring authorities and national collaboration with Scotland Excel continues to support their growth/economic activity and held an Estates Management Expo Event in September 2024 attended by two members of the procurement department to hear from the country's leading experts in construction, related professional services and property maintenance. The event focused on the construction journey

themes of design, build, maintain & improve and provided an opportunity to share best practice and consider new and innovative ways of working in the future.

The Scottish Government Civil Engineering Dynamic Purchasing System (DPS) for projects up to £5 million was awarded at the end of 2024. This provides access to a wide range of suppliers, including local SME's and all suppliers will pay at least the Real Living Wage for works via this DPS. As of March 2025, the DPS included 20 SME's out of 26 suppliers.

As part of its contract management obligations, suppliers must provide sustainability performance measures.

This new national framework provides a new and sustainable procurement route for Council infrastructure requirements.

Our Procurement Officers use Sustainability Tests, including those we developed for Priority categories (Construction, Social Care, ICT, Waste and Transport) to support the delivery of sustainable public services. These tests are embedded in our commodity strategy templates to ensure consideration of sustainable procurement at an early stage of the procurement lifecycle.

Whole life costing

Promoting sustainable procurement through routine consideration of whole life costing to ensure value for money in procurement, minimise environmental damage and maximise socio-economic benefits.

Life costing (whole life and life cycle) is considered an early stage as part of commodity strategy development for all regulated procurements.

In line with the councils Standing Orders, we use Centre of Excellence (CoE) frameworks where there is a suitable pre-existing contract to fulfil our requirements. Whole life costing is considered, where relevant, within tender evaluations for these frameworks.

Community Participation

Engaging with communities to understand local needs and requirements to help shape procurement policies, initiatives, and contracts.

Our commodity strategy templates include a sustainability test. For high value/risk procurements, social & economic opportunities and risks are considered, including considering community engagement / consultation regarding the potential impacts on the affected community of the intended procurement, as set out in the Community Empowerment and Renewal Act.

As part of our internal Community Benefits process our Connected Communities team engage with communities to identify potential Community Engagement Projects that can be supported by suppliers when delivering their community benefits obligations. Examples are shown in Section above but typically include:

- Donations of equipment
- Funding towards community projects & foodbanks
- Roads improvements
- Services for communities
- Volunteering hours

See community benefits table above for further details.

Climate Crisis and Environment

Making informed decisions as we engage early with suppliers to create innovative solutions to positively respond to the climate crisis. Eliminating waste throughout the supply chain where possible. Act in a way that will secure net zero emissions through a Just Transition and promote a circular economy.

We collaborated with the council's Sustainability and Climate Change Officer and service users to develop Sustainability Tests, for Priority categories (Construction, Social Care, ICT, Waste and Transport) to support the delivery of sustainable public services.

These tests are now embedded in our commodity strategy templates to ensure consideration of sustainable procurement at

an early stage of the procurement lifecycle and includes circular economy, climate change mitigation and adaptation. Where requirements are identified, supplier obligations are included within tender documents and monitored as part of on-going contract and supplier management.

Contracted environmental benefits are captured in and reported from our Procurement Software. The table below shows the typical details recorded:

Contract Saving/Benefit Ref	Benefit Type	Comments	Benefit Status
CS-00129	Sustainable, Environmental and Socio-Economic	Climate Change Plans received - annual updates required	In Progress

Procurement worked with the Climate Change Officer to prepare and feed into the Councils Climate Change Strategy and Action Plan 2025-2030 (ultimately approved in April 2025) that sets out the Councils commitment to tackling the Climate Emergency at a local level.

Good for society

Ensure that we are efficient, effective, and forward thinking through continuous improvement to help achieve a fairer and more equal society.

Economic Wellbeing

Make conscious and considered decisions that achieve best value and aims to establish practices and contracts that support the people and organisations of Scotland.

Our commodity strategy templates include sections to capture supply market analysis undertaken to help understand the market landscape, suppliers in the market and outcomes reached.

Our Contract and Supplier Management (CSM) toolkit has been made available to service areas during this financial year and includes guidance on market research/analysis to help inform buying decisions for recurring requirements.

We share market intelligence, including Scotland Excel's Supply Chain Intelligence Reports, with our internal stakeholders as part of monitoring supply markets and trends. This information is helpful for our finance colleagues and CSMs for managing price increases in contract and to inform budget development and monitoring. This was particularly valuable during the period of hyperinflation to inform decisions on supplier requests for price increases, sometimes down to individual indices level, e.g. material v's industry indices.

In April 2024, 3 short term priorities were introduced by the Council to reflect the financial challenges faced:

1. Ensure the financial sustainability of the Council through the delivery of approved savings and transforming the way we deliver services.
2. Target resources on statutory services and focus on the highest risks and those most in need.
3. Deliver key infrastructure, economic development and environmentally sustainable projects within available Council resources and maximising external funding.

The Procurement strategy is aligned to Priority 1 above. Key actions to support Priority 3 include Community Wealth Building and local spend.

Most of our regulated procurements are via collaborative contracts, which we believe help us to achieve best value. We benefit from reduced procurement effort, economies of scale pricing, rebates, as well as comprehensive terms and conditions.

For Council opportunities published on PCS, levels of completion are good with an average of 3 submissions per opportunity. During the reporting period, procurement documentation was updated to incorporate 1 local 1 new supplier text for Quick Quotes. 11 Quick Quotes were awarded to local suppliers during this period.

For Q3-Q4 reporting period 2024-2025, four opportunities were promoted via social media in addition to four supplier events promoted.

These collective actions are driving efficiencies, best value and supporting the financial sustainability of the council.

Emergency Situations

Procurement has been critical in responding to previous emergencies and humanitarian situations, and will strive to provide innovative, effective, and efficient responses to future emergency situations.

The councils standing orders state that where there is an immediate need caused by real and demonstrable emergency which creates a real risk to life, property, or Council systems, then direct purchasing above £15,000 without seeking quotations may be acceptable. During the reporting period this was utilised to undertake emergency works to repair a harbour wall damaged by a severe weather event.

Food Security

Ensuring high standards of animal welfare and sustainable production and waste reductions through the procurement process to improve community health, wellbeing, and education.

During the reporting period the Council's catering teams retained its Food for Life Served Here (FFLSH) Silver award for the third year in a row. The Council demonstrated what can be achieved despite difficult circumstances. As an FFLSH Silver award holder, the council

ensures at least 5 percent of the ingredients budget for their service is spent on organic produce. We use organic flour provided by a local supplier. To reduce vehicles on the road we have this delivered by our fruit and veg supplier based also in East Lothian.

In line with the councils Standing Orders, we use CoE frameworks where there is a suitable pre-existing contract to fulfil our requirements. Food Security and local sourcing is considered, where relevant in these frameworks. The fruit and veg contract referenced above was procured using a Scotland Excel Framework, where they can benefit from contract opportunities from other named organisations on this national framework.

Open and connected

Ensure procurement in Scotland is open, transparent, and connected at local, national, and international levels.

Global Reach

Remain connected to support development of best practice.

We ensure that we note changes to Scottish procurement legislation, updating our policies, objectives, and actions, where required. During the reporting period relevant Scottish Procurement Policy Notes (SPPNs)/Construction Policy Notes (CPN's) were:

- Public procurement – Scottish procurement legislative and system changes: SPPN 2/2024
- Public procurement – Fair Work First implementation: SPPN 1/2024
- Public procurement – Graduated pricing mechanism guidance: CPN3/2024
- Public procurement – Construction pipeline forecast tool: CPN 2/2024
- Public procurement – Retention in construction contracts publishing requirements CPN1/2024

East Lothian Council's retention policy relating to construction projects was published on its website during the reporting period to align with CPN 1/2024 and will continue to be reviewed.

For the next reporting period, it is the Council's intention to commence the use of the Graduated Pricing Mechanism where appropriate.

Other policy notes will be incorporated into our policies going forward.

Connectivity

We will strive for an ease of doing business with the Public Sector and for the Public Sector to be able to easily do business with our suppliers. Take advantage of opportunities to develop and improve the data, management information and systems, while leveraging automation and future technologies.

We are committed to improving accountability and being more transparent about how we spend public money, by publishing information about our procurement activity. In our procurement strategy we set out how we will carry out our regulated procurements, and we report on this in this annual procurement report, which also contains details of upcoming procurement projects.

As with all public sector organisations, our procurement spend captured through the Scottish Procurement Hub is published on an annual basis, and available on the Scottish Government website - [Scottish public sector spend: 2020 to 2021 - gov.scot \(www.gov.scot\)](https://www.gov.scot/publications/scottish-public-sector-spend-2020-to-2021/pages/introduction/).

Public Contracts Scotland data is published in line with Open Contracting Data Standards, which supports organisations to

increase transparency and allow deeper analysis of contracting data. This can be accessed via the Public Contracts Scotland home page - [Home - Public Contracts Scotland](#). The data captures published procurement notice information.

We use the Public Contracts Scotland portal to advertise regulated contracts and publish award notices. Our selection and award criteria are explained in detail in all our tender competitions, and we welcome input and clarification questions.

We also promote our opportunities via social and other media. Details of our contract awards are available in East Lothian Councils contracts register: [Contracts Search - Public Contracts Scotland](#) on the [PCS](#) website.

consistency. These are reviewed and updated by the team on an annual basis - change tracking and version control are in place.

Consistency

Promoting consistent use of tools, platforms and systems, processes, guidance, and templates.

We use PCS to advertise all regulated procurement opportunities and aim to use clear, precise, and plain language in tender documents, to facilitate understanding of requirements.

We ensure that only staff with appropriate training and experience are authorized to oversee regulated procurements.

We use standard procedures (standing orders, working instructions & toolkits), templates and processes to ensure best practice and

Enablers

Enablers outlined in our Procurement Strategy are fundamental to the success of our strategic aims and objectives. Key achievements in the reporting year are highlighted below:

Procurement Capability

People are key. We must ensure the Procurement profession is developing individuals and teams. As well as attracting, developing, and retaining new and existing procurement talent, leadership is essential.

During the reporting period, the procurement service was fully staffed (with the exception of the vacant Service Manager role that is being covered on a temporary basis).

Recruitment included appointment of an internal candidate to a promoted post with associated continuing professional development support towards CIPS qualifications.

During 2024-2025, 3 members of the team attained CIPS advanced practitioner qualification and another 2 are continuing professional development support towards CIPS qualifications.

Additional learning and development undertaken during this period included:

Fair Work First	Introduction to negotiation
CIPS online learning (competency framework)	Change Management

Community Wealth Building workshop	Annual Reporting
ELC management training	Overview of Concession Contracts
Commercial Improvement workshop	Best Practice
Thorny Questions Seminar	CMA Training

Enhancements to our procurement software is ongoing.

The Personal Review and Development forms have been re-designed and will be introduced within the new reporting period FY25-26. The revised forms aim to simplify the review and development process for employees.

Procurement and Commercial Improvement Programme (PCIP)

The Procurement and Commercial Improvement Programme (PCIP) was introduced in 2015 and is a maturity model designed to assess Scottish public sector procurement performance in a common format.

The two yearly assessments set out to build foundations of good public sector procurement and to signpost good practice. The assessments were demonstrably at the heart of procurement improvements across Scotland.

The PCIP is a continuation of the work undertaken by the Procurement Capability Assessment (PCA) carried out on an annual basis since 2008 until introduction of the PCIP.

PCIP Pulse Check commenced in 2023, with the offer of a new approach to further support the sector. The PCIP Pulse Check focuses on the policies and procedures driving procurement performance and, more importantly, the results they deliver. These pulse checks were undertaken with the assumption that the foundation elements identified and implemented since The McClelland report remain in place within organisations.

For PCIP Pulse Check, the assessment model developed offers a reduced question set and streamlined process for organisations whilst still assessing and supporting current procurement priorities. This hybrid model allows for greater flexibility and consists of a blended question set that can be tailored to the organisation and the sectoral context.

The model consists of eleven mandatory questions and nine discretionary questions.

Each question has four levels that an organisation may indicate it has achieved and will be assessed on the day. The levels are:

1. Developing Area
2. Improving Area
3. Good Practice
4. Advanced Practice

During the reporting period, East Lothian Council presented at Scotland Excel's PCIP Best Practice Workshops on the following topics:

- Contract & Supplier Management – Introduction of the Procurement Software to assist with contract management

- Training, Learning & Development - Induction to Procurement E-Learning module

An action plan has been developed aimed at moving the Council to the next assessment level for each question. This has been progressed as part of Service Planning for the reporting period 2024-2025, ahead of the next PCIP assessment. Ten individual PCIP actions have been developed for the next reporting period.

Supplier Development

The supply chains we work with are fundamental to our success. Providing support and opportunities for suppliers to develop and to navigate the evolving landscape will contribute to positive outcomes for communities, society, and organisations.

During the reporting period, we continued to increase our engagement, working with suppliers and the Supplier Development Programme to support 'meet the buyer' and 'meet the supplier' events and in raising awareness of contract and sub-opportunities, including access to national frameworks. We attended Scotland's Meet the Buyer event which was held at Hampden stadium on 4 June 2024, which was a great success:

- 1,585 supplier attendees
- Of these, 689 Scottish SME unique businesses attended
- This included 14 individuals from 12 unique Scottish SME businesses based in East Lothian

An additional Meet the Buyer event, Meet the Buyer South was attended by us in October 2024:

- 247 supplier attendees
- Of these, 127 Scottish SME unique businesses attended
- This included 11 individuals from 10 unique Scottish SME businesses based in East Lothian

Following the events, we shared supplier information with our Service colleagues to use alongside their knowledge of the market and the Public Contracts Scotland (PCS) supplier search facility when selecting suppliers for any future relevant QQs. Our updated Quick Quote guidance states that we must invite a minimum of 3 suppliers to provide a quote and, where possible, one should be new and one local.

74 Quick Quotes were issued during the financial period 2024/2025. 60 Quick Quotes were awarded (12 of those awarded were to local suppliers which equates to 20%).

We also attended the 'East Lothian Means Business' event in October 2024 organised by our Economic Development colleagues. The event provided an opportunity to speak with potential suppliers about the Procurement process, opportunities with the council and to receive direct feedback.

The annual Supplier Survey 2024 highlighted a need to increase our use of social media to promote opportunities to those interested in doing business with us, with Facebook being a preference for Local

SMEs. For example, this was used to promote the Scotland Excel construction materials framework to our local suppliers.

Engagement

Having appropriate shared processes and tools to provide consistency to both Procurement Professionals and suppliers. This will allow for efficient and effective delivery of Procurement services.

The Procurement Service Manager represents Procurement at senior leadership level, reporting quarterly to CMT on Procurement activity, the Service Action & Improvement Plan. This helps to ensure that leaders understand their role in driving and enabling impactful procurement.

During the reporting period, regular reports were also produced for our Heads of Service and Service Managers detailing the pipeline of expected procurements and contracts due to expire. This has helped to manage demand for procurements and enhance scrutiny to drive down costs.

In line with objectives, a review of the Head of Service reports will take place early FY 2025/2026 in order to further develop the reports for Heads of Service in order to provide strategic recommendations based on the granular data provided.

Our Procurement Officers work closely with the Councils communications team to raise the profile and ensure key procurement messages and updates are communicated. As mentioned throughout this report, internal “Inform” procurement update articles are published regularly. During the reporting period, 3 articles were published covering a range of topics, including:

Changes to the Procurement Thresholds	New Procurement Initiation Document for Quick Quotes
Supplier Finder	Contact with suppliers during the procurement process
New Procurement Toolkits: Requirements under £15K; Quick Quote Procurements; Regulated Procurements	Quick Quote training sessions for staff
IR35 Hiring Manager Guide	

Our annual customer survey capture feedback and satisfaction levels from internal customers, identifying areas for improvement. The survey was undertaken in September 2024.

For large/complex procurements, we undertake post-project and lessons learned to identify and implement required improvements.

Lessons learned undertaken during the period identified the following areas for improvement:

- Verify accreditations with qualifying bodies where required - noted for future evaluations

- Prior to awarding a new contract, ensure offboarding of existing contract has been considered – now included within Commodity strategy.
- Ensure deliverables are clearly quantified within pricing schedules – noted for future tenders.

Collaboration

Collaboration will assist us in achieving our shared goals and anchoring our success in our communities, people, and organisations. Strengthening collaboration and engagement across the Public Procurement landscape will allow consistent approaches where practical, and facilitate development and sharing of best practice

In line with the councils Standing Orders, we use collaborative frameworks where there is a suitable pre-existing contract to fulfil our requirements, unless an alternative route represents best value.

During the reporting period, we procured 67% of our contracts via collaborative frameworks.

Our Community Wealth Building (CWB) working group has also enabled collaboration with other anchor institutions to develop the East Lothian Community Wealth Building Charter and Action Plan.

This working group and its sub-groups continue to meet quarterly to progress the Action Plan and to identify and share information on collaborative procurement opportunities and best practice.

The procurement service has collaborated with internal services and the Transformation and Digital team to progress key transformation projects, including:

- Market engagement and procurement of our Finance System Replacement project
- Procurement of and supporting contract management for key digital suppliers
- Procurement of services for commercial, asset management and energy transformation projects

Contracting activity and how our procurement activity contributes to value for money

Summary of ELC regulated procurements April 2024 - March 2025

We awarded 53 new contracts regulated by the Procurement Reform (Scotland) Act 2014 with a total value of over £169 million.

Summary of ELC spend and savings April 2024 - March 2025

Procurement spend was £197 million, with savings of over £210,000 calculated in line with [Procurement benefits reporting: guidance](#).

Total spend through Scotland Excel's collaborative frameworks was £29.8 million, and savings achieved through these frameworks was just over £175k (0.6%).

Summary of anticipated future regulated procurement activity in the next two financial years

The 2014 Act requires public bodies to provide a summary, in their annual procurement reports, of the regulated procurements expected to commence over the next two financial years.

This brings added transparency to the procurement process and enables suppliers to gain an early indication of upcoming tendering opportunities and to plan accordingly for these.

In the next two years we anticipate starting around 17 regulated procurements.

A full list of known regulated procurements due to commence within the next 2 years of the reporting period is in Annex 2.

Annual procurement report ownership and contact details

The Executive Director for Council Resources is responsible for establishing the strategic framework and direction of procurement across East Lothian Council.

Sarah Fortune
Executive Director for Council Resources
East Lothian Council
John Muir House
Haddington
EH41 3HA

Email: sfortune@eastlothian.gov.uk

Type	Contract Award Date	Name of Supplier	Subject Matter	Estimated Value of the Contract	Contract Start Date	End Date (disregarding any option to extend)
Goods	10/03/2025	Scot JCB	Supply of Waste Services Loadall	61,400.00	02/06/2025	02/06/2027
Services	17/03/2025	East Coast Buses Limited	Supported Buses (Call Off-East Coast Buses Limited)	2,854,256.00	06/04/2025	05/04/2029
Services	17/03/2025	Prentice Coaches Ltd	Supported Buses (Call Off-Prentice Coaches Limited)	1,750,860.00	06/04/2025	05/04/2029
Services	17/03/2025	Various	Supported buses Framework	4,605,116.00	06/04/2025	05/04/2029
Services	26/02/2025	Myreton Marquee Hire Scotland	Administration, provision and setting out of events equipment	500,000.00	01/04/2025	31/03/2028
Services	07/03/2025	Jacobs UK Limited	Coastal Change Adaptation Plan (CCAP)	138,472.56	31/03/2025	03/07/2026
Services	07/03/2025	East Lothian Advice Consortium	Income maximisation, money and debt advice service	1,843,950.00	01/04/2025	31/03/2028
Goods	01/11/2024	Lawrence Vehicles Limited (DAF Franchised Dealers)	Supply of 2 x 18t chassis with gritter/gully cleaner system	600,910.00	01/11/2024	31/10/2026
Goods	06/01/2025	F.R. SHARROCK LIMITED	Procurement of various trailers (13) for Amenity Services	81,124.00	03/02/2025	02/02/2027
Services	26/11/2024	Midlothian Physiotherapy LLP	Physiotherapy provision	102,000.00	27/11/2024	26/11/2027
Services	26/11/2024	PAM Group	Occupational Health	644,902.00	27/11/2024	26/11/2027
Services	08/11/2024	Pax Systems	Home To School Pupil Platform System	148,214.00	07/01/2025	06/01/2028
Goods	23/08/2024	Lawrence Vehicles Limited (DAF Franchised Dealers)	Supply of a 7.5t tipper with sit-in gritter system	117,350.00	03/02/2025	02/02/2027
Goods	23/08/2024	Lawrence Vehicles Limited (DAF Franchised Dealers)	Supply of a 15t truck mount road sweeper	182,443.10	06/01/2025	05/01/2027
Goods	31/07/2024	Aebi Schmidt Uk Limited	Supply of small street sweeper	96,226.00	01/10/2024	30/09/2026

Type	Contract Award Date	Name of Supplier	Subject Matter	Estimated Value of the Contract	Contract Start Date	End Date (disregarding any option to extend)
Services	10/07/2024	AC's Taxis & Minibuses	HTS transport – closed contract between East Linton and Dunbar Grammar	76,000.00	14/08/2024	13/08/2025
Services	01/08/2024	Various	Transport framework (ad hoc)	4,000,000.00	01/08/2024	31/07/2026
Services	31/07/2024	AllStar Business Solutions	Provision of fuel cards	3,000,000.00	01/08/2024	31/07/2027
Services	04/07/2024	ChangeWorks	East Lothian Energy Efficiency Advice Service 2024*	58,971.00	08/07/2024	07/07/2025
Goods	07/10/2024	Dennis Eagle Limited	Procurement of refuse collection vehicles	892,351.00	07/10/2024	30/09/2026
Works	29/04/2024	Various	Renewal/Replacement of Play Areas	900,000.00	01/07/2024	30/06/2025
Services	11/04/2024	Dalkia Scotshield Limited	Door Entry Systems - installation + responsive repairs	160,000.00	15/04/2024	14/04/2026
Services	28/05/2024	Tenants Information (TIS)	ELTRP Development Support Contract	230,000.00	01/04/2024	31/03/2026
Services	31/03/2025	Carers of East Lothian	Adult Carers Services	2,952,000.00	01/06/2025	31/03/2027
Services	25/10/2024	Various	Care at Home and Housing Support Services	124,800,800.00	04/11/2024	29/09/2030
Services	11/04/2024	Penumbra	Mental Health Recovery Service	2,051,994.00	01/07/2024	30/06/2026
Services	12/03/2025	Stantec UK Ltd	Tranent Gyrotory Review (consultancy services)	159,050.00	13/03/2025	31/03/2026
Services	27/06/2024	Various	Hire of Plant and Tools	1,000,000.00	01/07/2024	01/07/2028
Services	02/04/2024	Scottish Water Business Stream Ltd	National Water & Waste Management Services	3,003,768.00	01/04/2024	31/03/2027
Services	25/02/2025	Stantec UK Ltd	Riverside Footbridge Design Services	102,665.86	26/02/2025	30/05/2025
Works	31/03/2025	P1 Solutions Ltd	Fencing Framework	800,000.00	07/04/2025	06/04/2027

Type	Contract Award Date	Name of Supplier	Subject Matter	Estimated Value of the Contract	Contract Start Date	End Date (disregarding any option to extend)
Services	19/03/2025	Dalkia Scotshield Limited	Legionella & Water Quality	908,257.92	07/04/2025	06/04/2028
Services	04/03/2025	Legrand Electric LTD (Tynetec)	Replacement Sheltered Housing Alarm System	147,307.61	06/01/2025	05/01/2028
Services	14/08/2024	Franks Portlock Ltd	Asbestos - Lot 4 - Analytical Services	480,000.00	01/08/2024	13/12/2027
Services	15/01/2025	Northern Steeplejacks	Term Maintenance Contract For Fall Arrest Equipment & Associated Works	144,602.76	03/02/2025	02/02/2028
Goods	10/12/2024	Pulse Fitness Ltd	Aubigny Gym Equipment - Install	101,209.91	09/12/2024	08/12/2029
Works	19/11/2024	Clark Contracts Ltd	Regeneration of Prestongrange Museum – Phase 2 Bath House	1,708,674.81	19/11/2024	28/02/2026
Services	10/10/2024	Zipporah Ltd	Booking System	57,750.00	14/10/2024	13/10/2027
Services	20/02/2025	Aspect Contracts Limited	Asbestos - Lot2 Removals	1,100,000.00	24/02/2025	13/12/2027
Services	25/07/2024	CCG (Scotland) Limited	Wallyford Area 1 - Proposed Housing. Design Team	460,285.61	01/08/2024	30/09/2025
Goods	01/04/2024	Blackhawk Network EMEA Limited	Supermarket Vouchers for Period Products	96,000.00	08/04/2024	07/04/2027
Services	30/04/2024	WQS UK Ltd	Legionella and Water Quality	586,220.00	31/05/2024	30/05/2027 *
Goods	09/10/2024	Tunstall Healthcare (UK) Limited	Telecare Digital Alarms	187,500.00	09/10/2024	15/03/2027
Services	02/08/2024	SSUK	Audio Visual Maintenance and Repair 2024	107,286.00	09/08/2024	08/08/2027
Services	27/04/2024	MUFG Corporate Markets Treasury Limited	Treasury Advisory Service	83,300.00	01/04/2024	31/03/2027
Services	31/03/2025	Capita One Ltd	Revenues and Benefits System Cloud Migration	680,000.00	01/04/2025	31/03/2028
Services	27/03/2025	MHR International UK Ltd	HR and Payroll System	646,609.00	08/06/2025	07/06/2030

Type	Contract Award Date	Name of Supplier	Subject Matter	Estimated Value of the Contract	Contract Start Date	End Date (disregarding any option to extend)
Services	04/03/2025	Computacenter	Adobe Acrobat DC Enterprise Licences	78,540.00	04/03/2025	28/02/2028
Services	28/11/2024	Phoenix Software Ltd	Microsoft Enterprise Agreement - Licences	3,300,000.00	01/12/2024	30/11/2027
Services	02/08/2024	AllPay	Card Payment & Direct Debit Services	71,560.00	01/09/2024	31/08/2027
Services	02/10/2024	Technology One UK Ltd	Finance System	464,281.08	14/06/2024	13/06/2027
Services	13/12/2024	Forsyth of Denny Ltd	Emergency crane hire for Cockenzie Harbour	72,624.00	16/12/2024	10/01/2025
Services	16/10/2024	AECOM Limited	Prestonpans to Levenhall Engineering Design Services	82,096.63	17/10/2024	10/01/2025

*This contract has subsequently been cancelled.

Description of Contract	Expected Contract Notice publication date	Expected Contract Award Date	Expected Contract Start Date	Estimated Value of the Contract
Support Services for Young People at Risk of Substance Misuse	25/11/2026	01/03/2027	01/04/2027	£400,000.00
Aberlady PS Extension	01/10/2025	01/01/2026	01/01/2026	£2,400,000.00
Removals and Storage	01/12/2025	01/03/2026	01/05/2026	£500,000.00
CCTV Maintenance	01/05/2026	01/08/2026	01/09/2026	TBC
Grass Verge Cutting Services	05/01/2026	05/04/2026	01/05/2026	£135,000.00
Knox Academy Toilets and Catering Alterations	31/03/2026	30/06/2026	30/09/2026	£400,000.00
Macmerry Primary - Toilet Alterations	31/03/2026	30/06/2026	30/09/2026	£1,000,000.00
Sports Pavillion - Craighall and Wallyford	31/03/2026	30/06/2026	30/09/2026	£1,900,000.00
Loch Centre Refurbishment	01/12/2025	01/03/2026	30/06/2026	£4,200,000.00
Tenant Contents Insurance	01/02/2026	01/06/2026	01/07/2026	£250,000.00
Emergency accommodation for homelessness	01/05/2026	01/09/2026	11/10/2026	£2,680,000.00
Respite Bed Provision	01/10/2025	01/03/2026	03/06/2026	£416,000.00
Advocacy Services for Adults	01/10/2025	02/03/2026	01/04/2026	£1,015,200.00
Provision of Play/Art/Creative Therapy in ELC schools	20/08/2026	24/10/2026	25/10/2026	£354,890.00
Intensive Family Support	01/07/2026	01/12/2027	12/12/2026	£400,691.00
Visual Impairment Support Services	01/10/2026	05/01/2027	01/04/2027	£116,999.00
Supply, installation and maintenance of bus shelters	15/12/2026	28/02/2026	01/04/2026	£800,000.00



East Lothian Council
Sustainable Procurement

Sustainable Procurement Charter



East Lothian Council is committed to minimising the environmental impact of goods, services and works procured whilst maximising social and economic benefit for the community it serves.



Promoting equality

As a responsible employer the council is committed to promoting equal opportunities to all of the East Lothian community, employees and suppliers alike. Consideration of equal opportunities is fully integrated into our procurement practices and is fully committed to the values and ethos of the Equality Act 2010. Consideration of equal opportunities is fully implemented into our procurement practices and is fully committed to the values and ethos of the Equality Act 2010.



Facilitating a varied economy

Facilitating SME's, social enterprises, supported business and third sector in the procurement process. Our procurement strategy aims to achieve a mixed economy of suppliers to support and develop our local rural market, particularly, micro, small and medium sized enterprises, Third Sector organisations and supported business. This approach includes that contracts are simplified, standardised and advertised in such a way that SMEs, third sector organisations and supported businesses are aware of the opportunities by using The Public Contracts Scotland (PCS) portal, meet the buyer events and lotting system to help reduce any barriers to involvement in procurement opportunities.



Promoting innovation

Influencing the market towards innovative solutions can focus public spending on sustainable goods, services and works and create an important catalyst for local job creation, sustainable innovation and market development. Our procurement strategy notes the importance of innovation through procurement and we encourage all our suppliers to consider an innovative approach to the way goods and services are delivered.



Fair work practices

East Lothian Council is committed to encouraging the wider adoption of the Scottish Living Wage by suppliers and to support this has adopted the Scottish Government guidance on the Selection of Tenderers and Award of Contracts which address Fair Work Practices as part of the procurement for relevant contracts. The Living Wage is an hourly rate set by the Living Wage Foundation and is revised in November every year. The current rate is £9.00 (November 2019).



Stakeholder engagement

Service user and, where appropriate, wider community consultation is an integral part of commissioning considerations. The strategic importance and complexity of required outcomes will mainly govern the level of consultation undertaken and the choice of the procurement route followed. The final decision on these matters will always be considered in light of what is likely to provide best value for the local community.



Health & Safety compliance

East Lothian Council is committed to achieving a culture that ensures it complies with all current Health and Safety legislation and in so doing endeavours to provide safe places and safe systems of work. This principal extends to those employed to do contracted works for and on behalf of the council. The council will only employ contractors who are fully accredited SSIP members of Constructionline or equivalent.



Fairly & ethically traded goods sourcing

The council supports the Fair Trade initiative because it reflects our commitment to sustainable development and offers the prospect that marginalised producers across the world will receive fairer deals for their produce. The council will promote the use of fair trade products across all its services and raise awareness of fair trade amongst its staff and customers. The council will (to the extent permitted by procurement legislation) embed Fair Trade into contracts with suppliers where it has a direct bearing on the required goods, services and works.



Healthy, sustainable food provision

The procurement of food considers the wider community focus of improving the health and wellbeing of young people and communities in East Lothian. Promoting a sustainable food supply chain by using national Scottish Frameworks (SXL) which supports the use of Scottish produce and the delivery of healthy choices to support healthy eating. Food security and ethics are of equal importance and the council follows Scottish Government guidance to ensure consideration of the highest levels of animal welfare.



Prompt payment

The effect of late payment on SME's can be significant, impacting cash flow and the ability to trade. As direct support the council has a prompt payment policy and related performance indicator which aims to make payment of invoices within 30 days of receipt of a valid invoice. To make sure this policy flows through all stages of the supply chain, our terms and conditions of contract obliges our contracted suppliers to make payment of valid invoices within a similar 30 day period.



Information governance

East Lothian Council regards information as a valuable corporate asset which must be obtained, processed and protected diligently, lawfully and ethically. The approach to information governance focuses on safeguarding customers, providing business transparency and ensuring legislative compliance. Relationships with 3rd parties who handle data on behalf of the council, or with whom we share data are carefully managed. Contracts include information governance compliance conditions with these arrangements being documented and monitored. We will expect all suppliers to take the same robust approach to information management as we do, even after their contract has expired.



Environmental impact and Climate Change

East Lothian Council is committed to reducing its environmental impact, including carbon emissions, and improving sustainability wherever possible. The Climate Change (Scotland) Act 2009 places duties on the council to deliver services in a way which supports this, and the Council's Climate Change Strategy 2020–2025 sets out our commitment to achieving this through both internal activities, such as energy saving within buildings, and our work with partners. The way that the council procures goods and services can have a huge environmental impact, and by purchasing items which can demonstrate a reduced negative effect on wildlife, natural resources and carbon emissions, we can reduce our carbon footprint and support suppliers to do the same..



Community benefits

Improving the economic, social and environmental wellbeing of the area. Adding value to communities through Community Benefits* or social requirements is intended to ensure that wider local economic and social issues are considered when delivering construction works, service or supplies contracts. This is achieved through the inclusion of specific clauses within contracts known as community benefit clauses (CBCs).



Conflict of interest

Council Officers and Members conducting business on behalf of the organisation have a responsibility to do so in a manner that is objective and ethical. As such we require any individual whether employee or supplier to declare such an interest before any procurement activity commences as the best way to handle conflicts of interest is to avoid them entirely.

Modern Slavery Act 2015

The council adopts a zero tolerance approach to modern slavery and human trafficking. We expect all those who work for and with us to adhere to this approach. As appropriate we will address areas of concern in the tendering process through requiring minimum standards and contract management.

*To find out more about Community Benefits visit:

www.eastlothian.gov.uk/communitywishlist

For more information:

Email **procurement@eastlothian.gov.uk** or call **01620 827827** and ask for 'Procurement'
East Lothian Council, John Muir House, Brewery Park, Haddington, East Lothian EH41 3HA



Versions of this leaflet can be supplied in Braille, large print, audiotape or in your own language. Please phone Customer Services if you require assistance on 01620 827199

Item	Description	Status
4	Continuing to develop and implement training and guidance to support compliance and excellence in procurement	Closed
6	Continuing to use the national procurement competency framework and associated online tool to assess team skills, identify training needs and support career planning. This will be carried out annually as part of the Performance Review and Development (PRD) process	Delayed
10	Increasing engagement, working suppliers and the Supplier Development Programme to support 'meet the buyer' and 'meet the supplier' events and in raising awareness of contract and sub-opportunities, including access to national frameworks	Closed
11	Provide information to those interested in doing business	Closed
14	Working with communications team to raise the profile and ensure key procurement messages and updates are communicated	Closed
16	Undertaking annual surveys to capture feedback and satisfaction levels from internal customers and suppliers, identifying areas for improvement	Closed
18	Transitioning towards digital procurement forms, process and procedures	Delayed
25	Annually reviewing and updating council standing orders and procurement procedures to ensure appropriate internal controls and awareness of the procurement and financial rules	Closed
26	Annually reviewing and updating (as required) our forms, processes and procedures, including checking for accessibility	Closed
28	Implementing and reporting on improvements plans that flow from The Procurement & Commercial Improvement Programme (PCIP)	Closed
30	Applying CWB principles to collaborate with other anchor Institutions to identify and share information on collaborative procurement opportunities and best practice	Closed
34	Maximize opportunities for innovation and collaboration to enable delivery of the council's key corporate projects, e.g. Transformation, Digital and Asset Review	Closed
35	Using supplier feedback from annual surveys to continually improve access to our tendering opportunities	Closed
37	Providing guidance and support to stakeholders to identify, assess and manage risks within procurement activity	Delayed

42	Detailing in each commodity strategy document, the approach to be taken regarding: · Promoting compliance by contractors and subcontractors with the Health & Safety at Work Act 1974 and any provision under that Act · The procurement of fairly and ethically traded goods and services · How we can promote the highest standards of animal welfare for procurements involving the provision of food. · Ensuring prompt payment for contractors and sub-contractors in the supply chain.	Delayed
43	Increasing % of spend with local suppliers	Closed
44	Develop recommendation on signing up to Buy Social Pledge	Closed
45	Develop recommendation on Social Enterprise Scotland membership	Closed
47	Implementing contract management into the lifecycle of key contracts across the council	Delayed
48	Embedding Contract and Supplier Management: Ongoing analysis and feedback to / from suppliers to enhance the working relationships	Delayed
49	Applying community wealth building principles to develop and maximise spend with local businesses	Closed
50	Delivery of the CWB Action plan	Closed
53	Using the tools detailed below to support the delivery of prioritised sustainable outcomes • Flexible Framework assessment tool • Prioritisation Tool • Sustainability Test • Capturing, monitoring and reporting on key sustainable priorities	Closed
54	Improving awareness for council staff and suppliers of Fair Work First	Closed
60	Continuing to improve information on our Community Benefits approach to share with communities and suppliers on our website showing where the benefits go/who receives them	Delayed
61	Using new procurement software to increase and improve monitoring and reporting of community benefits obligations and their delivery	Delayed
63	Updating our policies, objectives and actions to reflect Construction Policy Notes from Scottish Government, e.g. Sustainability in construction projects: CPN 1/2023	Closed
67	Considering stakeholder engagement activities, involving communities and service users at an early stage as part of commodity strategy development, for example as part of our Social Care and ethical commissioning activities.	Delayed
69	Improving the measurement of the impact of Community Benefits on our communities	Delayed

70	Detailing in each commodity strategy document, the approach to be taken regarding: • consulting and engaging with those affected by the procurement • how we can improve the health, wellbeing, and education of communities in our area (for procurements involving the provision of food)	Delayed
72	Working with the council's Sustainability and Climate Change Officer to deliver ELC climate emergency e-learning to service users	Delayed
77	Strategic Sourcing: market analysis and scoping to identify critical supply routes that support the council and procurement strategy	Closed
78	Ensuring market engagement & understanding: • monitoring supply markets and trends • market testing of/for commodity strategy • share market intelligence with finance colleagues to help with budget development and monitoring	Delayed
80	Driving efficiencies and best value to support the financial sustainability of the council	Delayed
81	Understanding and challenging the need to buy	Delayed
82	Continuing to identify / reduce spend which doesn't follow the defined purchasing policies and manage demand	Delayed
83	Using a category management approach to monitor, manage and report to senior leaders on spend for dedicated areas / commodities	Delayed
84	Including obligations (Terms & Conditions and/or specifying requirements) related to emergency situations for key council contracts, e.g. allowing for appropriate response in emergencies, business continuity, etc.	Delayed
85	Considering food security (e.g. local sourcing) at an early stage as part of commodity strategy development.	Delayed
87	Increasing engagement, working suppliers and the Supplier Development Programme to raise awareness of contract and sub-opportunities, including access to national frameworks.	Closed
88	Updating our policies, objectives and actions to reflect emerging policy from Scottish Government. For example, Public procurement – Australia and New Zealand Free Trade Agreements: SPPN 1/2023, Public procurement - supporting innovation through procurement: SPPN 3/2023, etc.	Closed
89	Publishing our opportunities via social and other media	Closed

[NOTE: reference to contract is also to be construed as meaning a framework agreement]

1. Organisation and report details

a) Contracting Authority Name	East Lothian Council
b) Period of the annual procurement report	01 April 2024 to 31 March 2025
c) Required by s18 Procurement Reform (Scotland) Act 2014 to prepare an annual procurement report? (Yes / No)	Yes

2. Summary of Regulated Procurements Completed

a) Total number of regulated contracts awarded within the report period	53
b) Total value of regulated contracts awarded within the report period	£169,478,828
c) Total number of unique suppliers awarded a place on a regulated contract awarded during the period	73
i) how many of these unique suppliers are SMEs	52
ii) how many of these unique suppliers are Third sector bodies	5

3. Review of Regulated Procurements Compliance

a) Number of regulated contracts awarded within the period that complied with your Procurement Strategy	53
b) Number of regulated contracts awarded within the period that did not comply with your Procurement Strategy	0

4. Community Benefit Requirements Summary

Use of Community Benefit Requirements in Procurement:

a) Total Number of regulated contracts awarded with a value of £4 million or greater.	3
b) Total Number of regulated contracts awarded with a value of £4 million or greater that contain Community Benefit Requirements.	3
c) Total Number of regulated contracts awarded with a value of less than £4 million that contain Community Benefit Requirements	34

Key Contract Information on community benefit requirements imposed as part of a regulated procurement that were fulfilled during the period:

d) Number of Jobs Filled by Priority Groups (Each contracting authority sets its own priority groups)	0
e) Number of Apprenticeships Filled by Priority Groups	0
f) Number of Work Placements for Priority Groups	0
g) Number of Qualifications Achieved Through Training by Priority Groups	0
h) Total Value of contracts sub-contracted to SMEs	-
i) Total Value of contracts sub-contracted to Social Enterprises	-
j) Total Value of contracts sub-contracted to Supported Businesses	-
k) Other community benefit(s) fulfilled	8/ £6,250

5. Fair Work and the real Living Wage

a) Number of regulated contracts awarded during the period that included a Fair Work First criterion.	15
b) Number of unique suppliers who have committed to pay the real Living Wage in the delivery of a regulated contract awarded during the period.	30
c) Number of unique suppliers who are accredited Living Wage employers and were awarded a regulated contract during the period.	26

6. Payment performance

a) Number of valid invoices received during the reporting period.	79,778
b) Percentage of invoices paid on time during the period ("On time" means within the time period set out in the contract terms.)	87.75%
c) Number of regulated contracts awarded during the period containing a contract term requiring the prompt payment of invoices in public contract supply chains.	33
d) Number of concerns raised by sub-contractors about the timely payment of invoices within the supply chain of public contracts.	0

7. Supported Businesses Summary

a) Total number of regulated contracts awarded to supported businesses during the period	1
b) Total spend with supported businesses during the period covered by the report, including:	£92,840
i) spend within the reporting year on regulated contracts	£46,875
ii) spend within the reporting year on non-regulated contracts	£45,965
8. Spend and Savings Summary	
a) Total procurement spend for the period covered by the annual procurement report.	£196,830,004
b) Total procurement spend with SMEs during the period covered by the annual procurement report.	£90,447,206
c) Total procurement spend with third sector bodies during the period covered by the report.	£21,569,052
d) Percentage of total procurement spend through collaborative contracts.	67%
e) Total delivered cash savings for the period covered by the annual procurement report	£10,104
f) Total non-cash savings value for the period covered by the annual procurement report	£200,502
9. Future regulated procurements	
a) Total number of regulated procurements expected to commence in the next two financial years	17
b) Total estimated value of regulated procurements expected to commence in the next two financial years	£16,968,780 + TBC

COMMITTEE:	Cabinet
MEETING DATE:	11 November 2025
BY:	Depute Chief Executive Resources and Economy
REPORT TITLE:	Objections to Traffic Regulation Orders TO263/25, TO264/25 & TO268/25 - Introduction and Amendments to Traffic Regulation Orders, Various Roads, Musselburgh
REPORT STATUS:	Public

1 PURPOSE OF REPORT

- 1.1 The purpose of this report is to acknowledge and set aside objections to the proposed Traffic Regulation Orders (TRO), TO263/25, TO264/25 and TO268/25.

2 RECOMMENDATIONS

Members are recommended to:

- 2.1 Note the objections received to the advertised TROs, set aside these objections and give approval to make the necessary Orders.

3 BACKGROUND

- 3.1 In partnership with Transport Scotland, East Lothian Council propose to introduce six strategic active travel routes in Musselburgh to provide safe and attractive facilities for walkers, wheelers and cyclists travelling between key destinations.
- 3.2 Following significant consultation exercises, proposals for three of the routes have now advanced to developed design stage. The proposals include new infrastructure such as footway widening, raised tables, continuous footways at side road junctions, new zebra crossing, new signalised junctions and crossings, shared footways, segregated cycle lanes and bus stop bypasses.

- 3.3 To accommodate the measures and ensure the safety of all road users new and amended Traffic Regulation Orders to prohibit waiting, loading and unloading are proposed. These will variously, remove indiscriminate parking to improve sightlines; enable two way movement of traffic, improve the free flow of traffic; prevent obstruction of new continuous footway; introduce waiting and loading restrictions at a new zebra crossing and at new signalised crossings; and introduce waiting restrictions at new taxi rank.
- 3.4 The proposed waiting, loading and unloading restriction amendments are shown on the plans in Appendix 1.

TO/263/25 (Various Roads – Musselburgh and Wallyford) (Prohibition & Restriction on Waiting, Loading and Unloading etc) Variation No.3 Order was advertised in June 2025.

- 3.5 Haddington Road is subject to a heavy volume of traffic and at greater than 8m wide, the geometry does not encourage low speeds. The existing corridor has advisory cycle lanes but provides a low level of service for cyclists when considered against Cycling By Design criteria.
- 3.6 The Route 2 MAT proposals include a bi-directional cycle track constructed within the running carriageway. This will narrow the corridor to an appropriate carriageway width that encourages lower traffic speeds and enables all traffic to continue to use the road. Vehicle speeds measured by ATC in December 2023 show that most vehicles travel below the existing posted speed limit of 40mph, and the average speed is 32.6mph. It is considered that the proposed narrowing of the carriageway due to the introduction of a segregated cycle track would lead to reduced vehicle speeds which would be further encouraged by reducing the speed limit from 40mph to 30mph between a point immediately west of Wallyford Toll and the start of the existing 30mph limit east of Levenhall Roundabout. Police Scotland have no objections to the proposed reduction and if vehicle speeds were to drop to 31mph or less, a high level of service would be achieved.
- 3.7 The extent of the proposed speed limit Order is shown on the plan in Appendix 2.

TO/264/25 (A199 Haddington Road, Musselburgh) (30mph Speed Limit) Order 2025 was advertised in June 2025.

- 3.8 Shorthope Street is a key link for people walking and cycling between the River Esk and High Street. The existing narrow footways are sub-standard, contraflow cycling (southbound) is not currently permitted between the River Esk and High Street and no crossing facilities are provided at its junction with High Street.
- 3.9 The Route 1 MAT proposals include widening of Shorthope Street's western footway, provision of a raised table at its junction with High Street and contraflow cycling permitted (southbound).
- 3.10 The extent of the proposed Order is shown on the plan in Appendix 3.

TO/268/25 (Shorthope Street) (One-Way Order) 2025 was advertised in June 2025.

- 3.11 If approved, this Order would revoke and replace the **Byelaws for The Regulation of All Carriage Traffic in Shorthope Street and Kerr's Wynd Within the Burgh of Musselburgh** which came into force on 5th July 1937. The parts of the Order relating to Kerr's Wynd were revoked on 31/12/1965.
- 3.12 In accordance with applicable legislation, adverts were placed in the local press and copies of all the relevant documents were made available for viewing at reception, John Muir House, Haddington and Musselburgh Library, 10 Bridge Street, Musselburgh between Mon 30 June and Mon 28 July 2025.
- 3.13 In addition to the legislative requirements set out in paragraph 3.15, adverts were attached to lamp columns on affected roads and electronic copies of all the relevant documents were made available on East Lothian Council's Consultation Hub and the Scottish Government's public information gateway, tellmescotland.gov.uk between Mon 30 June and Mon 28 July 2025.
- 3.14 At the end of the formal consultation period, the Council had received the following objections:
- TO/263/25 Various Roads - a total of three objections.
 - TO/264/25 Haddington Road Speed limit – a total of three objections and two responses supporting the proposal.
 - TO/268/25 Shorthope Street two way cycling – a total of four objections, one of which was subsequently withdrawn.
- 3.15 The objections and Officers responses to these objections are contained within Appendix 4.
- 3.16 Objections and comments were also received in relation to the MAT infrastructure proposals themselves. The infrastructure proposals have been subject to a separate and extensive consultation process and are therefore not reported here.

4 POLICY IMPLICATIONS

- 4.1 The proposals will contribute towards The East Lothian Plan – Single outcome agreement (SOA) 2013 and 2 of our strategic objectives – to create, support and maintain a Sustainable Environment and Safe and Vibrant Communities.
- 4.2 The reduced speed limits are expected to contribute towards East Lothian's SOA Outcome 7 – East Lothian is an even safer place.

5 RESOURCE AND OTHER IMPLICATIONS

- 5.1 Finance: All costs involved in connection with consultation, advertising, design and implementation associated with the making of these Orders can be accommodated within Musselburgh Active Toun project design funding agreed with Transport Scotland.
- 5.2 Human Resources: None
- 5.3 Other (e.g. Legal/IT): The making of the Traffic Regulation Orders is in accordance with the provisions of the Road Traffic Regulation Act 1984 and follows the procedural requirements for making the TROs in accordance with The Local Authorities' Traffic Orders (Procedure) (Scotland) Regulations 1999.
- 5.4 Risk: A project Risk Register has been developed and is regularly updated. Risks specifically related to the TROs are identified. They have been mitigated through consideration of the objections made and will be further mitigated through long term monitoring and evaluation, subject to Council approval.

6 INTEGRATED IMPACT ASSESSMENT

- 6.1 **Select the statement that is appropriate to your report by placing an 'X' in the relevant box.**

An Integrated Impact Assessment screening process has been undertaken and the subject of this report does not affect the wellbeing of the community or have a significant impact on: equality and human rights; tackling socio-economic disadvantages and poverty; climate change, the environment and sustainability; the Council's role as a corporate parent; or the storage/collection of personal data.

☒

or

The subject of this report has been through the Integrated Impact Assessment process and impacts have been identified as follows:

☐

Subject	Impacts identified (Yes, No or N/A)
Equality and human rights	N/A
Socio-economic disadvantage/poverty	N/A
Climate change, the environment and sustainability	N/A

Subject	Impacts identified (Yes, No or N/A)
Corporate parenting and care-experienced young people	N/A
Storage/collection of personal data	N/A
Other	N/A

The Integrated Impact Assessment relating to this report has been published and can be accessed via the Council's website:

https://www.eastlothian.gov.uk/info/210602/equality_and_diversity/12014/integrated_impact_assessments

7 APPENDICES

- 7.1 Appendix 1 – TO 263/25 Proposed waiting, loading and unloading restriction amendments
- 7.2 Appendix 2 – TO 264/25 Extent of proposed A199 Haddington Road 30mph speed limit Order
- 7.3 Appendix 3 – TO 268/25 Extent of proposed Shorthope Street One Way Order
- 7.4 Appendix 4 – Summary of objections to the three TROs, officers' response and recommendations.

8 BACKGROUND PAPERS

- 8.1 None.

9 AUTHOR AND APPROVAL DETAILS

Report Author(s)

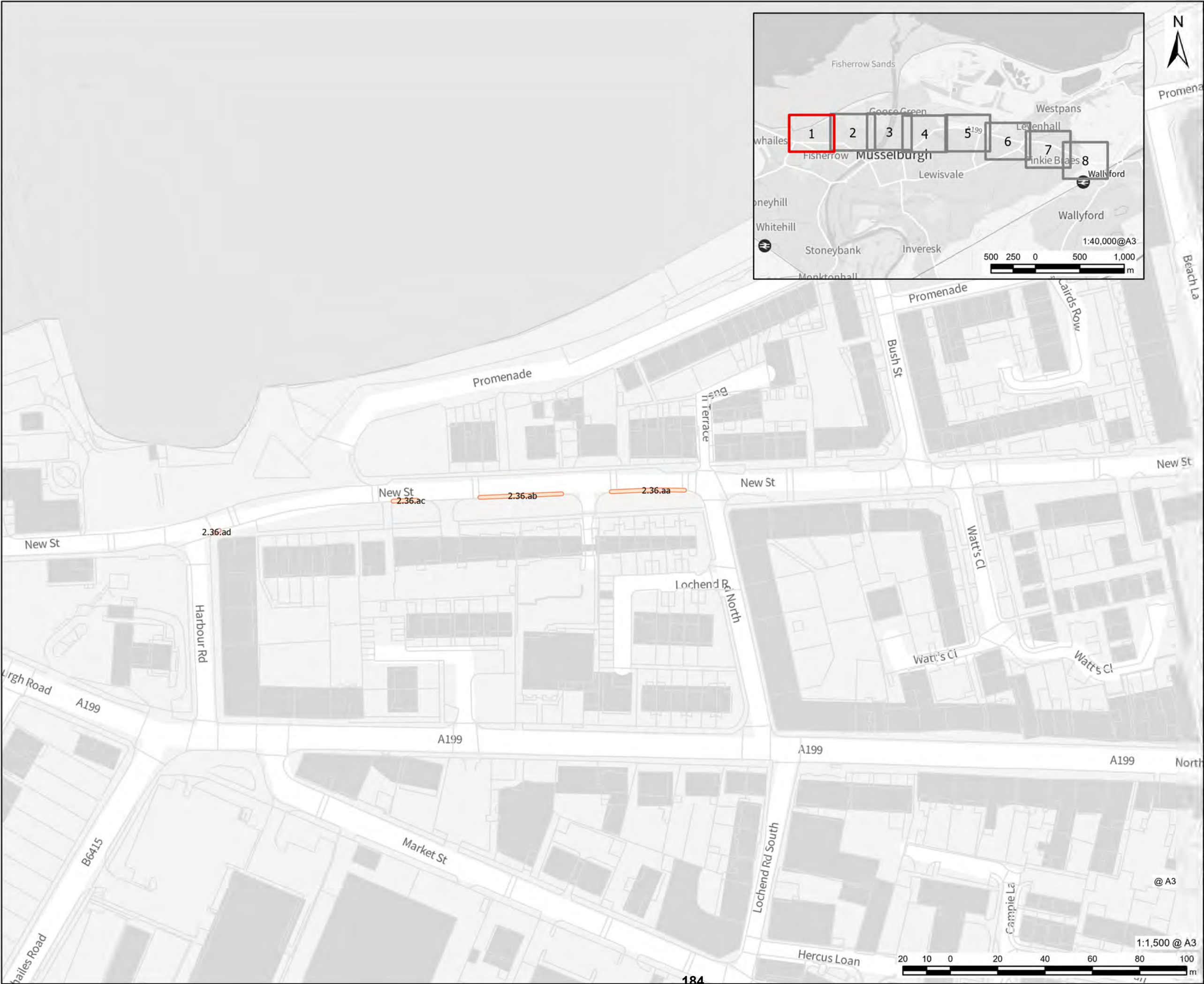
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Tel/Email	Liz Hunter - Ext 7740
Date	22/10/2025

Head of Service Approval

Name	Tom Reid
Designation	Head of Infrastructure
Confirmation that IIA and other relevant checks (e.g. finance/legal) have been completed	
Approval Date	



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LEGEND
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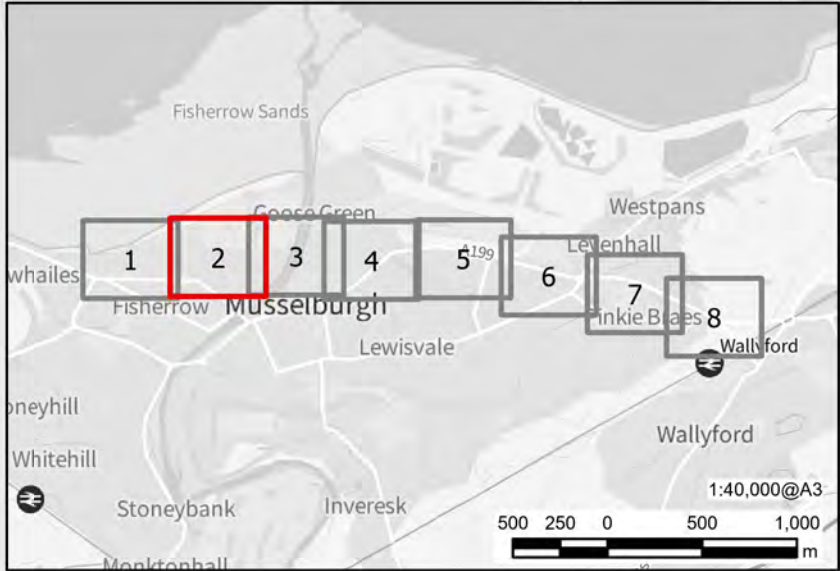
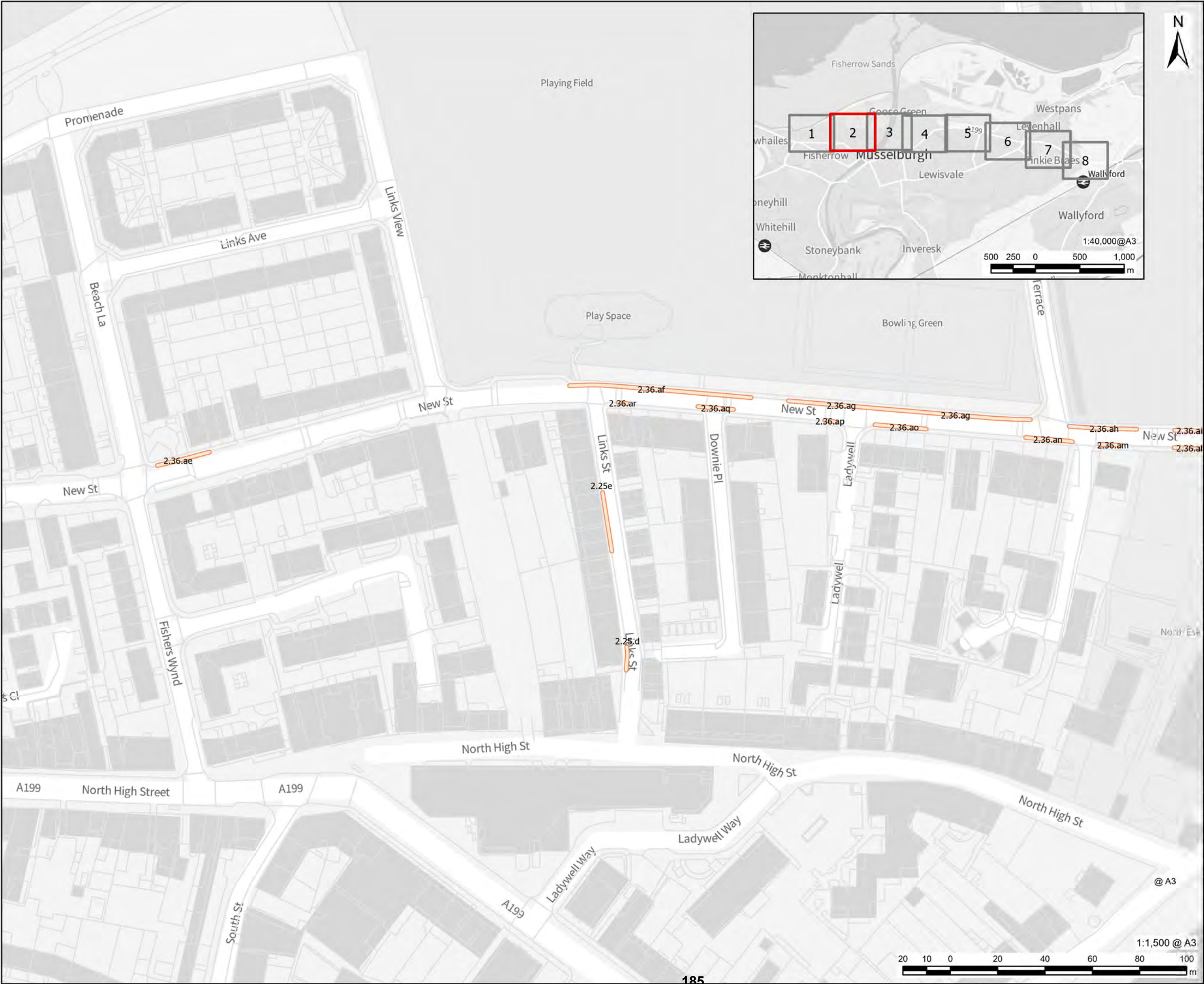
FIGURE TITLE

Musselburgh Proposed Traffic Order

Restrictions - Route 2

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Sheet 1 of 8



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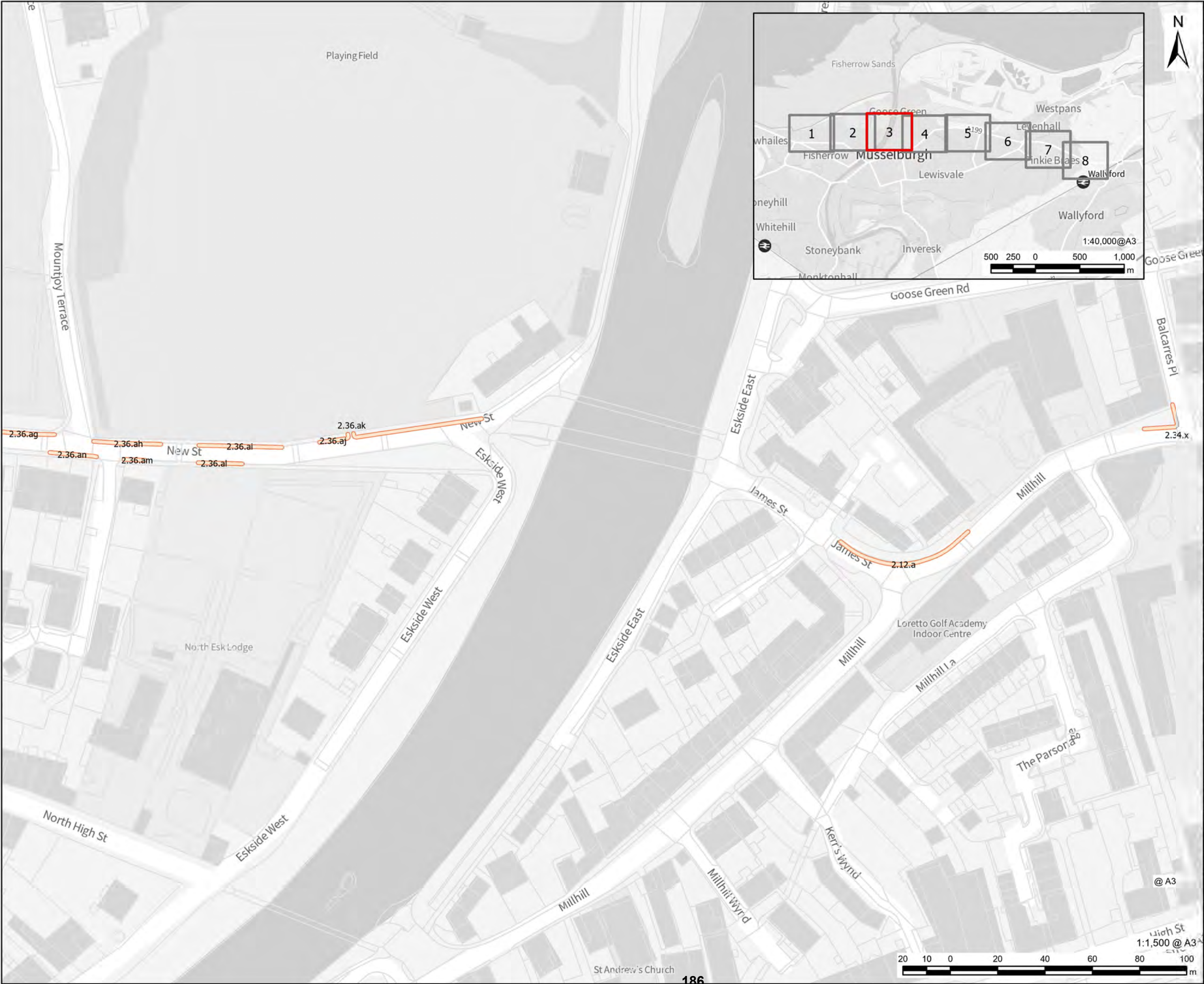
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FIGURE TITLE

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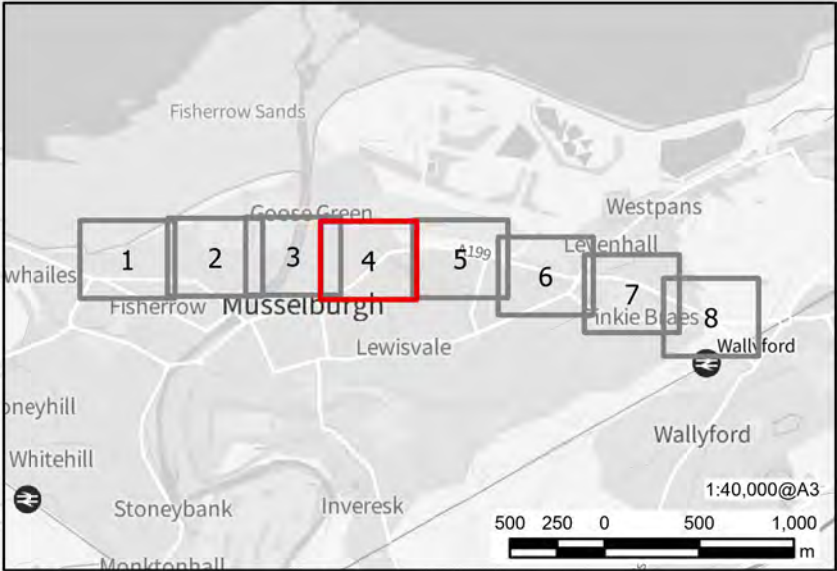
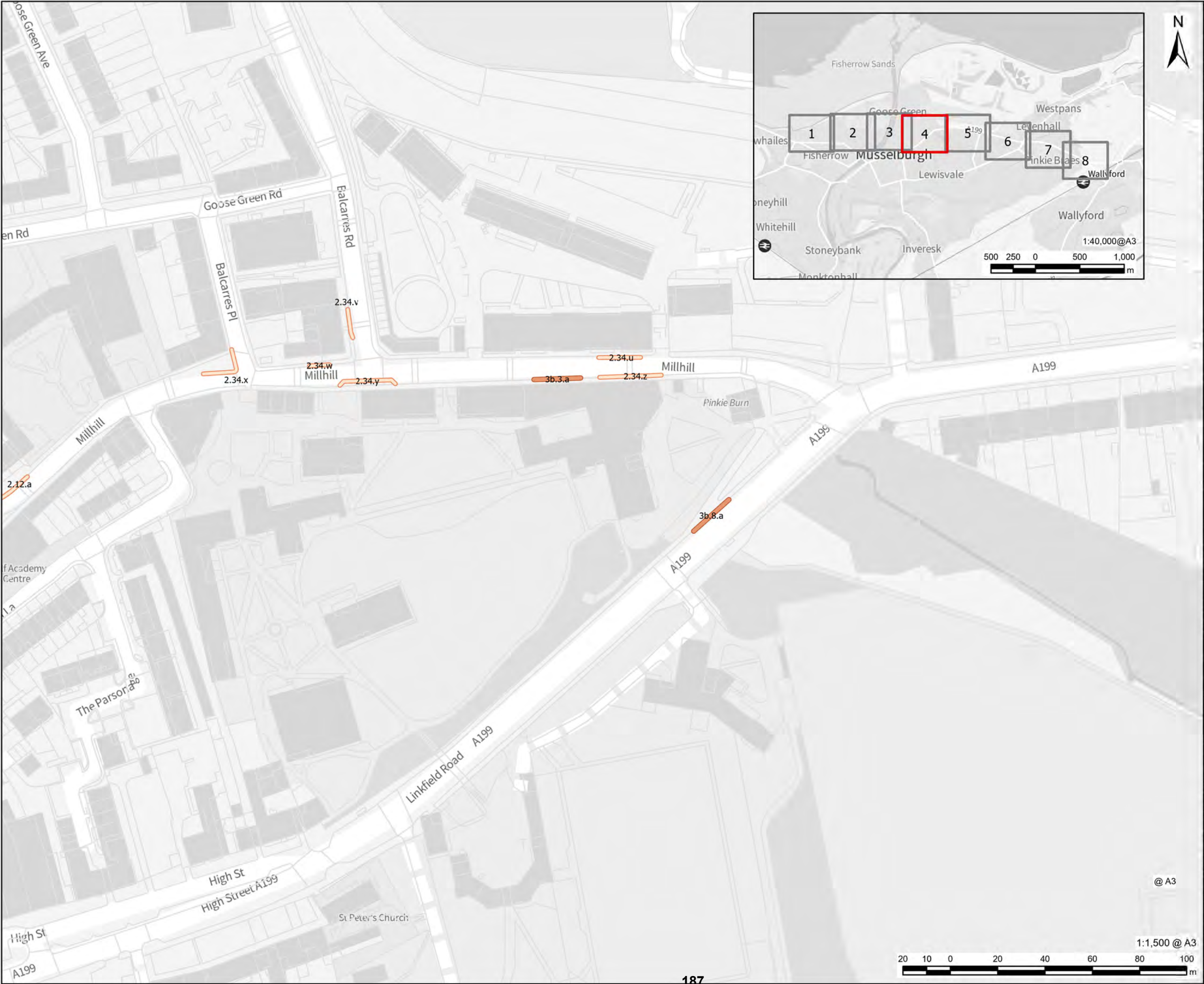
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- Schedule 2 - Lengths of road where waiting is prohibited at any time
- Schedule 3b - Lengths of road where waiting is prohibited between the hours of 8.30 am and 5.30 pm on any day

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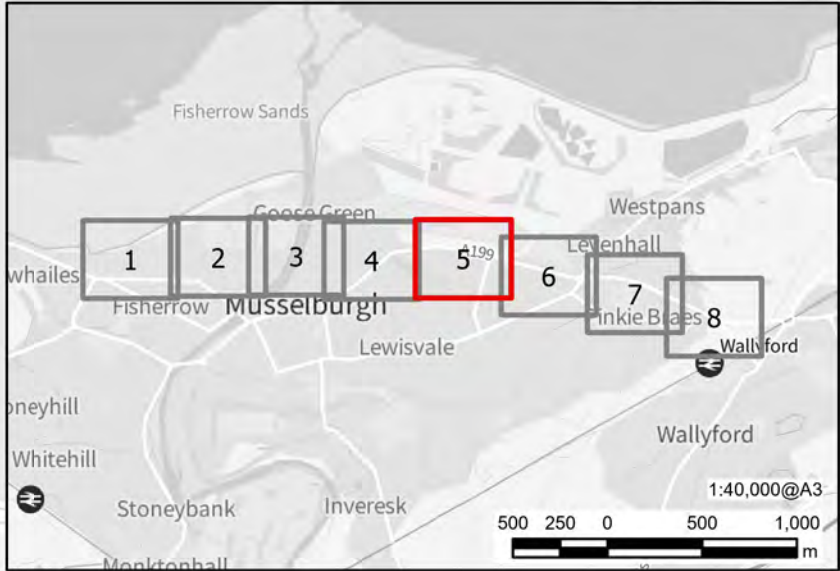
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FIGURE TITLE

Musselburgh Proposed Traffic Order Restrictions - Route 2

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Sheet 4 of 8



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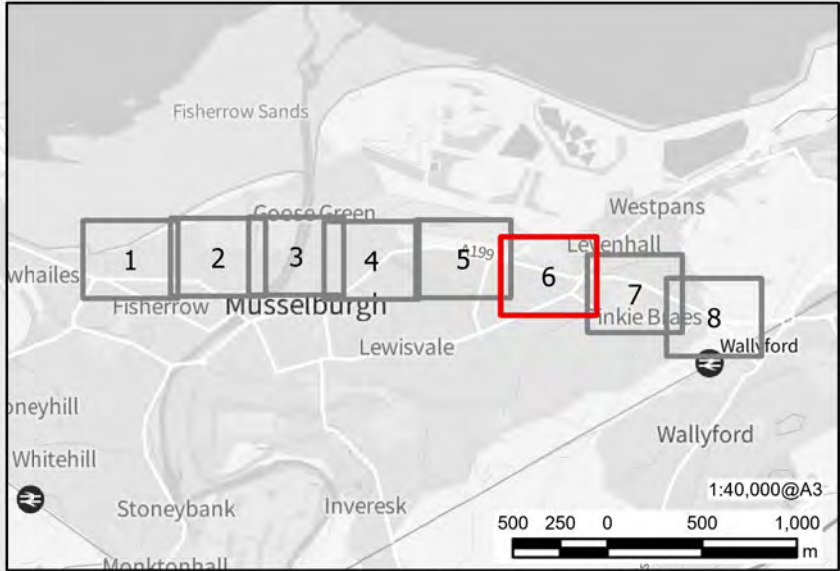
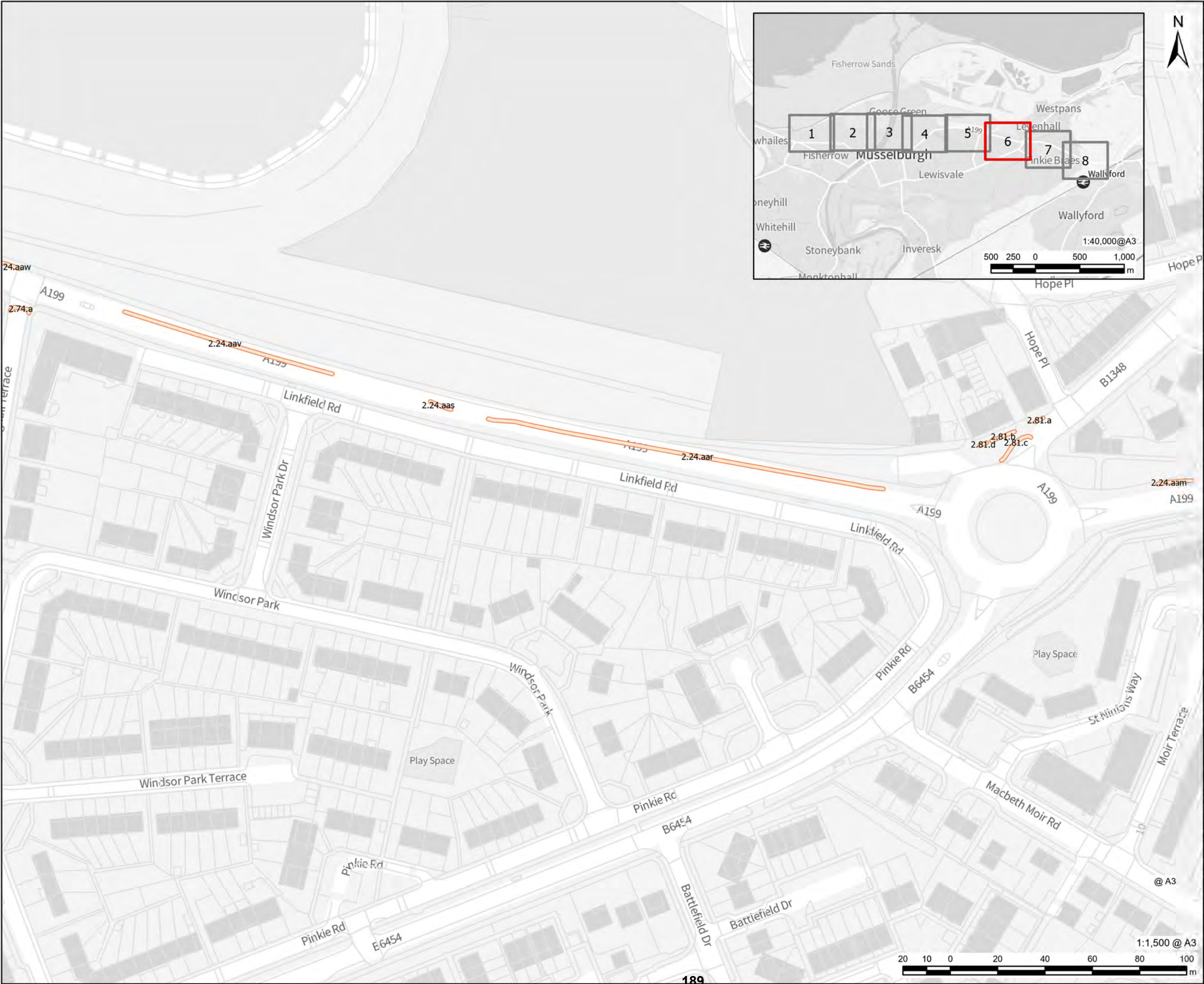
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FIGURE TITLE

Musselburgh Proposed Traffic Order
Restrictions - Route 2

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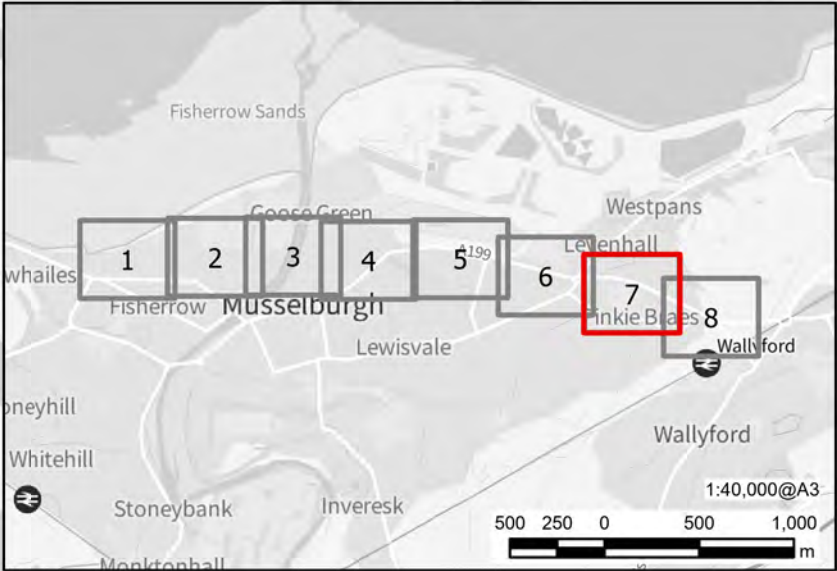
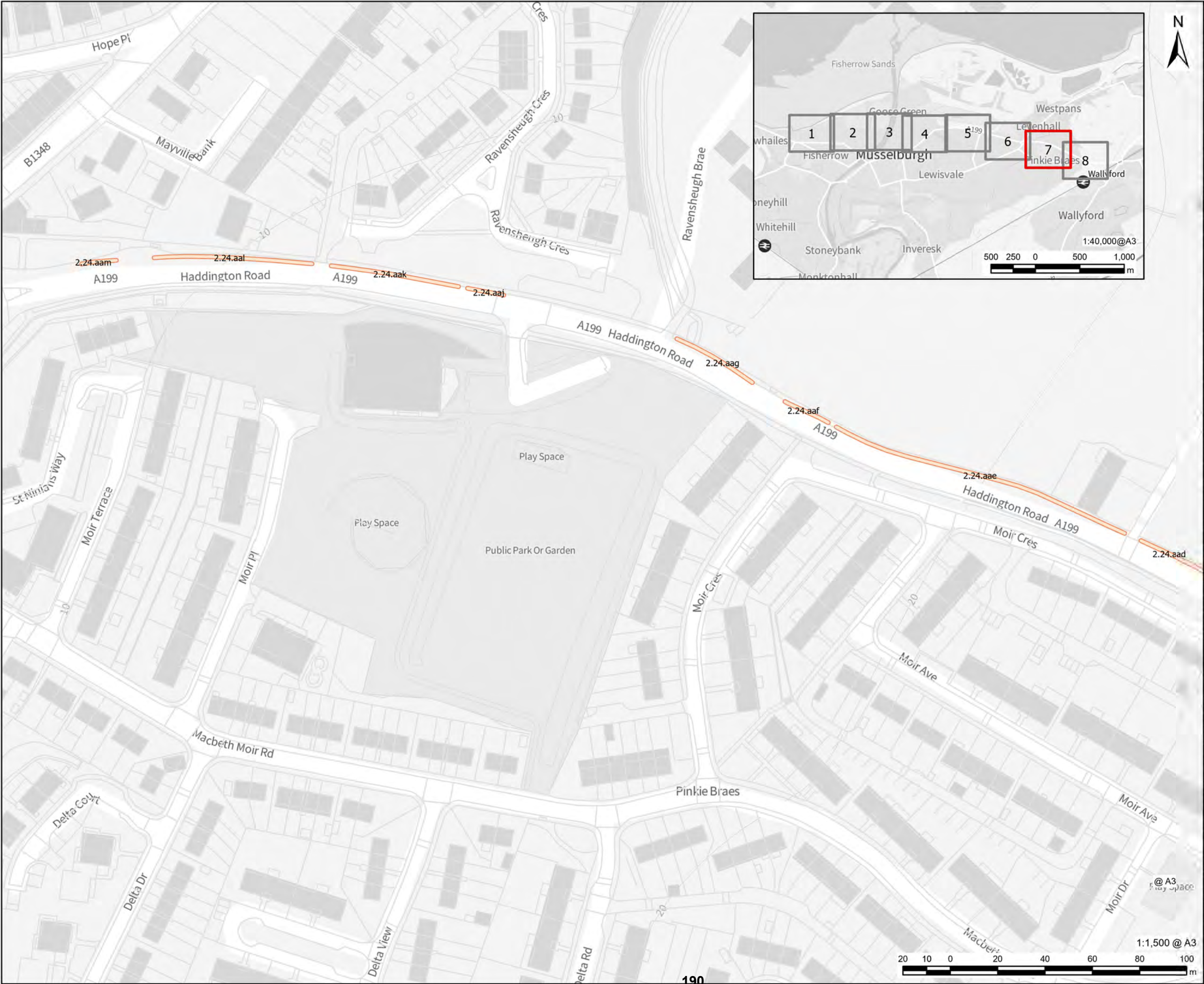
FIGURE TITLE

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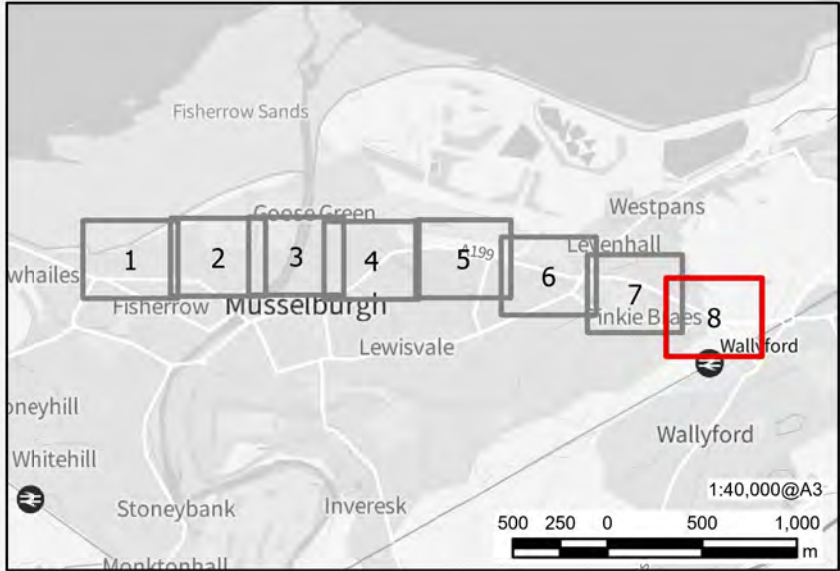
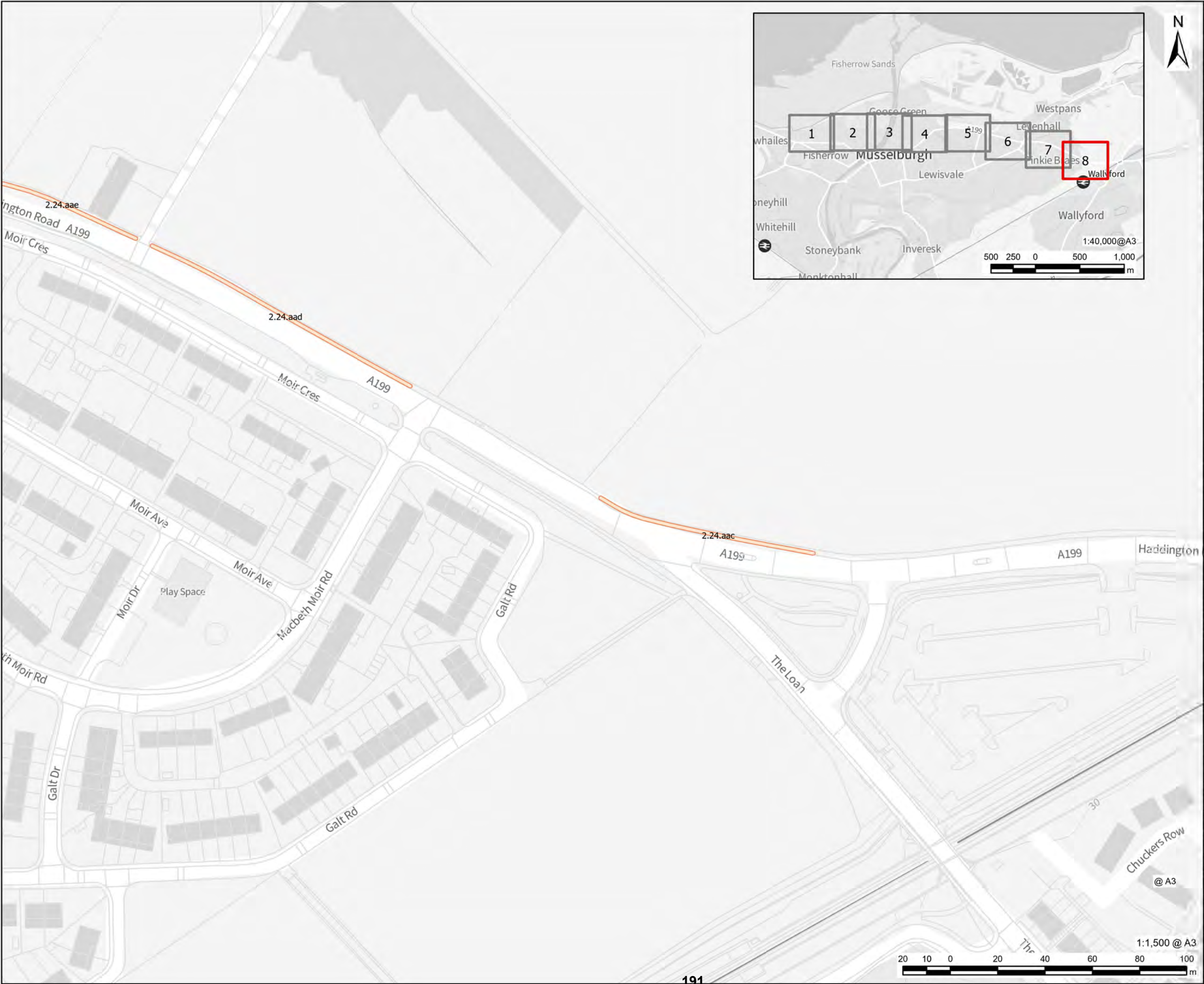
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FIGURE TITLE
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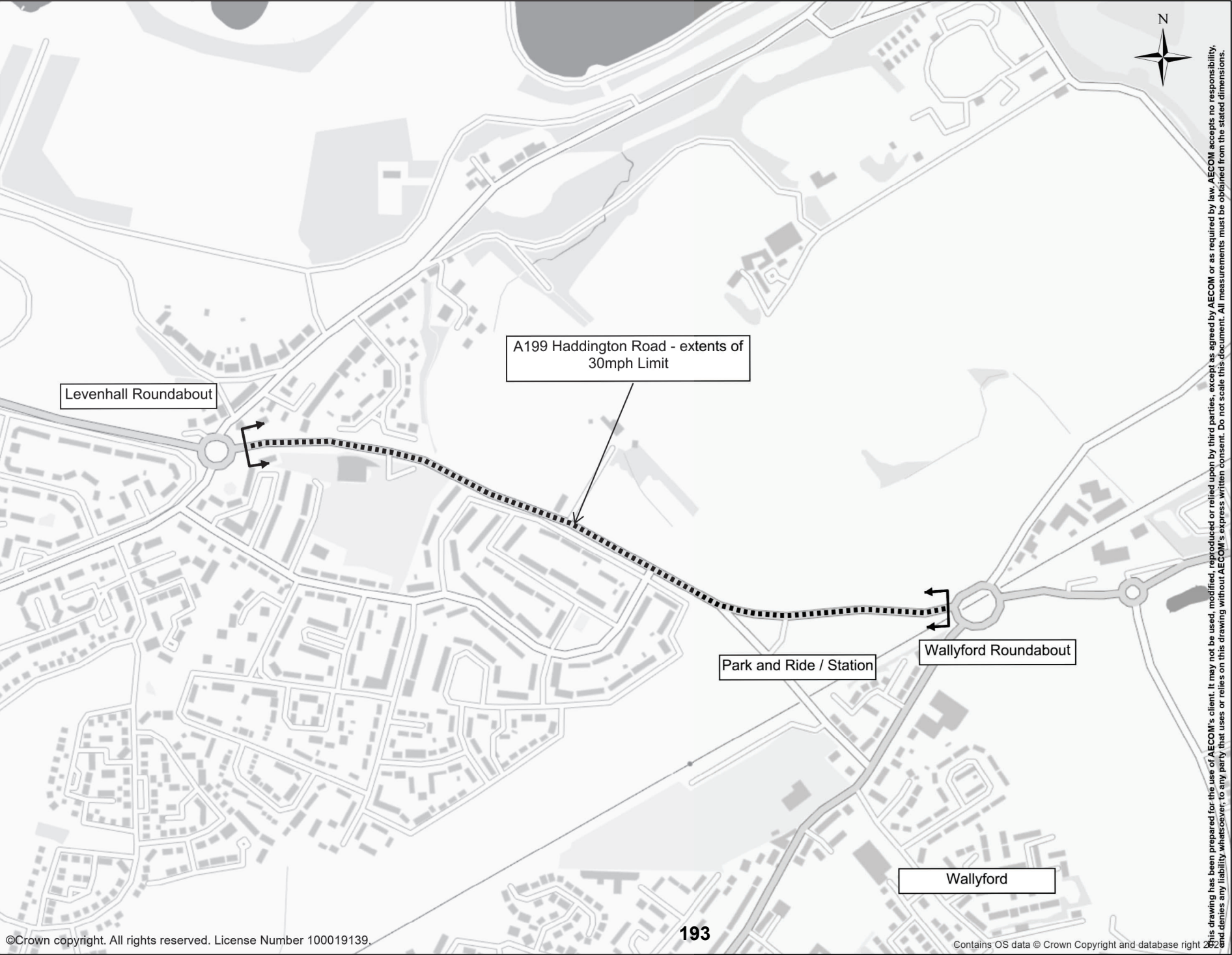
FIGURE TITLE

Musselburgh Proposed Traffic Order Restrictions - Route 2

FIGURE NUMBER

Sheet 8 of 8





A199 Musselburgh to Dunbar Road (Haddington Road, Musselburgh) – Both directions

From a point 30 metres or thereby east of the Levenhall Roundabout, in an easterly direction to the tangent point of the kerb on the west side of Wallyford Roundabout for a distance of 1050 metres or thereby.

DRAWING NO.

A199 Haddington Road, Musselburgh
30mph Speed Limit

Extents



From the extended north kerbline of High Street, to the extended south kerbline of Millhill.

Permit vehicles to travel in a northbound direction only (Restrict motor vehicles traveling in a southbound direction)

DRAWING NO.

Shorthope Street,
Musselburgh
One-way Order

Appendix 4

Summary of objections to the three TROs, officers' response and recommendations

TO/263/25 (Various Roads – Musselburgh and Wallyford) (Prohibition & Restriction on Waiting, Loading and Unloading etc) Variation No.3 Order			
No.	Objection	Response	Recommendation
1	There are already a lot of restrictions on the high street and over vigilant parking attendants squeezing the life out of high street businesses. We should be encouraging people to stop and use the high street not putting them off.	The aim of the Musselburgh Active Toun project is to improve access to the High Street for people walking and cycling and support the local economy. The draft Traffic Order does not propose any changes to the existing parking or loading restrictions on the High Street.	Set aside – no changes proposed to existing parking or loading restrictions on the High Street
2	I wish to object to the proposals outlined below. These proposals will only increase the traffic delays and will affect parking opportunities. It is already difficult to park in the roads which is problematic for us homeowners who do not have access to off street parking.	I can confirm that we have worked to limit the impact on residential parking on Linkfield Road and have previously engaged with residents on the street to inform them of the plans. The proposed on-street parking on Linkfield Road has been maximised and targeted to the areas where frontage properties do not have off-street parking. Between the Millhill and Ashgrove junctions (circa 500m), only 12m of new parking restrictions are proposed where car parking would be reduced.	Set aside – on Linkfield Road between the Millhill and Ashgrove junctions (circa 500m), only 12m of new parking restrictions are proposed. These are required to ensure road safety.
3	I oppose the proposed changes to Linkfield Road, which would prohibit vehicles from waiting at any time. Linkfield Road is a long road, allowing plenty of space to accommodate many vehicles, particularly when traffic volumes are high - such as when events at Musselburgh Racecourse are taking place. If the Council	The Racecourse management has been consulted closely as part of this project. We can confirm their own transport strategy is under regular review with the aim of helping to manage the travel of visitors to the site and reduce the impacts on the local road network and nearby communities. For example, they offer various park	Set aside – on Linkfield Road between the Millhill and Ashgrove junctions (circa 500m), only 12m of new parking restrictions are proposed. These are

	pushes ahead with banning vehicles from parking on Linkfield Road, drivers will turn their attention to neighbouring streets in the Windsor Park area. These are quiet residential streets with a high concentration of elderly people and children. Drivers - who will become increasingly frustrated as they look for a parking space - will inevitably drive at speeds likely to cause injuries and death, quite apart from the increase in noise and air pollution for residents. It is much more logical to allow parking as it currently is, which will allow those attending racecourse events to park easily and quickly, shortening their journeys, reducing pollution, and reducing the likelihood of fast-moving vehicles from entering the Windsor Park area. It can also not be claimed it would continually prevent danger as no adverse danger has been shown to exist. The reduction would only lead to further demand placed upon Police Scotland as Enforcement Body.	and ride services with connections to public transport networks across the town. We will continue to work closely with the Racecourse in advance of any changes associated with the project to help manage and mitigate any impacts to local communities.	required to ensure road safety.
--	--	--	--

TO/264/25 (A199 Haddington Road, Musselburgh) (30mph Speed Limit) Order 2025

No.	Objection	Response	Recommendation
1	The reduction from 40mph to 30mph. This is unnecessary meddling by the council for no reason. It is dangerous where bicycles can go faster (downhill) than the car and is more likely to cause an accident than the current position	It is proposed that Haddington Road's speed limit would be reduced from 40mph to 30mph to improve safety and comfort for all road users. The existing average speeds on the road are already substantially below the posted 40mph limit (circa 33mph). This coupled with the proposed changes to the road layout by introducing a segregated cycle track, reducing the road width for vehicles and new pedestrian crossings will help ensure the 30mph limit is practical and suitable for the road. With regard to cycle speeds, we can confirm that the width of the cycle track has been designed in accordance with current standards and is considered safe for expected levels of use.	Set aside – two way segregated cycle lanes will be provided; this along with the speed limit reduction will improve safety for all road users.
2	There is no valid reason to reduce the speed limit on the grounds of promoting active travel. The present cycle paths in east Lothian and Edinburgh are hardly used and just waste resources which could be used to repair the many potholes and poor road surfaces along the entire length of the A199. The A199 through Aberlady to Luffness is a prime example of a worn out road with many potholes and a rutted surface. The council are short of money so could you use it more effectively. Slowing down traffic should only be justified if accidents show that there is a problem. Please publish the data.	The Haddington Road speed limit would be reduced from 40mph to 30mph to improve safety and comfort for all road users. The existing average speeds on the road are already substantially below the posted 40mph limit (circa 33 mph). This coupled with the proposed changes to the road layout by introducing a segregated cycle track, reducing the road width for vehicles and new pedestrian crossings will help ensure the 30mph limit is practical and suitable for the road.	Set aside – two-way segregated cycle lanes will be provided; this along with the speed limit reduction will improve safety for all road users.

3	I wish to object the proposed change of 40mph to 30mph on the above. It is not necessary. The road is self-controlled at the moment by drivers mistakenly continuing the 30 mph road speed leading to it from the Wallyford roundabout. It has always run smoothly for me, rarely any holdups except for roadworks.	The Haddington Road speed limit would be reduced from 40mph to 30mph to improve safety and comfort for all road users. The existing average speeds on the road are already substantially below the posted 40mph limit (circa 33 mph). This coupled with the proposed changes to the road layout by introducing a segregated cycle track, reducing the road width for vehicles and new pedestrian crossings will help ensure the 30mph limit is practical and suitable for the road.	Set aside – two-way segregated cycle lanes will be provided; this along with the speed limit reduction will improve safety for all road users.
---	---	--	---

TO/268/25 (Shorthope Street) (One-Way Order) 2025			
No.	Objection	Response	Recommendation
1	Bicycles should not be able to cycle the wrong way up a one-way street as it will cause an accident for unsuspecting drivers. Additionally, if you give the green light for cyclists to ride the wrong way up one street this will just proliferate to other streets and cause accidents.	Shorthope Street has been proposed for two-way cycle access due to the important link it provides between the Esk and the High Street. To reduce traffic speeds entering from the High Street and improve the junction for pedestrians, an 11.5 metre-long raised table is proposed. The traffic speeds and volumes are low on Shorthope Street and meet the safe criteria for sharing with contraflow cycling. Clear signage and road markings will also be provided to warn all users of the two-way cycling and the extents over which it is permitted.	Set aside – In addition to response, Road Safety Audit raises no concerns
2	The proposal to make Shorthope Street a two-way cycle route is dangerous and short-sighted. It will inevitably lead to increased dangers for pedestrians, who need to keep a close eye on traffic turning into it from High St (in both directions); the notion of adding a second hazard in the form of cyclists coming from the direction of the river is a bizarre one - it simply adds to dangers for pedestrians. Additionally, cyclists emerging from Shorthope St onto High St risk being hit by vehicles turning right into Shorthope St, with drivers distracted by oncoming traffic heading towards Linkfield Rd.	Shorthope Street has been proposed for two-way cycle access due to the important link it provides between the Esk and the High Street. To reduce traffic speeds entering from the High Street and improve the junction for pedestrians, an 11.5 metre-long raised table is proposed. The traffic speeds and volumes are low on Shorthope Street and meet the safe criteria for sharing with contraflow cycling. Clear signage and road markings will also be provided to warn all users of the two-way cycling and the extents to where it is permitted.	Set aside – In addition to response, Road Safety Audit raises no concerns
3	Shorthope street is one way for a good reason and in my opinion not suitable or safe enough to allow vulnerable traffic to pass in a safe manner opposing traffic.	Shorthope Street has been proposed for two-way cycle access due to the important link it provides between the Esk and the High Street. To reduce traffic speeds entering from the High Street and	Set aside – In addition to response, Road Safety Audit raises no concerns

	Had I known I would have opposed the one at Fisherrow from the harbour to the junction at Aldi. As a cyclist myself I view this as a suicide run on a push bike as in both cases vehicles are approaching blind. I get the idea, but I don't view going the wrong way to cars on Shorthope street as a safe idea. And it's not something many would actively use so reckon your wasting money that can be better spent elsewhere.	improve the junction for pedestrians, an 11.5 metre-long raised table is proposed. The traffic speeds and volumes are low on Shorthope Street and meet the safe criteria for sharing with contraflow cycling. Clear signage and road markings will also be provided to warn all users of the two-way cycling and the extents to where it is permitted.	
4	We are uncertain about the 'permitted contraflow (southbound) cycling'. If the current motorised traffic flow (one-way, northbound) is being kept, then cars and bicycles would be navigating a narrower roadway (because of the widened footway). We feel that that would actually lessen the pedestrian experience and potentially add to congestion and decrease the quality of the local environment. It also seems that cyclists would be encouraged to use the Shorthope street bridge crossing across the river (as their nearest point). Again, we feel that this would not improve the pedestrian experience of that crossing as the current structure is not suitable for pedestrians and cyclists. We do see the value of all improvements outlined, albeit when the new bridge crossing at	Shorthope Street has been proposed for two-way cycle access due to the important link it provides between the Esk and the High Street. To reduce traffic speeds entering from the High Street and improve the junction for pedestrians an 11.5 metre-long raised table is proposed. The existing footways are narrow and sub-standard, and our proposed widening will make the street more accessible for people walking and wheeling. The traffic speeds and volumes are low on Shorthope Street and meet the safe criteria for sharing with contraflow cycling. Clear signage and road markings will also be provided to warn all users of the two-way cycling and the extents to where it is permitted. The Shorthope Street footbridge is proposed to be replaced by the Musselburgh Flood Protection	Set aside - objection subsequently withdrawn Thank you for providing that very useful information. The comments we made were not meant to be objections, rather concerns. It may be a technical thing that they are considered objections. If that is a correct understanding, then yes

	the bottom of Shorthope Street is built/comes into operation. Likewise, if motorised traffic was being prohibited from using Shorthope Street, then the 2-way cyclist proposal would be further improved.	Scheme (MFPS) and will include a safe, wide and accessible shared facility for people walking and cycling. We are continuing to work closely with the MFPS team to coordinate the delivery of the projects and integrate the designs.	you can withdraw our objections.
--	---	---	----------------------------------

COMMITTEE:	Cabinet
MEETING DATE:	11 November 2025
BY:	Depute Chief Executive Resources and Economy
REPORT TITLE:	Various Roads – East Lothian, Introduction and Amendments to Traffic Regulation Orders, November 2025
REPORT STATUS:	Public

1 PURPOSE OF REPORT

- 1.1 To seek Cabinet approval of the statutory procedures necessary to make and amend Traffic Regulation Orders to prohibit waiting, loading & unloading, introduce new and amend some speed limits, amend driving prohibition times at a school in Haddington and Stop Up a section of carriageway to facilitate an amended road layout for a new Council housing development.

2 RECOMMENDATIONS

Members are recommended to:

- 2.1 Approve the statutory procedures necessary to initiate, consider any objections and make or amend Traffic Regulation Orders in accordance with the relevant legislation in respect of locations and proposals listed in Appendix A, B, C and D
- 2.2 Instruct the Head of Infrastructure to report back to the Cabinet if representations to the proposed Orders are received and are subsequently not withdrawn

3 BACKGROUND

- 3.1 East Lothian Council as Local Traffic Authority is responsible for the making or amending of Traffic Regulation Orders as necessary: to avert danger to road users; to aid free unrestricted movement on the road; to

prevent unsuitable use of the road and/or adjoining property and to improve the amenity of the area.

- 3.2 The process under the Local Authorities' Traffic Orders (Procedure) (Scotland) Regulations 1999 requires key provisions including consultation with statutory consultees such as Police Scotland, publishing the proposals and allowing the public to make representations/objections within 21 days, requirements for a local authority to consider objections and then make the order.
- 3.3 Following the successful introduction of decriminalised parking enforcement and the consolidation of Traffic Regulation Orders an ongoing review of restrictions has highlighted several areas that require amendment / introduction. Appendix A
- 3.4 In association with various Planning requirements and following requests on road safety grounds there has been a few locations which would benefit from new or reduced speed limits. Appendix B
- 3.5 Schools in Haddington via Victoria Road, are experiencing ongoing pedestrian road safety issues caused by drivers bringing their vehicles too close to the school gates. The behaviour of these drivers, who make dangerous turning and reversing manoeuvres, cause difficulties for most of the pupils and parents who walk or cycle to and from school. Existing timed restrictions are already in place, but concerns have been raised by the parent council and Haddington Central TRA that the existing restrictions don't cover the nursery times which start at 8.15am and can extend to 17.45pm. Appendix C
- 3.6 In accordance with an agreed new Council housing site at the former Wallyford Primary School, there will be a requirement to Stop-Up the former adopted access into the school to facilitate a new road layout Appendix D

4 POLICY IMPLICATIONS

- 4.1 None

5 RESOURCE AND OTHER IMPLICATIONS

- 5.1 Finance: All costs involved in connection with consultation, advertising, design and implementation associated with the making of these Orders can be accommodated within the Roads revenue budget.
- 5.2 Human Resources: None
- 5.3 Other (e.g. Legal/IT): None
- 5.4 Risk: Possible Road Safety Issues associated with indiscriminate parking and vehicles travelling at excessive speeds

6 INTEGRATED IMPACT ASSESSMENT

6.1 **Select the statement that is appropriate to your report by placing an 'X' in the relevant box.**

An Integrated Impact Assessment screening process has been undertaken and the subject of this report does not affect the wellbeing of the community or have a significant impact on: equality and human rights; tackling socio-economic disadvantages and poverty; climate change, the environment and sustainability; the Council's role as a corporate parent; or the storage/collection of personal data.

X

or

The subject of this report has been through the Integrated Impact Assessment process and impacts have been identified as follows:

Subject	Impacts identified (Yes, No or N/A)
Equality and human rights	
Socio-economic disadvantage/poverty	
Climate change, the environment and sustainability	
Corporate parenting and care-experienced young people	
Storage/collection of personal data	
Other	

The Integrated Impact Assessment relating to this report has been published and can be accessed via the Council's website:

https://www.eastlothian.gov.uk/info/210602/equality_and_diversity/12014/integrated_impact_assessments

7 APPENDICES

- 7.1 Appendix A – The amendments of the prohibition and restriction on waiting, loading and unloading at various locations.
- 7.2 Appendix B – Speed Limits.

7.3 Appendix C – School Streets.

7.4 Appendix D – Stopping Up.

8 BACKGROUND PAPERS

8.1 None

9 AUTHOR AND APPROVAL DETAILS

Report Author(s)

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Tel/Email	iking@eastlothian.gov.uk
Date	Oct 2025

Head of Service Approval

Name	Tom Reid
Designation	Head of Infrastructure
Confirmation that IIA and other relevant checks (e.g. finance/legal) have been completed	Completed
Approval Date	22 October 2025

Appendix A – The amendments of the prohibition and restriction on waiting, loading and unloading at various locations

No.	Location	Description
1	North Road / Park Avenue, Dunbar	Extend double yellow lines on west side of junction to improve sightlines
2	Blindwells and Old Craighall at new primary schools	Introduce permanent double yellow lines to control indiscriminate parking
3	Pearlstane Steading, Elphinstone	Introduce double yellow lines to control indiscriminate parking
4	Hill Road, Gullane	Introduce double yellow lines along the north side of Hill Road to control indiscriminate parking and improve the free flow of traffic
5	Mill Wynd, Haddington	Introduce double yellow lines at various locations to control indiscriminate parking associated with adjacent sports pitches
6	Lydgait / Lydgait Gardens, Haddington	Introduce double yellow lines to control indiscriminate parking
7	St. Germain's Terrace, Macmerry	Introduce double yellow lines adjacent to open amenity space to control vehicles from parking on and rutting the grass
8	Forth Street Slip Road, North Berwick	Introduce permanent double yellow lines to control indiscriminate parking and blocking emergency access to beach
9	Opp 13 Castle Terrace, Port Seton	Introduce double yellow lines to control indiscriminate parking
10	Edinburgh Road / Stair Park, Tranent	Introduce double yellow lines at junction to control indiscriminate parking
11	Inchview Road, Wallyford	Introduce double yellow lines at turning head to control indiscriminate parking
12	Cowpits Road, Whitecraig	Introduce double yellow lines to keep new traffic signals clear of indiscriminate parking
13	Manse Lane/Elcho Place, Cockenzie	Introduce double yellow lines at junction to control indiscriminate parking opposite a kerbed build out and maintain through traffic
14	Albert Place (North), Wallyford	Introduce double yellow lines at the proposed new access to a Council housing site to control indiscriminate parking and allow for unobstructed access and egress into new site

Appendix B – Speed Limits

No.	Location	Description
1	Old A1 at Haines Drive, Dunbar	Introduce 20mph speed limit from west of Yosemite Park to end of cul-de-sac
2	Pearlstane Steading, Elphinstone	Introduce new 40mph speed limit from B6414 junction eastwards for 350m or thereby
3	Ravensheugh Brae, Musselburgh	Introduce 20mph speed limit in new housing development
4	Haddington Road, North Berwick	Extend 20mph speed limit southwards to new housing development at Pilgrims Way
5	A198 at Tynninghame	Extend existing 40mph speed limit northwards to Lawhead junction
6	A199 east side of Wallyford	Extend existing 30mph speed limit to include the frontage of a new housing development towards Dolphingstone
7	B6363 Coal Road, Longniddry	Introduce a new 40mph buffer speed limit in advance of existing 30mph limit
8	A198 Seton Sands	Introduce a new 40mph buffer speed limit in advance of existing 30mph limit
9	B1377 Drem Village	Reduce the existing 40mph speed limit to 30mph and redesign buffer.

Appendix C – School Streets

No.	Location	Description
1	Victoria Road, Haddington	Amend the start and end timed restrictions

Appendix D – Stopping Up

No.	Location	Description
1	Albert Place, Wallyford	Stopping Up of the old access into the former Wallyford Primary School