

East Lothian and Midlothian Public Protection Committee Terms of Reference



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1. Introduction

East Lothian and Midlothian Public Protection Committee (EMPPC) provides leadership and oversight of the governance arrangements for Public Protection across East Lothian and Midlothian local authority areas on behalf of East Lothian and Midlothian Critical Services Oversight Group (CSOG).

The key areas overseen by EMPPC are:

- Child Protection;
- Adult Support and Protection; and
- Violence Against Women and Girls; and

EMPPC aims to provide demonstrable consistency and coherence in terms of leadership and direction in all four areas. It is recognised that there are important procedural and practice links between these four areas of Public Protection. EMPPC seeks to co-ordinate efforts in and across the individual areas to ensure that decisions taken in one have a positive impact on Public Protection and are not counter-productive to any other high-risk area of business.

The Committee will be entitled the “East Lothian and Midlothian Public Protection Committee” (EMPPC/The Committee) and is constituted in terms of the provisions of:

- [The Adult Support and Protection \(Scotland\) Act 2007 Guidance for Adult Protection Committees](#);
- [Protecting Children and Young People Child Protection Committee and Chief Officer Responsibilities](#); and
- [Violence Against Women Partnership Guidance](#).

2. Purpose of document

This document outlines the delivery and reporting framework for the East Lothian and Midlothian Public Protection Committee. The Committee provides strategic leadership and accountability in the most significant areas of risk to both the public and services.

The Committee will, in accordance with any statutory requirements, regulations or guidance, contribute to the development and implementation of Adult Support and Protection, Child Protection and Violence against Women and Girls.

This document reflects national guidance, which directs local services to work in partnership to achieve public protection measures.

3. Functions and Responsibilities

EMPPC, incorporating all functions and responsibilities of constituent committees, will promote the support, protection and safeguarding of individuals across East Lothian and Midlothian.

EMPPC has both a reactive and a proactive role.

The former will include consideration, scrutiny and monitoring of Learning Reviews, Large Scale Investigations, multi-agency inspections and associated action plans. The Committee will provide reports for East Lothian and Midlothian Critical Services Oversight Group (CSOG) on these matters.

The latter will include consideration of progress in quality assurance, performance management and strategic developments. It will also include horizon scanning, considering the impact and response to emerging trends and risks.

EMPPC's responsibilities include:

- Developing, monitoring, and reviewing Procedures, Policies and Strategies for protecting children and adults at risk.
- Responding to the requirements of Scottish Government Ministers as appropriate.
- Developing and ensuring arrangements are in place to monitor, review, disseminate and report activity in relation to all aspects of Public Protection.
- Raising awareness of Public Protection issues within communities.
- Promoting the work of agencies involved in Public Protection.
- Ensuring that constituent agencies have in place relevant Policies and Procedures to meet the requirements of the Public Protection agenda across East Lothian and Midlothian and that these are reviewed on an ongoing basis.
- Developing and implementing a Public Protection Business Plan for East Lothian and Midlothian and monitoring its progress.
- Developing and implementing a Multi-agency Learning and Development Strategy and calendar of training and learning events.
- Ensuring quality assurance measures contribute to continuous improvement.
- Providing regular reports to East Lothian and Midlothian Critical Services Oversight Group and other multi-agency strategic groups such as Community Planning Partnerships, as relevant.
- Undertaking Learning Reviews with a view to ensuring that relevant learning is disseminated and incorporated into policies, protocols and practice.
- Publishing an annual report for EMPPC and biennial report for Adult Support and Protection, in line with relevant national guidance and legislation approved by CSOG.

4. Membership of the Committee

The membership of EMPPC will be such as to ensure representation from constituent agencies at a senior managerial level. Representation will come from the main agencies with direct responsibilities for or interest in matters of Public Protection in East Lothian and Midlothian.

Constituent agencies should ensure that their representative is of a senior grade or is delegated authority and responsibility on behalf of the agency by the Chief Executive/Executive Lead/Officer. This will allow them to make decisions and where necessary, policy and resource commitments on behalf of their agency in the course of the work of the committee.

Membership will include the following or their equivalent:

- Independent Chair
- DCI (Public Protection), Police Scotland (Vice-chair)
- Director of Public Protection, NHS Lothian
- Lead/Consultant Paediatrician, NHS Lothian
- Chief Nurse, East Lothian
- Chief Nurse, Midlothian
- Chief Social Work Officer, East Lothian
- Chief Social Work Officer, Midlothian
- General Manger, Adult Social Work, East Lothian Health and Social Care Partnership
- Head of Adult Services, Midlothian Health and Social Care Partnership
- Head of Children’s Services, East Lothian Council
- Head of Children’s Services Partnerships and Communities, Midlothian Council
- Head of Education, East Lothian Council
- Head of Education, Midlothian Council
- Head of Communities and Partnerships, East Lothian Council
- Head of Housing Services, East Lothian Council
- Head of Housing Services, Midlothian Council
- Third Sector representative
- Locality Reporter Manager, South East Locality, Scottish Children’s Reporter Administration
- Group Manager, Scottish Fire and Rescue Service
- Adult Support and Protection Lead Officer (ex-officio member)
- Child Protection Lead Officer (ex-officio member)
- Co-ordinator – Protecting Women and Girls Against Violence (ex-officio member)
- Public Protection Manager, East Lothian and Midlothian Public Protection Office (ex-officio member)

Some post-holders may hold more than one role but for the purposes of this document these have been noted separately.

The Care Inspectorate Link Inspectors for East Lothian and Midlothian will be in attendance to fulfil their role in monitoring the effectiveness of Public Protection arrangements. This may include providing support and challenge to the Committee as well as monitoring progress of any improvement plan resulting from a joint inspection.

5. Quorum

Meetings of the EMPPC will be quorate for business when five or more of the agency representatives are present, providing that all four statutory agencies are represented – NHS Lothian, East Lothian Council/East Lothian Health and Social Care Partnership, Midlothian Council/Midlothian Health and Social Care Partnership and Police Scotland. This can include nominated representatives of the core membership. If the meeting is inquorate, it can still be held but decisions will have to be deferred until the next quorate meeting.

6. Chair and Vice-chair

The Adult Support and Protection Act (2007) states that the Council will appoint the Committee Convenor and that the Convenor must not be a member or officer of the Council.

In order to adhere to these legislative requirements, the Chair of the Public Committee shall be independent from both East Lothian and Midlothian Council areas.

The Chair shall hold office for a two-year period and shall be eligible for reappointment. In the event of the Chair being unable to complete their term in office or being available, the Vice Chair will assume share responsibility in their absence.

The Chair will represent EMPPC and its interests as required at external meetings and functions, to agencies, and to the wider public including through any communications with the press or media.

The Chair will ensure that CSOG, with responsibility for the functions of the Committee, remains informed of the activities of the EMPPC. They will act as a conduit to ensure that the Committee remains accountable to CSOG. This will include attendance at the meetings of the CSOG to advise of the activities and recommendations of the Committee.

The Chair will act on behalf of EMPPC to implement the decisions of the Committee including dealing directly with any of the constituent agencies.

A Vice-chair will be nominated by the Committee and appointed by CSOG to serve for a period of two years. In the absence of the Chair the Vice-Chair will assume the range of responsibilities normally carried out by the Chair. In the event of both the Chair and Vice-chair being absent from a meeting the Committee will by majority decision, appoint a temporary chair from the agency representatives on the Committee.

7. Roles and Responsibilities of Agency Representatives

- To represent their agency at meetings of the EMPPC and contribute to decision-making with the full authority of their agency as delegated by its Chief Executive/Executive Lead/Officer.
- To reflect agency accountability in multi-agency decision making at this level.
- To collate the views of agency staff/officers on particular issues as necessary and ensure that these are made available to the Committee.
- To prepare for meetings of EMPPC by submitting reports on time, reading papers and consulting with key staff in their respective agency, as necessary.
- To participate fully in the business life of the Committee and its sub-groups between meetings.
- To ensure that decisions of the Committee and the implications of such decisions are communicated to and understood by staff within their agency and implemented (where appropriate).
- To manage the distribution and implementation of all documents (i.e., Guidance/Procedures/Protocols within the widest context of their agency).
- To ensure that obstacles to their agency's full participation in collaborative Public Protection practice and decision-making are addressed and overcome.
- To ensure, in partnership with others, that multi-agency strategy in relation to Public Protection is implemented in accordance with the decisions of the Committee.
- To ensure, in partnership with others, that agreed standards of practice in Public Protection are met and sustained.

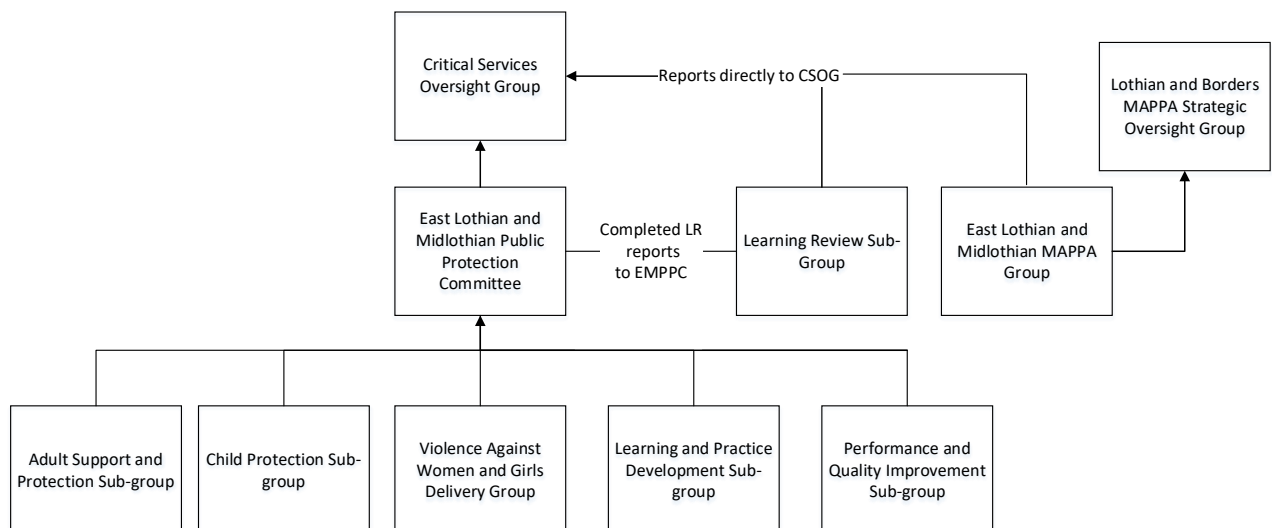
- To be aware of Public Protection issues for their own agency and their relevance to the work of the Committee, raising those with the Chair and Committee as required.
- To arrange, with the approval of the Chair of the Committee, for an appropriate substitute to attend meetings of the Committee when the representative is unable to attend.

8. Sub-groups

EMPPC will discharge its responsibilities through the following Sub-groups:

- Performance and Quality Improvement Sub-group.
- Learning and Practice Development Sub-group.
- Learning Review Sub-group.
- Adult Support and Protection Sub-group.
- Child Protection Sub-group.
- Violence Against Women and Girls Delivery Group.
- East Lothian and Midlothian MAPPA Group.

The sub-groups will be chaired by a member of the EMPPC. The reporting arrangements are illustrated below:



EMPPC by majority agreement at any time, may decide to create new standing Sub-groups or dissolve existing ones.

Membership of the Sub-groups will be by agreement of the EMPPC. Representatives will be drawn from staff with particular responsibility for any aspect of Public Protection and who operate at sufficiently senior level to maintain an overview of their agency's function in this field and engage in local implementation of inter-agency public protection strategies.

The Chair and Vice-chair of the Sub-groups will be nominated by the EMPPC. The Public Protection Team Manager and/or appropriate Lead Officers for Public Protection will be ex-officio members of the standing Sub-groups and the EMPPC.

9. Administration of Meetings

The Committee will be administratively supported by a business support administrator from the East Lothian and Midlothian Public Protection Office (EMPPPO).

The agenda and papers for any meetings will be circulated to members one week before the meeting. All reports for EMPPC should be submitted to EMPPPO no later than two weeks before the meeting.

A minute of meetings will be taken and distributed to members of the sub-group(s). Minutes of all meetings will be made available to the Chair of EMPPC, and to members of EMPPC and CSOG if required. The East Lothian and Midlothian Public Protection Office is responsible for the arrangements for agendas and minutes of all meetings.

10. Mechanisms for Raising Issues

Agency representatives on the EMPPC can raise issues on behalf of their agency or any member of their agency by either placing the item on the agenda for the Committee meeting or raising an item of 'any other business' with the Chair in advance of the meeting. Members of the Critical Services Oversight Group (CSOG) may also have items placed on the agenda of Committee meetings. Items should be placed on the agenda of the Committee by contacting the Chair of EMPPC.

11. Accountability and Decision-Making

Accountability for the decisions, policies, strategy and procedures of the Committee and their implementation lies with the Critical Services Oversight Group. The implementation of these will be the responsibility of EMPPC members on behalf of the CSOG.

12. Frequency of Meetings

EMPPC will meet quarterly and by demand out with such times.

13. Further Provisions

The constitution, structure and scope of responsibility of the EMPPC may be subject to change as a result of changes in national policy directives, legislative provision or local exigencies. Amendments, changes and modifications will be agreed by the CSOG on recommendation of the Committee before being written into the Constitution and structure and before implementation.

Any financial expenditure/obligations arising from the functioning of the EMPPC and the East Lothian and Midlothian Public Protection Office (which supports the work of EMPPC) will be on a proportional basis between the co-funding partner agencies of the Committee on an agreed basis¹. This agreement will be set out in writing and contain annual projected budget contributions for the co-funding agencies.

¹ East Lothian Council, Midlothian Council, Police Scotland, East Lothian Health and Social Care Partnership, Midlothian Health and Social Care Partnership

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