



**Education and Families Committee
Social Services Committee**

**7 August 2013
18 September 2013**

Children's Services Quarter 1 Performance Overview

Report No: CS-35-13-F

Report Presented by Director of Children's Services

Children's Services

1.0 Summary

- 1.1 This report summarises the activity and performance of Children's Services for the first quarter of 2013/14, against the objectives and actions in the Children's Services Directorate Plan, including each service area's improvement plan, as endorsed by Education and Families Committee on 20 March 2013 (Min Ref: E&FC16/13).

2.0 Decision Required

- 2.1 Members are requested to discuss the contents of this report and comment on progress against objectives and outcomes.

3.0 Detail

- 3.1 The Education and Families Committee endorsed the Children's Services Directorate Plan on 20 March 2013. The Council's Planning and Performance Management Framework and the Council's constitutional arrangements require periodic reporting of activity and performance to functional committees.
- 3.2 The Children's Services Directorate Plan, identified 18 Directorate wide objectives.
- 3.3 The Children's Services Directorate Plan, including each service area's improvement plan, also identified 82 service actions for improvement, operational service delivery, budget savings and risk management in the plans for each service area. The overall performance of the Directorate against all actions are that all were on track and classified

as Green or Amber, and none are Red and 'off track'. Detail of actions and classifications are detailed in the following table.

Service	Quarter 4 - 2012/13				Quarter 1 - 2013/14			
	Number of Actions	RAG Rating	Number	%	Number of Actions	RAG Rating	Number	%
Overarching Directorate Plan	19	Green	19	100%	18	Green	15	83%
		Amber	0	0%		Amber	3	17%
		Red	0	0%		Red	0	0%
Children and Families Social Work	7	Green	5	71%	4	Green	3	75%
		Amber	2	29%		Amber	1	25%
		Red	0	0%		Red	0	0%
Children's Resources	5	Green	3	60%	25	Green	3	12%
		Amber	2	40%		Amber	22	88%
		Red	0	0%		Red	0	0%
Library and Information Service	12	Green	11	92%	11	Green	10	91%
		Amber	1	1%		Amber	1	9%
		Red	0	0%		Red	0	0%
Sport and Leisure Services	57	Green	44	77%	33	Green	24	73%
		Amber	10	18%		Amber	9	27%
		Red	3	5%		Red	0	0%
Schools and Quality Improvement	7	Green	7	100%	9	Green	6	67%
		Amber	0	0%		Amber	3	33%
		Red	0	0%		Red	0	0%
Children's Services Directorate Plan Total	107	Green	89	83%	100	Green	61	61%
		Amber	15	14%		Amber	39	39%
		Red	3	3%		Red	0	0%

4.0 Performance Indicators

4.1 There are performance indicators which Children's Services report on throughout the year.

4.2 Performance Indicators are included as Appendix A.

5.0 Budget

5.1 Budget information will be presented at the Education and Families Committee meeting on 11 September 2013, and Social Services Committee on 18 September 2013.

6.0 Implications

Strategic

6.1 Delivery On Corporate Priorities – this report helps to achieve the aims of the:

Shetland Islands Council Corporate Plan

- All children and young people deserve the best life chances and we are determined that all our young people will have the best chance to be successful learners, confident individuals, effective contributors and responsible citizens. This year we will:
 - continue to examine the educational estate and conduct a series of consultations on primary and secondary schools in line with the blueprint for education
 - develop a new commissioning strategy for children's services
 - report on independent reviews of youth strategy and instrumental instruction
 - provide opportunities for young people to develop skills and confidences in and outwith the classroom which embraces the concepts of curriculum for excellence
 - work with local and national partners to develop legacy plans for major national 2014 events.

Shetland Single Outcome Agreement 2012/15

- Area 5.1 – To support schools in their developments towards a Curriculum for Excellence;
- Area 5.2 – The strategy provides a framework for developing childcare provision 2012/15.

Children's Services Directorate Plan

- To deliver the best possible service we can which balances access, opportunities and resources
- To develop further as an effective management team to ensure we deliver each service's outcomes.

6.2 Community /Stakeholder Issues – Consultation with customers and other stakeholders is on-going as an integral part of each aspect of service delivery.

6.3 Policy And/Or Delegated Authority – The Council's Constitution – Part C – Scheme of Administration and Delegations provides in its terms of reference for Functional Committees (2.3.1 (2)) that they:

'Monitor and review achievement of key outcomes in the Service Plans within their functional area by ensuring –

- (a) Appropriate performance measures are in place, and to monitor the relevant Planning and Performance Management Framework.
- (b) Best value in the use of resources to achieve these key outcomes is met within a performance culture of continuous improvement and customer focus.'

This report is related to the function of an education authority.

- 6.4 Risk Management – Embedding a culture of continuous improvement and customer focus are key aspects of the Council's improvement activity. Effective performance management is an important component of that which requires the production and consideration of these reports. Failure to deliver and embed this increases the risk of the Council working inefficiently, failing to focus on customer needs and being subject to further negative external scrutiny.

This report demonstrates good progress against the priorities identified in the 2013/14 Children's Services Directorate Plan. There are no actions rated as Red and for those rated Amber corrective action has been or will be taken.

- 6.5 Equalities, Health And Human Rights – None

- 6.6 Environmental – None

Resources

- 6.7 Financial – The actions, measures and risk management described in this report has been delivered within existing approved budgets.

- 6.8 Legal – None

- 6.9 Human Resources – None

- 6.10 Assets And Property – None

7.0 Conclusions

- 7.1 This report demonstrates good progress against the priorities identified in the 2013/14 Children's Services Directorate Plan. There are no actions rated as Red and for those rated Amber corrective action has been or will be taken.

For further information please contact:

Helen Budge, Director of Children's Service

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Report finalised: 23 July 2013

List of Appendices

Appendix A – Performance Indicators

Background documents:

Children's Services Directorate Plan 2013/14 -

<http://www.shetland.gov.uk/coins/submissiondocuments.asp?submissionid=14237>

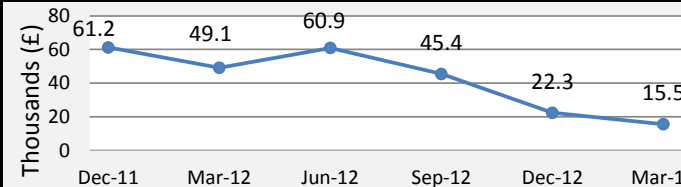
END

CHILDREN'S SERVICES PERFORMANCE MEASURES

Children's Services - Directorate Measures			Responsible Officer: Helen Budge																
MEASURE - CS1		REPORTING MECHANISM	BASELINE / TARGET	CURRENT POSITION															
Employee Sickness Absence - Children's Services		Corporate Report, Single Outcome Agreement	Baseline - 3.5% (Sep 2011) Target - keep below 4%	3.5% (Mar 2012) TARGET MET Update: 2.3% in April 2013.															
PROGRESS / PLANNING	PROGRESS	PERFORMANCE		IMPROVEMENT PLANNING															
	Figures improving, now within target	<table><caption>Employee Sickness Absence Data</caption><thead><tr><th>Date</th><th>Absence Level (%)</th></tr></thead><tbody><tr><td>Sep-11</td><td>3.5%</td></tr><tr><td>Dec-11</td><td>3.2%</td></tr><tr><td>Mar-12</td><td>4.6%</td></tr><tr><td>Jun-12</td><td>3.2%</td></tr><tr><td>Sep-12</td><td>2.9%</td></tr><tr><td>Dec-12</td><td>2.5%</td></tr><tr><td>Mar-13</td><td>3.5%</td></tr></tbody></table>		Date	Absence Level (%)	Sep-11	3.5%	Dec-11	3.2%	Mar-12	4.6%	Jun-12	3.2%	Sep-12	2.9%	Dec-12	2.5%	Mar-13	3.5%
Date	Absence Level (%)																		
Sep-11	3.5%																		
Dec-11	3.2%																		
Mar-12	4.6%																		
Jun-12	3.2%																		
Sep-12	2.9%																		
Dec-12	2.5%																		
Mar-13	3.5%																		
MEASURE - CS2		REPORTING MECHANISM	BASELINE / TARGET	CURRENT POSITION															
Customer Complaints		Service Plan	Baseline No target set	New reporting mechanism being introduced to collate all departmental complaints, from April 2013.															
PROGRESS / PLANNING	PROGRESS	PERFORMANCE		IMPROVEMENT PLANNING															
	New measure, first quarter of reporting.	<table><caption>Customer Complaints Data</caption><thead><tr><th>Date</th><th>Complaints</th></tr></thead><tbody><tr><td>Jun-13</td><td>0</td></tr></tbody></table>		Date	Complaints	Jun-13	0	Agreement to be reached on recording of complaints across Children's Services.											
Date	Complaints																		
Jun-13	0																		
MEASURE - CS3		REPORTING MECHANISM	BASELINE / TARGET	CURRENT POSITION															
Employee Review & Development		Service Plan (Annual)	No baseline Target - 100%	New policy in place from April 2013, reporting to commence once system in place.															
PROGRESS / PLANNING	PROGRESS	PERFORMANCE		IMPROVEMENT PLANNING															
	Almost all staff who report to Director and Executive Managers have undertaken reviews.	<table><caption>Employee Review & Development Data</caption><thead><tr><th>Date</th><th>Reviews</th></tr></thead><tbody><tr><td>Jun-13</td><td>0</td></tr></tbody></table>		Date	Reviews	Jun-13	0	Next year reviews can commence earlier, to be monitored closely once figures are available.											
Date	Reviews																		
Jun-13	0																		

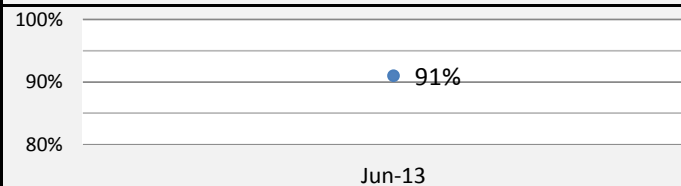
CHILDREN'S SERVICES PERFORMANCE MEASURES

MEASURE - CS4		REPORTING MECHANISM	BASELINE / TARGET	CURRENT POSITION
Return to Work Interviews		Service Plan	Baseline No target set yet.	New policy in place from April 2013, reporting to commence once system in place.
PROGRESS / PLANNING	PROGRESS	PERFORMANCE		IMPROVEMENT PLANNING
	Reported weekly at Children's Services Management Team during first months of policy implementation.	<div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></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MEASURE - CS5		REPORTING MECHANISM	BASELINE / TARGET	CURRENT POSITION													
Overtime Cost CS Directorate		Service Plan	Baseline - £61,194 (Oct - Dec 11) No target set, for monitoring purposes only.	£15,545 for first quarter.													
PROGRESS / PLANNING	PROGRESS	PERFORMANCE		IMPROVEMENT PLANNING													
	Figure is steadily declining	 <table><caption>Measure CS5 Performance Data (Thousands of £)</caption><thead><tr><th>Date</th><th>Value</th></tr></thead><tbody><tr><td>Dec-11</td><td>61.2</td></tr><tr><td>Mar-12</td><td>49.1</td></tr><tr><td>Jun-12</td><td>60.9</td></tr><tr><td>Sep-12</td><td>45.4</td></tr><tr><td>Dec-12</td><td>22.3</td></tr><tr><td>Mar-13</td><td>15.5</td></tr></tbody></table>		Date	Value	Dec-11	61.2	Mar-12	49.1	Jun-12	60.9	Sep-12	45.4	Dec-12	22.3	Mar-13	15.5
Date	Value																
Dec-11	61.2																
Mar-12	49.1																
Jun-12	60.9																
Sep-12	45.4																
Dec-12	22.3																
Mar-13	15.5																

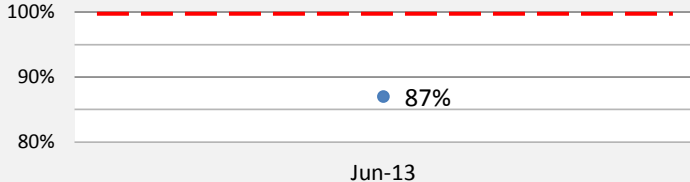
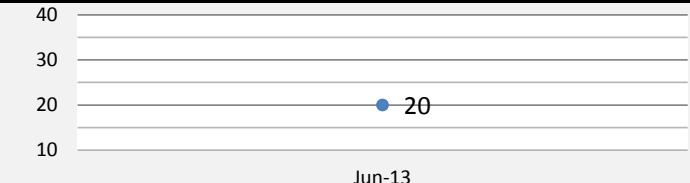
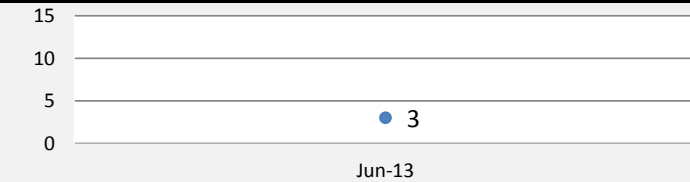
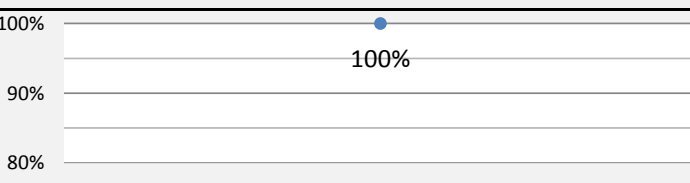
Children & Families Social Work

Responsible Officer: Hughina Leslie

MEASURE - CF1		REPORTING MECHANISM	BASELINE / TARGET	CURRENT POSITION				
LAC reviews done within required timescales.		Service Plan	No benchmark set TARGET - 100%	New measure. 91% of reviews done within timescales in first quarter.				
PROGRESS / PLANNING	PROGRESS	PERFORMANCE		IMPROVEMENT PLANNING				
	New measure, first quarter of reporting.	100%	 <table><caption>Measure CF1 Performance Data</caption><tr><th>Date</th><th>Value</th></tr><tr><td>Jun-13</td><td>91%</td></tr></table>		Date	Value	Jun-13	91%
		Date			Value			
		Jun-13			91%			
		90%						
80%								
Jun-13								

MEASURE - CF2		REPORTING MECHANISM	BASELINE / TARGET	CURRENT POSITION
Reports to the Reporter provided within timescale.		Service Plan (Quarterly)	No benchmark set TARGET - 100%	New measure. 15 of 16 (94%) provided within timescale in first quarter.
PROGRESS / PLANNING	PROGRESS	PERFORMANCE		IMPROVEMENT PLANNING
	New measure, first quarter of reporting.	<div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><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CHILDREN'S SERVICES PERFORMANCE MEASURES

MEASURE - CF3		REPORTING MECHANISM	BASELINE / TARGET	CURRENT POSITION
All Looked After Children have an Individual Education Plan		Service Plan (Quarterly)	No baseline TARGET - 100%	New measure. 15 of 18 (83%) with IEP recorded, in first quarter. TARGET NOT MET
PROGRESS / PLANNING	PROGRESS	PERFORMANCE		IMPROVEMENT PLANNING
	New measure. Target not met.	 Jun-13		Raise awareness with staff of need to have IEP recorded.
MEASURE - CF4		REPORTING MECHANISM	BASELINE / TARGET	CURRENT POSITION
Number of children involved in Child Protection investigations.		Service Plan (Quarterly)	No baseline set. No target set - for monitoring purposes only	New measure. 20 children involved in CP investigations during first quarter.
PROGRESS / PLANNING	PROGRESS	PERFORMANCE		IMPROVEMENT PLANNING
	New measure, first quarter of reporting.	 Jun-13		Continue to monitor number of investigations.
MEASURE - CF5		REPORTING MECHANISM	BASELINE / TARGET	CURRENT POSITION
Number of Child Protection investigations progressed to initial Case Conference.		Service Plan (Quarterly)	No baseline set. No target set - for monitoring purposes only	New measure. 3 investigations progressed to initial Case Conference during first quarter.
PROGRESS / PLANNING	PROGRESS	PERFORMANCE		IMPROVEMENT PLANNING
	New measure, first quarter of reporting.	 Jun-13		Continue to monitor number of investigations.
MEASURE - CF6		REPORTING MECHANISM	BASELINE / TARGET	CURRENT POSITION
Number of Case Conferences held within 21 days of decision to progress.		Service Plan (Quarterly)	Baseline 100% (2012/13) TARGET - 100%	100% held within 21 days, in first quarter. TARGET MET
PROGRESS / PLANNING	PROGRESS	PERFORMANCE		IMPROVEMENT PLANNING
	100% target consistently being met.	 Jun-13		To maintain 100% target within existing resources

CHILDREN'S SERVICES PERFORMANCE MEASURES

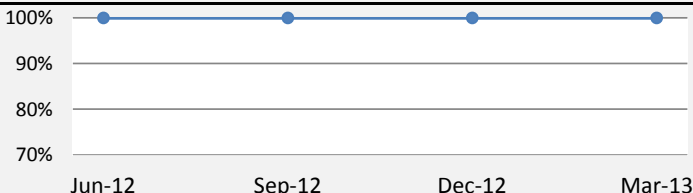
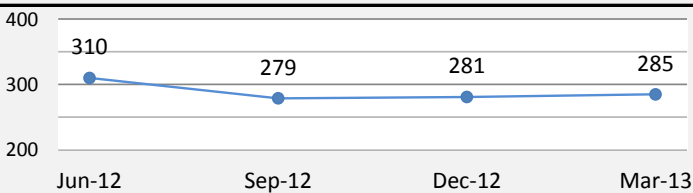
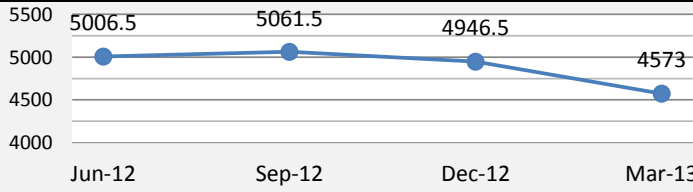
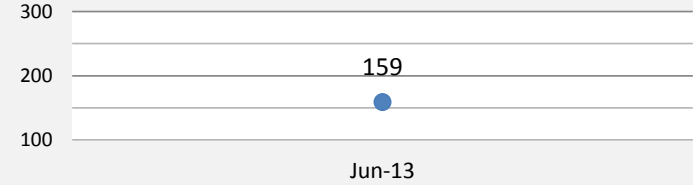
MEASURE - CF7		REPORTING MECHANISM	BASELINE / TARGET	CURRENT POSITION
Child Protection - % of Case Conference Reviews held within 6 month timescales		Service Plan (Quarterly)	No baseline set as yet. TARGET - 100%	New measure. 100% of reviews held within timescales. TARGET MET
PROGRESS / PLANNING	PROGRESS	PERFORMANCE		IMPROVEMENT PLANNING
	Timescales being met consistently.	100%	<div><div></div></div>	To continue meeting target within existing resources.
		90%		
		80%		
		Jun-13		

MEASURE - CF8		REPORTING MECHANISM	BASELINE / TARGET	CURRENT POSITION
Child Protection - % of Core Group meetings held monthly for each child.		Service Plan (Quarterly)	No baseline set as yet. TARGET - 100%	New measure, 5 out of 9 monthly meetings held (55.5%). TARGET NOT MET.
PROGRESS / PLANNING	PROGRESS	PERFORMANCE		IMPROVEMENT PLANNING
	New measure. Target not being met.	100%	<div><div></div></div>	Raise staff awareness of need for monthly core group meetings.
		90%		
		80%		
		70%		
60%				
50%				
		Jun-13		

MEASURE - CF9		REPORTING MECHANISM	BASELINE / TARGET	CURRENT POSITION
Number of referrals progressed through GIRFEC process.		Service Plan	No baseline. No target set - for monitoring purposes only.	New measure, recording from April 2013
PROGRESS / PLANNING	PROGRESS	PERFORMANCE		IMPROVEMENT PLANNING
	New measure, recording mechanisms being introduced.	160	<div><div></div></div>	New GIRFEC policy in early stages of implementation.
		120		
		80		
		Jun-13		

MEASURE - CF10		REPORTING MECHANISM	BASELINE / TARGET	CURRENT POSITION
Number of children with GIRFEC assessments		Service Plan	No baseline. No target set - for monitoring purposes only.	New measure, recording from April 2013
PROGRESS / PLANNING	PROGRESS	PERFORMANCE		IMPROVEMENT PLANNING
	New measure, recording mechanisms being introduced.	160	<div><div></div></div>	New GIRFEC policy in early stages of implementation.
		120		
		80		
		Jun-13		

CHILDREN'S SERVICES PERFORMANCE MEASURES

Children's Resources			Responsible Officer: Martha Nicolson										
MEASURE - CR1		REPORTING MECHANISM	BASELINE / TARGET	CURRENT POSITION									
Annual Inspection reports		Service Plan	TARGET - 100% inspection reports graded at 'Satisfactory' or better in all four categories.	100% positive inspections during 2012/13. TARGET MET									
PROGRESS / PLANNING	PROGRESS	PERFORMANCE		IMPROVEMENT PLANNING									
	Consistently meeting all Care Inspectorate inspection standards.	 <table border="1"><thead><tr><th>Period</th><th>Performance (%)</th></tr></thead><tbody><tr><td>Jun-12</td><td>100</td></tr><tr><td>Sep-12</td><td>100</td></tr><tr><td>Dec-12</td><td>100</td></tr><tr><td>Mar-13</td><td>100</td></tr></tbody></table>		Period	Performance (%)	Jun-12	100	Sep-12	100	Dec-12	100	Mar-13	100
Period	Performance (%)												
Jun-12	100												
Sep-12	100												
Dec-12	100												
Mar-13	100												
MEASURE - CR2		REPORTING MECHANISM	BASELINE / TARGET	CURRENT POSITION									
Number of Respite Nights (ASN)		SG Respite Return (Yearly), Service Plan	1,117 nights per annum (2010/11) No target set - for monitoring purposes	1155 nights in Laburnum & Haldane Burgess Crescent (2012/13)									
PROGRESS / PLANNING	PROGRESS	PERFORMANCE		IMPROVEMENT PLANNING									
	Increase in number of nights provided last year	 <table border="1"><thead><tr><th>Period</th><th>Nights</th></tr></thead><tbody><tr><td>Jun-12</td><td>310</td></tr><tr><td>Sep-12</td><td>279</td></tr><tr><td>Dec-12</td><td>281</td></tr><tr><td>Mar-13</td><td>285</td></tr></tbody></table>		Period	Nights	Jun-12	310	Sep-12	279	Dec-12	281	Mar-13	285
Period	Nights												
Jun-12	310												
Sep-12	279												
Dec-12	281												
Mar-13	285												
MEASURE - CR3		REPORTING MECHANISM	BASELINE / TARGET	CURRENT POSITION									
Number of Respite Day Hours		SG Respite Return (Yearly), Service Plan (Quarterly)	19,113 hours (2009/10) No target set - for monitoring purposes only	19,588 hours (2012/13)									
PROGRESS / PLANNING	PROGRESS	PERFORMANCE		IMPROVEMENT PLANNING									
	Increase in number of hours provided	 <table border="1"><thead><tr><th>Period</th><th>Hours</th></tr></thead><tbody><tr><td>Jun-12</td><td>5006.5</td></tr><tr><td>Sep-12</td><td>5061.5</td></tr><tr><td>Dec-12</td><td>4946.5</td></tr><tr><td>Mar-13</td><td>4573</td></tr></tbody></table>		Period	Hours	Jun-12	5006.5	Sep-12	5061.5	Dec-12	4946.5	Mar-13	4573
Period	Hours												
Jun-12	5006.5												
Sep-12	5061.5												
Dec-12	4946.5												
Mar-13	4573												
MEASURE - CR4		REPORTING MECHANISM	BASELINE / TARGET	CURRENT POSITION									
Number of occupancy nights - Grodians		Service Plan	No baseline set. No target set - for monitoring purposes only	New measure, 159 nights occupancy in first quarter.									
PROGRESS / PLANNING	PROGRESS	PERFORMANCE		IMPROVEMENT PLANNING									
	New measure	 <table border="1"><thead><tr><th>Period</th><th>Nights</th></tr></thead><tbody><tr><td>Jun-13</td><td>159</td></tr></tbody></table>		Period	Nights	Jun-13	159	Continue to ensure the assessed needs of children are met within existing resources					
Period	Nights												
Jun-13	159												

CHILDREN'S SERVICES PERFORMANCE MEASURES

MEASURE - CR5		REPORTING MECHANISM	BASELINE / TARGET	CURRENT POSITION											
Number of Respite Nights - Windybrae		SG Respite Return (Yearly)	196 nights per year (2012/13) No target set - for monitoring purposes only	28 nights occupancy in first quarter.											
PROGRESS / PLANNING	PROGRESS	PERFORMANCE		IMPROVEMENT PLANNING											
	New measure	<table><thead><tr><th>Date</th><th>Value</th></tr></thead><tbody><tr><td>Jun-12</td><td>80</td></tr><tr><td>Sep-12</td><td>80</td></tr><tr><td>Dec-12</td><td>9</td></tr><tr><td>Mar-13</td><td>27</td></tr><tr><td>Jun-13</td><td>28</td></tr></tbody></table>		Date	Value	Jun-12	80	Sep-12	80	Dec-12	9	Mar-13	27	Jun-13	28
Date	Value														
Jun-12	80														
Sep-12	80														
Dec-12	9														
Mar-13	27														
Jun-13	28														

MEASURE - CR6		REPORTING MECHANISM	BASELINE / TARGET	CURRENT POSITION
Number of Fostering Nights		Service Plan	No baseline set. No target set - for monitoring purposes only	New measure, 1098 nights in first quarter.
PROGRESS / PLANNING	PROGRESS	PERFORMANCE		IMPROVEMENT PLANNING
	New measure	1400		Continue to ensure the assessed needs of children are met within existing resources
		1200		
		1000	● 1098	
		800		
	Jun-13			

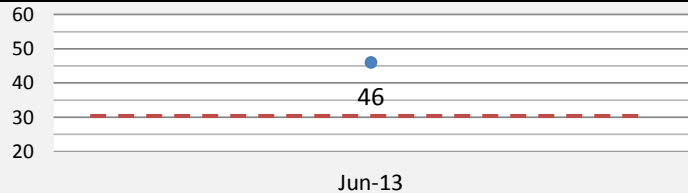
Library and Information Service

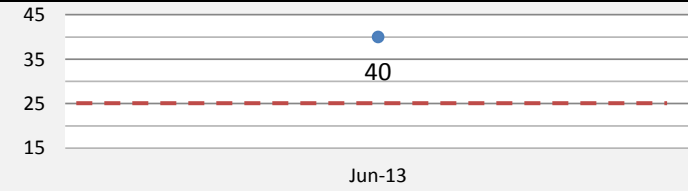
Responsible Officer: Karen Fraser

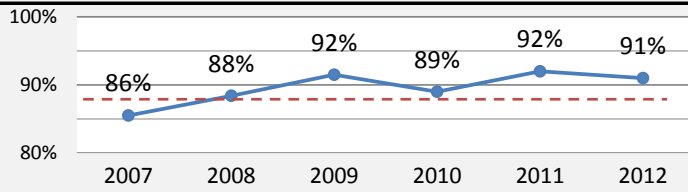
MEASURE - LB1		REPORTING MECHANISM	BASELINE / TARGET	CURRENT POSITION
Number of items issued quarterly		CIPFA Annual Return	188,339 issues (2011/12) Target - 185,000 issues per year (46,500 per quarter)	New measure. 42,211 issues (Apr - Jun 13) TARGET NOT MET
PROGRESS / PLANNING	PROGRESS	PERFORMANCE		IMPROVEMENT PLANNING
	Intended target not met, possible reasons are DVD charges, reduced opening hours and staffing and a general move to e-resources.	<div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div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MEASURE - LB2		REPORTING MECHANISM	BASELINE / TARGET	CURRENT POSITION														
Number of visits to libraries (per annum)		Audit Scotland Performance Indicators	8,597 visits per 1,000 population (2009/10) TARGET - 9,000 visits per 1,000 population	9,402 visits per 1,000 population (2012/13) TARGET MET														
PROGRESS / PLANNING	PROGRESS	PERFORMANCE		IMPROVEMENT PLANNING														
	Shows solid improvement in visitor numbers and that the very high figure in Tall Ships year was not just a one-off.	<table><caption>Performance Data for LB2</caption><thead><tr><th>Year</th><th>Value</th><th>Target</th></tr></thead><tbody><tr><td>2009/10</td><td>8,597</td><td>9,000</td></tr><tr><td>2010/11</td><td>7,920</td><td>9,000</td></tr><tr><td>2011/12</td><td>10,040</td><td>9,000</td></tr><tr><td>2012/13</td><td>9,402</td><td>9,000</td></tr></tbody></table>		Year	Value	Target	2009/10	8,597	9,000	2010/11	7,920	9,000	2011/12	10,040	9,000	2012/13	9,402	9,000
Year	Value	Target																
2009/10	8,597	9,000																
2010/11	7,920	9,000																
2011/12	10,040	9,000																
2012/13	9,402	9,000																

CHILDREN'S SERVICES PERFORMANCE MEASURES

MEASURE - LB3		REPORTING MECHANISM	BASELINE / TARGET	CURRENT POSITION					
Number of events held		Service Plan	Target - 120 events per year (30 per quarter)	New measure. 46 events in first quarter. TARGET MET					
PROGRESS / PLANNING	PROGRESS	PERFORMANCE		IMPROVEMENT PLANNING					
	Target met, wide variety of adult and junior events hosted and most have been well attended.	 <table><caption>Measure LB3 Performance Data</caption><tr><th>Measure</th><th>Value</th></tr><tr><td>Events held (Jun-13)</td><td>46</td></tr><tr><td>Target</td><td>30</td></tr></table>		Measure	Value	Events held (Jun-13)	46	Target	30
Measure	Value								
Events held (Jun-13)	46								
Target	30								

MEASURE - LB4		REPORTING MECHANISM	BASELINE / TARGET	CURRENT POSITION					
Outreach : Number of hours delivered		Service Plan	Target - 100 hours per year (25 per quarter)	New measure. 40 hours outreach in first quarter. TARGET MET					
PROGRESS / PLANNING	PROGRESS	PERFORMANCE		IMPROVEMENT PLANNING					
	Involvement in family roadshows made this a very busy quarter for outreach.	 <table><caption>Measure LB4 Performance Data</caption><tr><th>Measure</th><th>Value</th></tr><tr><td>Hours delivered (Jun-13)</td><td>40</td></tr><tr><td>Target</td><td>25</td></tr></table>		Measure	Value	Hours delivered (Jun-13)	40	Target	25
Measure	Value								
Hours delivered (Jun-13)	40								
Target	25								

MEASURE - LB5		REPORTING MECHANISM	BASELINE / TARGET	CURRENT POSITION													
Customer satisfaction rates from in-house survey		Service Plan	86% (2007) Target - 88%	91% (2012) TARGET MET													
PROGRESS / PLANNING	PROGRESS	PERFORMANCE		IMPROVEMENT PLANNING													
	Satisfaction rates consistently high and supported by Scottish Housing independent survey.	 <table><caption>Measure LB5 Performance Data</caption><tr><th>Year</th><th>Satisfaction Rate</th></tr><tr><td>2007</td><td>86%</td></tr><tr><td>2008</td><td>88%</td></tr><tr><td>2009</td><td>92%</td></tr><tr><td>2010</td><td>89%</td></tr><tr><td>2011</td><td>92%</td></tr><tr><td>2012</td><td>91%</td></tr></table>		Year	Satisfaction Rate	2007	86%	2008	88%	2009	92%	2010	89%	2011	92%	2012	91%
Year	Satisfaction Rate																
2007	86%																
2008	88%																
2009	92%																
2010	89%																
2011	92%																
2012	91%																

CHILDREN'S SERVICES PERFORMANCE MEASURES

Sport & Leisure			Responsible Officer: Neil Watt	
MEASURE - SL1		REPORTING MECHANISM	BASELINE / TARGET	CURRENT POSITION
All play areas inspected at least 4 times a year.		Service Plan	No baseline TARGET - 90%	New measure. 96% inspected in first quarter. TARGET MET
PROGRESS / PLANNING	PROGRESS	PERFORMANCE		IMPROVEMENT PLANNING
	Target being met, inspections being completed routinely.	<div><div>100%</div><div>90%</div><div>80%</div></div> <div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><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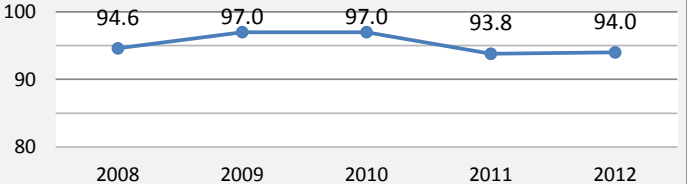
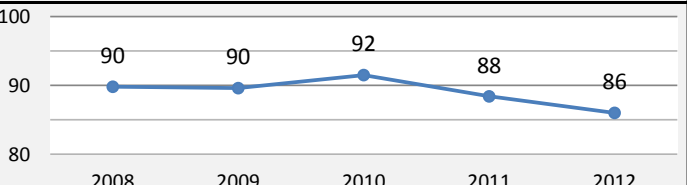
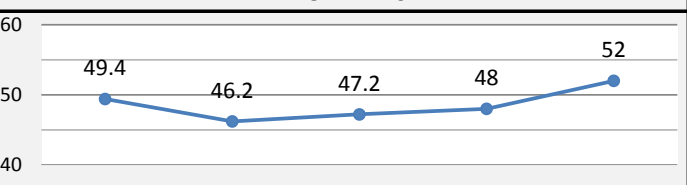
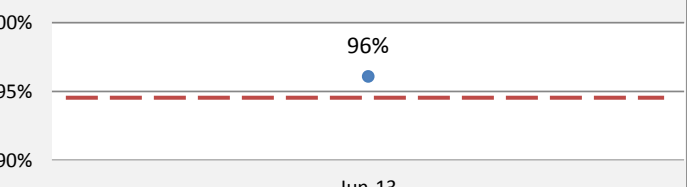
CHILDREN'S SERVICES PERFORMANCE MEASURES

MEASURE - SL5		REPORTING MECHANISM	BASELINE / TARGET	CURRENT POSITION									
Indoor facilities - total number of attendances per 1,000 population.		Audit Scotland Performance Indicators (Annual)	15,016 (2010/11) TARGET 14,900 per year	14,915 (2012/13) TARGET MET									
PROGRESS / PLANNING	PROGRESS	PERFORMANCE		IMPROVEMENT PLANNING									
	Slight decrease but attendance levels still the highest in Scotland, per population.	<table><thead><tr><th>Year</th><th>Attendance</th></tr></thead><tbody><tr><td>2009/10</td><td>14,537</td></tr><tr><td>2010/11</td><td>15,016</td></tr><tr><td>2011/12</td><td>14,950</td></tr><tr><td>2012/13</td><td>14,915</td></tr></tbody></table>		Year	Attendance	2009/10	14,537	2010/11	15,016	2011/12	14,950	2012/13	14,915
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2009/10	14,537												
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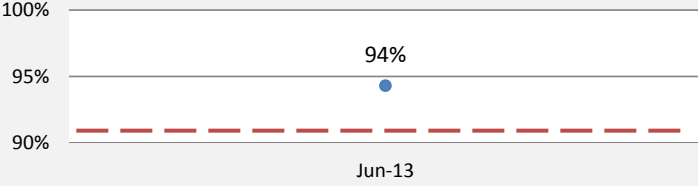
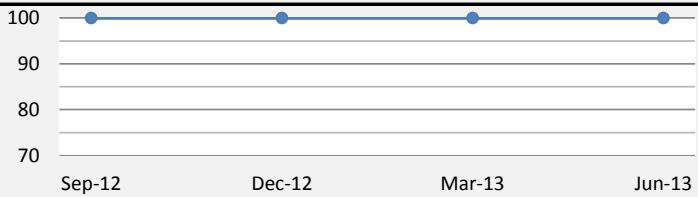
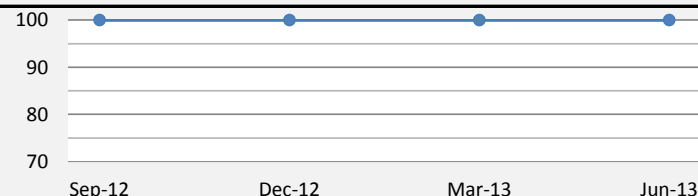
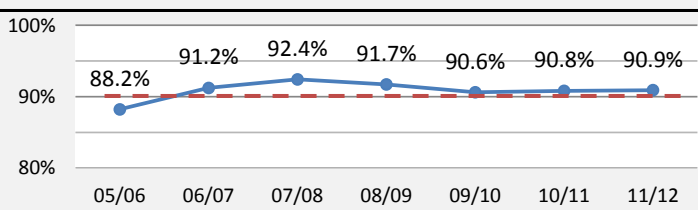
MEASURE - SL6		REPORTING MECHANISM	BASELINE / TARGET	CURRENT POSITION							
Room bookings in Islesburgh - % of rooms in use.		Service Plan	61% (2011/12) TARGET - 60%	New quarterly reporting from 1st April 2013.							
PROGRESS / PLANNING	PROGRESS	PERFORMANCE		IMPROVEMENT PLANNING							
	New measure. Peak in usage due to Folk Festival.	<table><thead><tr><th>Month</th><th>Usage (%)</th></tr></thead><tbody><tr><td>Apr-13</td><td>52%</td></tr><tr><td>May-13</td><td>68%</td></tr><tr><td>Jun-13</td><td>53%</td></tr></tbody></table>		Month	Usage (%)	Apr-13	52%	May-13	68%	Jun-13	53%
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Education : Quality Improvement

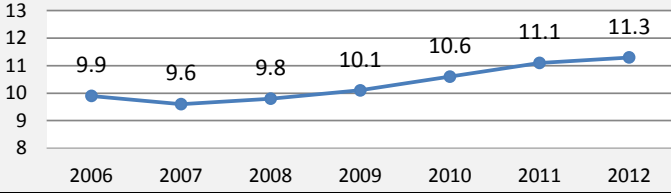
Responsible Officer: Audrey Edwards

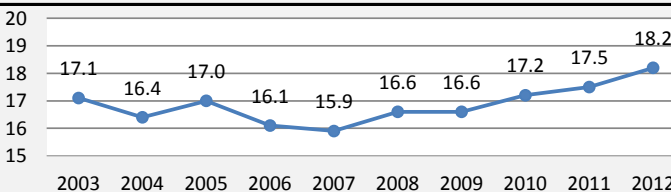
MEASURE - SQ1		REPORTING MECHANISM	BASELINE / TARGET	CURRENT POSITION
Educational attainment - number of pupils achieving 5 or more qualifications at SCQF Level 3 or higher at end of S4.		SQA reports to government (Annual)	Baseline - 94.6% (August 2008) Target - to be above national average.	94% of pupils (August 2012) National average - 94% TARGET MET
PROGRESS / PLANNING	PROGRESS	PERFORMANCE		Careful attention will be given to the implementation of the new National Qualifications in order to maintain these standards.
	Slight decline over last two years but consistently above national average.			
MEASURE - SQ2		REPORTING MECHANISM	BASELINE / TARGET	CURRENT POSITION
Educational attainment - number of pupils achieving 5 or more qualifications at SCQF Level 4 or higher at end of S4.		SQA reports to government (Annual)	Baseline - 89.8% (August 2008) Target - to be above national average.	86% of pupils (August 2012) National average - 80% TARGET MET
PROGRESS / PLANNING	PROGRESS	PERFORMANCE		IMPROVEMENT PLANNING
	Slight decline over last two years but consistently above national average.			Careful attention will be given to the implementation of the new National Qualifications in order to maintain and improve on these standards.
MEASURE - SQ3		REPORTING MECHANISM	BASELINE / TARGET	CURRENT POSITION
Educational attainment - number of pupils achieving 5 or more qualifications at SCQF Level 5 or higher at end of S4.		SQA reports to government (Annual)	Baseline - 49.4% (August 2008) Target - to be above national average.	52% of pupils (August 2012) National average - 37% TARGET MET
PROGRESS / PLANNING	PROGRESS	PERFORMANCE		IMPROVEMENT PLANNING
	Consistent improvement over the last three years and well above national average.			Careful attention will be given to the implementation of the new National Qualifications in order to maintain these standards.
MEASURE - SQ4		REPORTING MECHANISM	BASELINE / TARGET	CURRENT POSITION
Attendance rates - primary school pupils		Attendance & Absence (SG), Service Plan	Baseline - 95.2% (2010/11) Target - above national average (94.8%)	96% attendance in first quarter. TARGET MET National average - 94.8% (2010/11)
PROGRESS / PLANNING	PROGRESS	PERFORMANCE		IMPROVEMENT PLANNING
	Consistently higher than national average.			To be monitored quarterly to maintain high levels.

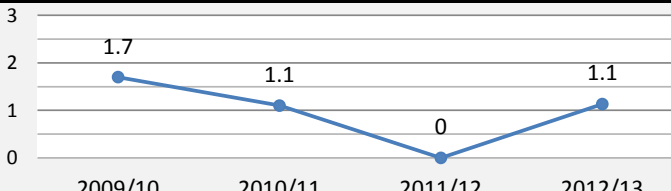
CHILDREN'S SERVICES PERFORMANCE MEASURES

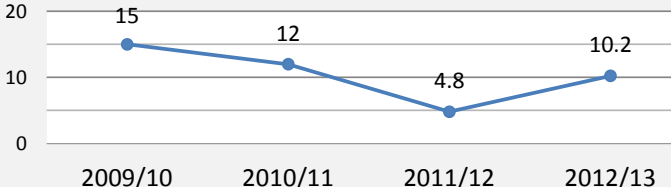
MEASURE - SQ5		REPORTING MECHANISM	BASELINE / TARGET	CURRENT POSITION
Attendance rates - secondary school pupils		Attendance & Absence (SG), Service Plan	Baseline - 93% (2010/11) Target - above national average (91.1%)	94.3% attendance in first quarter. TARGET MET National average - 91.1% (2010/11)
PROGRESS / PLANNING	PROGRESS	PERFORMANCE		IMPROVEMENT PLANNING
	Consistently higher than national average and improvement on recent years.			To be monitored quarterly to maintain high levels.
MEASURE - SQ6		REPORTING MECHANISM	BASELINE / TARGET	CURRENT POSITION
Positive inspection reports for pre-school settings		Service Plan	Baseline - 100% (2011/12) Target - 100% of all inspections are graded 'satisfactory' or better in the 3 main categories.	100% (Apr 12 - Mar 13) TARGET MET
PROGRESS / PLANNING	PROGRESS	PERFORMANCE		IMPROVEMENT PLANNING
	Consistently meeting all Care Inspectorate inspection standards.			Maintain existing standards within existing resources.
MEASURE - SQ7		REPORTING MECHANISM	BASELINE / TARGET	CURRENT POSITION
Positive inspection reports for schools		Service Plan	Baseline - 100% (2011/12) Target - 100% of all inspections are graded 'satisfactory' or better in the 3 main categories.	100% (Apr 12 - Mar 13) TARGET MET
PROGRESS / PLANNING	PROGRESS	PERFORMANCE		IMPROVEMENT PLANNING
	Consistently meeting all Care Inspectorate inspection standards.			Maintain existing standards within existing resources.
MEASURE - SQ8		REPORTING MECHANISM	BASELINE / TARGET	CURRENT POSITION
Positive destinations for school leavers		SG School Leavers (Annual), Service Plan	Baseline - 88.2% (2006) Target - to be above national average	90.8% (2010/11) National average 89.9% (2011/12) TARGET MET
PROGRESS / PLANNING	PROGRESS	PERFORMANCE		IMPROVEMENT PLANNING
	Consistently above national average.			Development of the Senior Phase of Curriculum for Excellence will, through the S3 profile, and improved partnership working, secure positive performance into the future.

CHILDREN'S SERVICES PERFORMANCE MEASURES

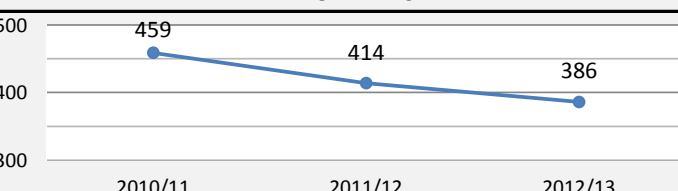
MEASURE - SQ9		REPORTING MECHANISM	BASELINE / TARGET	CURRENT POSITION															
Primary School teacher/pupil ratio		Teacher Census (SG) Annual	Baseline - 9.9 pupils per teacher (2006) No target - for monitoring purposes only.	11.3 (2012) National average - 16.3															
PROGRESS / PLANNING	PROGRESS	PERFORMANCE		IMPROVEMENT PLANNING															
	Increases in recent years but still well below national average.	 <table><caption>Primary School teacher/pupil ratio (2006-2012)</caption><thead><tr><th>Year</th><th>Ratio</th></tr></thead><tbody><tr><td>2006</td><td>9.9</td></tr><tr><td>2007</td><td>9.6</td></tr><tr><td>2008</td><td>9.8</td></tr><tr><td>2009</td><td>10.1</td></tr><tr><td>2010</td><td>10.6</td></tr><tr><td>2011</td><td>11.1</td></tr><tr><td>2012</td><td>11.3</td></tr></tbody></table>		Year	Ratio	2006	9.9	2007	9.6	2008	9.8	2009	10.1	2010	10.6	2011	11.1	2012	11.3
Year	Ratio																		
2006	9.9																		
2007	9.6																		
2008	9.8																		
2009	10.1																		
2010	10.6																		
2011	11.1																		
2012	11.3																		

MEASURE - SQ10		REPORTING MECHANISM	BASELINE / TARGET	CURRENT POSITION																					
Average Primary class size		Pupil Census (SG) Annual	Baseline 17.1 pupils per class (2003) No target - for monitoring purposes only	18.2 pupils per class (2012) National average - 22.7																					
PROGRESS / PLANNING	PROGRESS	PERFORMANCE		IMPROVEMENT PLANNING																					
	Increases in recent years but still well below national average.	 <table><caption>Average Primary class size (2003-2012)</caption><thead><tr><th>Year</th><th>Size</th></tr></thead><tbody><tr><td>2003</td><td>17.1</td></tr><tr><td>2004</td><td>16.4</td></tr><tr><td>2005</td><td>17.0</td></tr><tr><td>2006</td><td>16.1</td></tr><tr><td>2007</td><td>15.9</td></tr><tr><td>2008</td><td>16.6</td></tr><tr><td>2009</td><td>16.6</td></tr><tr><td>2010</td><td>17.2</td></tr><tr><td>2011</td><td>17.5</td></tr><tr><td>2012</td><td>18.2</td></tr></tbody></table>		Year	Size	2003	17.1	2004	16.4	2005	17.0	2006	16.1	2007	15.9	2008	16.6	2009	16.6	2010	17.2	2011	17.5	2012	18.2
Year	Size																								
2003	17.1																								
2004	16.4																								
2005	17.0																								
2006	16.1																								
2007	15.9																								
2008	16.6																								
2009	16.6																								
2010	17.2																								
2011	17.5																								
2012	18.2																								

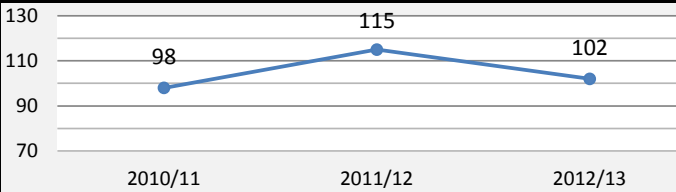
MEASURE - SQ11		REPORTING MECHANISM	BASELINE / TARGET	CURRENT POSITION									
Exclusion rates - Primary pupils		Attendance & Absence (SG Annual), Service Plan	Baseline - 1.7 pupil per 1,000 (2009/10) Target - lower than the national average	0 pupils (2012/13) National average is 6 pupils per 1,000 TARGET MET									
PROGRESS / PLANNING	PROGRESS	PERFORMANCE		IMPROVEMENT PLANNING									
	Consistently well below national average.	 <table><caption>Exclusion rates - Primary pupils (2009/10-2012/13)</caption><thead><tr><th>Year</th><th>Rate</th></tr></thead><tbody><tr><td>2009/10</td><td>1.7</td></tr><tr><td>2010/11</td><td>1.1</td></tr><tr><td>2011/12</td><td>0</td></tr><tr><td>2012/13</td><td>1.1</td></tr></tbody></table>		Year	Rate	2009/10	1.7	2010/11	1.1	2011/12	0	2012/13	1.1
Year	Rate												
2009/10	1.7												
2010/11	1.1												
2011/12	0												
2012/13	1.1												

MEASURE - SQ12		REPORTING MECHANISM	BASELINE / TARGET	CURRENT POSITION									
Exclusion rates - Secondary pupils		Attendance & Absence (SG Annual), Service Plan	Baseline - 12 pupils per 1,000 (2010/11) Target - lower than the national average	10.2 pupils per 1,000 (2012/13) National average is 40 pupils per 1,000 TARGET MET									
PROGRESS / PLANNING	PROGRESS	PERFORMANCE		IMPROVEMENT PLANNING									
	Consistently well below national average.	 <table><caption>Exclusion rates - Secondary pupils (2009/10-2012/13)</caption><thead><tr><th>Year</th><th>Rate</th></tr></thead><tbody><tr><td>2009/10</td><td>15</td></tr><tr><td>2010/11</td><td>12</td></tr><tr><td>2011/12</td><td>4.8</td></tr><tr><td>2012/13</td><td>10.2</td></tr></tbody></table>		Year	Rate	2009/10	15	2010/11	12	2011/12	4.8	2012/13	10.2
Year	Rate												
2009/10	15												
2010/11	12												
2011/12	4.8												
2012/13	10.2												

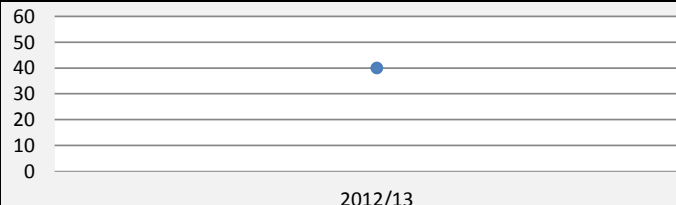
CHILDREN'S SERVICES PERFORMANCE MEASURES

Schools			Responsible Officer: Shona Thompson																		
MEASURE - SC1		REPORTING MECHANISM	BASELINE / TARGET	CURRENT POSITION																	
Free School Meals - % of Primary Pupils registered for Free School Meals		Summary Statistics for Schools, Service Plan (Annual)	Benchmark - 8.3 pupils per 1,000 (2005/06 national average) No target - for monitoring purposes only.	8.3 pupils per 1,000 (2011/12) National average is 22.0 pupils per 1,000																	
PROGRESS / PLANNING	PROGRESS	PERFORMANCE		IMPROVEMENT PLANNING																	
	Rate remains steady despite increase in take-up nationally. Currently lowest rate of take-up in Scotland.	 <table><caption>Free School Meals - % of Primary Pupils (2006-2013)</caption><thead><tr><th>Year</th><th>Value</th></tr></thead><tbody><tr><td>2006</td><td>8.3</td></tr><tr><td>2007</td><td>9.0</td></tr><tr><td>2008</td><td>7.4</td></tr><tr><td>2009</td><td>6.2</td></tr><tr><td>2010</td><td>8.4</td></tr><tr><td>2011</td><td>8.4</td></tr><tr><td>2012</td><td>8.3</td></tr><tr><td>2013</td><td>8.7</td></tr></tbody></table>		Year	Value	2006	8.3	2007	9.0	2008	7.4	2009	6.2	2010	8.4	2011	8.4	2012	8.3	2013	8.7
Year	Value																				
2006	8.3																				
2007	9.0																				
2008	7.4																				
2009	6.2																				
2010	8.4																				
2011	8.4																				
2012	8.3																				
2013	8.7																				
MEASURE - SC2		REPORTING MECHANISM	BASELINE / TARGET	CURRENT POSITION																	
Free School Meals - % of Secondary Pupils registered for Free School Meals		Summary Statistics for Schools, Service Plan (Annual)	Benchmark - 5.7 pupils per 1,000 (2005/06 national average) No target - for monitoring purposes only.	5.3 pupils per 1,000 (2011/12) National average is 15.5 pupils per 1,000																	
PROGRESS / PLANNING	PROGRESS	PERFORMANCE		IMPROVEMENT PLANNING																	
	Rate remains steady despite increase in take-up nationally. Currently lowest rate of take-up in Scotland.	 <table><caption>Free School Meals - % of Secondary Pupils (2006-2013)</caption><thead><tr><th>Year</th><th>Value</th></tr></thead><tbody><tr><td>2006</td><td>5.7</td></tr><tr><td>2007</td><td>6.1</td></tr><tr><td>2008</td><td>5.6</td></tr><tr><td>2009</td><td>5.2</td></tr><tr><td>2010</td><td>5.5</td></tr><tr><td>2011</td><td>5.3</td></tr><tr><td>2012</td><td>5.3</td></tr><tr><td>2013</td><td>5.7</td></tr></tbody></table>		Year	Value	2006	5.7	2007	6.1	2008	5.6	2009	5.2	2010	5.5	2011	5.3	2012	5.3	2013	5.7
Year	Value																				
2006	5.7																				
2007	6.1																				
2008	5.6																				
2009	5.2																				
2010	5.5																				
2011	5.3																				
2012	5.3																				
2013	5.7																				
MEASURE - SC3		REPORTING MECHANISM	BASELINE / TARGET	CURRENT POSITION																	
Clothing Grants		Service Plan	Baseline - 459 pupils (2010/11) No target set - for monitoring purposes	386 pupils received grants (2012/13)																	
PROGRESS / PLANNING	PROGRESS	PERFORMANCE		IMPROVEMENT PLANNING																	
	New clothing grant forms will be available soon for 13/14.	 <table><caption>Clothing Grants (2010/11-2012/13)</caption><thead><tr><th>Year</th><th>Value</th></tr></thead><tbody><tr><td>2010/11</td><td>459</td></tr><tr><td>2011/12</td><td>414</td></tr><tr><td>2012/13</td><td>386</td></tr></tbody></table>		Year	Value	2010/11	459	2011/12	414	2012/13	386	Review to be undertaken on Free School Meals & Clothing Grants. In the meantime all applications for 13/14 will be processed timeously.									
Year	Value																				
2010/11	459																				
2011/12	414																				
2012/13	386																				
MEASURE - SC4		REPORTING MECHANISM	BASELINE / TARGET	CURRENT POSITION																	
Education Maintenance Allowance (EMA's)		Service Plan	Baseline - 120 pupils (2010/11) No target set - for monitoring purposes	142 pupils (2012/13)																	
PROGRESS / PLANNING	PROGRESS	PERFORMANCE		IMPROVEMENT PLANNING																	
	New electronic EMA forms will be available soon for 13/14.	 <table><caption>Education Maintenance Allowance (2010/11-2012/13)</caption><thead><tr><th>Year</th><th>Value</th></tr></thead><tbody><tr><td>2010/11</td><td>120</td></tr><tr><td>2011/12</td><td>147</td></tr><tr><td>2012/13</td><td>142</td></tr></tbody></table>		Year	Value	2010/11	120	2011/12	147	2012/13	142	New electronic EMA forms will be available soon for 13/14. All applications will be processed timeously.									
Year	Value																				
2010/11	120																				
2011/12	147																				
2012/13	142																				

CHILDREN'S SERVICES PERFORMANCE MEASURES

MEASURE - SC5		REPORTING MECHANISM	BASELINE / TARGET	CURRENT POSITION							
Bursaries		Service Plan	Baseline - 98 pupils (2010/11) No target set - for monitoring purposes	102 pupils (2012/13)							
PROGRESS / PLANNING	PROGRESS	PERFORMANCE		IMPROVEMENT PLANNING							
	New electronic Bursary forms will be available soon for 13/14.	 <table><caption>Bursary Pupils Data</caption><thead><tr><th>Year</th><th>Pupils</th></tr></thead><tbody><tr><td>2010/11</td><td>98</td></tr><tr><td>2011/12</td><td>115</td></tr><tr><td>2012/13</td><td>102</td></tr></tbody></table>		Year	Pupils	2010/11	98	2011/12	115	2012/13	102
Year	Pupils										
2010/11	98										
2011/12	115										
2012/13	102										

MEASURE - SC6		REPORTING MECHANISM	BASELINE / TARGET	CURRENT POSITION
Food Waste		Service Plan	Baseline - Target -	Measure is currently being developed
PROGRESS / PLANNING	PROGRESS	PERFORMANCE		IMPROVEMENT PLANNING
	New measure, recording mechanisms being introduced.			

MEASURE - SC7		REPORTING MECHANISM	BASELINE / TARGET	CURRENT POSITION			
Activity Agreements - number of over 16's who have signed an Activity Agreement		Service Plan	40 signed agreements (2012/13) No target - for monitoring purposes only.	40 signed agreements (2012/13)			
PROGRESS / PLANNING	PROGRESS	PERFORMANCE		IMPROVEMENT PLANNING			
	Increased interest in Activity Agreements, with a number of new referrals in the pipeline. Promoting Activity Agreements in Schools and other service providers.	 <table><caption>Activity Agreements Data</caption><thead><tr><th>Year</th><th>Agreements</th></tr></thead><tbody><tr><td>2012/13</td><td>40</td></tr></tbody></table>		Year	Agreements	2012/13	40
Year	Agreements						
2012/13	40						

**Education and Families Committee****7 August 2013****Consultation on Amending the Schools (Consultation) (Scotland) Act 2010****CS-39-13-F****Report Presented by Director of Children's Services****Children's Services****1.0 Summary**

- 1.1 This report provides details of the consultation which the Scottish Government have launched regarding proposed changes to the legislation in the Schools (Consultation) (Scotland) Act 2010. The Consultation Paper is attached as Appendix A.
- 1.2 Appendix B sets out the proposed response from Shetland Islands Council.

2.0 Decision Required

- 2.1 I recommend that Education and Families Committee RESOLVE to:
- (a) approve the proposed response to the Scottish Government on the consultation for amendments to the Schools (Consultation) (Scotland) Act 2010; and
 - (b) delegate authority to the Director of Children's Services to complete and submit the response, subject to any changes the Committee wish to make.

3.0 Detail

- 3.1 The Scottish Government launched the consultation on Friday 12 July 2013. It sets out policy proposals for amendments to the Schools (Consultation) (Scotland) Act 2010.
- 3.2 It takes forward those recommendations made by the Commission on the Delivery of Rural Education which may require legislative change.

3.3 The consultation closes on 2 September 2013 at 11pm and seeks views on:

- The presumption against closure of rural schools
- Providing financial information on closure proposals
- Clarifying and expanding Education Scotland's role
- The basis for determining school closure proposals
- Establishing an independent referral mechanism
- A five year moratorium between closure proposals for the same school.

3.2 Appendix B sets out the proposed response to this consultation process from Shetland Islands Council.

4.0 Budget

4.1 There are no direct financial implications from this report.

5.0 Implications

Strategic

5.1 Delivery On Corporate Priorities – this report helps to achieve the aims of the:

Shetland Islands Council Corporate Plan

- All children and young people deserve the best life chances and we are determined that all our young people will have the best chance to be successful learners, confident individuals, effective contributors and responsible citizens. This year we will continue to examine the educational estate and conduct a series of consultations on primary and secondary schools in line with the blueprint for education.

Shetland Single Outcome Agreement 2012/15

- Area 5.1 – To support schools in their developments towards a Curriculum for Excellence;
- Area 5.2 – The strategy provides a framework for developing childcare provision 2012/15.

Children's Services Directorate Plan

- To deliver the best possible service we can which balances access, opportunities and resources.

6.2 Community /Stakeholder Issues – Consultation with customers and other stakeholders is on-going as an integral part of each aspect of service delivery.

6.3 Policy And/Or Delegated Authority – In accordance with Section 2.3.1 of the Council's Scheme of Administration and Delegations, the Education and Families Committee has responsibility and delegated authority for decision making on matters within its remit which includes

school education. This report is related to the function of an education authority.

6.4 Risk Management – Future consultations will have to take cognisance of any changes in legislation.

6.5 Equalities, Health And Human Rights – None

6.6 Environmental – None

Resources

6.7 Financial – There are no direct financial implications from this report.

6.8 Legal – Following this consultation there could be changes in legislation regarding the Schools (Consultation) (Scotland) Act 2010.

6.9 Human Resources – None

6.10 Assets And Property – None

7.0 Conclusions

7.1 This report provides the proposed response to the Scottish Government from Shetland Islands Council regarding this consultation exercise.

For further information please contact:
Helen Budge, Director of Children's Service
Tel: 01595 74 4064. E-mail: helen.budge@shetland.gov.uk
Report finalised: 23 July 2013

List of Appendices

Appendix A: Amending the Schools (Consultation) (Scotland) Act 2010 - A Consultation Paper

Appendix B: Amending the Schools (Consultation) (Scotland) Act 2010 response

Amending the Schools (Consultation) (Scotland) Act 2010

A Consultation Paper

Amending the Schools (Consultation) (Scotland) Act 2010

A Consultation Paper

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Section 5: Establishing an Independent Referral Mechanism

Section 6: A Five Year Moratorium between School Closure Proposals

Consultation Questions

Annex A: Responding to this Consultation Paper

Annex B: The Scottish Government Consultation Process



Ministerial Foreword

I am pleased to set out the Government's proposals for legislation in response to the Commission on the Delivery of Rural Education.

The Commission reported in April, and the Government has given its recommendations careful consideration. These set out a wide range of steps to improve the delivery of rural education, and I was glad to accept the vast majority of them. Much of this work can be delivered through administrative measures, such as improving the guidance provided to education authorities on school closures. However, a key part of the recommendations were a number of changes to the legislation on school closures, the Schools (Consultation) (Scotland) Act 2010. This consultation paper sets out how we propose to take these legislative proposals forward.

This work builds on a great deal of listening and engagement by the Commission on the Delivery of Rural Education. However, I am keenly aware that the length of this consultation period is briefer than ideally I would have wished. This is necessary to take the opportunity to make legislation this year through the Children and Young People (Scotland) Bill and bring changes into force during 2014. Waiting for another legislative opportunity would be likely to delay any improvement to the legislation until at least 2015.

The Government will give careful consideration to the responses to this consultation and continue to listen to parents and stakeholders into the autumn as we refine our policy for legislation and the related guidance.

A handwritten signature in black ink, appearing to read 'Michael Russell', with a long, sweeping horizontal line extending from the bottom of the signature.

Michael Russell, MSP
Cabinet Secretary for Education and Lifelong Learning.

Introduction

This short consultation paper sets out policy proposals for amendments to the Schools (Consultation) (Scotland) Act 2010¹ (the 2010 Act). It takes forward those recommendations made by the Commission on the Delivery of Rural Education² which require legislative change.

Responses are invited by **2 September 2013**. The consultation period is necessarily shorter than would normally be provided, due to the opportunity to make these amendments in the Children and Young People (Scotland) Bill, already under consideration in the Scottish Parliament. This consultation takes forward recommendations from the Commission, which carried out extensive consultation, and we are mindful of the need to avoid further delay to implementing its recommendations for this important policy area.

The Government issued its Response³ to the Commission's Report on 13 June, identifying actions that would be taken forward. Many of the Commission's recommendations do not require legislation, and will be taken forward through other actions such as through revision to the statutory guidance that accompanies the 2010 Act. This consultation only relates to action that might require changes to the law.

The Commission's work related to the delivery of **rural** education. However, the Commission commented extensively on wider aspects of the 2010 Act which apply to both rural and urban schools, not just the few sections of the Act which make specific provision for rural schools.⁴

The Government considers that it would be unhelpful to increase the differences between how rural and urban schools are treated unnecessarily. We therefore propose that improvements relating to the consultation arrangements for school closure proposals which do not specifically relate to rurality should apply to all schools under the management of an education authority. Consequently, with the exception of the proposals in Section 1 (relating to the presumption against closure for rural schools), all the other proposals in this paper would apply to both rural and urban schools.

¹ The 2010 Act is available here:

<http://www.legislation.gov.uk/asp/2010/2>

² The Report of the Commission on the Delivery of Rural Education is available here:

<http://www.scotland.gov.uk/Publications/2013/04/5849>

³ The Scottish Government Response to the Commission on the Delivery of Rural Education is available here:

<http://www.scotland.gov.uk/Publications/2013/06/6087>

⁴ Under the 2010 Act, rural schools are those designated as such by Scottish Ministers in the list they maintain for this purpose. Further details on the list and how it is compiled is available here:

<http://www.scotland.gov.uk/Topics/Education/Schools/Buildings/changestoschoolestate>

Section 1: The Presumption Against Closure

Commission Recommendation 24: A new, clearer understanding of ‘a presumption against closure’ should be set out by the Scottish Government in the statutory guidance accompanying the 2010 Act to reduce conflict and provide clarity and protection for communities and local authorities.

1.1 The 2010 Act set out to create what is widely referred to as a “presumption against closure” for rural schools. The chosen approach was to define in legislation a series of extra tests which applied to proposals to close a school designated as a rural school. This would not mean that no rural school should ever close but that none would close unless and until the factors of “special regard” had been fully taken into account.

1.2 The 2010 Act did not expressly spell out that there is such a “presumption”. Nevertheless, it was expected that this approach would be both effective and clear, and it was felt that simply stating in legislation that “there shall be a presumption” would be widely misinterpreted and leave a great deal to be clarified by the courts. Unfortunately, the court has since found that the provisions in the 2010 Act do not, as had been desired, have the effect of a presumption. The Opinion in the recent Court judgment *Comhairle nan Eilean Siar v. Scottish Ministers*⁵ ruled:

“I do not accept that the terms of section 12 [of the 2010 Act] give rise to a legislative presumption against the closure of rural schools.”

1.3 The Commission on the Delivery of Rural Education was also concerned that the approach taken in the 2010 Act had caused confusion:

“it has left a gap between high expectations from communities that rural schools enjoy a very high level of protection; and local authorities seeking to meet the letter of the requirements in the 2010 Act and not a wider „presumption’.”

1.4 The Commission recommended that clarity should be provided in this area through changes to the statutory guidance accompanying the 2010 Act, and that this would help reduce conflict and provide clarity and protection for communities and local authorities. The Government accepted this recommendation. However, in light of the Court judgment that the 2010 Act in fact contains no presumption, this clarification could not simply be made through an addition to the statutory guidance. Instead, clarity regarding the Government’s commitment to a presumption against closure for rural schools would require an amendment to the 2010 Act to make this area of policy clear.

⁵ This Opinion is available on the Scottish Court Service website here:
<http://www.scotcourts.gov.uk/opinions/2013CSIH45.html>

Two other Opinions are also relevant:
<http://www.scotcourts.gov.uk/opinions/2012CSOH%2094.html>
<http://www.scotcourts.gov.uk/opinions/2013CSIH6.html>

What form could the amendment take?

1.5 The Government is considering bringing forward a short amendment to the 2010 Act for the purpose of clarification. This would give effect to our original policy intention that in applying the procedures laid down in that Act there is a legal presumption against the closure of rural schools.

1.6 Once this provision had been agreed, the Government would consider whether further explanation in statutory guidance would be helpful to ensure communities had the clarity the Commission recommended.

Consultation question

Q1. Do you support clarifying the presumption against closure of rural schools by stating it in legislation by means of an amendment to the 2010 Act?

Yes ☐ No ☐ Don't know ☐

Do you have any comments?

Section 2: Providing Financial Information on Closure Proposals

Commission Recommendation 21: School closure proposals should be accompanied by transparent, accurate and consistent financial information, rigorously evidencing any financial argument that is deployed. The impact, if any, of the proposal on the General Revenue Grant that the authority would receive in future should be clearly stated.

Commission Recommendation 22: Clear guidance and a template for financial information should be developed to ensure financial information is presented in a complete and consistent manner.

2.1 The Commission made strong recommendations regarding the inclusion of clear financial information in school closure proposal consultations, and these recommendations (set out above) have been accepted by the Scottish Government. To implement the recommendations, guidance and a template needs to be developed to establish how clear financial information should be consistently provided in all closure consultations.

2.2 Currently, section 4(1) of the 2010 Act provides that an education authority must prepare a proposal paper. It specifies that this should “set out the details of the relevant proposal” and refer to “such evidence or other information in support of (or otherwise relevant in relation to) the proposal as the education authority considers appropriate.”

2.3 The Government agrees with the Commission that accurate, transparent financial information should be part of providing a complete picture of the impact of a closure proposal. Local authorities will be, and should be, aware of the financial implications of their closure proposal and it is right that high quality information on this aspect of the proposed change should be provided to parents and communities in a format which is easily understood.

2.4 We propose to amend the 2010 Act to add to the requirements for closure proposals that these should provide relevant, transparent financial information in respect of the proposal.

2.5 This requirement would provide the basis for detailed guidance on the financial information to be included in proposals under section 19 of the 2010 Act. This could include a template on the type of financial information that should be provided. The Government will work with COSLA and parents to develop these.

Consultation question

Q2. Do you support amending the 2010 Act to make it clear that relevant financial information should be included in a school closure consultation?

Yes ☐ No ☐ Don't know ☐

Do you have any comments?

Section 3: Clarifying and Expanding Education Scotland's Role

Commission Recommendation 18: Education Scotland should have a wider role in providing a detailed response to the proposed educational benefits and a more sustained involvement in a school closure proposal.

3.1 Education Scotland is the public body charged with supporting quality and improvement in Scottish education. The Government has accepted the Commission's recommendation that it would be appropriate for Education Scotland to have a wider role in providing detailed advice on the proposed educational benefits of a school closure proposal and a more sustained involvement in a proposal.

3.2 Education Scotland is already committed to providing a detailed response to a local authority's school closure proposal, as recommended by the Commission. As Education Scotland gained experience operating under the 2010 Act, these responses have and will continue to develop, helping education authorities and parents to assess the educational benefits of a proposal.

3.3 However, the Government also considers that it is important that Education Scotland assists authorities more pro-actively in our aim that closure proposals should be supported by high quality Educational Benefits Statements. This means assisting authorities before they start preparing an Educational Benefits Statement. It is in everyone's interests that authorities have a strong understanding of the educational issues raised by school closures and can provide Educational Benefits Statements that fully address these issues.

3.4 We plan to establish a working group involving the Scottish Government, COSLA, Education Scotland and education authorities with a remit to establish the best way for Education Scotland to help education authorities. This might include new, detailed good practice guidance from Education Scotland as well as more interactive approaches such as a self-evaluation toolkit (an approach used to good effect by Education Scotland and education authorities for other purposes), or other measures.

3.5 This support and engagement will be developed and delivered through Education Scotland's existing powers and through guidance. The issue for possible legislation is around delivering a "more sustained involvement in the proposal" for Education Scotland.

3.6 The 2010 Act places a clear responsibility on local authorities to list educational benefits, give reasons and provide evidence to show how these will be delivered. The Act requires the local authority to notify Education Scotland of its consultation and send it a copy of the published proposal paper with copies of, or a summary of, any representation(s) received during the consultation period. Education Scotland has a statutory duty to prepare a report on the educational aspects of the local authority's proposal. This report is then submitted to the local authority within a three week period.

3.7 Once the local authority has received the report from Education Scotland, it must review its proposal taking account of any issues raised by Education Scotland's report along with any other written or oral representations it has received and respond to these in its Consultation Report. There is currently no further statutory role for Education Scotland to play in the school closure process once it has submitted its report to the local authority, although Ministers may seek further advice from Education Scotland on a case by case basis as necessary.

3.8 This is a significant gap in the process. When considering whether to call-in a proposal or in determining a proposal, it would be desirable to make clear in legislation how Scottish Ministers are able to draw on professional educational advice provided by Education Scotland. For example, reports prepared by Education Scotland often set out factors that the local authority needs to take into account when finalising a proposal. These factors can include negative comments on the quality of an authority's Educational Benefits Statement. The report may also set out areas that require greater attention in the Consultation Report and need to be addressed before the local authority makes its final decision. It would seem sensible for Scottish Ministers to seek advice from Education Scotland on whether such concerns had been resolved in the authority's Consultation Report.

3.9 It is expected that further professional advice on the educational aspects at this stage in the process would help Ministers' consideration of the case in its totality and should lead to a reduction in the number of cases called in for further investigation. Ministers would expect to ask for advice on specific issues and would not require an additional report from Education Scotland.

3.10 The Government also considers there would be benefit in ensuring that clear educational advice on a closure proposal is available at the stage where it has been called in. In Section 5 of this consultation paper we set out wider changes to determining proposals, suggesting that in future these are determined by an independent referral mechanism. We would propose to consider further, and discuss with COSLA and Education Scotland, what sources of educational advice would be required to support the new mechanism, including any possible role for Education Scotland.

How to deliver the recommendation

3.11 The Government would like to invite views on whether the enhanced role for Education Scotland to advise Scottish Ministers should be delivered through an amendment to the 2010 Act, or through a Memorandum of Understanding between the Scottish Government and Education Scotland.

3.12 If legislation was chosen, an amendment could be made to the 2010 Act clarifying the process for Education Scotland to provide additional information at the stage of Ministerial call-in. This would give Education Scotland and other stakeholders clarity on the basis for Education Scotland's enhanced role. The Government would wish sufficient flexibility to enable the advice sought from Education Scotland to be tailored to individual and emerging circumstances.

3.13 Alternatively, a Memorandum of Understanding could be drawn up between the Scottish Government and Education Scotland on how Ministers would seek advice on school closure proposals in the future, setting out clear deliverables expected from Education Scotland when providing advice. It would be possible to amend and update the Memorandum of Understanding from time to time to take account of any emerging circumstances as they arise without the need to amend legislation. However, it would not provide a statutory basis for this role.

3.14 On balance, the Government considers that it would provide maximum clarity to deliver this recommendation through an amendment to the 2010 Act.

Consultation questions

Q3A. Do you support giving Education Scotland a more sustained role in a school closure proposal?

Yes ☐ No ☐ Don't know ☐

Do you have any comments?

Q3B. If so, would you prefer Education Scotland's role to be clarified through legislation or a Memorandum of Understanding?

Legislation ☐ Memorandum of Understanding ☐ Don't know ☐

Section 4: The Basis for Determining School Closure Proposals

Commission recommendation 33: Scottish Ministers' role under the 2010 Act, as set out in the judgement in the case of Comhairle nan Eilean Siar v. Scottish Ministers, requires consideration of both the process followed and the merits of a school closure proposal that has been called in. Ministers should have three options in relation to these proposals, to:

- (a) Consent, including consent with conditions;**
- (b) Refuse consent; or**
- (c) Remit the proposal back to the local authority for reconsideration.**

4.1 The Commission on the Delivery of Rural Education took into account and agreed with the judgement of the Court case between Comhairle nan Eilean Siar v. Scottish Ministers which indicated that Ministers should look at the merits of a school closure and not just the process, as had been previous practice. The Government accepted this recommendation.

4.2 In order to bring transparency to the 2010 Act so that there is no dubiety in the role of Scottish Ministers, the Government proposes to amend the Act in order to make clear the extent to which Ministers will consider the substantive merits of a closure proposal once called in. However, this merits based approach should respect the primacy of the education authority who are best placed to take these types of decisions based on their local knowledge.

4.3 The Commission also reached the view that, taking into account the opinion contained in the Comhairle nan Eilean Siar v. Scottish Ministers judgment on the primacy of the education authority, and that the education authority is best placed to understand the local issues, an additional option should be included in the 2010 Act enabling Scottish Ministers to "remit the proposal back to the local authority for reconsideration". This would allow Ministers to set out reasons for their decision and might allow a local authority the opportunity to address a flaw in the consultation process or the proposal without necessarily having to commence the consultation process afresh.

4.4 The Government judges that this additional option could be helpful. However, wider changes to the determination process under the 2010 Act are proposed in Section 5 of this paper, and we would propose to consider how to take this option forward alongside those changes.

How to deliver the recommendation

4.5 The Scottish Government proposes to amend the 2010 Act in order to clarify the role of Scottish Ministers in determining a school closure proposal once it has been called in, so that it is clear that consideration is given not only to the process followed during the consultation but also to the merits of the proposal. This would provide a clear basis for Ministers to assess the consideration of the merits of the proposal that had been carried out by the local authority, to review the reasonableness of the authority's decision.

Consultation questions

Q4. Do you support amending the 2010 Act to provide clarity regarding Ministers' role in considering both the process and merits of the closure proposal?

Yes ☐ No ☐ Don't know ☐

Do you have any comments?

Section 5: Establishing an Independent Referral Mechanism

5.1 The Scottish Government wishes to build on the Commission's recommendations regarding Ministerial call-in (Recommendations 33 and 34) and address the issue of **who** should determine a closure proposal which has been called in.

5.2 There are concerns that the nature of these decisions is not one which sits well with Ministers and that it might be appropriate to take this opportunity to establish a more independent, arm's length system.

5.3 The Government's proposal is that it should continue to be the responsibility of Scottish Ministers to consider whether a school closure proposal should be called in. In the Scottish Government Response to the Commission on the Delivery of Rural Education, we identified a number of improvements to ensure that this part of the process works well, and which aim to reduce the number of closure proposals which are called in unnecessarily.

5.4 However, once a call-in decision has been made, we consider that the closure proposal would be best referred to a new independent referral mechanism. The advantages of this approach would be to ensure that these decisions, likely to be the most contentious school closure proposals, are taken in an objective and transparent manner without any suggestion of political influence and with equal accessibility for local authorities and communities.

5.5 We are still considering options for this independent referral mechanism such as a dispute resolution mechanism like arbitration, an independent adjudicator or an independent panel. We will work closely with stakeholders during the summer to identify further advantages and disadvantages of different options, and would welcome views through this consultation paper.

How the independent referral mechanism should operate

5.6 We suggest that key aspects that an independent referral mechanism should have are:

- **Accessibility:** it should be a low cost process thereby reducing barriers to communities (or local authorities) taking part in it;
- **Time limited:** it should be able to make decisions efficiently to give confidence to all involved;
- **Authority and certainty:** the decision must be final and only challengeable on points of law;
- **Fairness and objectivity:** to determine whether the decision to implement a closure proposal is one that a reasonable education authority could have reached.

5.7 It will be essential that local government and communities have confidence in whatever type of independent referral mechanism is established. For example, we believe that an arbitration mechanism based on the Arbitration (Scotland) Act 2010, which brings Scotland to the forefront of modern arbitral law and practice, offers a potential way forward. This process could be managed through the Scottish Arbitration Centre. We will work jointly with local government and parent representatives to consider this option further and any other suitable mechanism suggested. Whichever option is chosen, it will be essential to ensure that the appropriate knowledge, skills and links are built into the process to allow it to reach fair and objective decisions.

5.8 For any approach that is adopted, it will also be vital that the process is seen to be objective and not subject to undue influence. For example, if arbitration was the chosen approach, we would propose that arbitrators would not be asked to determine cases in local authority areas where they had worked in the last 10 years or where they lived. Neither would they accept cases in areas where they had previously worked with any individuals involved in the case or for other reasons where they felt their objectivity might be compromised or perceived to be compromised.

Consultation questions

Q5A. Do you support replacing the current Ministerial determination of school closure proposals that have been called in with an independent referral mechanism such as arbitration?

Yes ☐ No ☐ Don't know ☐

If not, what other options do you support?

Q5B. Do you agree that the criteria specified in paragraph 5.6 should be characteristics of the independent referral mechanism?

Yes ☐ No ☐ Don't know ☐

If not, what criteria would you support?

Section 6: A Five Year Moratorium between School Closure Proposals

Commission Recommendation 31: Once a school closure proposal has undergone full consideration under the 2010 Act and agreement is reached not to close the school, local authorities should make no further closure proposal for at least five years unless there is a significant relevant change.

6.1 The Commission noted that it had heard “clear evidence that some schools faced repeated closure proposals at short intervals and that this repetition had a corrosive impact on the communities and schools concerned. Thus repeated closure proposals can lead to diminishing rolls and make closure more likely as parents avoid placing their child in a school perceived to be at high risk of closure.”

6.2 The Commission’s Report goes on to suggest that a “breathing space” is appropriate, to allow the school, parents and pupils to know that a closure threat is not going to recur “at any moment”.

6.3 The Government has accepted this recommendation. We would like to invite views on whether the recommendation would be best delivered through an amendment to the 2010 Act or through inclusion in the statutory guidance.

6.4 We understand that five years was chosen to provide a sufficiently long period to ensure that closure proposals were unlikely (but not excluded) from affecting a young person twice during their time at a particular school; and to avoid unreasonably binding future Council administrations. The Government agrees that this period is appropriate, in particular noting the significant duration of a closure proposal consultation process.

How to deliver the recommendation

6.5 We propose that for the purpose of implementing the recommendation “full consideration” should have been considered to have been given to a school closure proposal when either:

- An education authority has produced a Consultation Report under section 9 of the 2010 Act and has decided not to proceed with it; or
- An education authority has decided to implement a school closure proposal under section 11 of the 2010 Act and the proposal has been refused (by the Scottish Ministers, or following implementation of the proposals for an independent referral mechanism, by that process).

6.6 This recommendation could be implemented through an amendment to the 2010 Act, or through the guidance accompanying the Act.

6.7 It would be a more flexible approach for local authorities if the Scottish Ministers were to issue guidance on this recommendation, and would respect the primacy of their role in decisions to propose school closures. While we anticipate that communities would welcome the surety of a five year moratorium, circumstances do change and it is possible that greater flexibility of using guidance

rather than legislation would also be welcomed by communities on some occasions. However, given that the provision was not in legislation, this would only be advisory and would not prevent a repeat proposal in fewer than five years being compliant with the legal requirements.

6.8 On the other hand, making this requirement through an amendment to the 2010 Act would be binding on those concerned, and give communities recourse to legal challenge should a proposal be made in fewer than five years and communities disagreed that there had been a “significant, relevant change”.

6.9 We would welcome views on which approach should be taken.

6.10 Whichever route is chosen, we would propose to define a “significant, relevant change” – which would permit a period of fewer than five years between closure proposals for the same school – in guidance not legislation. We would suggest that a “significant relevant change” might include, but should not be limited to, a significant change in the school roll, or in the physical condition of the school, or in the view of the community. For example, where a closure proposal had previously been rejected by the parents and community of a school and it was shown that this opinion had substantially altered.

6.11 We would welcome views on whether a significant change to a local authority’s resources should also be considered a “significant relevant change”, given that in very straitened circumstances when provision of all services was being reviewed, it might not be reasonable to exclude reconsidering a specific school for closure.

6.12 There will also be interest in **when** the recommendation should take effect, and we would welcome views as to whether it should apply from the point when guidance or legislation takes effect, or retrospectively to schools which have undergone failed closure attempts within the previous five years. On balance, we consider that it would not be reasonable to apply the principle retrospectively and that it should apply to future decisions only. This would not prevent local authorities respecting the spirit of the requirement by avoiding revisiting relevant school closure decisions from the last five years.

6.13 As with other measures in this consultation paper (except for Section 1), we propose that this provision should apply to rural and urban schools alike.

Consultation questions

Q6A. Do you support a five year moratorium between closure proposals for the same school?

Yes ☐ No ☐ Don't know ☐

Do you have any comments?

|

Q6B. If so, would you prefer this provision to be made in guidance or legislation?

Guidance ☐ **Legislation** ☐ **Don't know** ☐

Consultation Questions

Q1. Do you support clarifying the presumption against closure of rural schools by stating it in legislation by means of an amendment to the 2010 Act?

Yes ☐ No ☐ Don't know ☐

Do you have any comments?

Q2. Do you support amending the 2010 Act to make it clear that relevant financial information should be included in a school closure consultation?

Yes ☐ No ☐ Don't know ☐

Do you have any comments?

Q3A. Do you support giving Education Scotland a more sustained role in a school closure proposal?

Yes ☐ No ☐ Don't know ☐

Do you have any comments?

Q3B. If so, would you prefer Education Scotland's role to be clarified through legislation or a Memorandum of Understanding?

Legislation ☐ Memorandum of Understanding ☐ Don't know ☐

Q4. Do you support amending the 2010 Act to provide clarity regarding Ministers' role in considering both the process and merits of the closure proposal?

Yes ☐ No ☐ Don't know ☐

Do you have any comments?

Q5A. Do you agree that the criteria specified in paragraph 5.6 are appropriate as a dispute resolution process under the 2010 Act?

Yes ☐ No ☐ Don't know ☐

If not, what criteria would you support?

Q5B. Do you support replacing the current Ministerial determination of school closure proposals that have been called in with an independent referral mechanism such as arbitration?

Yes ☐ No ☐ Don't know ☐

If not, what other options for dispute resolution would you suggest?

Q6A. Do you support a five year moratorium between closure proposals for the same school?

Yes ☐ **No** ☐ **Don't know** ☐

Do you have any comments?

Q6B. If so, would you prefer this provision to be made in guidance or legislation?

Guidance ☐ **Legislation** ☐ **Don't know** ☐

Annex A: Responding to this Consultation Paper

We are inviting written responses to this consultation paper by 2 September 2013. **Please send your response with the completed Respondent Information Form (see "Handling your Response" below) to:**

schoolestates@scotland.gsi.gov.uk

or

School Infrastructure Unit
Area 2-A South
Victoria Quay
Edinburgh
EH6 6QQ

If you have any queries, please contact Lucy Carmichael on 0131 244 0373 or using the email address above.

We would be grateful if you would use the consultation questionnaire provided or could clearly indicate in your response which questions or parts of the consultation paper you are responding to as this will aid our analysis of the responses received.

This consultation, and all other Scottish Government consultation exercises, can be viewed online on the consultation web pages of the Scottish Government website at <http://www.scotland.gov.uk/consultations>.

The Scottish Government has an email alert system for consultations, <http://register.scotland.gov.uk>. This system allows individuals and organisations to register and receive a weekly email containing details of all new consultations (including web links). It complements, but in no way replaces SG distribution lists, and is designed to allow stakeholders to keep up to date with all SG consultation activity, and therefore be alerted at the earliest opportunity to those of most interest. We would encourage you to register.

Handling your response

We need to know how you wish your response to be handled and, in particular, whether you are happy for your response to be made public. Please complete and return the **Respondent Information Form** which forms part of the consultation questionnaire for this consultation paper as this will ensure that we treat your response appropriately. If you ask for your response not to be published we will regard it as confidential, and we will treat it accordingly.

All respondents should be aware that the Scottish Government is subject to the provisions of the Freedom of Information (Scotland) Act 2002 and would therefore have to consider any request made to it under the Act for information relating to responses made to this consultation exercise.

Next steps in the process

Where respondents have given permission for their response to be made public and after we have checked that they contain no potentially defamatory material, responses will be made available to the public in the Scottish Government Library. You can make arrangements to view responses by contacting the SG Library on 0131 244 4552. Responses can be copied and sent to you, but a charge may be made for this service.

What happens next ?

Following the closing date, all responses will be analysed and considered along with any other available evidence to help us reach a decision on amendment of the Schools (Consultation) (Scotland) Act 2010. We aim to issue a report on this consultation process in the autumn of 2013. This will allow any amendments to legislation to be taken forward through the Children and Young People (Scotland) Bill.

Comments and complaints

If you have any comments about how this consultation exercise has been conducted, please send them to the address given above.

Annex B: The Scottish Government consultation process

Consultation is an essential and important aspect of Scottish Government working methods. Given the wide-ranging areas of work of the Scottish Government, there are many varied types of consultation. However, in general, Scottish Government consultation exercises aim to provide opportunities for all those who wish to express their opinions on a proposed area of work to do so in ways which will inform and enhance that work.

The Scottish Government encourages consultation that is thorough, effective and appropriate to the issue under consideration and the nature of the target audience. Consultation exercises take account of a wide range of factors, and no two exercises are likely to be the same.

Typically Scottish Government consultations involve a written paper inviting answers to specific questions or more general views about the material presented. Written papers are distributed to organisations and individuals with an interest in the issue, and they are also placed on the Scottish Government web site enabling a wider audience to access the paper and submit their responses. Consultation exercises may also involve seeking views in a number of different ways, such as through public meetings, focus groups or questionnaire exercises. Copies of all the written responses received to a consultation exercise (except those where the individual or organisation requested confidentiality) are placed in the Scottish Government library at Saughton House, Edinburgh (K Spur, Saughton House, Broomhouse Drive, Edinburgh, EH11 3XD, telephone 0131 244 4565).

All Scottish Government consultation papers and related publications (e.g. analysis of response reports) can be accessed at:

<http://www.scotland.gov.uk/consultations>

The views and suggestions detailed in consultation responses are analysed and used as part of the decision making process, along with a range of other available information and evidence. Depending on the nature of the consultation exercise the responses received may:

- indicate the need for policy development or review
- inform the development of a particular policy
- help decisions to be made between alternative policy proposals
- be used to finalise legislation before it is implemented.

Final decisions on the issues under consideration will also take account of a range of other factors, including other available information and research evidence.

While details of particular circumstances described in a response to a consultation exercise may usefully inform the policy process, consultation exercises cannot address individual concerns and comments, which should be directed to the relevant public body.



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ISBN: 978-1-78256-753-0 (web only)

The Scottish Government
St Andrew's House
Edinburgh
EH1 3DG

Produced for the Scottish Government by APS Group Scotland
DPPAS14369 (07/13)

Published by the Scottish Government, July 2013

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Amending the Schools (Consultation) (Scotland) Act 2010

RESPONDENT INFORMATION FORM

Please Note this form **must** be returned with your response to ensure that we handle your response appropriately



1. Name/Organisation

Organisation Name

Children's Services, Shetland Islands Council

Title Mr ☐ Ms ☐ Mrs ☒ Miss ☐ Dr ☐ **Please tick as appropriate**

Surname

Budge

Forename

Helen

2. Postal Address

Hayfield House

Hayfield Lane

Lerwick

Shetland Islands

Postcode ZE1 0QD

Phone 01595 744064

Email

Helen.budge@shetland.gov.uk

3. Permissions - I am responding as...

Individual

☐

/

Group/Organisation

☐

Please tick as appropriate

- (a) Do you agree to your response being made available to the public (in Scottish Government library and/or on the Scottish Government web site)?

Please tick as appropriate

☐ Yes ☐ No

- (b) Where confidentiality is not requested, we will make your responses available to the public on the following basis

Please tick ONE of the following boxes

- (c) The name and address of your organisation **will be** made available to the public (in the Scottish Government library and/or on the Scottish Government web site).

Are you content for your **response** to be made available?

Please tick as appropriate

☐ Yes ☐ No

Yes, make my response,
name and address all
available ☐

or

Yes, make my response
available, but not my
name and address ☐

or

Yes, make my response
and name available, but
not my address ☐

- (d)** We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

Please tick as appropriate

☐ **Yes**

☐ **No**

Consultation Questions

Q1. Do you support clarifying the presumption against closure of rural schools by stating it in legislation by means of an amendment to the 2010 Act?

Yes ☒ No ☐ Don't know ☐

Do you have any comments?

There still has to be the ability for Rural Local Authorities to consider closure for educational reasons. Clarity for all involved.

Q2. Do you support amending the 2010 Act to make it clear that relevant financial information should be included in a school closure consultation?

Yes ☒ No ☐ Don't know ☐

Do you have any comments?

Clear and transparent consultation. It is important that the communities understand the financial information, so we welcome clear guidance and a template that can be used which is understood by all.

Q3A. Do you support giving Education Scotland a more sustained role in a school closure proposal?

Yes ☒ No ☐ Don't know ☐

Do you have any comments?

As there may be emerging circumstances, it would be better for it to be a memorandum of understanding than legislation. This is due to the timescales involved for changes through legislation. The basis is in legislation already and we have found Education Scotland's input to be very helpful in our process.

Q3B. If so, would you prefer Education Scotland's role to be clarified through legislation or a Memorandum of Understanding?

Legislation ☐ Memorandum of Understanding ☒ Don't know ☐

Q4. Do you support amending the 2010 Act to provide clarity regarding Ministers' role in considering both the process and merits of the closure proposal?

Yes ☒ No ☐ Don't know ☐

Do you have any comments?

Q5A. Do you agree that the criteria specified in paragraph 5.6 are appropriate as a dispute resolution process under the 2010 Act?

Yes ☐ No ☒ Don't know ☐

If not, what criteria would you support?

I think arbitration would not be successful as a means to reach agreement between parties.

Q5B. Do you support replacing the current Ministerial determination of school closure proposals that have been called in with an independent referral mechanism such as arbitration?

Yes ☒ No ☐ Don't know ☐

If not, what other options for dispute resolution would you suggest?

If there were to be an independent referral mechanism then these would be important. It is our experience that there are very strong views in communities, due to the emotions attached to the place of a school in a community.

Q6A. Do you support a five year moratorium between closure proposals for the same school?

Yes ☒ No ☐ Don't know ☐

Do you have any comments?

I think it is important to have a clause which refers to a significant, relevant change. This should include any change to a Local Authority's resources. This should not be applied retrospectively but from when legislation is implemented.

Q6B. If so, would you prefer this provision to be made in guidance or legislation?

Guidance ☒ Legislation ☐ Don't know ☐

Please send this form to schoolestates@scotland.gsi.gov.uk or

School Infrastructure Unit, Area 2-A South, Victoria Quay, Edinburgh EH6 6QQ

Email is preferred, if possible, and if you use email it is not necessary to send an additional copy by post.

If you have any queries, please contact Lucy Carmichael on 0131 244 0373 or using the email address above.

**Education and Families Committee****7 August 2013****Shetland Child Protection Committee: Annual Report and Business Plan****CS-36-13-F****Report Presented by Director of Children's Services****Children's Services****1.0 Summary**

- 1.1 This report presents to Education and Families Committee details of the work of Shetland Child Protection Committee for the period April 2012 to March 2013, as set out in its Annual Report for 2012-13.
- 1.2 The Annual Report was discussed and agreed by Child Protection Committee members on 24 April 2013. It was then presented to Chief Officers (Chief Executive of NHS Shetland, Chief Executive of Shetland Islands Council and Chief Inspector Police Scotland Shetland Area Command) on 9 May 2013 who supported and endorsed it. Chief Officers instructed that it be presented, with their endorsement, to the relevant Shetland Islands Council committee and NHS Shetland Board, to give these bodies the opportunity to make any further comments. Once this process is complete, Chief Officers will sign off the Annual Report.
- 1.3 The Annual Report will be lodged with the Scottish Government and placed in the public domain. This Report sets out some of the main matters covered in the full and detailed Annual Report, which can be access via the link:

<http://www.childprotectionshetland.com/assets/files/CPC%202012-13%20Annual%20Report%20v6.pdf>
- 1.4 A hard copy is available in the Members' room or from Children's Services.

2.0 Decision Required

- 2.1 The Education and Families Committee is asked to endorse the Annual Report and Business Plan, as part of its scrutiny role under the approved Planning and Performance Management Framework.

3.0 Detail

- 3.1 Shetland Child Protection Committee is an inter-agency body constituted under the National Guidance for Child Protection Scotland issued by Scottish Government in 2010. The Shetland Child Protection Committee works to a constitution agreed by Chief Officers and last updated in May 2012.
- 3.2 This requires statutory agencies and the voluntary sector, including Shetland Islands Council to work closely together in seeking to promote the protection of children from all forms of abuse and neglect. Shetland Child Protection Committee provides the mechanism for this to happen, with the Annual Report showing how it fulfils each of its specified functions. Whilst Children and Families Social Work and Children's Resources play key roles, the guidance provides additional information on the role in child protection expected of a wide variety of professionals. This includes services working primarily with adults as well as those working with children.
- 3.3 Other local authority services with a specified role include criminal justice, adult support services, schools, housing, sports and leisure services. In Shetland the relevant services are all represented on the Child Protection Committee and/or its constituent Sub-Committees.
- 3.4 The National Guidance also provides that, 'The local authority should ensure that staff across all services know who to contact if they have concerns about a child.' Additionally the National Guidance gives Child Protection Committees the responsibility of publicising information about child protection and helping everyone in the community to know what to do to protect children
- 3.5 The Child Protection Committee's Annual Report makes it clear that its core child protection work is undertaken within a broader safeguarding context, other aspects of which are overseen through integrated Children's Services Planning arrangements. Safeguarding includes helping families before problems escalate, taking action to protect children and young people when they may be at risk from abuse and neglect, and meeting their needs to enable them to go on to lead fulfilling lives. Additionally, links are being built with adult protection and the management of sex offenders through Multi Agency Public Protection Arrangements to move forward on the public protection agenda for Shetland.
- 3.6 Support to families experiencing difficulties is coordinated through Getting it Right for Every Child – a system of interagency working that intervenes before concerns reach the level of significant harm. This

system in Shetland is currently being strengthened and improved following the findings of the 2012 Care Inspectorate Report into Child Protection Services in Shetland. Meeting the needs of children and young people who have had adverse experiences also links with the Council's Corporate Parenting Policy in respect of its Looked After children and young people.

3.7 Appendix 3 of the Annual Report, Business Plan for April 2012 – March 2013 (the Child Protection Inspection Priority Improvement Plan) gives details of progress made on actions resulting from the Care Inspectorate's inspection in 2011 (report published January 2012). The few actions still to be completed have been carried forward to the Business Plan for April 2013 – March 2014, which can be seen at Appendix 4. Two Link Inspectors from Care Inspectorate Scotland visited Shetland in February 2013 to discuss progress and offer support following the inspection in 2011 of inter-agency child protection services. Inspectors met with various groups, including the Shetland Partnership Board, Chief Officers Group, Child Protection Committee and members of children's services planning. In addition, the opportunity was taken for the inspectors to work with an inter-agency team of professionals on a new tool for use in case audit work. The inspectors have provided a letter of assurance that indicates that they were encouraged to see the progress made since the inspection in 2011 and that work was progressing well.

3.8 Key achievements during the year were:

- Chief Officers improving their scrutiny, support and challenge to the Shetland Child Protection Committee and child protection services.
- A better focus on self-evaluation and quality assurance by conducting case reviews, sharing good practice and agreeing an overarching policy on self-evaluation.
- Providing comprehensive good quality training, including training about the safe use of the internet.
- Improving publicity about child protection.
- Improved information available on the Child Protection Committee's website (www.childprotectionsketland.com) – particularly for community groups.
- Updated inter-agency procedures issued in August 2012.
- More streamlined strategic planning – linking more effectively with Shetland Community Planning Partnership and Children's Services' planning.

3.9 Despite fluctuations from year to year owing to the comparatively low population, it remains the case that a similar proportion of children and young people in Shetland are known to be at risk of abuse and neglect as elsewhere in Scotland. Whilst the longer term aim must be to reduce the numbers, by early identification and support, we cannot be confident yet that we are picking up on all children who need our help,

and it is important that people continue to refer in their concerns to the agencies that can help.

- 3.10 Children whose names are placed on the child protection register following an interagency child protection case conference will have experienced or are at risk of experiencing significant harm, such as physical injury, physical neglect, emotional abuse and/or sexual abuse and there is serious doubt about the parents' capacity to protect their children or care for them better. Additionally for the first time Shetland Child Protection Committee has gathered information about other concerns, such as parental alcohol and parental drug misuse and this is presented in Appendix 5 of the Annual Report. The consequences for children can be very serious, and all partner agencies are committed to continuous improvement based on lessons from practice locally and elsewhere.
- 3.11 The work done by child protection professionals across all agencies, but particularly in the Children and Families Social Work team, Children's Services, is amongst the most demanding undertaken by staff in Shetland. It is vital that they are well supported and have access to high quality professional supervision by appropriately qualified and experienced managers.
- 3.12 It is also appropriate that Members have a good understanding of child protection and the work that staff who are employed by Shetland Island Council do to investigate the circumstances of and safeguard children at risk.

4.0 Implications

Strategic

- 4.1 Delivery On Corporate Priorities – Shetland Islands Council has endorsed, through the Community Plan and Single Outcome Agreement, the national priority outcome to, 'improve the life chances for children, young people and families at risk'.
- 4.2 Community /Stakeholder Issues – NONE
- 4.3 Policy And/Or Delegated Authority – In accordance with Section 2.3.1 of the Council's Scheme of Administration and Delegations, the Education and Families Committee has delegated authority to make decisions on matters within its functional areas in accordance with the policies of the Council, and the relevant provisions in its approved revenue and capital budgets.
- 4.4 Risk Management – This report presents an assessment of the work undertaken to address one of the key community safety risks, namely keeping children and young people safe from harm. There are no specific risks associated with reporting the Annual Report of the Child Protection Committee.

4.5 Equalities, Health And Human Rights – NONE

4.6 Environmental – NONE

Resources

4.7 Financial – There are no direct financial implications arising from this report.

4.8 Legal – NONE

4.9 Human Resources – NONE

4.10 Assets And Property – NONE

5.0 Conclusions

5.1 This report presents to the Education and Families Committee details of the work of Shetland Child Protection Committee for the period April 2012 to March 2013, as set out in its Annual Report for 2012-13.

For further information please contact:

Helen Budge, Director of Children's Services

Tel: 01595 74 4064. E-mail: helen.budge@shetland.gov.uk

Report finalised - 18 July 2013

List of Appendices

None

Background documents:

<http://www.childprotectionsketland.com>

<http://www.childprotectionsketland.com/assets/files/CPC%202012-13%20Annual%20Report%20v6.pdf>

END

**Education and Families Committee****07 August 2013****Community Minibus Service Review**

Report No: DV027-F

Report Presented by: Director**Development Services****1. Summary**

- 1.1 The purpose of this report is to present proposals for the transfer of the Community Bus Service.
- 1.2 The Community Planning and Development Service has carried out a review of the Community Minibus Service and developed a plan aimed at removing the cost of the service to the Council and empowering communities by offering them the opportunity to develop community transport solutions.

2. Decision Required

- 2.1 That the Education and Families Committee recommend that the Executive Committee RESOLVE to:
 - (a) give approval to the Community Planning and Development Service to begin the process of transferring up to 3 Community Minibuses to community groups in Shetland: and
 - (b) approve the transfer of the minibuses for a nominal value (see paragraph 6.4).

3. Detail

- 3.1 The Community Minibus Service provides a means of transport for educational and community purposes to groups throughout Shetland.
- 3.2 Shetland Islands Council is the only local authority in Scotland to offer a service of this kind.

- 3.3 The Service is bookable through the Community Planning and Development Service and is currently based on a mileage charge of 90 pence per mile.
- 3.4 The Community Minibus Service was until October 2012 spread across three different vehicles in three distinct Geographical locations; namely, North (Brae), Central & Westside (Lerwick) and South (Sandwick). In October 2012, however, the Council was forced to move all three minibuses to be based in Lerwick (at the Islesburgh Community Centre) in order to comply with insurance regulations.
- 3.5 Even prior to this relocation the Community Planning and Development Service had decided to review the service as in its current state it is costly for the Council to operate (see Table 1) and usage is limited (see Table 2).
- 3.6 The current usage pattern is dominated by the buses being used for educational purposes by Children's Services and not by groups in the community (see Table 3).
- 3.7 Furthermore, there is a significant replacement cost to the Council associated with the minibuses of £135,000, payable approximately every 5 years in order to keep the service running.
- 3.8 These factors, along with the minibuses now being more constrained geographically, have led to the Community Planning and Development Service developing a plan to transfer the minibuses as assets to Community Groups in order to remove the cost to the Council and improve the availability of the service.
- 3.9 There are already a number of community-run minibus services operating in Shetland (in Whalsay, Fetlar, Burra and Trondra) and these can provide a useful precedent for how new community transport services may be established following a transfer of Community Minibuses.

Table 1: Annual costs of the service to SIC

	2013/13 Actuals	2013/14 Budget
Maintenance (2012/13)	£7,694	£6,716
Fuel	£3,919	£13,704
Tyres	£0	£360
Licence	£550	£800
MIDAS Training	£6,270	£7,000
MOT	£179	£0
Insurance	£1,004	£1,057
Community Transport Grants	£2,637	£4,500
Vehicle Rental Income (external and internal)	-£11,505	-£11,000
Total cost pa	£10,748	£23,137

Table 2: Indicative usage statistics for the service

MINIBUS	Central/Westside MX56 XCH	South SV05 YTW*	North SV08 FRO
Total usage 2012/13	166	72	75
Monthly Average	14	6	6.25
Total Mileage 2012/13	5005	3704	4022
Monthly Average	417	308	335

***NB:** SV05 YTW has been retired since the beginning of this review and replaced by a newer minibus.

Table 3: Usage by SIC Children's Services

MINIBUS	Central/Westside MX56 XCH	South SV05 YTW*	North SV08 FRO
Total hires by Children's Services	117	49	41
% of total	70%	68%	55%

***NB:** SV05 YTW has been retired since the beginning of this review and replaced by a newer minibus.

- 3.10 The proposal would be that the asset transfer process by which Community Minibuses may be transferred to approved community groups begins with advertising locally for expressions of interest, and will be based on sound, sustainable business plans.
- 3.11 It is proposed that the transfer of the minibuses will be for a nominal value that reflects the age of the minibus and the added-value of the community transport capacity the minibuses will offer.
- 3.12 The Committee is asked to note that, should no expressions of interest be received (or none of sufficient quality), the service will not change without a further report.

4. Children's Services Contingency

- 4.1 There was a clear need to consult with colleagues in Children's Services as part of the review process, given that they are the dominant users of the services.
- 4.2 Children's Services primarily use the Community Minibus in support of schools' Additional Support Needs (ASN) provision; as such, a response was requested in relation to the review and its potential impact on ASN.
- 4.3 The response is detailed in Appendix 1.

- 4.4 The review has noted the preferred options and concerns with regard to ASN provision. A transfer to Community Groups offers the best prospect for continued provision that is still available for ASN purposes; however, in the event that this provision was not available, it is clear that other options remain for Children's Services to access suitable transport.

5. Transfer Process

- 5.1 If the Committee approve the recommendation in this report, community groups will be invited to express interest in taking on a minibus for a nominal value dependent on the age of the minibus. Those groups that register interest will then receive information on the current costs of running the service, details of Shetland's other community-run transport schemes (including costs) and a template business plan to complete and return. The template business plan is detailed in Appendix 2.
- 5.2 At this point, the business plans will be reviewed by a short life working group consisting of staff from Community Planning and Development, Children's Services and the Fleet Management Unit to assess their viability and sustainability.
- 5.3 Successful groups will then be approached to arrange the safe and legal transfer of the minibuses to their stewardship; it is anticipated, following an initial 'sounding out' of community groups, that there will be applications of sufficient quality from a similar range of geographical areas as were covered by the service previously to ensure equity of access as far as possible across Shetland.
- 5.4 The minibuses offer the potential to add a great deal of value to communities if they are transferred in terms of both income and transport provision. To reflect this, the review recommends that a nominal value is applied to each minibus for the transfer to community groups. The nominal values proposed are: £500 for buses greater than 5 years old; and, £750 for buses less than 5 years old.

6. Implications

Strategic

6.1 Delivery On Corporate Priorities

- 6.1.1 The recommendation outlined in this report will help to deliver the Council's priorities for building capacity in Communities. Reference: Our Corporate Plan 2013-17 – Helping build a healthy economy and strong communities – We know we can't take direct action the way we used to, but we will work with businesses and communities to help the Shetland economy to be as strong as possible, to expand wherever possible and to encourage existing and new businesses in all parts of Shetland; Working with all our partners to achieve the best results possible – We will work closely with individuals, communities and partners in the public, private and voluntary sectors to generate ideas, solve problems and meet challenges. By doing so, we can be more effective and achieve much more.

6.2 Community/Stakeholder Issues

- 6.2.1 Children's Services have been consulted as the dominant users of the current service, their concerns and suggestions have been noted by the review (see section 5 and Appendix 1).
- 6.2.2 The Council's Community Work Team has also 'sounded out' community groups in different areas of Shetland and it is anticipated that a number of expressions of interest will be received should approval for transfer be received.

6.3 Policy And/Or Delegated Authority

- 6.3.1 The Community Minibus Service was originally set up under the auspices of the former Leisure and Recreation Department. Children's Services are currently the dominant users of the service.
- 6.3.2 In terms of Section 2.3.1 of the Councils Scheme of Administration and Delegations, all matters relating to children and young people come under the remit of the Education and Families Committee. The Education and Families Committee is responsible for advising the Executive Committee regarding the development of service objectives, policies and plans for service areas within its functional areas.

6.4 Risk Management

- 6.4.1 There is a risk associated with a lack of suitable business plans being received to proceed with transfer, or indeed, no expressions of interest being received. The Community Work Team has already received some interest in the possibility from community groups, which offers some reassurance that a range of formal expressions of interest will be received.
- 6.4.2 There is a potentially greater risk, however, associated with the ongoing cost to the Council of the service; particularly the cost of replacing minibuses, which represents a significant outlay approximately every 5 years. In the current financial climate, these costs are a material risk to both the Community Planning and Development Service and the Council as a whole.
- 6.4.3 In the event of no suitable business plans being received for the minibuses to be transferred, no changes will be made to the service without returning to Committee.

6.5 Equalities, Health And Human Rights

- 6.5.1 There are no differential impacts on groups with protected characteristics from transferring the Community Minibus service. In fact the transfer may offer benefits to some groups by improving the accessibility of the service.
- 6.5.2 There are no negative health impacts associated with the proposal.

6.5.3 There are no Human Rights implications associated with the proposal.

6.6 Environmental

6.6.1 Transferring the Community Minibus service to community groups represents a more environmentally friendly means of removing the ongoing cost of the service to the Council than scrapping the buses or disposing of them in some other way.

6.6.2 Transferring the minibuses to community groups will also lead to a reduction in the Council fleet's carbon emissions.

6.7 Financial

6.7.1 Table 1 shows that the cost of the community minibus service to the Community Planning and Development Service was £10,748 in 2012/13.

6.7.2 This figure will be saved along with the replacement cost of approximately £135,000 payable by the Council roughly every 5 years.

6.8 Legal

6.8.1 Legal input is required to ensure that transfer of the minibuses is legal and that both SIC and Community Groups do not incur liability.

6.9 Human Resources

6.9.1 There are no staffing implications associated with the proposed transfer of Community Minibuses to community groups.

6.10 Assets and Property

6.10.1 This report covers the transfer of the community minibuses as Council assets.

7. **Conclusions**

7.1 The report recommends that a nominal value is applied to each minibus for the transfer to community groups. The nominal values proposed are: £500 for buses greater than 5 years old; and, £750 for buses less than 5 years old. The nominal values reflect the ages of the minibuses and also represent an amount that should be affordable to a range of community groups. It was felt that these values would generate serious and well thought-out proposals whilst not being so prohibitively expensive as to limit the viability of the transfer to only a very limited number of groups. The total current market value for all three buses is £20,600 which would result in a loss of £18,600 capital receipts to the council if the buses were transferred for a nominal value.

- 7.2 Although there will be a loss in capital receipts, the cessation of this service will deliver ongoing annual savings of £23,137 which will help to ensure that the service meets its budget and will contribute to the overall delivery of the Medium Term Financial Plan. The Council will also save on the replacement cost of the vehicles which is approximately £135,000 every 5 years.
- 7.3 This proposal will lead to a Best Value Outcome for the Council as the £18,600 loss on the assets will facilitate the continuation of this community service, which in turn will deliver annual recurring savings of £23,137 per year. It is important that any community group that seeks to take over this service is fully aware that there will be no future financial support for this service, either for revenue costs or capital costs that will eventually arise as a result of the need to replace old vehicles.

For further information please contact:

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24 July 2013

List of Appendices

Appendix 1 – ASN response to Community Minibus draft proposals

Appendix 2 – Business plan template for community groups

END

ASN Response to Community Minibus draft proposals

Additional background information on statistics

- Anderson High School ASN department Gressy Loan make use of the minibus three times a week to travel to Clickimin. This accounts for many of the journeys made. In view of the building of the new school at this site, the requirement for this travel will cease when the new school opens.
- Other schools are making occasional use of the community mini-buses
- It is possible that the separate ASN departments at both Anderson High School and Bells Brae may have some capacity in their budgets for additional minibus hire.
- Fund-raising activities might be used to support trips for pupils from the ASN departments, as already happens in some Shetland schools, or put existing additional fund-raising monies already allocated to both ASN departments towards travel.

Preferred options:

- The minibuses to be offered and transferred as a community asset to local community groups. There would be an opportunity to hire them back to ASN provisions and other schools and groups. This would create a situation where there was no change to the provision, although there may be a possible rise in cost from the current 90p a mile. The community groups to whom transfer might be made if requested could include other groups, for example, individual schools, Parent Teaching Associations/Parent Councils or voluntary organisations.
- Schools in Lerwick to make more use of existing infrastructure and taxis for local travel, if minibuses were not available. Current hire for a 6 seater taxi from AHS to Clickimin is between £5 - £6. A local firm currently charges £96 per day plus fuel for a day's hire of a self-drive minibus that could be used for journeys outwith the town.
- Parent Teacher Associations/Parent Councils might consider raising funds for their own school minibus, perhaps investigating sponsorship. The minibus could be hired to other groups in order to fund running costs.
- If the community minibuses were not available, this might promote use of other facilities within walking distance, particularly in Lerwick, and use of alternative options with a view to health improvement, increased risk benefits and improved social skills.

Concerns

- Whoever takes on the running of the minibuses will need to ensure their continuing road-worthiness, and have appropriate insurance and indemnities to cover their continuing use. The cost of this may make this option unviable.

Business Plan Template for Community Groups

Community Minibus Asset Transfer – Business Plan

1. Name of organisation:
2. Main Contact Name:
3. Position within organisation:
4. Address for correspondence:

Tel No Home:

Mobile:

Email address:

5. What type of organisation are you? (e.g. Community Council, Community Development Company, Community Group, Voluntary Organisation, Sports Club etc.)
6. How long has your group existed? ___ Years ___ Months
7. Are you a constituted group? Yes/No
8. Please briefly describe the main activities of your organisation:
9. Do you have a bank account? Yes/No
10. How many people have to sign a cheque or withdrawal from this account:

11. Has this plan been approved by a committee decision: Yes/No
12. Office Bearers:
Please provide details of your organisations main office bearers:

Name	Position in organisati on	Address

13. How many Members or volunteers are connected with your organisation?

14. Please describe your operational plans for a Community Minibus service: -
(Include details of you proposed charging scheme, your proposed maintenance regime, your vehicle storage arrangements, any proposed driver training and outline how groups can book the minibus through your organisation - maximum 400 words).
15. Please describe how you would make the service accessible to as wide a range of users in your community as possible:
(Include details of existing user groups you have already identified, the geographical area you intend to cover, how you will market your community minibus service and how you will ensure that the minibus is accessible to groups and individuals in your area - maximum 400 words).
16. Please outline below your vision for community transport in your area:
(Include details of integrating the community minibus with other transport elements/networks, plans for the future and sustainability – maximum 400 words)
17. Financial Position
Please provide details in the table below of your organisation's financial position at year end for the last 3 years, starting with your most recent annual accounts:

Financial Year	Income	Expenditure	Net

18. Certification
I endorse this plan and confirm it has been authorised by the organisation named in Question 1:

Signature (main contact from Question 2)	
Name	
Position	
Date	
Home tel no	Mobile no

This plan must be countersigned by an authorised representative of your organisation: (e.g.: Treasurer, Secretary, Chair) other than the main contact above:

Signature (second signatory)	
Name	
Position	
Date	
Home Tel No:	Mobile No: