



MINUTES

B - Public

Education and Families Committee
Council Chamber, Town Hall, Lerwick
Wednesday 11 September 2013 at 10.00am

Present:

Councillors:

| | |
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| V Wishart | G Smith |
| P Campbell | G Cleaver |
| B Fox | A Manson |
| G Robinson | D Sandison |
| M Stout | |

Religious Representatives:

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| R MacKay | M Tregonning |
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Also:

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| M Burgess | A Cooper |
| S Coutts | T Smith |

Apologies:

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|-------------|-------------|
| T Macintyre | F Robertson |
|-------------|-------------|

In Attendance:

H Budge, Director of Children's Services
N Grant, Director of Development Services
A Edwards, Executive Manager – Quality Improvement
J Gray, Executive Manager – Finance
C Horrix, Executive Manager – Early Years & ASN
J Riise, Executive Manager – Governance & Law
V Simpson, Executive Manager – Community Planning & Development
S Thompson, Executive Manager - Schools
K Adam, Solicitor
C Anderson, Senior Communications Officer
J Thomason, Management Accountant
S Laurenson, Consultant Advisor
L Geddes, Committee Officer

Also:

Professor D McLeod, Centre for Inclusion and Equality

Chairperson

Ms Wishart, Chair of the Committee, presided.

Circular

The circular calling the meeting was held as read.

Declarations of Interest

None

Minutes

The Committee approved the minutes of the meeting held on 7 August 2013, on the motion of Mr G Smith, seconded by Mr Sandison.

34/13

Review Report on the Provision for Pupils with Additional Support Needs

The Committee considered a report by the Director of Children's Services (Report No: CS-45-13-F), which presented the outcome of the Review of Provision for Pupils with Additional Support Needs (ASN) carried out by Professor Donnie McLeod from the Centre for Inclusion and Equality.

The Executive Manager – Quality Improvement summarised the main terms of the report, outlining the background to, and the scope of, the review that had been carried out. She went on to introduce Professor Donnie McLeod from the Centre of Inclusion and Equality, who had carried out similar reviews in other areas and had a long association with Shetland schools.

Professor McLeod thanked all those who had participated in his study and went on to outline the findings. He said that it was important to emphasise the strengths locally, and that the Council was in a position of considerable strength in terms of meeting additional support needs. However a number of issues had been apparent, the most significant being that there needed to be consistency and coherence in management arrangements and models used to approach the provision of support so that children and young people were receiving an equitable experience. Therefore he recommended that the local authority should focus on putting in place arrangements which would help secure consistency and coherence, and drive forward models which anticipated the needs of children and families by enhancing the capacity of services and schools to meet these needs. This was a fundamental entitlement which, in his view, would be best achieved by focusing on anticipatory models and early intervention. There were traces of reactive models locally, and these tended to end up with casualties in the longer-term. In schools, it was important to ensure that the curriculum was appropriate and planned with diversity in mind, and the Curriculum for Excellence provided a context in which to be more creative in enhancing opportunities. His recommendations, fed into an action plan, should help contribute to sustained development over a number of years.

Professor McLeod then went on to answer questions from Members, and Members noted the following:

- Some work had already been carried out regarding accreditation of schools and services in line with the Council's policy on inclusion. However a commitment was required to support schools in developing various policies and strategies to become Dyslexia Friendly/ Autism Friendly Schools, for example, and a number of changes would be required to meet and maintain these standards.
- The establishment of a single gateway for ASN referrals was recommended. There was evidence of elements of duplication locally, and streamlining arrangements would help ensure that resources were managed more effectively.
- There was always a balance between supporting and challenging with the provision of ASN services. If the focus was only on models which supported and

protected children, they would not grow, thrive and develop a measure of independence. It was important to consider whether there was any evidence of the development of a culture of dependency, where children and the adults working with them were becoming dependent on particular individuals or a single service. This model would not promote growth and independence. Adults engaging with children with ASN should be supported in learning the skills required to deal with a diversity of needs, and the curriculum should enable these children to develop, thrive and move towards increasing independence.

- The Council should seize the opportunity to review its structures at this time of potential significant changes to the school estate and the curriculum. It was an ideal opportunity to considering some of the changes that require to be built into the fabric of provision, to consider the location of services to provide a focal point, and to revisit the way in which current structures enable or get in the way of creative curriculum planning. Implementation of the recommendations at this time of significant change would help them become embedded in any new structures,
- Securing positive destinations for children and young people, particularly for those at risk of becoming disaffected, should be closely monitored. If not addressed early by creative planning, it was not good for communities and would be potentially more expensive for the local authority. The kind of work carried out by youth development workers could help avoid this cost to the community in the longer term, so there should be a focus on early intervention.
- There were opportunities to address needs more effectively by exploiting the use of technology, and it was suggested that a strategy and action plan should be developed to address this.
- When assessments of needs were being carried out, it was vital to have consistent quality assurance arrangements in place and to ensure that proper consultation has been carried out in order to make sure that needs were being addressed, and problems were not being created where they did not exist.
- It was recommended that Getting It Right for Every Child (GIRFEC) principles should be embedded in planning for children and young people. This involved multi-agency planning, so other agencies would have a role to play in ensuring effective provision.
- It was incumbent on every school to address the key legislative requirements in place regarding equalities, inclusion and accessibility, and to ensure that staff were trained and kept up to date on these requirements. Teachers were required to have a working knowledge of the legal framework within which they worked.
- There was evidence of a lot of good practice locally, and many committed staff were doing a good job. However the Council was spending considerable sums of money meeting needs to a significant extent. So there was a need to address these weaknesses and to change structures and arrangements so that management planning was more robust, and there was a coherent framework for the provision of frontline services.

- Class teachers were responsible for each child in their class and had a professional duty to plan with all these children in mind. However teachers would need support in meeting some children's needs, and there would be times when one-to-one support was required. It was the teacher's job, through CPD, to develop an understanding of the needs of the child and the implications for the way they taught. The Council would have to consider if it was equipping teachers to acquire these skills through CPD, and whether this CPD should continue to be optional.

In response to a query, the Executive Manager – Early Years and ASN advised that there were different ways of recording ASN figures across local authorities and work was currently being undertaken that would ensure that this was consistent across all areas. It was also difficult to define and measure ASN as there were many different categories it could be applied to. Locally 44 pupils out of the school population of around 3,240 required a co-ordinated support plan. The SEEMIS statistics indicated that across all different categories of ASN, 448 pupils had additional support needs, although this figure did not necessarily relate to pupils in school requiring auxiliary support. The number of pupils requiring a high level of intervention was 85, and 156 required a moderate level of intervention.

It was suggested that it would be useful, in order to assist Members in future deliberations, to have figures available relating to the overall numbers of children requiring intervention at various levels. The Director of Children's Services undertook to supply a briefing paper to Members with that information.

Ms Wishart moved that the Committee approve the recommendation in the report, and Mr Sandison seconded.

The Chair thanked Professor McLeod for attending the meeting.

Decision:

The Committee **RECOMMENDED** that the Council resolve to:

- note the recommendations made by Professor McLeod in section 6 of the Review Report
- agree that an action plan be developed which addresses the recommendations in the Review Report, and that this action plan comes back to Education and Families Committee for agreement; thereafter progress will be monitored through Shetland Islands Council's quarterly Performance Review mechanism
- note any financial implications arising from implementing the agreed action plan will be met from within the target budget agreed for Children's Services in the Medium Term Financial Plan 2013-18.

35/13

Blueprint for Education: The Next Steps – A Strategy for Secondary Education in Shetland

The Committee considered a report by the Director of Children's Services (Report No: CS-43-13-F), which presented the proposed next steps for the Council's Blueprint for Education, a strategy for secondary education in Shetland.

The Director of Children's Services explained that the report had been written before responses had been received from the informal consultation carried out.

Committee members had been provided with information on all the responses received, and these responses had raised a number of issues

Ms Wishart said that she wished to acknowledge the work that had gone into producing the report. It was a priority for everyone to find ways of delivering the best education possible for all pupils in Shetland, and it was important that the Director of Children's Services was allowed to explore the issues that had been raised. Therefore, and after consultation with the Vice Chair, she considered that it would be appropriate to move that the Committee recommend that the Council resolve to postpone a decision on the proposed revisions to the Education Blueprint regarding Whalsay School Secondary Department, Mid Yell Junior High School and Baltasound Junior High School Secondary Department in order to allow alternative options to be investigated.

Mr G Smith seconded.

Ms Wishart advised that the Director of Children's Services would outline the further options to be explored, and the Committee should indicate at this point if they wished any further options to be explored.

The Director of Children's Service advised that the following options would be explored in more detail:

- The extant Blueprint recommendations (including revisiting the motions made last September)
- The "Next Steps" recommendations
- A telepresence driven model, where some teaching time could be replaced by having a teacher transmit lessons to a number of sites
- A hub and spoke model (setting out the options for both one and two hubs)
- Status quo within the Medium Term Financial Plan

She went on to say that questions had also been raised about a federated schools model. Her understanding was that there were legal obstacles relating to that option, but that she would clarify this and, if not, this would be included as another option.

Some contextual information also needed to be developed and presented alongside the above options, and how the Curriculum for Excellence (CfE) would unfold during the senior phase. This included confirmation on the number of senior subjects, and discussion on this would be concluded before the October holidays. The contextual information in respect of the CfE would include the benefits and disadvantages of S1 to S3 schools, S1 to S4 schools and S1 to S6 schools, describing the benefits and disadvantages of each as well as flexibilities, where they exist and can be developed, such as whether S4 leavers could be accommodated within S1 to S3 schools, and whether age and stage could be given precedence over traditional transition points. The issues relating to transitions would be developed, setting out in more detail why they should be avoided or if they could, at times, be beneficial. The financial context would also be set out, including

some comparative facts and figures relating to other local authorities, particularly the other island groups.

The report, to be known as “Strategic Options for Secondary Education in Shetland”, will present each option using the following format:

- Option title
- Description of model
- Informal consultation findings to date
- Advantages of option
- Disadvantages of option
- Identified risks
- Development and implementation costs
- Timeline for implementation

She continued by saying that the timeline for carrying out this work was very tight, and additional support may be required to complete the work in the timeline available, which was as follows:

- 12 September – 1 October: research, information gathering, drafting the detail of options. Whilst this was a considerable piece of work, work had been undertaken on each of the options over previous years.
- 2 October – 6 October – finalising options
- 7 October – 11 October – informal consultation (prior to the October holiday period) with Parent Councils, young people, teachers and teaching unions. Two public meetings will also be held.
- 14 October – 31 October – finalising report for clearance on 31 October
- 13 November – Education and Families Committee meeting
- 11 December – Shetland Islands Council meeting

She concluded by saying that for the sake of clarity, no further work on the Blueprint recommendations for primary schools had been requested.

During the discussion that followed, it was commented that a recent method adopted for consulting with young people had caused some distress. It was requested that an appropriate method for consultation with young people be adopted, and that appropriate material was provided in order to inform them.

The Director of Children’s Services explained that because a lot of schools did not have Parent Councils established on the last occasion, Quality Assurance staff had engaged with these schools regarding consultation. Parental permission had not

been sought on previous occasions that consultation had been carried out, but she would make sure that Head Teachers made parents aware that pupils would be engaged in consultation taking place during 7-11 October.

In response to a query, the Director of Children's Services confirmed that the issue raised by Parent Councils regarding the disproportionate number of principal teachers would also be considered.

Decision:

The Committee **RECOMMENDED** that the Council resolve to postpone a decision on the proposed revisions to the Education Blueprint regarding Whalsay School Secondary Department, Mid Yell Junior High School and Baltasound Junior High School Secondary Department in order to allow the alternative options outlined above to be investigated.

36/13

Blueprint for Education: The Next Steps – Financial Aspects

The Committee considered a report by the Director of Children's Services (Report No: CS-44-13-F), which presented the estimated financial position relating to the Council's Blueprint for Education including the implications of the Blueprint for Education, The Next Steps, being presented today in a separate report.

Ms Wishart moved that a decision on the report be deferred in line with the decision made on the above report.

Mr G Smith seconded.

Decision:

The Committee **RECOMMENDED** that the Council resolve to defer consideration of this report in line with the decision made on the earlier report "Blueprint for Education: The Next Steps – A Strategy for Secondary Education in Shetland".

37/13

Proposed Statutory Consultation for Bressay Primary School and Nursery Department

The Committee considered a report by the Director of Development Services (Report No: CS-46-13-F), which recommended that statutory consultation on the proposed closure of Bressay Primary School and Nursery Department should commence on 23 September 2013.

The Director of Children's Services summarised the main terms of the report. In response to queries, she confirmed that the parents of pre-school children had opted to place them outwith Bressay, so there was currently no nursery provision. 'Mothballing' had been considered as an option for keeping the school open in future, and it had been done in Papa Stour and Fetlar in the past. However the advice received was that there was no legislation attached to 'mothballing', only guidance that the school roll should be zero. Furthermore, there should be no undue pressure on parents to move children. Mothballing could be construed as a pre-cursor to moving to statutory closure, which was not the intention of Children's Services and it was not accepted reasoning that 'mothballing' should be used to reopen schools. She went on to say that it had been suggested at the public meeting that it may be possible to look at retaining the school for future use, and this was something that would be considered during the statutory process.

It was questioned if the placing request system may have been a factor in people sending their children to school in Lerwick.

The Director of Children's Services advised that the Placing Requests Policy had recently been amended and was now more robust. Because no schools were currently full, it would be difficult to refuse requests. However the criteria had been amended to include reference to teacher numbers, so there was more scope to refuse placing requests in future.

Some discussion took place regarding the disposal or otherwise of the school building in the event of the school being closed.

The Director of Children's Services said that during the statutory consultation period, people's views on the proposed uses for the building would have to be taken into consideration. At the end of the consultation process, it would be a decision for Members as to whether to retain or dispose of the school building.

The Executive Manager – Governance and Law added that the Council had a policy in place regarding the disposal of property. It would be a matter for the Committee to decide whether or not it had a use for the property, and make a recommendation to the Executive Committee. The Executive Committee could ask the Council to retain the building for a period of time, and there would be a number of opportunities for Members to be involved in the debate.

In response to a query regarding transport, the Director of Children's Services confirmed that there was no statutory obligation to provide transport for pre-school children but that there was an obligation once children were attending school. If there was a decision to close the school, the catchment area of Bells Brae Primary School would be amended accordingly, so there would be an obligation to provide transport to the receiving school. Therefore all Bressay children would be entitled to transport from Bressay to Bells Brae Primary School. The travel times would fall within the recommended time limits, but the routes had not been considered in detail yet.

It was suggested that the Council had an obligation to try and understand the reasons why this situation had arisen in Bressay, and how Community Work Officers and Economic Development could work together to assist the community in moving forward. It was questioned if childcare provision would be taken into account as part of this.

The Director of Development Services advised that the provision of childcare was something that was being actioned as part of the Single Outcome Agreement. The Director of Children's Services added that the parents who had already taken their children out of the school had advised that childcare was not the reason for doing so.

It was commented that the situation that had arisen in Bressay should serve as a warning for the Council, as the warning signs had been there for some time but no action had been taken.

Ms Wishart moved that the Committee approve the recommendation in the report, and Mr G Smith seconded.

Mr Sandison said that he felt it was important to spend more time fully examining the issues in the community before commencing statutory consultation, particularly as it was closure and not 'mothballing' that was being considered. He was of the

view that a decision should be deferred in order to allow a period of time to explore things with the community and the issues that had been flagged up. He therefore moved, as an amendment, that the report be deferred until the end of the financial year to allow this to take place.

Mr Fox seconded, with the proviso that the timeline suggested be decreased. Mr Sandison said he would be willing to explore an alternative timescale.

The Director of Children's Services outlined the timescales involved in consultation period, explaining that the Scottish Minister had a period of six weeks to call in the consultation and an indeterminate period of time to make a final decision. If it was postponed till next year, there was potential for this to fall in the new school session, and there would only be three pupils by that stage.

Mr G Smith suggested a compromise that an understanding of why the community was not thriving should be fed into the statutory consultation process, and this information would be available to the Committee when they came to make a decision.

The Director of Children's Services suggested that this would fit into timescales if the consultation was delayed by one week to allow more time to set up the community development workshops proposed. As well as educational benefits, other aspects affecting rural communities had to be taken into account. Written responses to the consultation had to be accepted and any issues that arose had to be addressed. The proposal currently being considered by the Community Council could be taken forward as a written response to the consultation, and it would fit into the statutory consultation period if it was dealt with as a written response.

Mr Cleaver gave notice of further amendment.

Mr Sandison, with the consent of his seconder, said he was content to withdraw his amendment as he was content that the issues he was concerned with would be taken up in the statutory process. The Director of Development Services also gave an assurance that his service was working with the community to look at the issues raised.

Ms Wishart, with the consent of her seconder, agreed to amend her motion so that consultation would commence on 30 September rather than 23 September.

Mr Cleaver said that whilst he accepted the reassurances that had been given, he would feel more comfortable if it was embedded into the motion an understanding of the trends that had led to the situation in Bressay, and some suggestions as to ways they could be mitigated and actioned. However this did not receive a seconder.

Decision:

The Committee **RECOMMENDED** that the Council resolve to approve that statutory consultation on the proposed closure of Bressay Primary School and Nursery Department commence on 30 September 2013.

that expenditure incurred and income generated had been delivered within the approved budget, so that timely action could be taken when required to mitigate projected overspends.

The Executive Manager – Finance summarised the main terms of the report, advising that the projected outturn was to be £647,000 overspent on revenue and £349,000 overspent on capital. £300,000 of this projected overspend was due to off-island placements. It was suggested that in future, this should be set against the Council's budget rather than the Service's budget as it was an item that was difficult to predict, and any fluctuation would have a big impact on service budgets.

It was noted that the delay in implementation of the Lerwick Childcare Review had led to a projected overspend. The Director of Children's Services advised that the DLO had been awarded the contract, but had been unable to commence it over the summer due to its commitment to carry out maintenance in schools over the school holidays. It was questioned if it was appropriate to award contracts to the lowest tenderer when they could not carry out the work in time, leading to cost implications due to delays.

The Director of Children's Services undertook to provide a briefing note to Members on this particular contract.

Ms Wishart moved that the Committee approve the recommendation in the report, and Mr Robinson seconded.

Decision:

The Committee:

- Reviewed the Management Accounts showing the projected outturn position at the end of Quarter 1
- Instructed the Director of Children's Services and the Director of Development Services to ensure that the approved budget is achieved by the year-end.

Ms Wishart moved that in order to avoid the disclosure of exempt information, the Committee resolve to exclude the public in terms of the relevant legislation during consideration of the following items of business. Mr Cleaver seconded.

(Members of the public and the media left the meeting)

(The Committee adjourned at 12.30pm and reconvened at 12.35pm)

Mr Sandison advised that he was involved with two community groups that were in receipt of funding from the Council – the Fraser Park Trust and Scalloway Youth Centre Trust. However as the recommendations did not relate to specific requests for funding, he could participate in the following item.

39/13

Community Planning and Development Review

The Committee considered a report by the Director of Development (DV032-F), which presented a service redesign and restructure proposal of the Council's Community Planning and Development (CP&D) Service.

The Director of Development Services summarised the main terms of the report, outlining the background to the review and the new structure and service redesign

proposals proposed to create a more cohesive service which would support community planning structures and processes. The items which came under the remit of this Committee were the evening class programme, outlined in paragraph 5.2 of the report, and remote offices, outlined in paragraph 5.5 of the report.

The Director of Development Services and Executive Manager – Community Planning and Development then responded to questions from Members.

During the discussion that followed, a number of concerns were expressed at some of the proposals regarding community work offices, evening classes, and the potential impact on community groups.

Mr Robinson moved that the recommendations in the report be approved, with the addition that comments made at the meeting were fed onwards to the Council, particularly in relation to evening classes and grants.

Mr Stout seconded.

Mr G Smith asked that his abstention from the recommendations be recorded. He noted that the Committee was restricted to considering the proposals relating to paragraphs 5.2 and 5.5 only, but pointed out that he had particular difficulties with the grant aid proposals. He accordingly did not wish to be recorded as agreeing, as part of this Committee, the grant aid proposals when he personally felt that they were damaging.

Decision:

The Committee:

- considered the service redesign proposals for those functional areas within their remit and informed Council of their views or recommendations
- noted that if additional community consultation is required, a report will be presented back to the Council in two cycles, for a decision on implementation of the service redesign and restructure proposals for Community Planning and Development.

The meeting concluded at 1.20pm.

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Chair