



**Education and Families Committee
Special Shetland Islands Council**

**21 August 2014
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Request to Vary Extended Hours of Provision: Bell's Brae Nursery

CS-18-14-F

**Report Presented by Executive Manager:
Early Years and Additional Support Needs**

Children's Services

1.0 Summary

- 1.1 The purpose of this Report is to seek approval from Education and Families Committee to vary the hours of the existing extended nursery session at Bell's Brae Primary School, following the implementation of 600 hours of Early Learning and Childcare from August 2014.

Six hundred hours of Early Learning and Childcare are one element of the Children and Young People (Scotland) Act 2014.

Bell's Brae Primary School has had an extended nursery session since 2006 following on from a successful pilot project. The rate for extended hours is agreed annually by Council.

2.0 Decision Required

- 2.1 That Education and Families Committee RECOMMENDS that Shetland Islands Council APPROVES:
- a) the new proposed arrangement of hours for the extended session from August 2014 and
 - b) the application of the existing charge on a pro-rata basis.

3.0 Detail

3.1 On 15 June 2006, as a result of a year long pilot, the extended nursery session at Bell's Brae was approved. (Min Ref: SC 35/06).

3.2 Up until 04 July 2014, the Bell's Brae extended nursery session provided 1 hour and 15 minutes additional time to the funded 2 hours 30 minutes session.

Parents pay for this additional time and the charge is set by Shetland Islands Council. For parents utilising this extended session it gave them a total of 3 hours 45 minutes of pre-school education each day.

As a result of the implementation of 600 hours of Early Learning and Childcare all nursery funded sessions will be 3 hours and 10 minutes from August 2014. The proposal for the Bell's Brae extended session from August 2014 is that it will operate for a total of 3 hours 55 minutes each morning, with parents being responsible from now for the payment of what is an additional 45 minutes only.

3.3 Three hours and 55 minutes are proposed as the new total time as, if provision extends beyond 4 hours, then the Care Inspectorate requirements increase considerably. A key aspect of this would be the need to provide and supervise lunch, which would incur additional costs and would have further staffing implications.

4.0 Implications

Strategic

4.1 Delivery On Corporate Priorities

Shetland Single Outcome Agreement 2013

- Shetland is the best place for children and young people to grow up in.

Children's Services Directorate Plan has the following relevant priorities:

- to get it right for every child;

In addition Children's Services Directorate Plan set out the key aims for all its services in 2014-15. The aims relevant to this Proposal are:

- we will deliver the best possible service we can which balances access, opportunities and resources;

Children's Services Schools and Quality Improvement Service Plan 2014/15 outlines the implementation of the additional 125 hours free pre-school provision on page 16.

4.2 Community /Stakeholder Issues – Consultation was carried out in 2013 with existing and prospective parents of pre-school children on the operation of 600 hours in Shetland. Parents using Bell's Brae Primary School nursery have been informed that free entitlement has been

increased to 600 hours. They are aware of the proposed variation to extended hours for 2014/15.

- 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 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. However, as the report proposes a change to the current provision, a decision of the Council is required.
- 4.4 Risk Management – There is a legislative requirement to implement 600 hours of Early Learning and Childcare by August 2014, in line with the Children and Young People (Scotland) Act 2014.
- 4.5 Equalities, Health And Human Rights – None.
- 4.6 Environmental – None.

Resources

- 4.7 Financial – There will be reduced income from the extended session because of the increase in Early Learning and Childcare provision the Council is required to provide. Income generated in 12/13 was £14,058 and in 13/14 £12,921. Some income will continue to be generated and it is estimated that the cost of the additional staffing required to provide the revised extended portion of time will not exceed income generated.
- 4.8 Legal – It is not a requirement to offer these extended hours. There is no legal duty on the Council to offer extended Early Learning and Childcare provision beyond the mandatory 600 hours required by the Children and Young People (Scotland) Act 2014.”
- 4.9 Human Resources – There has been some increase to hours of work for nursery staff because of the increased free entitlement. However, since an extended provision was already in place, the amount agreed is less than that required by other settings in order to meet the new entitlement. Staff have been consulted and staffing arrangements agreed with Human Resources, so that the provision can be ready for the start of term of term on 18 August 2014.
- 4.10 Assets And Property – None

5.0 Conclusions

- 5.1 It is requested that Education and Families Committee recommends to Shetland Islands Council the proposal to allow Children's Services to vary the provision to extended Hours at Bell's Brae nursery from August 2014 and the application of the existing charge on a pro-rata basis.

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Report finalised: 12 August 2014

Appendices

None

Background documents:

Report ED-13-F: Bell's Brae Nursery - Extended Session

<http://www.shetland.gov.uk/coins/submissiondocuments.asp?submissionid=5025>

END



**Education and Families Committee
Special Shetland Islands Council**

**21 August 2014
21 August 2014**

Strategy for Secondary Education in Shetland – Preliminary Requirements	
CS-16-14-F	
Report Presented by Director of Children's Services	Children's Services

1.0 Summary

- 1.1 The purpose of this report is to meet the preliminary requirements of the Schools (Consultation) (Scotland) Act 2010, as amended by the Children and Young People's (Scotland) Act 2014, in relation to a rural school closure proposal.
- 1.2 This new stage in the statutory consultation process came into force on 1 August 2014.

2.0 Decision Required

- 2.1 That the Education and Families Committee RECOMMENDS that the Shetland Islands Council AGREES that:
- Children's Services have met the preliminary requirements in relation to a rural school closure proposal; and
 - Children's Services can proceed to publish proposal papers in accordance with the timetable for statutory consultation within the amended Strategy for Secondary Education in Shetland.

3.0 Detail

- 3.1 On 02 July 2014 Shetland Islands Council agreed an amended Strategy for Secondary Education in Shetland (Min Ref: SIC 52/14). The amended Strategy for Secondary Education in Shetland details a timetable for statutory consultation on the proposed closure or the discontinuation of Secondary 4 provision for Mid Yell Junior High School, Whalsay School, Baltasound Junior High School, Aith Junior High School and Sandwick Junior High School.

- 3.2 On 01 August 2014, changes to the statutory consultation process relating to a rural school closure proposal come into force.
- 3.3 A new stage in the statutory consultation process has been introduced which places a duty on the Council to comply with a set of preliminary requirements before a proposal paper outlining a rural school closure proposal can be published.
- 3.4 The preliminary requirements are that a local authority must:
- Identify the reasons for formulating the rural school closure proposal;
 - Consider whether there are any reasonable alternatives to the proposal as a response to those reasons;
 - Assess for the proposal and each of the alternatives to the proposal, the following:
 - The likely educational benefits;
 - The likely effect on the local community;
 - The likely effect of any different travel arrangements.
 - Determine that the rural school closure proposal is the most appropriate response to the reasons for the proposal.
- 3.5 The preliminary requirements for each of the closure proposals relating to Mid Yell Junior High School, Whalsay School, Baltasound Junior High School, Aith Junior High School and Sandwick Junior High School are set out in Appendix 1 to this report. All of the information contained within Appendix 1 will be familiar to councillors and reflects the approved Amended strategy for Secondary Education.

4.0 Implications

Strategic

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

Shetland Islands Council's Corporate Plan

Within the Key Actions section of the updated Corporate Plan 2014/17 the actions set out in Section 2 – The Best Possible Start for Every Child, relate directly to the delivery of an amended Strategy for Secondary Education:

- we will implement Curriculum for Excellence in accordance with national timescales and milestones;
- we will undertake a number of statutory consultations under the auspices of the Schools Reconfiguration Project.
- by the end of this Plan we will have reconfigured the school estate to provide the best possible service within the resources available.

In addition, the updated Corporate Plan 2014/17 also makes a number of important commitments to the Shetland community as follows. By the end of the term of the updated Corporate Plan 2014/17 we shall have:

- made the decisions we were required to make, and we will have done that properly, on time and with a proper assessment of risk;
- made many, and sometimes radical, changes in how we provide services, and we will have done that through proper consultation with communities and staff;

- demonstrated that we are providing Best Value in all our services, after having had a successful cross-council review from Audit Scotland;
- made sure that in making any changes we have considered and dealt with equalities, health and human rights issues;
- stuck to the Medium Term Financial Plan and be financially strong;
- made further significant savings by reducing the number of buildings we have.

Shetland Single Outcome Agreement 2014-15

- Shetland is the best place for children and young people to grow up in;
- Shetland stays a safe place to live, and we have strong, resilient and supportive communities;
- Shetland has sustainable economic growth with good employment opportunities and our people have the skills to match, good places to stay and the transport people and businesses need;
- We have tackled inequalities by ensuring the needs of the most vulnerable and hard to reach groups are identified and met, and that services are targeted at those most in need;
- We deliver all our services in an environmentally sustainable manner to safeguard and enhance our outstanding environment which underpins all our actions and our economic and social well-being;
- We have financial sustainability and balance within each sector; and a better balance between a dynamic private sector, a strong third sector and efficient and responsive public services.

Children's Services Directorate Plan has the following relevant priorities:

- to get it right for every child;
- to demonstrate effective leadership and clear direction for staff and services;
- to achieve improvement within reduced budgets.

In addition Children's Services Directorate Plan set outs the key aims for all its services in 2014-15. The aims relevant to this Proposal are:

- we will deliver our objectives to ensure Shetland Islands Council's Corporate Plan commitments are met;
- we will deliver the best possible service we can which balances access, opportunities and resources;
- we will provide clear and consistent communication to all staff, customers and partners in order to achieve the Directorate's priorities;
- we will ensure staff feel valued and supported particularly through periods of challenge and change;
- we will deliver our budget requirements within Shetland Islands Council's Medium Term Financial Plan.

4.2 Community /Stakeholder Issues – in accordance with the Schools (Consultation) (Scotland) Act 2010, Children's Services will consult with all relevant stakeholders/consultees. A full community and stakeholder consultation will be held in line with relevant legal requirements when any closure proposal is taken forward.

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 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.

- 4.4 Risk Management – Failure to reduce the net ongoing running costs of the Council carries a significant risk of the Council's financial policies not being adhered to and will require a further draw from Reserves.
- 4.5 Integrated Impact Assessment – Relevant Integrated Impact Assessments were prepared in respect of these options as part of the work to develop the Strategy for Secondary Education presented on 13 November 2013, particularly those which related the Blueprint Extant model and the Next Steps model. An individual Integrated Impact Assessment would be carried on each option for each junior high school as part of the work to prepare a Proposal Paper.

Resources

- 4.6 Financial – The approved 2014-19 Medium Term Financial Plan includes a savings target of £4.673m for Children's Services.

The options, as presented in the Amended Strategy for Secondary Education, offer indicative estimated recurring savings of between £670,000 and £1,828,000.

- 4.7 Legal – Any proposal to close a school, or discontinue a stage of education within a school is a relevant closure proposal, and the Council must comply with the statutory consultation process within the Schools (Consultation) (Scotland) act 2010, as amended by the Children and Young People's Act 2014.
- 4.8 Human Resources – Shetland Islands Council's Human Resource policies will be utilised should any proposed closures, or staffing changes go ahead. Children's Services will ensure that consultation with all staff affected and with Trade Unions will be held following any decisions taken.
- 4.9 Assets And Property – Within our commitments there are implications for assets and property regarding the use of buildings. We will ensure that the future use of school buildings will be part of any statutory consultation process.

5.0 Conclusions

- a) The preliminary requirements set out in this Report is a new stage in the statutory consultation process for a rural school closure proposal. All proposals agreed as part of the amended Strategy for Secondary Education are rural school closure proposals.
- b) The preliminary requirements must be adhered to before the publication of a proposal paper.

For further information please contact:

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List of Appendices

Appendix 1: Preliminary Requirements for Junior High School Closure Proposals

Background documents:

Amended Strategy for Secondary Education:
<http://www.shetland.gov.uk/coins/submissiondocuments.asp?submissionid=16480>

END

1. Schools (Consultation) (Scotland) Act 2010 as Amended by Children and Young People's (Scotland) Act 2014

Report on Preliminary Requirements in Relation to Rural School Closures

1.1 Introduction

The Children and Young People's (Scotland) Act 2014 amended the Schools (Consultation) (Scotland) Act 2010 and introduced a new stage in the statutory consultation process in relation to rural school closures. This new stage requires local authorities to adhere to a set of preliminary requirements prior to the publication of a proposal paper in relation to a rural school closure proposal and came into force on 1 August 2014.

The preliminary requirements are that the local authority must:

- (a) identify the reasons for formulating the rural school closure proposal;
- (b) consider whether there are any reasonable alternatives to the proposal as a response to those reasons;
- (c) assess for the proposal and each of the alternatives to the proposal, the following –
 - The likely educational benefits;
 - The likely effect on the local community;
 - The likely effect of any different travelling arrangements.
- (d) determine that the rural school closure proposal is the most appropriate response to the reasons for the proposal.

1.2 Rural School Closure Proposals

The Amended Strategy for Secondary Education in Shetland agreed at Shetland Islands Council on 2 July 2014 details a timetable for carrying out statutory consultation on the proposed closure or discontinuation of Secondary 4 provision for Mid Yell Junior High School, Whalsay School, Baltasound Junior High School, Aith Junior High School and Sandwick Junior High School.

Any proposal to close a school or discontinue a stage of education within a school is a relevant closure proposal and all of these schools are designated rural schools under the Schools (Consultation) (Scotland) Act 2010. Therefore, the statutory consultation requirements for a rural school closure proposal must be adhered to. This report sets out the information necessary to meet the preliminary requirements stage of the statutory consultation process in relation to a rural school closure proposal and is equally applicable to all five schools unless where otherwise specified.

2. Discontinuation of Secondary 4 and Closure for Each Junior High Secondary Department

2.1 Reasons for formulating the Rural School Closure Proposal

1. Education

The norm for almost all secondary aged children in Scotland is that they would receive all of their secondary education in one establishment from Secondary 1 to Secondary 6. As a result, the secondary stages of Curriculum for Excellence are designed to support this model. This is reflected most clearly in two of the entitlements of all young people within Curriculum for Excellence:

- all young people are entitled to experience a curriculum which is coherent from three to eighteen;
- and all young people are entitled to a Senior Phase.

Children's Services, over recent years, have argued that due to the requirements and entitlements of Curriculum for Excellence, that wherever it is feasible, secondary aged children in Shetland should be educated in a Secondary 1 to Secondary 6 school.

However, it is also accepted that for geographical reasons, access to secondary education Secondary 1 to Secondary 6 in one establishment may not be feasible for all pupils in Shetland and a transition during a young person's secondary education may be unavoidable. Where a transition cannot be avoided, the end of Secondary 3 is the recommended transition time as both the Senior Phase and the secondary element of the Broad General Education would be uninterrupted.

Currently our scheme of junior highs provides secondary education up to the end of Secondary 4, with transfer to the Anderson High School for the commencement of Secondary 5. This current transition point is part way through the Senior Phase, thus interrupting the smooth progression through a coherent Senior Phase which all young people are entitled to. In addition, junior high schools cannot offer the range of courses at all the different levels required to ensure that all young people are always studying and attaining at the highest possible level and are not sitting unnecessary qualifications.

2. Financial

In 2010, the Accounts Commission raised serious concerns regarding the leadership, governance and accountability of Shetland Islands Council, which had given rise to the unsustainable financial position of the Council. In its report the Accounts Commission stated, "The Council faces a challenging financial future. It has agreed budget savings for 2010/11 but has yet to demonstrate how it can sustain its current level of services in future years whilst maintaining its target reserves balance and delivering its capital plans. This will require difficult decisions to be taken and clear and consistent leadership by elected members."

As part of the recommended improvements, the Executive Manager – Finance introduced the Medium Term Financial Plan which was initially approved by Shetland Islands Council in September 2012, and then subsequently updated and approved on 28 August 2013. It was updated again on 2 July 2014. The Medium Term Financial Plan sets out the roadmap for Shetland Islands Council to achieve financial sustainability over the term of this Council and align resources in accordance with the priorities of Councillors.

The Medium Term Financial Plan proposes that the core Council services of Children's Services, Community Care and Transport should be relatively prioritised in line with Members priorities. This is a reflection on the Council's statutory obligations in these areas, the fundamental scale and cost of these services and the Council's political commitment to sustain key front-line services as a priority.

In 2013/14, Children's Services budget was approved at £41.262 million, which equates to 37.8% of the total Shetland Islands Council Directorate budgets. By the end of 2017/18 in the Medium Term Financial Plan the target budget for Children's Services will have reduced to £37.288 million, however the share of the total budget will have increased to 38.46%.

The budget gap for Children's Services over the next three financial years is as follows:

	2015-16	2016-17	2017-18
	£000	£000	£000
Budget Gap	(715)	(1,720)	(761)

In addition to the need to achieve financial sustainability, as detailed above, all public bodies in Scotland have a statutory duty to provide Best Value. The duty of Best Value, as set out in the Scottish Public Finance Manual, is:

- to make arrangements to secure continuous improvement in performance whilst maintaining an appropriate balance between quality and cost; and, in making those arrangements and securing that balance;
- to have regard to economy, efficiency, effectiveness, the equal opportunities requirements and to contribute to the achievement of sustainable development.

Over the last decade Children's Services has conducted a number of reviews and consultations with the key aim of providing an education model for Shetland that is sustainable and ensures best value in the use of public funds. The reviews have seen the following changes to the school estate:

- closure of Scalloway Junior High School Secondary Department (implemented June 2011);
- closure of Uyeasound Primary School (implemented December 2011).

In addition the following decisions have been made that will further change the school estate with effect from 18 August 2014:

- closure of Olnafirth Primary School (agreed October 2013);
- closure of Skerries School Secondary Department (agreed December 2013);
- closure of Bressay Primary School (agreed March 2014).

Children's Services has also implemented change in the following service areas as reasonable alternatives to school closures:

- reducing expenditure on In-Service training;
- reducing numbers of central staff;
- reducing money available for supply teaching cover;
- reducing money available for Continuing Professional Development;
- ending knitting instruction;
- charging for instrumental instruction;
- increasing charges e.g. for school meals;
- reducing operating costs in schools, in respect of resources available for learning materials and equipment ;
- moving to national staffing levels in primary;
- reducing numbers of teaching staff in secondary;
- reducing numbers of Catering and Cleaning staff;
- reducing teacher input in nursery;
- securing more efficient use of resources for children and young people with Additional Support Needs;
- reducing music instruction;
- reducing Parent Council Clerks' honorariums;
- reducing school building maintenance;
- reducing swimming instruction;
- reducing use of Shetland Recreational Trust facilities.

The savings measures already implemented within Schools/Quality Improvement section of Children's Services as detailed above have resulted in a reduction in expenditure between 2009/10 and 2012/13 of approximately £2.8 million. Children's Services has a further £3.2 million in savings to find by 31 March 2018. The alternatives to considering closure proposals have been exhaustive and far reaching across the whole of the school estate in Shetland.

The reductions in central staff have included the reduction of three Quality Improvement Officer posts, and two Education Support Officer posts, achieved by 2011. In addition, in the past two years savings of over

£553,000 have been made across all school support staff posts, including catering and cleaning services. Work is continuing in this area to make further efficiencies which will impact on all schools from 2015. Savings through reductions in secondary teaching staff posts in 2013/14 were over £600,000, and savings in provision for children with additional support needs over the past two years are estimated as £977,000.

Children's Services is now in a position where there are very few further efficiencies which can be made across the whole school education service without considering the number of buildings the service is delivered in. This has already been done for primary provision with an agreed set of closure proposals which are progressing through the required statutory consultation process.

Reduction in the number of buildings the service is delivered from provides the best opportunity to make the most savings without impacting on the quality of education being provided. The current scheme of provision of secondary education in Shetland, due to the relatively small numbers of pupils in almost all of the settings we have, generates inefficiencies in staffing. In addition, the considerable spare capacity in the buildings where secondary education is delivered leads to further inefficiencies in property costs.

3. Discontinuation of Secondary 4 in Each Junior High School Department (Provision of Secondary 1 to Secondary 3 only)

3.1 The likely Educational Benefits of the Provision of Secondary 1 to Secondary 3 only, in Each Junior High School

The likely educational benefits of the provision of Secondary 1 to Secondary 3 only in each junior high school relate, in the main, to Curriculum for Excellence. Curriculum for Excellence Briefing Paper 8, published by Education Scotland in 2013, Progression for the Broad General Education to the Senior Phase, reiterates Scottish Government expectations with respect to Curriculum for Excellence, and outlines how some schools have begun to tackle these aspirations as follows:

"Schools are also changing the way they deliver qualifications in order to provide the flexibility to meet personalisation and choice, for example by:

- *designing the Senior Phase as a three-year experience rather than planning each year separately, so that individuals can gain **more qualifications at higher levels**, opening up more routes into post school destinations;*
- *delivering qualifications over a variable timeframe in response to young people's needs and prior achievement, for example through programmes which lead to qualifications over one or two years, thereby creating space for **more in-depth learning**;*
- *when they are clear that the learner is securely at the level of the intended qualification, developing pathways for able learners which by-pass qualifications at lower levels to allow more time to be spent on **more challenging learning at higher levels**, while covering necessary knowledge and skills from the lower levels;*
- *providing appropriate, specific programmes which maximise achievement and attainment for young people planning to leave school after S4;*
- *ensuring all young people are aware of, and have the opportunity to meet entry requirements for post-school destinations, including college and university, and also have the qualifications and skills to enable them to progress to further training/and/or employment as appropriate;*

- *designing pathways which both ensure young people gain the qualifications they need, and **improve their achievement of a wide range of important personal skills** including those gained through the qualifications.”*
- The Shetland Learning Partnership Project will secure a common curriculum in all Shetland Secondary Schools to ensure transition to another school at the end of Secondary 3, if it has to happen, is as smooth as possible. It will also develop flexible learning pathways, particularly for Senior Phase pupils through partnership working with further education and employers.
- The final Report of the Wood Commission strengthens the need for work to develop flexible learning pathways and vocational educational opportunities to secure Scotland’s economic future.
- Secondary 1 –Secondary 3 Secondary School departments means that pupils would have an intact Senior Phase and would also have an uninterrupted Broad General Education.

3.2 The Likely Effect on the Local Community of the Provision of Secondary 1 to Secondary 3 only, in Each Junior High School Department

A significant amount of work was undertaken in 2013 to set out the likely effects on the local communities of the Blueprint for Education recommendations. These likely effects are largely unchanged. In summary, it was confirmed that the closure of secondary departments would still leave schools open to provide education for pre-school and primary pupils. Were schools to remain open for pupils up to the end of Secondary 3, the additional space would potentially release more accommodation for the remaining pupils. Other community users of the school would continue to have access, again with the potential of additional space being available.

Children’s Services has learned from previous consultations, that local communities are fearful that the closure of a school, or any part of a school, will have a detrimental effect. Therefore, in recognition of the deep concerns those communities have about any such proposal, a socio-economic study would always be commissioned, and its findings would be included as part of the Consultation Report.

The provision of Secondary 1 to Secondary 3 education in each Junior High School would retain pupils from Mid Yell Junior High School, Whalsay School and Baltasound Junior High School in their local communities until they are 15. All pupils from Sandwick Junior High School and Aith Junior High School with the exception of those from the very far Westside would be transported daily to the Anderson High School, so would as at present, return to their local communities every day (late afternoon).

With particular reference to the sustainability of the local community, it is believed that there would be little detrimental effect. The majority of existing employment opportunities, with the exception of some secondary teachers and some support staff would remain as the school would continue to provide all of the Broad General Education of Curriculum for Excellence. All Secondary 4 pupils from the area, like Secondary 5 and Secondary 6 pupils currently would be transported home either after school each day (for Sandwick and the majority of Aith pupils) or each weekend (for Mid Yell, Whalsay and Baltasound pupils) and would be able to attend local leisure facilities, clubs and events.

3.3 The likely effect on Travel Arrangements for Pupils resulting from the Provision of Secondary1 to Secondary 3 in Each Junior High School Department

During previous consultations, the travel implications for children of closing a school, or ending a stage of education, and moving them to another school, have been one of the primary concerns for parents. The main issues raised have been the travel times for children which will arise from any proposal and the quality

of the roads over which they will travel. The maximum travelling time for a secondary child of 65 minutes (as far as possible), for a single journey was agreed at Shetland Islands Council on 20 September 2012.

All travel requirements, times, and costs, resulting from any proposal, would be looked at in detail, as part of the statutory consultation process.

There would also be travel implications and expenses for staff redeployed under the Redeployment Policy and the Local Negotiating Committee for Teachers' Transfer Agreement.

For Pupils from Mid Yell Junior High School Junior High School Secondary Department this would mean that, in addition to the current Secondary 5 and Secondary 6 pupils requiring to be transported from Yell to the Anderson High School bi-weekly, there would also be a requirement to transport all of the Secondary 4 pupils as well.

Pupils who would be due to attend Secondary 4 at Mid Yell Junior High School and who are currently entitled to school transport in Yell would no longer have daily travel to school.

For Pupils from Whalsay School Junior High School Secondary Department this would mean that, in addition to the current Secondary 5 and Secondary 6 pupils requiring to be transported from Whalsay to the Anderson High School bi-weekly, there would also be a requirement to transport all of the Secondary 4 pupils as well.

Pupils who would be due to attend Secondary 4 at Whalsay School and who are currently entitled to school transport in Whalsay would no longer have daily travel to school.

For Pupils from Baltasound Junior High School Secondary Department this would mean that, in addition to the current Secondary 5 and Secondary 6 pupils requiring to be transported from Unst to the Anderson High School bi-weekly, there would also be a requirement to transport all of the Secondary 4 pupils as well.

Pupils who would be due to attend Secondary 4 at Baltasound Junior High School and who are currently entitled to school transport in Unst would no longer have daily travel to school.

For Pupils from Aith Junior High School this will mean that, in addition to the current Secondary 5 and Secondary 6 pupils requiring to be transported from current Aith Junior High School Secondary Department catchment area to the Anderson High School daily, there would also be a requirement to transport all of the Secondary 4 pupils as well. Secondary 4 pupils from the far Westside would be weekly boarders at the Halls of Residence as is the case for secondary 5 and Secondary 6 pupils from that area.

For Pupils from Sandwick Junior High School this will mean that, in addition to the current Secondary 5 and Secondary 6 pupils requiring to be transported from current Sandwick Junior High School Secondary Department catchment area to the Anderson High School daily, there would also be a requirement to transport all of the Secondary 4 pupils as well.

4. Closure of Each Junior High School Secondary Department

4.1 The likely Educational Benefits of Closure of each Junior High School Secondary Department

Closure will bring the same likely educational benefits as set out above for Secondary 1 – Secondary 3 Secondary School Departments, however in addition, the benefits for this option mainly replicate those of a Secondary 1 –Secondary 6 School as, in effect, this option means the pupils will attend a Secondary 1 – Secondary 6 School.

- Pupils would experience the Broad General Education, from Secondary 1 to Secondary 3, in full and the Senior Phase, in full, from Secondary 4 to Secondary 6 in the same school, without a transition.

- Teachers would be able to plan for progression in learning for each pupil from Secondary 1 to Secondary 6. Teachers would know pupils from Secondary 1.
 - Pupils would build upon opportunities for wider achievement, progressively, from Secondary 1 to Secondary 6.
 - Pupils would experience a rich menu of qualifications in the Senior Phase.
 - Pupils would access a wide range of vocational pathways, work experience, college or university courses, volunteering, enterprise, leadership development and to work with local industries, throughout Secondary 1 to Secondary 6.
 - Pupils may be more encouraged to continue with their schooling in Secondary 5 and Secondary 6 if there was no mid-secondary transition.
 - Older pupils would be able to mentor younger pupils.
 - Pupils would experience a continuous ethos and culture from Secondary 1 to Secondary 6.
 - Pupil numbers are large enough to ensure that subject specialists work in departments with other colleagues delivering the same subjects.
- Staffing arrangements enable a wider range of subjects to be offered.

4.2 The likely Effect on the Local Community of Closure of Each Junior High School Secondary Department

As part of the work undertaken for the Strategy for Secondary Education Report which was presented to Education and Families Committee and Shetland Islands Council on 13 November 2013, a socio-economic study was commissioned to assess the likely impacts of each of the proposed options for the future of secondary education in Shetland. The study was carried out by Steve Westbrook Economist, in partnership with Sandy Anderson. Section 2 of their Report identified the overall possible impacts of **school closures** or staffing reductions in schools on communities in Shetland. Below is their summary of the overall potential impacts that may have to be considered. Their findings and commentary remain entirely relevant to the closure proposals agreed in the Amended Strategy for Secondary Education

“75% of all jobs (excluding the Total gas plant construction work) are located in the Anderson High School catchment area compared with 53% of the population. This shows that the economy in the Lerwick area is dependent on people travelling there to work but living (generally by choice) in more rural locations.

Impacts

*There would be **direct** employment impacts from school closures or reductions in staffing where the people involved are Council employees. Also, there would be **indirect** employment reductions through reduced spending on supplies and services, such as catering and transport. Reduced spending by direct and indirect employees (including the self employed) would then lead to further reduced employment through **induced** impacts. Together, indirect and induced impacts are referred to as “the multiplier”. These direct, indirect and induced impacts will apply both within local areas and in Shetland as a whole, with the former varying per £1,000 saved depending on the composition of local economies – i.e. the extent to which an area has businesses that supply their schools, the residence of staff, and local staff spending opportunities (which can be limited in rural areas).*

These impacts would be offset by any additional jobs or purchases of supplies and services involved in replacement provision. These offsetting factors could have an impact in the local area of the school concerned, while others could have a more significant impact in Shetland as a whole.

Other immediate to short term impacts might arise through:

- *Families relocating to be closer to a secondary school;*
- *Older people having increased care needs where their family has moved away;*
- *Peripheral areas having an increased proportion of retired residents;*

- *Businesses finding it harder to retain and recruit local staff;*
- *Reduced use of local facilities such as leisure centres, which could threaten their financial viability;*
- *House prices falling in peripheral areas;*
- *House prices rising near the remaining secondary schools through increased demand;*
- *Reduced support for community initiatives through the loss of local residents, including professional teaching staff (who can play an important role).*

Detailed research and analysis would be required to assess how these and other impacts might affect individual communities, but the following points generally apply:

- *The strongest contributors to Shetland's economic output include aquaculture, fish catching and fish processing. Much of the output from these sectors derives from the more peripheral areas of Shetland;*
- *Families might be more likely to relocate where their children would face boarding in Lerwick or daily road journeys considered unacceptable;*
- *83% of Shetland's businesses operate with fewer than 10 employees, which means that small changes in the local labour supply could be critical to their competitiveness and survival;*
- *There is a substantial degree of travel to work in Shetland. This suggests that many families could relocate without affecting their work arrangements (although family circumstances could constrain relocation);*
- *The concentration of employment and the low unemployment rate would make it easier for families from peripheral areas to relocate if other circumstances allowed;*
- *Some children already undertake a substantial road journey to their existing schools;*
- *Businesses in the more peripheral areas which offer relatively low wage, part time or seasonal work, and those requiring flexibility from their workforce are most likely to be affected by recruitment/retention issues (e.g. where spouses of school staff or multi-occupational staff move away). “*

[Pages 8-9, Strategy for Secondary Education, A socio-Economic Study, Steve Westbrook, in partnership with Sandy Anderson, October 2013]

Specifically for Whalsay School, closure of the Secondary Department would also mean there would be an opportunity to consider future use of the building, as the primary and secondary departments are located separately.

4.3 The likely effect on the Travel Arrangements for Pupils of the Closure of Each Junior High School Secondary Department

This option would mean less travel for teaching staff than the Secondary 1 – Secondary 3 option.

For Pupils from Mid Yell Junior High School Secondary Department this would mean that all secondary pupils would have to travel in the same way as Secondary 5 –Secondary 6 pupils currently do. The journey from Yell would take place by ferry and road on a Sunday evening with pupils staying in the Halls of Residence during the week and returning home on a Friday evening. Consideration would be given to travel to the Anderson High School on a Monday morning.

Daily school bus journeys for Mid Yell secondary pupils would be eliminated where they exist at present.

For Pupils from Whalsay School Junior High School Secondary Department this would mean that all secondary pupils would have to travel in the same way as Secondary 5 –Secondary 6 pupils currently do. The journey from Whalsay would take place by ferry and road on a Sunday evening with pupils staying in the Halls of Residence during the week and returning home on a Friday evening. Consideration would be given to travel to the Anderson High School on a Monday morning.

Daily school bus journeys for Whalsay secondary pupils would be eliminated where they exist at present.

For Pupils from Baltasound Junior High School Junior High School Secondary Department this would mean that all secondary pupils would have to travel in the same way as Secondary 5 –Secondary 6 pupils currently do. The journey from Unst would take place by ferry and road on a Sunday evening with pupils staying in the Halls of Residence during the week and returning home on a Friday evening. Consideration would be given to travel to the Anderson High School on a Monday morning.

Daily school bus journeys for Unst secondary pupils would be eliminated where they exist at present.

For Pupils from Aith Junior High School Junior High School Secondary Department this would mean that in addition to the current Secondary 5 and Secondary 6 pupils requiring to be transported from the current Aith Junior High School Secondary Department catchment area to the Anderson High School daily, there would be a requirement to transport all of the remaining secondary pupils as well. Secondary pupils from the far Westside would be weekly boarders at the Halls of Residence as is the case for secondary 5 and Secondary 6 pupils from that area.

For Pupils from Sandwick Junior High School Junior High School Secondary Department this would mean that, in addition to the current Secondary 5 and Secondary 6 pupils requiring to be transported from the current Sandwick Junior High School Secondary Department catchment area to the Anderson High School daily, there would be a requirement to transport all of the remaining secondary pupils as well.

4.4 Reasonable Alternatives to These Proposals

In determining the closure proposals in the Amended Strategy for Secondary Education, the following reasonable alternatives have been considered:

- provision of Secondary 1-Secondary 2 only (Discontinuation of Secondary 3 and Secondary 4) in Each Junior High School Secondary Department;
- provision of Secondary 1 – Secondary 4 in Each Junior High School Secondary Department (Maintain the Current Provision);
- provision of Secondary 1 – Secondary 6 in Each Junior High School.

These reasonable alternatives have been the subject of a number of informal consultations since 2009, and in the case of provision of Secondary 1 to Secondary 2 only, formal consultation in Sandwick Junior High School between 13 February 2014 and 28 March 2014.

In addition, the Report presented to Education and Families Committee on 1 July 2014, on the cost per Secondary Pupil in Shetland, offers another alternative which requires consideration although it should be noted that the report referenced 2012-13 costs and many of the proposed changes have since been made.

1. Provision of Secondary 1-Secondary 2 only (Discontinuation of Secondary 3 and Secondary 4) in Each Junior High School Secondary Department

The likely Educational Benefits of Secondary 1-Secondary 2 only, in Each Junior High School Secondary Department

Feedback on the proposal to discontinue Secondary 3 and Secondary 4 education at Sandwick Junior High School in 2014, demonstrated the option of a Secondary 1 to Secondary 2 school is not popular, and there was concern over splitting the end of the Broad General Education, and the impact this may have on pupils' smooth progression. Likely educational benefits can be summarised as follows:

- the opportunity to access, in a seamless manner, the right personalisation of the curriculum in Secondary 3 to prepare pupils for their subject choices at the end of Secondary 3 for the Senior Phase;
- a smooth and seamless transition at the end of Secondary 3 through to a full Senior Phase at the Anderson High School with the widest variety of learning opportunities available over Secondary 4, Secondary 5 and Secondary 6;
- teaching staff who would be working across schools sharing good practice, particularly in teaching and learning and assessment;
- being educated in their own community for the early years of their secondary education.

The likely Effect on the Local Community of the Provision of Secondary 1-Secondary 2 only, in Each Junior High School Secondary Department

Junior High Schools would remain open and continue to provide education for pre-school, primary, Secondary 1 and Secondary 2 pupils. Other community users of the school would continue to have access to the all of the current facilities. The removal of two stages in the secondary department would potentially provide some additional space for community use.

With particular reference to the sustainability of the local community, it is believed that there would be little detrimental effect. The majority of existing employment opportunities, with the exception of some secondary teachers and some support staff would remain as the school would continue to provide pre-school, primary and early secondary education. All secondary pupils from the area including Secondary 3 and Secondary 4 pupils would be transported home either daily (for Sandwick and the majority of Aith pupils) or each weekend (for Mid Yell, Whalsay and Baltasound pupils) and would be able to attend local leisure facilities, clubs and events.

The provision of Secondary 1 to Secondary 2 education in each Junior High School would retain pupils from Mid Yell Junior High School, Whalsay School and Baltasound Junior High School in their local communities until they are 14. All pupils from Sandwick Junior High School and Aith Junior High School with the exception of those from the very far Westside would be transported daily to the Anderson High School.

The likely effect on the Travel Arrangements for Pupils of the Provision of Secondary 1-Secondary 2 only, in Each Junior High School

For Pupils from Mid Yell Junior High School Secondary Department this would mean that, in addition to the current Secondary 5 and Secondary 6 pupils requiring to be transported from Yell to the Anderson High School bi-weekly, there would also be a requirement to transport all of the Secondary 3 and Secondary 4 pupils as well.

Pupils who would be due to attend Secondary 3 and Secondary 4 at Mid Yell Junior High School and who are currently entitled to school transport in Yell would no longer have daily travel to school.

For Pupils from Whalsay School Secondary Department this would mean that, in addition to the current Secondary 5 and Secondary 6 pupils requiring to be transported from Whalsay to the Anderson High School bi-weekly, there would also be a requirement to transport all of the Secondary 3 and Secondary 4 pupils as well.

Pupils who would be due to attend Secondary 3 and Secondary 4 at Whalsay School and who are currently entitled to school transport in Whalsay would no longer have daily travel to school.

For Pupils from Baltasound Junior High School Secondary Department this would mean that, in addition to the current Secondary 5 and Secondary 6 pupils requiring to be transported from Unst to the Anderson

High School bi-weekly, there would also be a requirement to transport all of the Secondary 3 and Secondary 4 pupils as well.

Pupils who would be due to attend Secondary 3 and Secondary 4 at Baltasound Junior High School and who are currently entitled to school transport in Unst would no longer have daily travel to school.

For Pupils from Aith Junior High School Secondary Department this would mean that, in addition to the current Secondary 5 and Secondary 6 pupils requiring to be transported from the current Aith Junior High School Secondary Department catchment area to the Anderson High School daily, there would also be a requirement to transport all of the Secondary 3 and Secondary 4 pupils as well. Secondary 3 and 4 pupils from the far Westside would be weekly boarders at the Halls of Residence as is the case for secondary 5 and Secondary 6 pupils from that area.

For Pupils from Sandwick Junior High School Secondary Department this would mean that, in addition to the current Secondary 5 and Secondary 6 pupils requiring to be transported from the current Sandwick Junior High School Secondary Department catchment area to the Anderson High School daily, there will also be a requirement to transport all of the Secondary 3 and Secondary 4 pupils as well.

2. Provision of Secondary 1 – Secondary 4 in Each Junior High School Secondary Department (Maintain the Current Provision)

The likely Educational Benefits of Secondary 1-Secondary 4 in Each Junior High School Secondary Department

The retention of Secondary 1 to Secondary 4 Junior High Schools in Shetland is no longer a tenable position to secure the best possible outcomes for pupils in Curriculum for Excellence as it creates a split Senior Phase. The only likely educational benefits are:

- The same teacher would deliver the content and support pupils through the whole of their National 1 to National 5 course.
- Pupils would learn in their geographical communities up to the age of 16.
- Teachers in Junior High Schools would feel job satisfaction by being able to deliver from National 1 to National 5 qualifications.

The likely Effect on the Local Community of the Provision of Secondary 1-Secondary 4 in Each Junior High School Secondary Department

As at present, so no impact.

The likely effect on the Travel Arrangements for Pupils of the Provision of Secondary 1 – Secondary 4 in Each Junior High School

As at present so no impact.

3. Provision of Secondary 1 – Secondary 6 in Each Junior High School

The likely Educational Benefits of Secondary 1-Secondary 6 in Each Junior High School

- Pupils would experience the Broad General Education, from Secondary 1 to Secondary 3, in full and the Senior Phase, in full, from Secondary 4 to Secondary 6 in the same school, without a transition.
- Teachers would be able to plan for progression in learning for each pupil from Secondary 1 to Secondary 6. Teachers know pupils from Secondary 1.
- Pupils would build upon opportunities for wider achievement, progressively, from Secondary 1 to Secondary 6.

- Pupils would experience a rich menu of qualifications in the Senior Phase.
- Pupils would access vocational pathways, work experience, college or university courses, volunteering, enterprise, leadership development and to work with local industries, throughout Secondary 1 to Secondary 6.
- Pupils may be more encouraged to continue with their schooling in Secondary 5 and Secondary 6 if there was no mid-secondary transition.
- Older pupils would be able to mentor younger pupils.
- Pupils would experience a continuous ethos and culture from Secondary 1 to Secondary 6.

However, to increase provision to Secondary 1 to Secondary 6 in each junior high school in Shetland, would incur additional staffing costs, and due to the small numbers of pupils involved would add further inefficiency in the deployment of teaching staff. As Children's Services has a further £3.2 million in savings to achieve between now and 31 March 2018, and cannot increase its expenditure, this option is not reasonable.

In addition, S1-S6 provision in some Junior Highs, would, for classes in the Senior Phase, particularly Secondary 5 and Secondary 6, generate such tiny class sizes as to make it educationally not viable. The opportunities available in the Senior Phase should be broad enough to meet the needs of all learners.

The likely Effect on the Local Community of the Provision of Secondary 1-Secondary 6 in Each Junior High School

Pupils remain in their communities for longer.

The likely effect on the Travel Arrangements for Pupils of Secondary 1-Secondary 6 in Each Junior High School

Daily travel will be required for pupils in Secondary 5 and Secondary 6 who currently attend Mid Yell Junior High School, Whalsay School and Baltasound Junior High School. There would be shorter daily travel times for S5 and S6 pupils from the Aith Junior High School and Sandwick Junior High School catchments areas, as they would be travelling to Aith Junior High School or Sandwick Junior High School, and not the Anderson High School.

4. Secondary Cost Per Pupil in Shetland

On 1 July 2014 the Chief Executive and the Executive Manager, Finance presented a cost comparison report to Education and Families Committee, which compared the cost per secondary pupil in Shetland with the cost per secondary pupil in Orkney and in Eilean Siar, based on the latest nationally published figures which date from 2012-2013. The cost per secondary pupil in Shetland in 2012-13 was 30% higher than both those comparator authorities, and was more than twice the national average.

The Report highlighted, through the breakdown of the cost comparison, approximately £2.3 million which would need to be saved from secondary education provision in Shetland to reduce the gap. Children's Services were able to also demonstrate through the same Report that since 2013, they have saved a further £2 million from secondary education Shetland.

The Report also acknowledged that the two main drivers for cost were the numbers of staff employed and the number of buildings used to deliver our current system of secondary education. These two key interlinked elements are addressed through the closure proposals in the Amended Strategy for Secondary Education. Its aim is to secure the best possible delivery of the secondary stages of Curriculum for Excellence in Shetland, given its geography, by enabling as many secondary aged pupils as possible to be educated in a Secondary 1 to Secondary 6 school. Implementing the Amended Strategy for Secondary

Education could generate a reduction in the number of buildings used to deliver the service and will improve the efficiency in the use of staff, no matter which proposals are agreed.

5. Conclusions

- 5.1 The proposals in the Amended Strategy for Secondary Education, to discontinue Secondary 4 Junior High Schools or close the Secondary Department of each junior high school provide Children's Services with:
- the best opportunity to optimise educational benefits for our secondary pupils in Shetland, by securing their entitlements within Curriculum for Excellence;
 - the best opportunity to secure Best Value in the delivery of secondary education in Shetland.



**Education and Families Committee
Special Shetland Islands Council**

**21 August 2014
21 August 2014**

Shetland Islands Council Children's Social Work Services Policy

CS-21-14-F

**Report Presented by Executive Manager – Children's
Resources**

Children's Services

1.0 Summary

- 1.1 The purpose of the Children's Social Work Services Policy is to have agreement on the overarching principles that will govern service delivery.

2.0 Decision Required

- 2.1 That the Education and Families Committee RECOMMENDS that the Council RESOLVES to adopt the Children's Social Work Services Policy.

3.0 Detail

- 3.1 The detailed Children's Social Work Services Policy 2014-2017 has been attached as Appendix 1 to this report.
- 3.2 This refreshed Policy takes account of key legislative changes, in particular, the Children and Young People (Scotland) Act 2014, which is the most significant piece of legislation relating to children since the Children (Scotland) Act 1995.
- 3.3 A suite of Procedures sit behind this policy to provide guidance to practitioners in carrying out the wide range of social work functions. These Procedures have also been updated, a task which has been undertaken with the support of CELCIS (the Centre of Excellence for Looked After Children in Scotland). The Procedures will be formally launched in September 2014.

4.0 Implications

Strategic

- 4.1 Delivery On Corporate Priorities

The Children's Social Work Services Policy contributes to the Single Outcome Agreement strategic objective of improving the life chances for children, young people and families at risk. The Policy also contributes to the Council's corporate priorities by providing vital services for children and adults.

4.2 Community /Stakeholder Issues

In developing the Policy and its accompanying Procedures one to one sessions and workshops have been arranged with key stakeholders across agencies.

4.3 Policy And/Or Delegated Authority

The Education and Families Committee has functional responsibility for all Children's Social Work matters. In accordance with section 2.1.3-2 of the Council's Scheme of Administration and Delegations, the determination of new policy is a matter reserved to the Council.

4.4 Risk Management

It is necessary to have an up to date policy in place from which standards, procedures and practice can be derived.

4.5 Equalities, Health and Human Rights

Upholding human rights and promoting equality is at the heart of social work practice. This is reflected in this Policy.

4.6 Environmental – None.

Resources

4.7 Financial

There are no financial implications arising from this Policy statement. This Policy is a strategic document which sets out the governing principles in relation to Children's Social Work Services. It will remain the responsibility of the operational teams under the direction of their Executive Managers to work collaboratively and agree how to best deliver effective and efficient services that meet statutory requirements whilst still achieving the financial targets within the Council's Medium Term Financial Plan.

4.8 Legal

Legal Services have been consulted in the update of this Policy.

4.9 Human Resources

There are no Human Resource implications arising from this policy. Human Resources provides support to Children's Social Work Services ensuring that the regulated workforce continues to meet the standards required of the Scottish Social Services Council and other relevant bodies.

4.10 Assets And Property

There are no Assets and Property implications arising from this policy. In order to fulfil its duties, Children's Social Work Services have a range of properties. Services continue to work at achieving maximum efficiency by exploring different options, some of which could result in

co-location of services and the opportunity to develop closer working relationships across like-minded professions.

5.0 Conclusions

- 5.1 The Children's Social Work Services Policy sets out the overarching principles that govern service delivery. This refreshed Policy takes account of key legislative changes, in particular, the Children and Young People (Scotland) Act 2014, which is the most significant piece of legislation relating to children since the Children (Scotland) Act 1995.
- 5.2 A suite of updated Procedures sit behind this Policy which will provide guidance to practitioners in carrying out the social work function within Children's Services. Together, the Policy and Procedures provide an excellent set of guidance for social work practitioners.

For further information please contact:

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Report Finalised: 12 August 2014

List of Appendices

Appendix 1 – Children's Social Work Services Policy

SHETLAND ISLANDS COUNCIL
CHILDREN'S SOCIAL WORK SERVICES POLICY

1 Introduction

- 1.1 This statement constitutes the policy of the Children's Social Work Services.
- 1.2 It is based on the Social Work (Scotland) Act 1968, the Children (Scotland) Act 1995 and the Children and Young People (Scotland) Act 2014.
- 1.3 The three main principles of the Children (Scotland) Act 1995 apply:
- The welfare of the child is the paramount consideration when his or her needs are considered by courts and children's hearings.
 - No court should make an order relating to a child and no children's hearing should make a supervision requirement unless the court or children's hearing considers that to do so would be better for the child than making no order or supervision requirement at all.
 - The child's views should be taken into account where major decisions are to be made about his or her future.
- 1.4 A child is defined as per Section 93 (2) (a) and (b) of the Children (Scotland) Act 1995 i.e. a person under the age of 18 years.
- 1.5 The child care principles below relate to all aspects of Children's Social Work Services and are therefore not repeated throughout the document.
- 1.6 All services described will be provided within, and subject to, available resources.

2 Child Care Principles

- 2.1 The welfare of the child must be the paramount consideration in all decisions concerning them; all decisions must be based on children's best interests.
- 2.2 Each child must be treated as an individual, with individual needs, feelings and beliefs.
- 2.3 Each child has a right to protection from abuse, neglect and exploitation and to adequate emotional, physical and social care; parents have the responsibility and the right to provide such care.
- 2.4 Any intervention in the life of a child should be in the child's best interests agreed in consultation with all relevant parties, including the child and his/her parents and subject to the child's consent, where this is appropriate.

- 2.5 Each child has the right to express their views freely, and to have their views taken into account in matters affecting them.
- 2.6 In decisions relating to the protection of the child, every effort should be made to keep the child in the family home, other than in exceptional circumstances.
- 2.7 The responsibilities and rights of parents in the upbringing of their children will be respected.
- 2.8 Any child looked after away from home has the right to maintain contact with their families unless this places the child at unacceptable risk.
- 2.9 Each child has the right to remain in Shetland unless this is not in their best interests.
- 2.10 Each child has the right to their own language, religion and culture, the right to recognition of, and respect for, their ethnic origin, and the right not to be discriminated against.
- 2.11 Children have the right to confidentiality and privacy.
- 2.12 Children have the right to quality health care.
- 2.13 Children have the right to appropriate education, and should be assisted to reach their full potential intellectually, socially and emotionally. Pre-school children should be afforded the experience of socialisation with children of their own age.

3 Children's Social Work Services

- 3.1 Services will be provided to children and their families in accordance with current legislation, regulations, guidance and Shetland Islands Council policy, and any intervention will be properly justified.
- 3.2 Children's Social Work Services are committed to Getting it Right for Every Child. This approach places the child and their family at the heart of all decision making.
- 3.3 All service delivery will be based on openness, honesty and partnership between Social Work Services, families and children.
- 3.4 Work with children and families will promote anti-discriminatory practices, acknowledging that children and their families may suffer discrimination on the basis of race, disability, gender, sexuality, language, religion and culture.
- 3.5 All children will be encouraged to express their wishes and feelings about their current and future needs, and will have these taken into account.
- 3.6 Social Work will take full account of race, language, religion and culture in assessing the needs of children and their families and in providing services for them.

- 3.7 The first priority of Social Work is to enable children to remain safely within their own family, and resources will be deployed flexibly and creatively for this purpose.
- 3.8 All interventions will be based on careful assessment of need. Plans for children and their families will be monitored and reviewed at regular intervals.
- 3.9 Interventions or services will be provided in accordance with the outcome of the assessment, except there may be times when unmet needs may be recorded as an outcome
- 3.10 Where it is not possible for children to remain within their own family, substitute family care will be made available, according to the assessed needs of children.
- 3.11 Residential care will be available as a positive choice for some children and young people assessed as being in need.
- 3.12 Sibling groups will be accommodated together wherever possible; where this is not possible, contact between siblings will be given a high priority.
- 3.13 Services will be provided in collaboration with all the relevant agencies to meet the needs of children and their families.
- 3.14 Openness and participation will be encouraged through easy access to written information and personal records in compliance with The Data Protection Act 1998.
- 3.15 Social Work will encourage representations, and be receptive to complaints, from children and their families concerning all forms of provision. All representations and complaints, whether formal or informal, will be dealt with according to the complaints procedure.
- 3.16 Plans for the development and delivery of services will be drawn up in consultation with relevant agencies and service users and are published and reviewed on a regular basis.
- 3.17 Service review and development takes account of change in legislation, national priorities and best practice guidance to ensure that services are responsive to local need.
- 3.18 Services provided to the courts will be of a high standard in terms of information provided, its presentation and timeliness.

4 Children in Need

- 4.1 A range of services is available for children and young people considered to be 'in need'.
- 4.2 The Children (Scotland) Act 1995 refers to a child in need as being in need of care and attention because he or she is;

- unlikely to achieve or maintain a reasonable standard of health or development unless services are provided
 - is disabled or adversely affected by the disability of any other person within the family
- 4.3 Children's Social Work Services promotes the upbringing of children by their parents in their families.
- 4.4 Children and young people who are in need of support will have their needs assessed and an individual plan in place to co-ordinate the support required.

5 Children with Additional Support Needs

- 5.1 Children with disabilities are children first and foremost; the provision of services will seek to minimise the effects of their disabilities, and give them the opportunity to lead lives that are as inclusive as possible, in order for them to reach their full potential.
- 5.2 Wherever possible, every effort will be made to provide services that allow children with disabilities to remain within their own homes and communities.
- 5.3 Children and their families will be offered an assessment of their needs, and services will be provided in accordance with the outcome of the assessment, accepting that there may be times when unmet needs will be recorded as an outcome.
- 5.4 Children's Social Work Services will provide a range of flexible and responsive services including short breaks and outreach support which is tailored to meet the individual needs of children or young people with additional support needs and their families.
- 5.5 The Service will take account of the increased complexity of child protection issues for children with disabilities, of their special requirements, communication difficulties and diverse needs.
- 5.6 A high priority will be given to close working with other agencies, parents and carers to provide co-ordinated and complementary services.
- 5.7 Children's Social Work Services will give high priority to inter-agency planning for the transition from children's to adult services.

6 Child Protection

- 6.1 Child Protection Services for children are delivered in accordance with Shetland's inter-agency Child Protection Procedures. <http://www.childprotectionshetland.com/assets/files/child-protection-procedures-june-2012.pdf>
- 6.2 Children's Social Work Services will give the highest priority to the protection of children from abuse, and will ensure that activities carried out in the name of child protection are child-centred and give paramountcy to the welfare and interests of children.

- 6.3 All concerns that children may have been or are being abused will be investigated in accordance with agreed inter-agency procedures.
- 6.4 Children have the right to be safe and to have adequate physical, emotional and social care; parents have the responsibility and the right to provide such care.
- 6.5 All children will be provided with appropriate support in accordance with their particular needs.
- 6.6 Children's Social Work Services are committed to working in an open and collaborative way with parents, whilst recognising the potential for conflict in child protection situations.
- 6.7 Children will be maintained within their own families unless this is demonstrably not in their best interests.
- 6.8 Children have the right to be listened to and to be taken seriously; interview and other procedures will focus on the child and will reflect his/her rights, wishes and needs.
- 6.9 Child protection plans will be created, implemented and reviewed regularly following the placing of a child's name on the Child Protection Register.
- 6.10 A child's name will not be retained on the Child Protection Register when the protection plan ceases to be needed.

7 Children Looked After

- 7.1 A child is considered to be 'looked after' when s/he is subject to a supervision requirement from a children's hearing (whether at home or away from home), a child protection order, a child assessment order, an emergency authorisation or a warrant issued by a sheriff or children's hearing, or is being provided with accommodation by the Council.
- 7.2 The child's welfare will be safeguarded and promoted throughout the period of the child being looked after, and will be the paramount consideration.
- 7.3 Where the child is at home, support services will be provided to maintain the child with his/her family.
- 7.4 If the safety and well being of a child necessitates placement away from their parents, Social Work has a duty to explore a placement with extended family, relatives and friends in the first instance. Practical assistance to support such placements should be considered.
- 7.5 The child's views and the views of parents and other relevant adults will be sought and taken into account, both when deciding whether to look after a child, and when making any decisions once the child is looked after.

- 7.6 When the child or young person is looked after away from home, work will focus wherever possible and appropriate on returning the child to his/her family.
- 7.7 The Service will give high priority to the health care, education and social and emotional development of children who are looked after.
- 7.8 Each looked after child and young person will have a plan that identifies the support required to meet their needs. This plan will be drawn up in consultation with the child, their family and all relevant agencies, and will be subject to review. The Local Authority has a duty to provide support beyond leaving care.
- 7.9 The Service will provide advice and assistance to children in order to prepare them for when they are no longer looked after.
- 7.10 Social Work and its partner agencies have corporate parenting responsibilities to all children and young people who are looked after.

8 Home Supervision

- 8.1 Home supervision is defined as the services provided by Social Work to children and young people who remain in their own home, subject to compulsory measures of supervision following an order made at a Children's Hearing.
- 8.2 Social Work will, wherever possible seek to work with children, young people and their families on a voluntary basis, recommending compulsory measures of supervision only when voluntary provision of services is no longer effective or is unlikely to meet the needs of the child or young person.
- 8.3 Home supervision will seek to provide effective measures for the protection, guidance, treatment and control of children living at home who are considered to be in need of compulsory measures of supervision, with the minimum level of interference and disruption in the life of the family.
- 8.4 The focus of work will be on helping children and their families to recognise and address the difficulties which led to the supervision requirement being made at a Children's Hearing.
- 8.5 A multi-agency approach will be taken in developing the Child's Plan which will agree the objectives of the supervision requirement, agree the roles and responsibilities of each individual and arrangements for monitoring and review including timescales.
- 8.6 Programmes of intervention will be designed to reduce the need for compulsory measures of supervision as soon as practicable.

9 Children and Young People who Offend

- 9.1 The Council is committed to developing and providing a range of effective services which will address and meet the needs and

behaviours of young people who commit offences, or are at risk of committing offences.

- 9.2 Services will be designed to safeguard the interests of children and the community, to work with children in their own communities, and avoid where possible the use of secure accommodation.
- 9.3 Services will focus on prevention, early intervention and the development of offence-focused programmes which will include programmes which are an alternative to custody; and will seek to bridge the gap between the Children's Hearing system and the adult courts. A whole systems approach will be used for 16-18 year olds by Criminal Justice Unit in collaboration with other agencies.
- 9.4 Provision will be planned and delivered within a multi-agency framework in order to ensure the involvement of all responsible and interested parties in addressing youth crime in Shetland.

10 Kinship Care

- 10.1 Kinship care refers to the main full-time care arrangement provided by a member of the child's extended family or wider network of friends where the child is looked after or would otherwise be looked after, if a kinship carer were not able to provide the care arrangement.
- 10.2 The Children (Scotland) Act 1995 states that if the child or young person needs to be accommodated away from their parents, on either a voluntary or compulsory basis, they must be placed where their best interests will be served.
- 10.3 Support will be given to parents, carers and the child or young person during this stressful process. It is important that the carers and the child or young person understand the process that is being following and how their views will be taken into account.
- 10.4 When social work is considering the needs of children who cannot live with their birth parents, Shetland Islands Council will support the principle of family first.
- 10.5 Kinship care assessments will be carried out on all prospective kinship carers with a focus on the needs of individual children and the ability of the kinship carer to look after them and promote their wellbeing.
- 10.6 The Local Authority has a responsibility to provide financial and other support mechanisms taking into account the child or young person's legal status. Local Authorities have discretionary powers under which they can make payments to kinship carers where children are not looked after in terms of Section 17 of the Children (Scotland) Act 1995.
- 10.7 Support and training will be available for all kinship carers to assist them in caring for their child or young person.

11 Foster Care: Children and Young People who are Looked After and Accommodated

- 11.1 The purpose of foster care is to provide a family experience to children and young people until a return to their own family is possible.
- 11.2 Substitute family placements with approved foster carers will be considered for children who are not able to remain within their family.
- 11.3 Where a return home is not possible, foster care will prepare the child or young person for permanency, either in a permanent alternative family, or in independent living.
- 11.4 In accordance with statutory requirements and national standards, Social Work will recruit, assess, approve and review sufficient number of foster carers to ensure the highest quality of care is available to children.
- 11.5 Foster care agreements will be used to provide foster carers with written information about the terms and conditions of the partnership between themselves and the Service and about the agreed arrangements for the care of individual children.
- 11.6 Training of foster carers, to equip them appropriately for the demands made of them, will be given a high priority by the Service, and will be reviewed and evaluated on a regular basis.
- 11.7 The Service will support foster carers by offering preparation prior to placement, purposeful contact during placement and adequate debriefing following placement.
- 11.8 The Service recognises the need for separate support for foster carers and for children in placement. Each foster carer will be supported by a Family Placement Worker and each child in placement by their own Children and Families social worker.
- 11.9 Support of foster carers will include prompt and accurate payment of fostering allowances, and the provision of clear information about allowance rates, enhancements and fees.
- 11.10 In placing children with foster carers, the Service will give careful consideration to the matching process, taking account of the cultural, racial, religious and linguistic needs of children, geographical issues and other considerations, such as family size, sibling age-group and need for birth family contact.

Foster Care: Children in Need

- 11.11 Foster care will be made available to all children and families who are assessed as being in need.
- 11.12 Foster care will be provided on an entirely voluntary basis, in partnership with parents. Parents will retain full legal responsibility for their child.

- 11.13 Foster care will be provided as part of a planned package of services, based on multi-agency collaboration, to support the family.
- 11.14 Wherever possible, respite fostering will be local and accessible to allow good links with home and school to be maintained.
- 11.15 Foster care will be available on a planned basis, but will respond to emergencies wherever possible, particularly if a child or young person is at risk.

12 Adoption

- 12.1 An adoption service will be provided that seeks to meet the needs of children who have been or may be adopted, of parents and guardians of such children, and of those who have adopted, or might adopt, a child. The primary aim of adoption is to meet the needs of children.
- 12.2 Where rehabilitation of a child to his/her family is not possible, other means of securing a permanent alternative family placement will be considered. Adoption will be considered as one element in a range of alternatives, and chosen when it is believed to be the best available means of meeting the child's needs through their lives.
- 12.3 Following the decision that adoption is in the best interests of a child, the Service will progress the case in line with the legal timeframe.
- 12.4 When considering adoption, the Service will give due regard to the child's religion, racial origin and cultural and linguistic background, and will seek to match the child with prospective adoptive parents.
- 12.5 Children will be carefully and sensitively prepared prior to placement, and due regard will be given to their views.
- 12.6 The Service will offer advice, information, counselling and support services to birth parents and other birth family members.
- 12.7 The Service will recruit, prepare, assess and support prospective adoptive parents according to national guidelines.
- 12.8 An adoption panel will be set up to provide services according to legislative requirements.
- 12.9 Adoption allowances may be payable to help secure or maintain a suitable adoptive placement where a financial obstacle to this exists.
- 12.10 The Service will provide easily accessible post-adoption support services for children, adopters, birth parents and adopted adults.
- 12.11 The Service will offer advice, information and counselling to people who are considering adopting from overseas.

13 Residential Care

- 13.1 The Service recognises residential care as a vital resource within the overall network of provision for children and young people.
- 13.2 Residential care in Shetland will be available to young people as a positive choice in response to an assessed need. At times, family placements may not be available and children and young people may need a residential placement.
- 13.3 Residential care will focus on providing young people with a safe and homely environment which respects their individuality and ensures that they develop to their maximum potential.
- 13.4 Whilst in residential care, a high priority will be given to meeting the child or young person's educational and health needs. We will work in collaboration with other professionals to ensure the child or young person is given every opportunity to reach their potential.
- 13.5 In accordance with statutory requirement, each of the Council's residential units will have an individual statement of functions, objectives, standards and procedures in respect of the services which they offer.

14 Secure Accommodation

- 14.1 Secure care will only be recommended for young people whose behaviour is a serious risk to themselves or others, and who need to have their freedom restricted until they can control that behaviour.
- 14.2 Secure accommodation will not be provided in Shetland.
- 14.3 Every effort will be made by the Service to offer an alternative acceptable package of care to the Northern Constabulary when the issue of an 'unruly certificate' is being considered in respect of a young person detained by the police.
- 14.4 When a young person is to be admitted to secure accommodation on the mainland, the Service will provide detailed and comprehensive information to the unit, and will agree standards of care with the unit staff.
- 14.5 Social Work will satisfy itself that the unit has achieved good inspection reports and be equipped to meet the assessed needs of the young person.
- 14.6 Secure placements should continue for as short a period as possible; the Service will liaise closely with the unit manager to ensure that the secure status of young people is maintained only for as long as their safety, or that of others, requires it.
- 14.7 Social Work will ensure that there are care plans made and suitable accommodation available to meet the needs of any young person who is leaving secure care.

15 Throughcare and Aftercare

- 15.1 Throughcare and Aftercare services are designed to support children and young people leaving care.
- 15.2 Throughout any period during which a child or young person is being looked after by the Service, advice and assistance will be given in order to prepare them for when they are no longer looked after.
- 15.3 Planning for young people leaving care will be given high priority. Young people leaving care will have individual pathway plans developed in conjunction with relevant agencies to meet their needs.
- 15.4 Young people who have left care and are aged 19-25 will have a right to ask for support from the Local Authority.
- 15.5 The Local Authority has a duty to assess young people who have requested support.

Updated: August 2014

Review Date: September 2017



Special Shetland Islands Council

21 August 2014

Chair's Report – Special Development Committee – 14 August 2014

Report No. SIC-0821-DV034

Shetland Local Development Plan – Reporter's Recommendations

1.0 Summary

- 1.1 The purpose of this report is to consider the recommendation from the Chair of the Development Committee in relation to a report requiring a Council decision.

2.0 Decision Required

- 2.1 That the Council RESOLVE to accept the Reporter's recommendations and notify the Scottish Government that it intends to adopt the Shetland Local Development Plan, and following that, the Action Programme, and
- 2.2 Recognising the Reporter's observations, the Development Committee requests that the Council require officers to prepare a report setting out the options for housing in the central mainland.

3.0 Report

- 3.1 The Shetland LDP will replace the adopted Shetland Structure and Local Plans (2001 and 2004). The LDP will be the primary basis for all spatial planning decisions in Shetland and therefore is of critical importance to sustainable economic growth, ensuring adequate land supply for development and safeguarding the environment. The LDP sets out where most new developments will happen and policies that will guide decision making on planning applications, it is supported by Supplementary Guidance (SG), which provides more detailed guidance on specific issues.
- 3.2 The main statutory stages in the preparation and delivery of the Shetland Local Development Plan are:
- Publication of the Development Plan Scheme
 - Main Issues Report and draft Environmental Report consultation.

- Prepare and Publish the Proposed Plan, alongside the Strategic Environmental Assessment and other impact assessments
 - Consider and respond to representations to the Plan
 - Submission of the Plan to Scottish Ministers
 - Examination
 - **Adoption of the Local Development Plan, Environmental Report and Action Programme**
 - Implementation, Monitoring and Review
- 3.3 This report forms part of the formal stage highlighted in bold in the list above.
- 3.4 The Shetland LDP has been compiled following, and in response to, the representations received on the Main Issues Report (MIR) and the call for development sites. Both of these stages involved extensive consultation, including numerous workshops, drop-in sessions, a media campaign and extensive engagement with statutory and other bodies. We have also worked closely with the planners in the Scottish Government Built Environment Directorate so as to ensure that our process, consultations, strategies and planning policies comply with statutory processes and national policies.
- 3.5 The Shetland LDP includes the Vision and Spatial Strategy, which were approved at the meeting of the Development Committee on 9 March 2012 (Minute Ref: 23/12), and Members approved the plan as the planning authority's settled view at the Council meeting on 10 October 2012 (Minute Ref: 96/12). It was then subject to a period for representations and then a period followed for their consideration by the Council.
- 3.6 The Plan, the unresolved representations and all related documentation were then forwarded to Scottish Ministers for examination and this process was completed in June 2014 with the receipt of the Reporters Examination Report. All of the documentation, including the Reporter's Report is available on the DPEA website at:
<http://www.dpea.scotland.gov.uk/Default.aspx> - enter the reference "LDP-360-1" in the "Search by case reference:" search box.
- 3.7 We have reviewed the Examination Report and have incorporated all the recommendations into the final LDP (available at <http://www.shetland.gov.uk/ldp>).
- 3.8 The examination report is essentially binding on the Council. The Town and Country Planning (Grounds for declining to follow recommendations) (Scotland) Regulations 2009 state that authorities may only depart from recommendations that:
- a) Would have the effect of making the LDP inconsistent with the National Planning Framework, or with any SDP or national park plan for the same area
 - b) Are incompatible with Part IVA of the Conservation (Natural Habitats etc) Regulations 1994; or

- c) Are based on conclusions that could not reasonably have been reached based on the evidence considered at the examination

- 3.9 None of the above exceptions apply to the recommendations.
- 3.10 Once the Council notifies the Scottish Ministers of its intention to adopt the LDP, it may adopt it unless directed (within 28 days) not to do so by the Scottish Ministers.
- 3.11 After adoption of the plan the Authority is required to:
- Send 2 copies to the Scottish Ministers
 - Publish it (paper and electronically)
 - Place copies in Public Libraries
 - Notify people who made representations on the proposed or modified plans of its publication and availability
 - Advertise its publication and availability in the local newspaper.
- 3.12 Once the LDP is adopted, the Council must adopt the Action Programme within a further 3 months. Thereafter, the Council is to keep it under review and update and republish it at least every two years. Whenever the Action Programme is published, the Council must send two copies to Scottish Ministers, place copies in local libraries and publish it electronically. The action programme is on the internet with all the other LDP documents at <http://www.shetland.gov.uk/ldp>.
- 3.13 The Chair will present any further information to the Council as to the debate or the issues that the Committee considered.

4.0 Implications

- 4.1 Detailed information concerning the proposals was contained within the report already circulated to Members, including the strategic and resources implications for the Council.
- 4.2 There are no additional implications to be considered by the Council, other than those set out in the report.

For further information please contact:

Mr A Cooper, Chair of Development Committee
13 August 2014

List of Appendices

None

Background documents:

Special Development Committee – 13 August 2014

<http://www.shetland.gov.uk/coins/submissiondocuments.asp?submissionid=16543>

END