



MINUTES

A&B - Public

**Special Education and Families Committee
Council Chamber, Town Hall, Lerwick
Thursday 21 August 2014 at 10.00am**

Present:

Councillors:

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

Religious Representatives:

T Macintyre	R MacKay
M Tregonning	

Also:

T Smith	J Wills
A Wishart	

Apologies:

F Robertson

In Attendance:

H Budge, Director of Children's Services
C Horrix, Executive Manager – Early Years and Additional Support Needs
H Leslie, Executive Manager – Children and Families/Chief Social Work Officer
M Nicolson, Executive Manager – Children's Resources
C Anderson, Senior Communications Officer
K Johnston, Solicitor
A Tait, Solicitor
L Geddes, Committee Officer

Chairperson

Ms Wishart, Chair of the Committee, presided.

Circular

The circular calling the meeting was held as read.

Declarations of Interest

None

27/14

Request to Vary Extended Hours of Provision: Bell's Brae Nursery

The Committee considered a report by the Executive Manager – Early Years and Additional Support Needs (Report No: CS-18-14-F) seeking approval 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 required by the Children and Young People (Scotland) Act 2014 (the Act).

The Executive Manager – Early Years and Additional Support Needs summarised the main terms of the report. The Executive Manager – Early Years and Additional Support Needs, the Director of Children's Services, and the Solicitor (K Johnston) then responded to questions, and the Committee noted the following:

- Income from the extended session in 2012/13 was £14,058 and in 2013/14 was £12,921. The suggested proportional charge for the extended session was £3.38 for the session and this would cover staff costs for the next year, although income for the extended session would be reduced.
- At the moment it was not proposed to offer the extended session to other areas, but a report was currently being prepared by a consultant regarding childcare throughout the Council which would enable the Council to put together a childcare policy for the future. This would include consideration of the various options available to deliver the requirements of the Act
- Catchment areas did not apply to nursery places so parents could choose where to put their children, as there was no entitlement to a place in a particular nursery.
- Some parents chose split placements where care was provided by both a nursery and a partner provider, and the legislation was flexible around how the 600 hours was delivered. Consultation had taken place with parents, and most of the responses had favoured an extended session.
- The Council had a good relationship with partner providers and they were consulted regarding the proposals. Efforts were made to ensure that the Council did not compete with private and partner providers.
- Not all nursery spaces in Shetland were taken up. It was unusual not to have waiting lists, as these were common elsewhere. There had been no requests for an extended session of this nature in other areas.
- Staffing ratios were set out nationally for childcare settings. If it should become the case that it may not be viable to provide childcare in a particular setting, a report would be presented to Members. It was usually possible to tell in advance of the beginning of the academic year how many spaces would be utilised, as registration took place in March.

During the discussion that followed, it was suggested that all efforts should be made to maximise the income available from the Scottish Government, in order to provide the flexibility that parents were looking for by extending what was offered.

On the motion of Ms Wishart, seconded by Mr G Smith, the Committee approved the recommendation in the report.

Decision:

The Education and Families Committee **RECOMMENDED** that the Council resolve to approve:

- the new proposed arrangement of hours for the extended session from August 2014; and
- the application of the existing charge on a pro-rata basis.

28/14

Strategy for Secondary Education in Shetland – Preliminary Requirements

The Committee considered a report by the Director of Children's Services (Report No: CS-16-14-F) which sought 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.

The Director of Children's Services summarised the main terms of the report, advising that the preliminary requirements were outlined in Appendix 1 of the report. The information in the report had been contained within the amended strategy that had been presented to Members in July.

The Director of Children's Services and the Solicitor (K Johnston) then responded to questions, and the Committee noted the following:

- Statutory consultation is required when there is a proposal to close a school. Maintaining the current provision does not require statutory consultation, but must be considered as a reasonable alternative within the statutory consultation process. As part of the consultation process, Councils now had to consider reasonable alternatives to the closure proposal. Maintaining the current provision was listed as a reasonable alternative to closure, but was not put forward as a proposal in its own right as it would not require statutory consultation.
- As part of the preliminary requirements, Children's Services had identified educational and financial reasons for proposing the school closures. If the Committee was not satisfied with the educational reasons put forward in the Report, then the statutory consultation process should not proceed.
- Clarification was provided that the wording within the preliminary requirements could be amended for the Proposal Paper.
- The overall savings target that Children's Services had to meet for this year and the next two years was £3.268 million, split into £833,000 this financial year, £1.7 million next year and £700,000/£800,000 the following year. Some suggestions from Members as to how to achieve these savings had been expressed at previous workshops, but there had been no recent suggestions.
- Further information could be sought from Orkney Islands Council as to its position on Secondary 1 to Secondary 4 schools, following the appointment of a new Director.

During the discussion that followed, concern was expressed regarding the statement in the Appendix that the retention of Secondary 1 to Secondary 4 Junior High Schools in Shetland was no longer a tenable position to secure the best possible outcomes for pupils in Curriculum for Excellence, as it created a split senior phase. It was felt that this was a statement of opinion, and that there was nothing in the report to illustrate how this opinion had been arrived at, so the

proposals should not move forward with this statement included and due consideration should accordingly be given to maintaining Secondary 1 to 4 Junior High Schools as part of the consultation.

It was noted that Education Scotland, during its consideration of the Sandwick Junior High School report, had stated that it was better for pupils to have a continuous senior phase from Secondary 4 to Secondary 6, and this had accordingly been considered as one of the drivers for change by Members. However some Parent Councils had been in correspondence with Education Scotland and Education Scotland had indicated to them that the structure of the senior phase was not important, although they did believe that in the case of Sandwick Junior High School that Secondary 1 to 4 was not viable or in the best interests of the pupils. So it could be difficult for the Council to evidence this statement for the rest of Shetland.

The Director of Children's Services advised that she had recently met with Education Scotland, and it had clarified that its statement that it was better for pupils to have a continuous senior phase from Secondary 4 to Secondary 6 had been in response to the proposal paper produced in relation to Sandwick Junior High School, and they were commenting on this particular proposal as part of this particular consultation process. The letter it had sent to Parent Councils mentioned their position statement that they were interested in learning and teaching and how the quality of education was delivered, and not in determining what the structure would look like, as this was for the local authority to determine, as was the number of teaching establishments.

Mr G Smith advised that he had also attended the meeting with Education Scotland, and understood that it was concerned with transitions for pupils, particularly with regard to the exam and qualification structure and the impact on the receiving school if it received pupils after Secondary 4, as this system had not really been developed yet. However he was of the view it was important not to go forward with a potentially prejudicial statement in the consultation papers, and it was important that all options were considered objectively.

It was pointed out that the consultation process would give people the opportunity to challenge the assumption that the current model was not the best option, and that maintaining the current provision of Secondary 1 to 4 will be included within the Proposal Papers as a reasonable alternative to closure. However concern was expressed that the consultation papers might not be seen as impartial, and it was important that the public were clear that all alternatives were being considered. It was also pointed out that what was considered the status quo at the moment would not necessarily be the status quo in future, because there would be a change in resourcing, and it was questioned if this would be taken into account in the consultation.

The Solicitor (K Johnston) advised that changes in legislation made it clear that those consulted could comment and make written representations on the reasonable alternatives, and put forward other reasonable alternatives. How the reasonable alternatives may develop in the future as a result of financial constraints is something that should be explored during the statutory consultation process.

After some further discussion, the Council unanimously agreed to the proposal put forward by Mr G Smith that paragraph 4.4 (Section 2) of Appendix 1 should be amended to read:

“The retention of Secondary 1 to Secondary 4 Junior High Schools in Shetland should be explored as to whether this secures the best possible outcome for pupils in Curriculum for Excellence. The 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”.

Decision:

The Education and Families Committee **RECOMMENDED** that the Council resolve to agree 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
- That Paragraph 4.4 (Section 2) of Appendix 1 “Preliminary Requirements for Junior High School Proposals” be amended to read:

The retention of Secondary 1 to Secondary 4 Junior High Schools in Shetland should be explored as to whether this secures the best possible outcome for pupils in Curriculum for Excellence. The 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.

29/14

Shetland Islands Council Children’s Social Work Services Policy

The Committee considered a report by the Executive Manager – Children’s Resources (Report No: CS-21-14-F) which presented the Children’s Social Work Services Policy seeking agreement on the overarching principles that will govern service delivery.

The Executive Manager – Children’s Resources summarised the main terms of the report, advising that a suite of procedures sat behind the Policy, which had been reviewed at this point because of recent legislative changes. There were three main changes to the policy – the first being that it now included reference to Getting It Right for Every Child (GIRFEC), and the Council was now making headway in embedding this in its procedures. The second main change was that residential care for children should be regarded as a positive choice for some children and young people, and it should be considered equally alongside foster care. The final main change was that the local authority now had the responsibility for children and young people up to the age of 26, and this was seen as a positive development.

In response to a query, the Executive Manager – Children’s Resources advised that there was a range of support available for young people up to the age of 26. This was delivered by the Through Care and After Care team in Shetland. It also included some financial support and assistance in understanding rents and benefits and with seeking employment.

Members commended the clarity of the policy and welcomed the extension of corporate parenting responsibilities to a wider age group.

On the motion of Mr Robinson, seconded by Ms Wishart, the Committee approved the recommendation in the report.

Decision:

The Education and Families Committee **RECOMMENDED** that the Council resolve to adopt the Children’s Social Work Services Policy.

The Chair advised that although the following report had been marked as exempt, she intended to hold it in public provided that Members did not go into any detail of what was included in the appendices, which would remain exempt.

30/14 **Corporate Parenting Progress Report**

The Committee considered a report by the Executive Manager – Children and Families/Chief Social Work Officer (CS-20-14-F), which provided an update on the progress of the proposals approved for Corporate Parenting.

The Executive Manager – Children and Families/Chief Social Work Officer summarised the main terms of the report, advising that the Council’s corporate parenting role had been strengthened by the Children and Young People (Scotland) Act 2014. The changes brought in by this Act were welcomed, particularly the recognition that some young people would require care and support into their 20s and services to help secure permanence for young people who had become accommodated within six months. The Looked After Children Strategy would be presented to Members in October, and this would incorporate corporate parenting functions and identify key priorities. The numbers of looked after children locally were not large, but they were comparable with other local authorities. There had been interest locally from young people in participating in the updating of looked after materials and procedures to make them more child-friendly. An ‘App’ was also being developed with the Children’s Rights Officer locally, and other local authorities were very interested in this development.

On the motion of Ms Wishart, seconded by AM, the Committee approved the recommendation in the report.

Decision:

The Education and Families Committee noted the information presented and **RESOLVED** to approve the proposals as listed in Section 8 of the report.

The meeting concluded at 11.20am

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Chair