

# MINUTES

# A&B - Public

**Education and Families Committee  
Council Chamber, Town Hall, Lerwick  
Monday 4 December 2017 at 10:00am**

**Present:**

Councillors:

P Campbell	J Fraser
C Hughson	E Macdonald
D Sandison	C Smith
G Smith	T Smith

Religious Representatives:

T Macintyre	H Rankine
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M Tregonning

**Apologies:**

R McGregor	R Thomson
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B Wishart

**In Attendance:**

H Budge, Director – Children’s Services  
J Belford, Executive Manager - Finance  
A Edwards, Executive Manager – Quality Improvement  
M Nicolson, Executive Manager – Children and Families  
R Sinclair, Executive Manager – Capital Programme  
S Thompson, Executive Manager - Schools  
C Anderson, Senior Communications Officer  
L Gray, Senior Assistant Accountant  
K Johnston, Solicitor  
J McLeod, Performance and Improvement Adviser  
L Geddes, Committee Officer

## Chairperson

Mr G Smith, Chair of the Committee, presided.

## Circular

The circular calling the meeting was held as read.

The Chair welcomed Ms Rankine who was attending her first meeting since being appointed as a religious representative.

**Declarations of Interest**

None

**Minutes**

The Committee confirmed the minutes of the meeting held on 2 October 2017 on the motion of Mr Campbell, seconded by Mr T Smith.

26/17

**Children's Services Performance Report Six Month/Second Quarter 2017/18**

The Committee considered a report by the Director of Children's Services (CS-26-17-F) which summarised the activity and performance of the Children's Services Directorate for the second quarter of 2017/18.

The Director of Children's Services summarised the main terms of the report, outlining the key activities over the last three months. She highlighted in particular that a new Regional Lead would now be appointed for the Northern Alliance, following the recent appointment of the previous Regional Lead as Chief Executive and Chief Inspector of Education - Education Scotland. The Strategic Plan for the collaborative that was being developed would come before the Committee for consideration. The business case for residential services was currently being developed, and Children's Services was working closely with Capital Programmes to progress this. It was recognised that there was a need to take this forward with some urgency, and more work would take place over the next quarter. There had been some difficulties in completing Looked After Children reviews and Child Protection Case Conference reviews within the required timescales. This was due to staffing issues and difficulties in recruiting to managerial positions, but it would be prioritised and it was hoped there would be some improvement over the next quarter. Work was also continuing to try and improve the uptake for free school meals and clothing grants, with the entitlement to these benefits being flagged up to potential claimants when other benefits were being applied for.

Responding to a question, the Executive Director – Finance advised that in respect of the new Anderson High School project, Children's Services had identified that up to £200,000 may be required for the move to the new site. This had been included in the budget setting process, and had been set against corporate contingencies. It was not an overspend, and was not part of the core Children's Services budget. Out of the £200,000, £137,000 had been required to date, and this figure should be able to be managed from contingencies. The Director of Children's Services confirmed that this figure did not form part of the contractual cost that was being funded by the Scottish Government.

The Director of Children's Services and Executive Manager - Schools then responded to questions, and the Committee noted the following:

- There was always a risk that there would not be enough foster carers or adoptive parents for those children requiring permanency. Work was ongoing to encourage people to become foster carers, and fee-paid foster carers were now being used.
- Consideration had been given to ways to reduce the stigma in relation to free-school meals. One area that had been considered was a "cashless cafeteria", where cafeteria meals for secondary school pupils could be prepaid and loaded on to an entitlement card. However the development of an entitlement card had been held up because of issues relating to the transport element. An online payment system was being piloted and would be rolled out further to secondary schools where pupils were having school meals. However there were difficulties with this in schools operating a cafeteria system, and costs attached to operating a card system in these instances. Direction from Members would be welcomed as to whether this should be progressed.

- Changes to data protection legislation in respect of the Risk Register were being taken into account as part of broader records management requirements.

The Chair commented that the Committee would be keen to hear progress in relation to residential and foster care resources and the securing of additional accommodation, and be reassured that the target date of 1 April 2018 would be met. He went on to say that it was a corporate objective to “listen to young people”, but that the Education and Families Committee was the only Council committee that had picked up on the need for young people’s voices to be heard, so he intended to raise this matter further at the Policy and Resources Committee.

It was suggested that Council-wide consideration should be given to the question of how to best support young moving out of care into Modern Apprenticeships,

Some discussion took place regarding free school meals uptake, and it was noted that work carried out by the Shetland Partnership had ascertained that 49% of households in Shetland were not “living well”. Therefore it was difficult to understand why there was such a low take up locally, and it was suggested that there may be routes via the third sector to raise awareness and that the Council could develop more of a ‘one-stop shop’ approach to the claiming of benefits. It was pointed out that if the Scottish Government continued to use the uptake of free school meals as a measure for the distribution of funding, this would continue to have a negative effect locally.

It was suggested that more research needed to be carried out as to why fewer people were taking up school meals, and it was commented that other social grants were also experiencing a decline in take up. Stigma was one factor that may be having an effect, and there was a need to try and develop ways to reduce this stigma. The development of ‘cashless catering’ and an entitlement card for young people should assist, and it was suggested that consideration could be given to working in partnership with other local authorities regarding an entitlement card scheme, as there was a desire to have this in place and there may be economies of scale in working with other areas.

The Director of Children’s Services agreed to follow this up.

#### **Decision:**

The Education and Families Committee discussed the contents of this report and made relevant comments on progress against priorities to inform further activity within the remainder of this year, and the planning process for next and future years.

#### **27/17 Management Accounts for Education and Families Committee: 2017/18 – Projected Outturn at Quarter 2**

The Committee considered a report by the Executive Manager - Finance (F-085-F) which enabled the Committee to monitor the financial performance of services within its remit to ensure that Members were aware of the forecast income and expenditure, and the impact this would have with regard to delivering the approved budget.

The Executive Manager – Finance summarised the main terms of the report, advising that an allocation of £418,000 had been made to Children’s Services Directorate from the cost pressure/contingency budget in order to meet employee staff cost pressures. As discussed earlier, a cost pressure of £200,000 had been

identified in respect of the move to the new Anderson High School. Across the Council, £1.4million of cost pressure items had been identified and set against contingencies. It was expected that services would endeavour, in the first instance, to meet any additional costs from within existing resources, and the overspend described in the report was one which the Council should be able to afford, provided things continued the way they were expected to. Changing school roles, increasing costs in ASN provision, and agency cover were the main reasons for the variances to the budget.

The Chair commented that the position that had been reported was a good position, due to the hard work carried out by officers across the directorate. The areas of additional expenditure had been predicted and identified, and so the budget position was where it was expected to be.

The Executive Manager – Finance and the Director of Children’s Services then responded to questions, and the Committee noted the following:

- The Sanctuary Model of therapeutic care that was being developed and introduced was a community-type collaborative model that involved young people who had experienced trauma being involved in the decisions that were made around them.
- It was Council policy that responsibility for vacant buildings and sites passed over to Capital Programmes, and the budget was accordingly passed over with the responsibility for their management. Therefore the costs relating to the old Anderson High School buildings had been taken out of the Education and Families Committee budget responsibilities as of 30 November, but the report presented today related to Quarter 2. Some of the buildings on the old Anderson High School site were still being used, and these costs therefore remained within the Children’s Services Directorate.
- Further information regarding the use of agency staff was available in the Chief Social Work Officer’s report, which would be considered later on the agenda. However there had been difficulties recruiting to some posts, and numbers applying for these posts had been quite low. Work was ongoing to promote Shetland nationally and encourage people to move into this particular area of work. Retention of staff was also an issue, as the workforce tended to be quite young and there was a high turnover, but different ways of attracting people into the profession were regularly explored.
- Pay pressures facing the Children’s Services Directorate included the teachers’ pay award, which had yet to be finalised, and more information should be available for the next quarterly report.
- The areas of the Community Planning and Development budget which related to the Education and Families Committee were Train Shetland and some areas related to Shetland College, such as adult learning.

**Decision:**

The Education and Families Committee reviewed the Management Accounts showing the projected outturn position at Quarter 2 and agreed the actions set out by the Director of Children’s Services in paragraph 4.3 to mitigate the projected overspend.

28/17

**External Audit Report – Care Inspectorate Report on Skeld Primary School Nursery**

The Committee considered a report by the Director of Children's Services (CS-24-17-F) which highlighted the findings of a recent report from the Care Inspectorate.

The Executive Manager – Quality Improvement summarised the main terms of the report, advising that the two recommended actions had been dealt with. She confirmed that the recommendation regarding antibacterial hand wash has been passed on to other nurseries.

Responding to a question, the Executive Manager – Schools advised that there were only janitorial staff at 14 schools, and the remainder relied on a variety of helpers to help out with grass cutting. This year the Anderson High School groundperson had assisted some schools, and it was hoped that this could be done again in future. However it was difficult each year as there was no budget or staff to provide grass cutting, and it was the same situation in winter when it came to gritting.

It was commented that school grounds should be kept in good condition, but it was an issue for Members to resolve if there was no budget available for dedicated staff to carry out the work.

The Committee requested that their thanks be passed on to staff of the school in securing such a positive report.

**Decision:**

The Education and Families Committee noted the content of the Care Inspectorate Report on Skeld Primary School Nursery.

29/17

**Empowering Schools: A Consultation on the Provisions of the Education (Scotland) Bill – Draft Response**

The Committee considered a report by the Director of Children's Services (CS-25-17-F) which presented a draft consultation response in respect of the Scottish Government's Consultation on the Provisions of the Education (Scotland) Bill for further comment from the Committee.

The Executive Manager - Schools summarised the main terms of the report, outlining the key points that had been highlighted in the draft response, and advising that the response required to be submitted to the Scottish Government by 30 January. It was crucial that a robust response was submitted, setting out the unique circumstances and requirements of the islands.

The Chair added that this was one of the most important consultations that the Committee would have to deal with, alongside the Fair Funding to Achieve Excellence and Equity in Education consultation, which the Committee had responded to following their meeting in October. The draft response highlighted the significant issues for the Council, and some of the proposals were quite serious in terms of democratic accountability. The proposals in respect of head teachers were of particular concern, especially given that 15 out of 28 head teachers locally were teaching head teachers. It was vital that the consultation response highlighted the shortcomings and potential consequences for Shetland, and stressed the need for island proofing so that the approach could be adapted to work locally should the proposals become law. It was important to emphasise that there were not the same

opportunities for economies of scale locally, and as a result it would be difficult to put devolved school management into place. It was important that GAE continued, and that funding reflected the actual cost of the delivery of education in Shetland. There were some aspects of the proposals that were valuable, such as greater engagement with parent councils, but care would have to be taken not to transfer more on to volunteers without giving them the tools to assist. COSLA was currently preparing its response, as was the Northern Alliance. It was hoped to use as much time up to the deadline to consult and add to the response from the Committee and, if required, the Committee could meet again before the final response was sent in.

During the discussion that followed, concern was expressed regarding the additional responsibilities to be placed on to head teachers, and the potential impact locally where many head teachers were teaching head teachers. In response to a query, the Director of Children's Services advised that there were a number of different unions representing teaching staff across Scotland, and it should be recognised there was a mixed picture regarding the views that were being expressed on the proposals and on the role of the local authority. However it was important to consider the position in Shetland, where more than half of head teachers were teaching head teachers, and the proposals would result in additional work for them.

She went on to confirm that the Northern Alliance would also be producing a response. Being a part of this collaborative had been very positive, and it recognised the benefits of economies of scale and working together in particular areas.

It was commented that working in a collaborative with other local authorities had been a mutually positive experience, but it was important that the role of the local authority in decision-making was retained, as otherwise Shetland would be just one voice amongst eight local authorities in the collaborative. Any removal of responsibility from local authorities was extremely concerning, both in terms of the operational issues for small/very small schools, and in reducing the influence parents could have as they would no longer be able to appeal to local representatives. There would also be issues regarding giving head teachers authority to appoint staff, particularly where shared staff were involved, and COSLA had identified possible legal risks.

In light of the above discussion, it was agreed that further reference to the following issues should be included in the response:

- The potential impact on staff recruitment, retention and health as a result of the proposed new powers for Head Teachers.
- Further emphasis on the number of small and very small schools in Shetland, in comparison to other areas.
- The potential removal of local democratic accountability and local representation.
- The potential impact on shared staff if recruitment becomes the responsibility of Head Teachers.

Given the number of concerns that had been raised, it was further suggested that the reference to "...broadly supportive..." should be removed from the final paragraph of the draft response, and it was agreed that this would be in order.

On the motion of Mr Fraser, seconded by Mr Campbell, the Committee approved the recommendations in the report.

Mr C Smith advised that he would be taking the concerns raised forward to the COSLA Leaders meeting.

The Chair advised that he would await the outcome of the COSLA Leaders meeting, so the response would be submitted quite close to the deadline. However he hoped to be able to circulate a final draft to members of the Committee, so that any further significant concerns or comments could be included.

**Decision:**

The Education and Families Committee:

- noted the draft consultation response in respect of the Empowering Schools: A Consultation on the Provisions of the Education (Scotland) Bill
- provided additional comments to be incorporated into the draft response
- agreed that delegated authority be given to the Director of Children's Services, in consultation with the Chair and Vice-Chair of the Education and Families Committee to finalise the consultation response

30/17

**Chief Social Work Officer Annual Report**

The Committee considered a report by the Chief Social Work Officer (CS-27-17-F) which presented the annual report on the functions of the Chief Social Work Officer role and the delivery of the local authority's social work services functions.

The Chief Social Work Officer summarised the main terms of the report, highlighting the key points and outlining the work that had taken place since the last report had been presented. She advised that Children and Families Social Work received around 60 referrals a month. Some did not require action and some were referred to other agencies, and this highlighted the importance of inter-agency working and accountability. A more streamlined framework was being developed to ensure there was a clearer understanding of governance and accountability. The number of children on the Child Protection Register fluctuated, and 32 had been placed on the Register in 2016/17. Most of these did not remain on the Register very long, and this reflected the level of work taking place with families. The number of Looked After Children remained at around 30, but in percentage terms, this was one of the lowest in Scotland. It was a complex and challenging area of work, and it would be an area of growth as new legislation would be extending the local authority responsibility up to the age of 26. There was a recognition that there was a need to redesign early intervention services so that they were more fit for purpose. A new model for handling complaints had been developed which was more in keeping with both Council and NHS processes. Recruitment in some areas continued to be a challenge, particularly for senior management and specialist posts. Work was being done to assist with developing career pathways for staff, but there was still a need to rely on agency staff for some posts. The out of hours

service was a particular challenge, and there was a burden on the staff who covered the rota. Work was being carried out to try and find a solution.

The Chair advised that he was pleased to see the work being developed and carried out to deal with recruitment issues. However it remained an area of concern, and it would be useful to get regular updates on how it was being addressed.

The Chief Social Work Officer then responded to questions, and the Committee noted the following:

- The duty in forthcoming legislation for the local authority to provide support for unpaid carers was something that had been considered by the Integration Joint Board, and work had started to ensure that measures would be in place in time.
- Basic social worker pay grades were not the main area of concern, but it was difficult at management level to carry out comparisons with other local authorities, because each area had different structures in place. Standby and out of hours payments were an issue, as the Council had previously agreed that social workers should be paid the same as other Council workers, and this was a contentious issue for social workers. A report was being prepared, and would be considered by the Employees' JCC and the Policy and Resources Committee in the new year.
- Exit interviews with staff were carried out, and Human Resources had identified that turnover of staff was not an issue. It was more the case that people were moving on in their careers, and moving across services. It was hoped to carry out work on improving the skills of staff so that they could carry out work across the board.
- There were ongoing links between Children and Families Social Work, and substance misuse groups, and staff met on a regular basis to share information. In some areas, such as children and adult mental health services, there were nominated social workers with specific responsibilities. Substance misuse was one of the key reasons that children were registered on the Child Protection Register, and there was a concentrated effort to share information between the service areas so that issues could be looked at more strategically.

**Decision:**

The Education and Families Committee considered and noted the Annual Report from the Chief Social Work Officer.

The meeting concluded at 12noon.

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Chair