

MINUTES

A&B - Public

Education and Families Committee
Council Chamber, Town Hall, Lerwick
Monday 21 May 2018 at 10:00am

Present:

Councillors:

P Campbell S Coutts
J Fraser C Hughson
E Macdonald R McGregor
D Sandison G Smith
T Smith R Thomson
B Wishart

Religious Representatives:

T Macintyre

Apologies:

H Rankine M Tregonning

In Attendance:

M Sandison, Chief Executive
H Budge, Director – Children’s Services
N Grant, Director – Development Services
J Belford, Executive Manager - Finance
J Riise, Executive Manager – Governance and Law
J Sutherland, Executive Manager – Children’s Resources
T Coutts, Project Manager
J Johnston, Quality Improvement Officer
K Johnston, Solicitor
B Kerr, Communications Officer
J Macleod, Performance and Improvement Adviser
W Shannon, Interim Joint Principal – Shetland College
J Thomason, Management Accountant
L Geddes, Committee Officer

Chairperson

Mr G Smith, Chair of the Committee, presided.

Circular

The circular calling the meeting was held as read.

Declarations of Interest

Agenda Item 1 – Effective and Sustainable Tertiary Education, Research and Training Project – Strategic Outline Case:

Mr G Smith, Ms Wishart and Ms Macdonald declared an interest in the above item as members of Shetland College Board.

Mr T Smith declared an interest in the above item as Vice Chair of Shetland College Board.

Mr Campbell declared an interest in the above item as Chair of Shetland College Board.

Reverend Macintyre declared an interest in the above item, having a close family member who works at Shetland College.

Mr Sandison declared an interest in the above item as an ex-officio Trustee and Chair of the Shetland Fisheries Training Centre Trust (SFTCT), and he advised that he also had a financial interest that pertained to his employer, who was in receipt of an honorarium. As Chair of the SFTCT, he believed that he was in a position to advocate for the SFTCT during this process. As it would be a strategic level discussion, it would be appropriate for him to do so and answer questions from Members. However he would withdraw from the meeting during the debate and decision-making.

Minutes

The Committee confirmed the minutes of the meeting held on 23 April 2018 on the motion of Mr Campbell, seconded by Ms Wishart.

13/18 Effective and Sustainable Tertiary Education, Research and Training Project - Strategic Outline Case

The Committee considered a report by the Director of Development Services (DV-21-18-F) presenting the Strategic Outline Case (SOC) regarding the future operating and governance options for Shetland tertiary education, research and training, which had identified a merger of these services in Shetland as the preferred way forward.

The Director of Development Services summarised the main terms of the report, advising that a merger of tertiary education in Shetland was something that had been considered for a number of years. A number of stakeholders had been involved in agreeing a way forward, and staff from the three organisations had been involved in preparing the SOC. The Scottish Funding Council and UHI were supportive of funding the project, and there was a lot of work that would be required to prepare the full business case. The purpose of the report today was to provide an update on progress and seek agreement to take forward the merger option for full business case analysis. Within the merger options there were two sub-options – one was to create a new entity, and the other was to use the existing SFTCT body as a host and move all assets into that model. Delegated authority was sought for the actions required and for engaging the resources required to get to a full business case. The SFC had invited an application for project funding and was motivated to cover most of the costs in getting to a full business case. Delegated authority was also sought to extend the existing interim management arrangements in order to allow this work to take place.

The Project Officer then outlined the options that had been considered in response to the business needs and project scope identified within the SOC. He outlined the long list of nine options that had been considered against the critical success factors (CSF) and explained that prior to scoring these against the CSFs, a brief scoping exercise had been carried out against each option. Following this exercise, Options 3-6 had all demonstrated a potential or direct fit with the CSFs and remained in the process for scoring. Options 7-9 were considered to be unable to achieve some or all of the CSFs, and had been discounted at this stage. Options 1 and 2 were unable to show a fit with the criteria, but as they were important comparators for the remainder of the Business Case process, they would remain in the process for scoring against the CSF. A scoring mechanism had been developed by the project team, which scored options based on the potential ability of each to deliver against the CSFs. Following this process, two options from the

shortlist had been clearly preferable – ‘Host’ NAFC and New College – and these were the two options that were recommended to be developed further in the Full Business Case.

Mr Campbell, Chair – Shetland College Board, said that it had been a number of years since the Council had taken a decision to review the sustainability of Shetland College. This had set in progress the work that had taken place resulting in the decision required today which could mean that a new organisation would be in place by 2019. It should be considered as an opportunity to create an organisation that would serve and benefit the Shetland community, and it would enable the tertiary sector to play its role in achieving the 10-Year Plan to build a stronger community. The requirements of the community would shape the organisation, and at the very core of this would be the participation of students and their interests. At a recent meeting, the SFC had indicated that a bid for the financial resources necessary to move the project forward to full business case would be looked upon favourably. However the control of the process would remain in Shetland, and this was accepted by the SFC, as it was something requiring local knowledge and understanding. Suitable teams of staff members had been identified, and options would be considered against the status quo. The critical success factors would be applied to the options to determine the business case for the decision-making process. A decision would be made in October regarding the integration of the three organisations involved and, if approved, this would necessitate entry into a Parliamentary process and timetable. He was of the view that it was time to move forward, and a valuable opportunity to place tertiary education in a position to fully serve Shetland learners and the community and meet the challenges to be faced in the years ahead.

Mr Sandison, Chair – SFTCT, advised that he endorsed these sentiments. The process had been going on for many years, and it had not been easy. The SFTCT had been fully engaged at all stages, but it had been difficult as it was an independent trust with different governance arrangements, and it had sometimes felt like a junior partner. However Trustees were extremely committed, and had engaged throughout the process as they could see the value of creating something for the wider good of the community and industry. It was important to find the best model to grow the sector. As Chair of the SFTCT, he had advised the Council a couple of years ago of its willingness to act as the host organisation. It was felt that things could have moved quicker, but there had been a number of large issues regarding property, assets and pension liability that required to be resolved and had prevented a full merger from taking place. He believed that there would be ways of resolving these issues and only the business case not stacking up would prevent moving forward. It was important to recognise that the NAFC had struggled financially due to the length of time it had taken to get to this position, and this had affected its ability to function. He was happy to take questions from the Committee regarding the position of the NAFC Marine Centre.

The Chair commented that he had a lifelong involvement in education, and an awareness of the value and requirements of tertiary education in Shetland from his time spent at Shetland College and Train Shetland from 2006-2011. It was important not to underestimate the value of the learning opportunities provided by the three establishments, and it was important to move forward together to create a brighter future for current and future learners in Shetland.

Responding to a question, Mr Sandison advised that the NAFC Marine Centre had been impacted in various ways over the last few years due to being in a position of

limbo. The management resource had been severely stretched, and it had led to a position where the thinking about how to move things forward had detracted from the organisation's ability to grow and find new opportunities to develop, which could have happened if there had been more clarity about the arrangements for moving forward. The organisation did have the ability to attract further external funding, and it was commented that it was important to bear in mind in going forward that trusts and third-sector organisations did have the ability to attract funding that local authorities could not.

The Director of Development Services confirmed that if it was agreed that the SFTCT should be the host organisation, then its Board would require to be completely restructured and the Trust Deeds would have to be amended to ensure that it covered everything required of the tertiary sector in Shetland and was not just marine-based.

The Chair commented that it was imperative to look at what was offered best across all three organisations, and match that to the needs of the Shetland community. It was inevitable that the community might regard it as a takeover, but it was about creating the right structure that would enable what was required by Shetland community.

Mr Sandison advised that the Trust Deed would indeed have to change to accommodate the model proposed, and the composition of the Board would also require to change. The focus on marine activity would have to change but, as an industry representative, he would wish to protect marine sector interests and their part in any new organisation. Getting the right composition of trustees would be vital in any new organisation.

Mr Campbell added that governance was an issue that would be considered by the Scottish Government, as any new board would have to be aligned with the Government's requirements in terms of skills and gender balance.

The Project Officer confirmed that a new body, as proposed at Option 6, would have to be capable of attaining charitable status. Because the NAFC Marine Centre assets were charitable, they could only be transferred to another charitable organisation. Some sort of limited liability organisation that could be overseen by a board of management would be preferable. Option 5 would use the existing Trust as a host.

(Mr Sandison left the meeting)

It was commented that it was important for the Committee to bear in mind the ambitions to grow the Shetland community, and the provision of tertiary education was an important part of this.

In thanking those who had been involved, particularly over the last few weeks, in carrying out the work to reach this stage, Mr Campbell moved that the recommendations in the report be approved.

Mr T Smith seconded.

Decision:

That Committee RECOMMENDED that the Council RESOLVES to:

- APPROVE merger of tertiary education, research and training services as the preferred way forward as identified in the Strategic Outline Case (SOC) for the Effective and Sustainable Tertiary Education, Research and Training in Shetland Project (hereafter referred to as 'the Project'), attached as Appendix 1
- NOTE that the preferred way forward contains two options; namely Option 5 ('Host' NAFC) and Option 6 (New College)
- DELEGATE authority to the Chief Executive (or her nominee) to take any action and decisions required to develop the Full Business Case for the preferred option, which will be reported to Committees, Board and Council for a decision in October 2018
- DELEGATE authority to the Chief Executive (or her nominee) to procure and engage any specialist legal or other services required to develop and finalise the Full Business Case
- AGREE that the delegation of authority granted to the Shetland College Board on 29 June 2016 [Min. Ref. SIC 53/16] to support potential further stages of the Project remains in place until September 2019
- DELEGATE authority to the Director of Development (or his nominee), in consultation with the Chair of Shetland Fisheries Training Centre Trust (SFTCT), to extend the Interim and Joint management arrangements up to the end of the 2018/19 academic term (July 2019)

(Mr Sandison returned to the meeting)

14/18

Children's Services Performance Report - Twelve Month/Fourth Quarter 2017/18

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

The Director of Children's Services summarised the main terms of the report, highlighting the achievements of the Directorate over the last year. There were a number of actions in the Action Plan which went beyond a one-year period and, in particular, the collaboration in the Northern Alliance would continue to 2020. She went on to say that funding had now been received in respect of the expansion of early learning and childcare, and that the spend-to-save application for the Emotional Wellbeing Project had been successful. She highlighted that Shetland had the third highest figure in Scotland for the number of pupils achieving five or more qualifications at National 5 level, and the figure of 96.4% of 16-19 years olds in training, education or employment was also the third highest in Scotland. This was a good illustration of how the Council was doing very well in helping young people to achieve.

Responding to questions, she advised that the terminology used relating to Developing the Young Workforce was HMI terminology used in respect of the national improvement framework. With regard to Looked After Children reviews, a number of options were being explored with regard to the recruitment difficulties that had impacted on reviews being completed within timescale. Some of the gaps had been filled by the use of agency staff. Workforce planning was also being

considered, and Children's Services were working alongside Human Resources to look at alternative ways of recruiting. She confirmed that the reviews themselves were prioritised to ensure that statutory levels were maintained. Where there was a delay in completing reviews, the Service always continued to provide what was appropriate, and those involved were always informed if there was any delay to the timescale.

She went on to say that it was appropriate that additional costs in meeting possible additional support needs for pupils placed off-island were identified on the risk register. The Council was sometimes charged for the education elements of placements and although this was not normal practice, it was a risk that should be identified. The Solicitor explained that the Council was legally obliged to provide for the education of children who were ordinarily resident in Shetland, so would still require to pay for this even if the child was being educated off-island.

The Chair commented that it was important to continue to take every opportunity politically to engage with the Cabinet Secretary for Education and Skills regarding the ongoing funding of education in Shetland, and that he was sure the Leader would be taking the opportunity to engage with the MSP about the need for island-proofing.

The Leader advised that lobbying would continue on the basis that there was an island disadvantage.

Decision:

The Committee discussed the contents of the report and made relevant comments on progress against priorities to inform further activity and the planning process for next and future years.

(Reverend Macintyre left the meeting)

15/18

Management Accounts for Education and Families Committee: 2017/18 - Draft Outturn

The Committee considered a report by the Executive Manager – Finance (-18-18-F) which enabled the Education and Families Committee to note the financial performance of services within its remit for the 2017/18 financial year.

The Executive Manager - Finance summarised the main terms of the report, advising that costs had exceeded revised budgets due to specific demands on services – particularly in respect of residential care for children, and staffing in primary and secondary schools as a result of increased school rolls, sickness and maternity cover, and an increase in pay and holiday entitlement. The areas of cost pressure remained consistent, and the challenges in meeting these resource requirements had been managed by the Council. The draft revenue outturn position was an overspend of £383,000 (1%) against the revised budget. Specific grant income of £165,000 which had not been utilised would also require to be carried forward. In line with the budget carry forward scheme, services had requested budget carry-forwards of £165,000 on revenue and £943,000 on capital. The underspend in the draft capital outturn position related mainly to slippage, and there would be a budget carry-forward of £943,000.

The Chair commented that the budget was well-managed in terms of the known aspects, and the Council had made provision for the unknown aspects. There

would be continuing pressure on the budget in this area, but projects had commenced to help support young people to remain on-island.

The Director of Children's Services added that the need to meet the needs of these vulnerable young people was recognised. The Emotional Wellbeing and Resilience project, which had secured funding, had been prioritised by the Service, and it would help strengthen and support families.

Responding to a question regarding the increase in school rolls, she confirmed that primary school rolls had increased, but that there had been a decrease in some secondary school rolls. There had been an increasing number of placing requests, and families moving in to or out of an area had an effect on whether or not additional resources were required in the school. The Service did try every year to ensure it had as much information as possible, but it was something that could be difficult to predict.

The Executive Manager – Finance added that budgets were set using data that was available from December to February. However as the new academic year did not start for another six months, adjustments were required and this made it difficult in financial terms.

Members commented that it was admirable that the Service was only 1% over budget, given the nature of the demands on the Service.

Decision:

The Committee:

- NOTED the Management Accounts showing the draft outturn position for 2017/18
- NOTED the proposed budget carry - forwards, which will be included in the overall Draft Outturn report to be presented for approval at Policy & Resources Committee on 18 June 2018

16/18

External Audit Report: Short Breaks for Children - Care Inspectorate Follow Up Visit

The Committee considered a report by the Executive Manager, Children's Resources (CS-19-18-F) outlining the findings of a follow up visit by the Care Inspectorate to assess progress against an action plan submitted by the service in response to recommendations made during a previous inspection.

The Executive Manager, Children's Resources Services summarised the main terms of the report, advising that the follow up report highlighted areas of improvement in relation to each of the recommendations from the initial inspection. It had been acknowledged that some of these developments were in the early stages of implementation, and the Service would be inspected and regraded later in the year.

Responding to questions, he advised that the Service had carried out an overhaul of support plans 18 months ago. While they were relatively new, some issues had been identified, and they were being looked at again to ensure that they were not too onerous for staff. Staff were dealing with a larger volume of children than other services, and the issue of medication and recording was a complicated matter.

There had been some progress, and training relating to the administration of medication had been overhauled a couple of years ago. However the Short Breaks for Children Service was a social care service sitting within Children's Services, and there was an issue that the policy that had been written related to the care of adults. A procedure relating to children, and access to appropriate training, was under review at the moment and a timescale for the completion of this could be supplied to Members. The children using the Short Breaks service were not there all the time, and there was a need to work with parents to make sure that staff were getting up to date written information on the medication that the young people using the service required.

It was suggested that it would be useful to seek advice from other areas, such as Lothian, who had experienced problems in this area and had come up with some good solutions.

Decision:

The Committee NOTED the contents of the report.

19/18

External Audit Reports - Care Inspectorate Report on Fetlar Primary School Nursery

The Committee considered a report by the Director of Children's Services (CS-23-18-F) that highlighted the findings of the Care Inspectorate following an inspection of the Fetlar Primary School Nursery.

The Director of Children's Services summarised the main terms of the report, advising that the requirement for the Manager of Fetlar Nursery to be on site one day per week had been satisfied by changing the manager to the Principal Teacher. In response to questions, she confirmed that there were no cost implications as a result. The Principal Teacher already had a managerial role, and it was a formalisation of the responsibility.

The Committee commended staff for the positive report.

Decision:

The Committee NOTED the content of the Care Inspectorate Report on Fetlar Primary School Nursery.

20/18

Hub Project - Update Report

The Committee considered a report by the Executive Manager, Children's Resources (CS-22-18-F) on progress made in winding down the Hub project, and the work underway to ensure a suitable range of alternative options are available for young people leaving care.

The Executive Manager, Children's Resources Services summarised the main terms of the report, advising that all tenants of the Hub Project had now moved into permanent accommodation, and those requiring ongoing support were receiving a service provided by the Council's Throughcare and Aftercare team. He outlined the alternative options that would be available for young people leaving care, and advised that a joint officer working group would be reviewing practices in light of the end of the Hub Project, and monitoring the implementation of the Care Leavers' Protocol.

In response to questions, he advised that once a data protection impact assessment had been carried out and the terms of reference had been agreed, the Working Group would get underway. It would report to the Corporate Parent Board. He confirmed that the Council remained committed to enabling young people to remain in their placements, and the individual detail of each case would be considered in looking at how best to support the young person. There were currently ten young people who were being supported to develop independent living skills.

It was questioned if any additional support from the Scottish Government would be forthcoming to assist local authorities with their new duties under the Children and Young People (Scotland) Act 2014. The Director of Children's Services advised that some additional funding had been received to support carers, but there was no guarantee that this would be forthcoming in the future. COSLA had been successful in ensuring that the model for the expansion of early learning and childcare was fully funded, and the Council would look to see how some of the support received relating to carers and education would be distributed. This funding would be received at the end of June, and would give an indication of the type of funding schemes the Scottish Government may use in the future.

It was commented that the COSLA example in securing funding for the expansion of early learning and childcare illustrated the importance of local authorities working together, and there may be further opportunities to work together to secure funding for the additional costs incurred as a result of the new duties.

Decision:

The Committee:

- NOTED progress made in closing down the Hub Project
- NOTED an officer Working Group will be set up to take forward detailed work in relation to future provision for young people leaving care in Shetland

21/18

Closing the Attainment Gap

The Committee considered a report by the Director of Children's Services (CS-20-18-F) presenting an update on the work being undertaken by Children's Services and its partners to raise attainment for all and close the attainment gap between the most and least disadvantaged children in Shetland.

The Director of Children's Services summarised the main terms of the report, advising that there were a number of key areas of work that had taken place locally to help achieve Excellence and Equity in Shetland education. These ranged from areas in the common curriculum through to bespoke work carried out with very small groups of pupils. Performance in Shetland was very good and the attainment gap was not as wide as it was in many other local authorities, but schools were being supported to help those pupils facing barriers.

She went on to say that six schools locally had successfully bid for funding through the Innovation Fund, which was aimed at supporting projects aimed to improve literacy, numeracy, health and wellbeing. The Council had also produced a local National Improvement Framework (NIF) Plan which set out its commitment and activities to meet the four priorities within the NIF. The local Quality Improvement Officers were assisting in developing local guidance and creating opportunities to

help schools with this, and would be focusing on vulnerable children. Not all schools in Shetland had been successful in securing Pupil Equity Funding, and those who did not receive it had been allocated some additional funding for a single year to support projects aimed at improving attainment and pupil health and wellbeing. All schools locally had been making progress against agreed plans, and she highlighted examples of how funding had been used in individual schools.

It was commented that as those pupils for whom the funding had not been designed for would also be benefitting from the projects that were being carried out, it would be difficult to close the attainment gap as long as all pupils continued to benefit.

The Director of Children's Services agreed that this was a challenge and while the Scottish Government was keen that resources should be targeted, not all the projects were easy to apply to targeted groups of young people.

The Quality Improvement Officer confirmed that guidance had been issued to Head Teachers regarding Pupil Equity Funding focusing on closing the attainment gap rather than simply raising attainment for all, and Head Teachers were being asked to carefully consider interventions for individual pupils as a priority rather than whole classes. In response to a question, he confirmed that the sharing of good practice locally and across the Northern Alliance was central to the process, and that schools had all benefitted from this. The work being carried out at Baltasound Junior High School had been presented at the Northern Alliance Conference as an example of good practice.

It was questioned if it would continue to be sustainable to deliver the school/college partnership courses, known as Academies, given that the response rate was only 13%.

The Director of Children's Services advised that there were a number of issues regarding uptake and promotion within schools to ensure that a broad range of young people were able to access these academies. There had also been discussions with Skills Development Scotland, and it had been agreed that the regional board should lead on reviewing this level of training. A local Operational Lead for Developing the Young Workforce was expected to be in post by September, and this would help accelerate some of the work that was required. Consideration would be given to the entry level and time commitment required for the Academies.

The Chair expressed his concerns regarding the allocation of resources nationally to close the attainment gap. The way in which money had been targeted would benefit pupils generally, but it would remain to be seen whether it would actually close the attainment gap. He continued to have concerns about using free school meals as a means of distributing funding, and the Council would need to continue to push for the development of a more effective indicator based on vulnerability. There would be some opportunity to do so when the Scottish Government Education and Skills Committee visited Shetland on 11 June. The focus of the visit was developing the young workforce, but he intended to have conversations around funding, governance and delivering equity.

It was commented that the Council should be using every opportunity to push for 'island-proofing' to ensure that the Scottish Government recognised that the needs of island areas were very different to urban settings.

Decision:

The Committee NOTED the progress made by Children's Services locally to achieve the Scottish Government's aspiration for Excellence and Equity in Scottish education namely:

- closing the poverty related attainment gap
- raising Attainment for All

The meeting concluded at 12.10pm.

.....
Chair