

## **ABERDEENSHIRE COUNCIL**

### **EDUCATION AND CHILDREN'S SERVICES COMMITTEE**

#### **SKYPE MEETING, 3 DECEMBER 2020**

**Present:** Councillors G Owen (Chair), R Bruce (Vice Chair), Mr D Bilsland, Ms C Eade, Councillors K Adam, D Beagrie, C Buchan, S Dickinson, A Evison, M Ford, M Ingleby, L McAllister, R McKail, A Simpson, J Whyte and L Wilson.

**Apology:** Mrs R Paterson.

**Officers:** Director of Education and Children's Services, Head of Children's Services, Head of Education, Head of Resources and Performance, Strategic Finance Manager, Project Manager (Children), Social Work Manager (Children), Principal Education Psychologist, Developing the Youth Workforce Lead Officer, Quality Improvement Manager, Learning Estates Team Leader, Business Support & Performance Manager, Business Change Manager, Partnership Manager (Social Work), Team Leader (Economic Development & Protective Services), Strategic Finance Manager, Project Officer (Education Development), Team Manager (Property & Facilities), Project Manager (Property & Facilities), Principal Solicitor (Legal & People), and Committee Officer (Kasia Balina).

Chair welcomed Councillor Louise McAllister as a new member of the committee in place of Councillor Harper and thanked Councillor Harper for her contribution to the Committee. The Chair also mentioned two important events, including joining the head teachers of St Andrew's School and Inverurie Academy to open Inverurie Community Campus in October and seeing the Piping in of a selection of students from both schools, and participating in this year's Inspiring Aberdeenshire virtual event. The Chair was delighted to 'hand over' the Aberdeenshire's Future Award to the winner, Thomas Truby. It was also noted that St Andrews Special School had moved into their new home and the Committee wished all staff and young people to settle down into their new environment.

#### **1. DECLARATION OF MEMBERS' INTERESTS**

The Chair asked Members if they had any interests to declare, in terms of the Councillors' Code of Conduct.

Councillor Beagrie advised that she had an interest to declare in respect of Item 6 by virtue of being the Chair of the Peterhead Community Trust but having applied the objective test, she considered the interest to be remote and insignificant and remained in the meeting during the item in question.

## 2. RESOLUTIONS

### A. PUBLIC SECTOR EQUALITY DUTY

In taking decisions on the undernoted items of business, the Committee **agreed**, in terms of Section 149 of the Equality Act 2010:-

- (1) to have due regard to the need to:-
  - (a) eliminate discrimination, harassment and victimisation;
  - (b) advance equality and opportunity between those who share a protected characteristic and persons who do not share it; and
  - (c) foster good relations between those who share a protected characteristic and persons who do not share it, and
- (2) to consider, where an equality impact assessment has been provided, its contents and to take those into consideration when reaching a decision.

### B. EXEMPT INFORMATION

The Committee **agreed**, in terms of Section 50A (4) and (5) of the Local Government (Scotland) Act 1973, to exclude the public from the meeting during consideration of the items specified below so as to avoid disclosure of exempt information of the classes described in the undernoted paragraphs of Part 1 of Schedule 7A of the Act.

Item No	Paragraph No of Schedule 7A
18	8
19	8
20	10

### 3. MINUTE OF MEETING OF THE EDUCATION AND CHILDREN'S SERVICES COMMITTEE OF 8 OCTOBER, 2020.

On consideration of the circulated Minute of Meeting of the Committee of 8 October, 2020, Members **approved** it as a correct record.

### 4. PROGRESS WITH OUTSTANDING ACTIONS FROM PREVIOUS MEETINGS.

There was circulated a report by the Director of Education and Children's Services, which updated Members on progress with actions agreed at previous meetings of the Education and Children's Services Committee held since 29 August, 2019.

After consideration, the Committee **noted** the current position in respect of actions arising at previous meetings.

### 5. COVID-19 VERBAL UPDATE.

The Director of Education and Children's Services provided an update on steps taken within the Service to respond to the pandemic situation. It was highlighted

that Aberdeenshire's school attendance rate continued to be positive and above the national average and that good progress was being made with recruiting additional staff across all clusters. Members were informed that more than 4,000 devices had now been shared with young people through the Connecting Scotland Fund and the Aberdeenshire Education Trust. The out of hours service was working well to support schools and Head Teachers dealing with the impact of Covid-19.

The Committee **noted**:

- (1) the ongoing response of the Service to the Covid-19 pandemic,
- (2) that an update on catering at the Gordon Schools, Huntly and on the SQA exams for 2021 would be provided to Members in due course.

## **6. ABERDEENSHIRE CHILDREN'S SERVICES PLAN 2020-2023 INCLUDING ANNUAL REPORT FOR 2019/20.**

With reference to the Minute of Meeting of the Committee of 23 May, 2017 (Item 7), when Aberdeenshire Children's Services Plan 2017-2020 had been noted and Members had requested that annual reports be provided on the progress of the Plan, there was circulated a report dated 27 October, 2020 by the Director of Education and Children's Services (1) which explained that every Community Planning Partnership was required to submit an annual report on Children's Services to the Scottish Government and to make it publicly available as soon as practicable after the end of each reporting period; (2) which constituted both the annual report for year three following the Education and Children's Services Committee endorsement of the previous annual report (2018/19) on 30 January 2020 and the new Children's Services Plan 2020-2023 as presented in Appendix 2 to the report.

During discussion, Members highlighted importance of the statement '*Approaches to addressing barriers to learning in Aberdeenshire are fundamental to achieving against the national improvement framework and to meeting our goal of making Aberdeenshire the best place to live, learn and work*' and requested a copy of a presentation on Aberdeenshire's Health and Wellbeing Strategy.

Having **noted** Members' comments on promotion and implementation of the future Aberdeenshire Autism Strategy, ongoing commitment to the British Sign Language (BSL) action plan, the importance of children and young people's rights, support provided to trauma informed communities through trauma informed workforce, reducing the attainment gap, minority groups and links with the Child Poverty Action Plan, the Committee :-

- (1) **noted** and **endorsed** the Aberdeenshire Children's Services Plan Annual 2020-2023 as contained within Appendix 2 to the report,
- (2) **acknowledged** Year 3 progress against agreed aims and multi-agency action plan in the Aberdeenshire Children's Services Plan 2017-2020,
- (3) **agreed** to receive annual progress reports across the lifespan of the Plan, and

- (4) **requested** that a report be brought back on trauma informed communities in due course.

## **7. ABERDEENSHIRE YOUNG CARER STRATEGY 2021-2023.**

With reference to the Minute of Meeting of the Committee of 27 August, 2020 (Item 12), there was circulated a report dated 21 October, 2020, by the Director of Education and Children's Services, which sought consideration and approval of the Aberdeenshire Young Carer Strategy 2021-2023. The report advised that consultation on the draft strategy was carried out in October 2020 with young carers and key partners in Social Work, Education, Health and third sector, modifications had been made following receipt of feedback and that all respondents were supportive of the actions and priorities included.

Thereafter, and having **noted** Members' comments in respect of the feedback from young persons, the availability of respite services, the transparency and sustainability of the Self Directed Support (SDS) funding process and on the promotion of the strategy, the Committee **agreed** to: -

- (1) **note** and **approve** the Aberdeenshire Young Carer Strategy (We are young carers, who cares for us?) 2021-2023, and
- (2) **request** that officers schedule a briefing session for Members on self-directed support.

## **8. ANNUAL REPORTS FOR ABERDEENSHIRE'S CHILDREN'S HOMES – 1 APRIL 2019 TO 31 MARCH 2020.**

Consideration was given to a circulated report dated 4 November, 2020, by the Director of Education & Children's Services which provided an overview of activity in the three Children's Homes in Aberdeenshire between 1 April 2019 and 31 March 2020 and highlighted key issues and events for Members consideration.

Members welcomed the report and thanked staff for their commitment in ensuring that all Aberdeenshire homes provide the best possible environment for young people and officers responded to Members comments on the use of mobile phones to help maintain contact and manage the welfare and safety of residents, mental health care provision and training and courses provided to staff.

Thereafter, the Committee **agreed**:-

- (1) to **note** the update contained within the annual report, and
- (2) to **continue** to support best practice to ensure Care Experienced Young People receive the right support at the right time.

## **9. HOME EDUCATION POLICY – FLEXI SCHOOLING GUIDANCE.**

With the reference to (1) the Minute of the Education and Children's Services Committee Meeting of 21 March, 2019 (Item 19) when the Committee discussed the Member Promoted Issue "A Detailed Analysis of Flexi-schooling" and acknowledged that the Council's Home Education Policy had been reviewed by officers and should

be brought back to the Committee for consideration at the appropriate time, and (2) the policy “Working Together to Support Home Education – A Guide for Parents, August 2019” which was presented to the Committee on 29 August, 2019 (Item 8), there was circulated a report dated 2 November, 2020 by the Director of Education and Children’s Services (a) which explained in detail the arrangements between the parent and the school where a child or young person was enrolled with a local authority school but attended the school only part of the time (“flexi-schooling”), (b) which sought approval of the guidance developed to support Head Teachers and Officers in consideration of parental requests to flexi-school their children in a fair and child-centred way, and (c) which was consistent across Aberdeenshire and offered transparency to parents wishing to explore the option of flexi-schooling. The “Head Teachers Guidance - Parental Requests for Flexi-Schooling” was presented as Appendix 2 to the report.

Thereafter, and having **noted** Members’ comments regarding an increase in demand for flexi schooling, additional pressures flexi schooling can put on the school and teaching staff and on the appeal process which would be dealt through the complaints process, the Committee **approved** the inclusion of the document, “Head Teacher Guidance - Parental Requests for Flexi-Schooling” as an appendix to the policy ‘Working Together to Support Home Education – A Guide for Parents, August 2019’.

#### **10. DELIVERY OF FOUNDATION APPRENTICESHIPS IN ABERDEENSHIRE SCHOOLS 2021/22 – DEVELOPMENT OF A DYNAMIC PURCHASING SYSTEM.**

There had been circulated a report dated 5 November, 2020 by the Director of Education and Children’s Services (1) which advised the Education and Children’s Services Committee of the intended procurement mechanism for the delivery of Foundation Apprenticeships (FAs) in Aberdeenshire schools from session 2021/22 onwards, (2) which sought Members’ approval to authorise officers to set up a Dynamic Purchasing System (DPS), enabling individual contracts for the delivery of FAs to be managed quickly and efficiently, and (3) which sought authorisation to add the DPS to the 2020/21 Procurement Plan for Education and Children’s Services.

During discussion, Members sought clarification on the current status of the Council’s living wage employer accreditation and it was **noted** that the Chair would raise the matter with the Chair of the Business Services Committee.

The Committee **agreed**:-

- (1) to **approve** the creation of a Dynamic Purchasing System (DPS) for procuring services in support of the delivery of Foundation Apprenticeships and that this be added to the Directorate Procurement Plan for 2020/21,
- (2) to **approve** the Procurement Approval Form, having a contract value of over £1,000,000, as detailed in Appendix 2 to the report, and
- (3) to **acknowledge** that a detailed Foundation Apprenticeships progress report would be submitted to the meeting of the Committee in March 2021.

## 11. RELOCATION OF ANNA RITCHIE SCHOOL WITHIN PETERHEAD COMMUNITY CAMPUS.

With reference to the Schools (Consultation) (Scotland) Act 2020 which requires that local authorities undertake a formal consultation process whenever changes are proposed to the location or catchment area of a school, there was circulated a report by the Director of Education & Children's Services which (1) proposed the relocation of the Anna Ritchie School from its current site to the new Peterhead Community Campus at Kinmundy, and (2) sought authorisation to undertake the required statutory consultation exercise on the proposal.

Having **noted** Members' comment regarding the timeline of the consultation exercise, the Committee: -

- (1) **authorised** the statutory consultation with local stakeholders (Parent Councils, Parents, Pupils, Staff and Local Community) on the proposal regarding the relocation of Anna Ritchie School as detailed in Appendix 1 to the report, and
- (2) **agreed** to receive a further report on the outcome of the consultation exercise in Summer 2021.

## 12. MERGER OF DALES PARK AND MEETHILL SCHOOLS.

With reference to the Schools (Consultation) (Scotland) Act 2020 which requires that local authorities undertake a formal consultation process whenever changes are proposed to the location or catchment area of a school, there was circulated a report dated 2 November, 2020 by the Director of Education & Children's Services which (1) proposed the merger of Dales Park and Meethill Schools on the new Peterhead Community Campus at Kinmundy, and (2) sought authorisation to undertake the necessary statutory consultation exercise on the proposal.

During discussion, Members made reference to concerns expressed by parents in terms of safer routes to school particularly in respect of the need for some pupils to cross Meethill Road and the need for interested parties to submit formal responses as part of the statutory consultation process.

After consideration, the Committee:-

- (1) **authorised** the statutory consultation with local stakeholders (Parent Councils, Parents, Pupils, Staff and Local Community) on the proposal regarding the merger of Dales Park and Meethill Schools as detailed in Appendix 1 to the report,
- (2) **agreed** to receive a further report on the outcomes of the consultation in Summer 2021, and
- (3) **noted** that Transportation Officers would undertake a further assessment of Meethill Road and report back to Local Members.

### **13. EDUCATION AND CHILDREN'S SERVICES MID-YEAR PERFORMANCE MONITORING REPORT – APRIL TO SEPTEMBER 2020 (COUNCIL PRIORITIES).**

There was circulated a report dated 29 October, 2020 by the Director of Education & Children's Services, which provided an update on progress with key actions and outcome indicators supporting the former Aberdeenshire Council Plan Priorities 2017-2022, as evidenced during the reporting period of 1 April, 2020 to 30 September, 2020. The report explained that in light of the impact of Covid-19 on council services, finances and communities, (1) the Council formally closed down the Council Plan 2017-2022 and associated priorities at a special meeting on 27 July, 2020 (Item 4) and approved a renewed Council Plan 2020-2022 at a special meeting on 7 October, 2020 (Items 3 and 3a), (2) that Service plans were under development to provide detail around how outcomes under the new Plan would be delivered, and (3) to ensure regular performance updates evidencing delivery was maintained in the interim, reporting would continue to be provided linked to the former Council Plan Priorities, pending realignment to the revised monitoring and evaluating framework.

Having **noted** Members' comments regarding inspection reports and performance measures, the Committee: -

- (1) **acknowledged** progress made during the period of April to September 2020, towards achieving the former Council Plan Priorities 2017-2022, as referred to in Appendices 1, 2 and 3 to the report,
- (2) **noted** the delivery plan actions and outcome indicators to be scrutinized by other policy committees, as specified within the report, and
- (3) **instructed** the Director of Education & Children's Services to continue to submit performance reports to the Committee on a six-monthly basis, evidencing progress and performance with delivery of the Council Plan.

### **14. ABERDEENSHIRE'S DIGITAL STRATEGY.**

There had been circulated a report, dated 16 November 2020, by the Director of Business Services which sought Committee consideration of Aberdeenshire's Digital Strategy, as part of the consultation process in shaping the strategy.

The Business Change Manager introduced the report and gave an overview of the draft Digital Strategy which sets out the priorities and commitment to further embedding the digital approach for Aberdeenshire. The report explained that the strategy would contribute to the Council's vision to support the delivery of the strategic priorities and continue to support the Council as it adapts and recovers from Covid-19. The Business Change Manager responded to questions raised by Members in relation to particular aspects of the strategy.

During discussion, the Committee commented on specific aspects of the draft Digital Strategy; namely:

- (1) the importance of shared responsibility for everyone using digital facilities for work purposes,

- (2) that implementation of the strategy required investment in hardware and digital infrastructure,
- (3) the need to provide to employees on home insurance requirements and availability of tax allowance for heating and electricity when working from home,
- (4) that health and wellbeing were important to achieve a better work life balance,
- (5) that Schools should be involved in the consultation process, and
- (6) noted that the phrase “unproductive time” would be removed from the strategy document.

Having considered the content of the report, the Committee **agreed to note** Aberdeenshire’s Digital Strategy in relation to the Council’s priorities, and to instruct Officers to forward the comments made by the Committee to the Business Services Committee.

#### **15. CHIEF SOCIAL WORK OFFICER, ANNUAL REPORT 2019/2020.**

Consideration was given to a circulated report dated 18 November, 2020, by the Chief Social Work Officer (1) which explained the background to the production of his Annual Report for 2019/2020, and (2) to which was appended a copy of the Annual Report itself.

At this point in the proceedings, the Committee **agreed** to suspend Standing Order 2.1.2 to allow this item to be determined before adjourning for lunch.

Having **noted** Members’ comments in respect of ensuring staff have access to support and the opportunity to debrief, on training and learning available to staff, choice and control available through self-directed support, impact of the pandemic on adults with learning disabilities and living with Covid-19 in future, the Committee: -

- (1) **noted** the Chief Social Work Officer Annual Report for the 2019/2020 financial year in relation to Children’s Social Work Services as presented in Appendix 1 to the report,
- (2) **acknowledged** the level of investment by the Council in Children’s Social Work Services for the residents of Aberdeenshire, and
- (3) **acknowledged** the commitment of social work staff in the consistent delivery of high performing services.

#### **16. CLIMATE CHANGE DECLARATION CONSULTATION.**

With reference to the Minute of the Meeting of Aberdeenshire Council of 18 March 2020 (Item 9), where Aberdeenshire Council agreed a Climate Change Declaration and requested a further report following consultation with all Policy Committees and Area Committees, outlining the actions required across the Council to achieve the targets and commitments set out in the Declaration, there was circulated a report dated 24 September, 2020, by the Director of Infrastructure Services, which sought



the views of the Committee on how Aberdeenshire Council should work towards its Climate Change Declaration targets and commitments both with reference to the functions covered by the Committee and more widely across the Council.

The Team Leader (Economic Development and Protective Services) introduced the report and highlighted that Aberdeenshire Council's Climate Change Declaration set new targets for the Council to reduce its own emissions by 75% by 2030 and to become 'Net Zero' for carbon equivalent emissions by 2045, as well as the target to 'work with others across the region to ensure that Aberdeenshire reaches Net Zero by 2045'.

Having considered the content of the report, the Committee:-

- (1) **noted** Members' comments on the need for a regional approach and comprehensive action plan to support delivery, the importance of engagement with young people and families and the inclusion of climate change as a more focussed subject in the school curriculum, and
- (2) **noted** that feedback from Area and Policy Committees would be discussed by the Sustainability Committee in the first instance and subsequently by the Full Council.

## **17. QUARTER 2 FINANCIAL PERFORMANCE: EDUCATION AND CHILDREN'S SERVICES.**

There was circulated a report dated 18 November, 2020, by the Director of Business Services, which provided the Committee with the revenue and capital financial performance information pertaining to the areas of service delivery for which the Committee has responsibility for.

The report advised that (1) the Education and Children's Services revenue budget for 2020/21 had been agreed by Full Council on 18 March 2020 (Item 5) at £341.817 million, (2) as further agreed, £2m of expenditure in relation to the Service directorate to be funded from borrowing had reduced the overall budget to £339.817 million, and (3) since the budget had been agreed, Pupil Equity Funding (PEF) funding of £1.166 million unspent in 2019/2020 had been drawn down from reserves and was reflected in the primary, secondary and special education budgets.

The report explained that the planned budget expenditure on service delivery to the end of September 2020 was £175.917 million, with the actual expenditure incurred during the first six months being £175.860 million with a breakdown of those figures as presented as Appendices 1a and 1b to the report. Section 4.5 to the report highlighted several emerging issues which would be monitored throughout the financial year, some which were consistent with previous financial years.

Having **noted** Members' comments in respect of unspent PEF funding, issues with recruitment of teaching staff, involvement of Parent Councils in discussion on PEF funding and how to encourage school to use funding for the benefit of pupils, the Committee: -

- (1) **noted** the Revenue and Capital Financial Performance for Quarter 2 as detailed in the report,

- (2) **approved** the budget movements as set out in Appendix 2 to the report,
- (3) **noted** progress in achieving agreed budget savings as set out in Appendix 5 of the report,
- (4) **noted** the review of the Devolved Education Management reserve commitments,
- (5) **agreed** the Devolved Education Management carry forward to be funded from reserves; and
- (6) **noted** the ongoing work to satisfy the recommendation of the External Audit report.

#### **18. EDUCATION AND CHILDREN'S SERVICES DIRECTORATE SUPPLEMENTARY PROCUREMENT PLAN.**

With reference to the Minute of Meeting of the Committee of 5 December, 2019 (Item 13), when the Directorate Work Plan for the procurement of goods, works and services in 2019/20 had been approved, there had been circulated a report dated 30 October, 2020 by the Director of Education and Children's Services, which sought approval for the inclusion of an item on the Directorate Procurement Plan for the inspection of physical education and fitness equipment in schools and trampolines in recreation facilities as detailed in the supplementary procurement plan attached to the report at Appendix 2.

After consideration, the Committee:-

- (1) **approved** the Directorate Supplementary Procurement Plan appended to the report,
- (2) **approved** the addition of the item to the Education and Children's Services Directorate Procurement Plan that was approved on 15 December 2019, and
- (3) **acknowledged** that the Head of Resources and Performance has the delegated authority to approve the Procurement Approval form and award the contracts.

#### **19. HARD FACILITIES MANAGEMENT (HARD FM) UPDATE.**

There was circulated a report dated 28 October, 2020 by the Director of Education and Children's Services which sought Committee consideration of the performance of FES Limited, the term contractor, under the Hard facilities Management contract.

Having considered the content of the report, the Committee **agreed**:-

- (1) to **note** the performance of FES Limited under the Hard Facilities Management contract, and
- (2) to **receive** further updates on an annual basis.

## 20. INVERURIE COMMUNITY CAMPUS.

Consideration was given to a joint report dated 29 October, 2020 by the Director of Business Services and Director of Education and Children's Services (1) which provided the Committee with an update on the Inverurie Community Campus project in relation to issues associated with Covid-19 and pre-Covid-19 construction delays, and (2) which provided an assessment of the proposed settlement agreement and associated costs and implications.

After consideration of the information provided, the Committee **endorsed** the agreed approach of negotiating a settlement with DBFMCo which would allow Unitary Charge to flow from 28 February 2020 in addition to a Council contribution, as detailed in the report towards Covid-19 costs, with the exact sum to be finalised and agreed following conclusion of due diligence and negotiations with DBFMCo.