

ABERDEENSHIRE COUNCIL

EDUCATION AND CHILDREN'S SERVICES COMMITTEE

SKYPE MEETING, 27 MAY, 2021

Present: Councillors G Owen (Chair), R Bruce (Vice Chair), N Baillie (as substitute for Councillor K Adam), D Beagrie, C Buchan, S Dickinson, A Evison, M Ford, J Gifford, M Ingleby, L McAllister, A Simpson, A Stirling (as substitute for Councillor R McKail), L Wilson, Ms C Eade and Mr A Sutcliffe (as substitute for Mr D Bilsland).

Apologies: Councillors Adam and McKail, Mr Bilsland and Mrs Paterson.

Also in attendance: Councillors R Cassie and A McKelvie for items 12 and 13.

Officers: Director of Education and Children's Services, Head of Children's Services, Head of Communities, Wellbeing and Partnerships, Head of Resources and Performance, Head of Education, Quality Improvement Manager (Resources and Performance), Business Support & Performance Manager (Support Services), Senior SLD Workers (Lifelong Learning and Leisure), Strategic Finance Manager, Principal Solicitor (Legal and People), and Committee Officer (Kasia Balina).

INTRODUCTION

The Chair congratulated Avril Nicol who had been appointed as Head of Communities, Wellbeing and Partnerships and Councillor Karen Adam who was elected as an MSP in the recent Scottish Parliamentary Election.

The Chair also highlighted how beneficial the most recent meeting of committee members and young representatives from across Aberdeenshire had been. She also passed on best wishes on behalf of the Committee to all young people taking part in SQA assessments and thanked staff across Aberdeenshire for their hard work and support in this regard.

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 declared an interest in Item 6 by virtue of being the Chair of Peterhead Community Trust. Councillor Beagrie concluded that having applied the objective test, the interest was remote and insignificant, and she would remain and participate when the item was being considered.

Councillor Gifford declared an interest in Item 18 as a Trustee of Robb's Trust. Councillor Gifford concluded that having applied the objective test, the interest was significant, and therefore would leave the meeting during consideration of that item.

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 item 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
17	8

3. MINUTE OF MEETING OF THE EDUCATION AND CHILDREN'S SERVICES COMMITTEE OF 18 MARCH, 2021

The Committee had before them the Minute of Meeting of the Committee of 18 March, 2021.

The Committee **agreed** to amend the minute as follows: Item 5 - the session at Portlethen Academy with the Ward Members and young representatives from across Aberdeenshire had been cited as examples of best practice; and Item 11 – recommendations 2.2 and 2.4 - the Committee agreed not to reserve.

Thereafter the minute was approved 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 Committee held since 29 August, 2019.

Thereafter, and having considered Members' comments regarding the timeline for a workshop on trauma informed communities, the Committee **agreed**:-

- (1) to note the current position in respect of actions arising from previous meetings; and
- (2) that those actions which had been completed should be removed from the outstanding actions list.

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 current pandemic.

It was highlighted that Aberdeenshire's school attendance rate and staff attendance continued to be positive. Children and young people, as well as parents and staff were very pleased with the return to school. Attendance remained above the national average and absences relating to Covid-19 were at just 0.5% of the school population. Staff attendance also remained high.

In terms of the Scottish Qualifications Agency (SQA) assessment update, good progress on delivering the Alternative Certification Model for SQA assessments this year was confirmed. The Director thanked officers for their continued efforts, as well as young people for their perseverance during a challenging year.

Members also commended the fact that all young people across the local area received similar and consistent support and welcomed the positive news about the return to schools.

The Committee **agreed** to note the ongoing response of the Service to the Covid-19 pandemic.

6. IMPROVING OUTCOMES FOR YOUNG PEOPLE THROUGH SCHOOL EDUCATION: AUDIT SCOTLAND REPORT MARCH 2021

There was circulated a report dated 16 April, 2021 by the Director of Education and Children's Services which provided the Committee with an update on the recently published Audit Scotland report on improving outcomes for young people through school education.

The Chief Executive was welcomed to the meeting and the Committee heard about several examples of partnership work across Council Services to support better outcomes for young people.

The Committee considered Members' comments on responding locally to the recommendations made for councils in the Audit Scotland report regarding the cooperation with partners on local and national level; working with young people; holistic approach to tackling domestic abuse; closing the poverty gap; the synergy between youth work and formal education and importance of Community Learning Development.

Thereafter, the Committee **agreed** to:-

- (1) note the Audit Scotland report on improving outcomes for young people through school education, as detailed in Appendix 1 to the report; and

- (2) instruct Officers to provide a briefing note to Committee on recording and reporting incidents in schools.

7. EDUCATION AND CHILDREN'S SERVICES (ECS) HOLIDAY RECOVERY PROGRAMME

With reference to the Minute of Meeting of Aberdeenshire Council of 17 March, 2021 (Item 7), when it had been agreed to fund £2 million reserve to develop and deliver an ECS Holiday Recovery Programme for children and young people across Aberdeenshire in response to the impact the pandemic had on their mental, social, physical, emotional and educational wellbeing, there was circulated a report dated 20 April, 2021 by the Director of Education and Children's Services which outlined proposals from the ECS Leadership Team for the development of a Programme.

The Committee **agreed** to:-

- (1) the proposals for an ECS Holiday Recovery Programme as outlined in Appendix 1 to the report; and
- (2) instruct officers to provide an update on ECS Holiday Recovery Programme to the meeting of the Committee on 27 August 2021.

8. LITERACIES STRATEGY UPDATE

With reference to the Minute of Meeting of the Committee of 27 August, 2020 (Item 18), when the Committee had approved the ongoing direction and development of a Literacies Strategy and had instructed officers to submit a further update on progress, together with a first draft of the Literacies Strategy, there was circulated a report dated 29 April, 2021 by the Director of Education and Children Services which provided an update on the progress of the development of a strategy for Aberdeenshire to support the improvements of key literacies and reduce the impact of low literacies levels.

The Committee considered Members comments on the Community Impact Assessment as a useful source of data; the importance of the consultation and feedback from care experienced young people; and the requirement for more information on ethnic groups other than gypsy travellers.

Thereafter, the Committee **agreed** to:-

- (1) note the progress of the development of a literacies strategy for Aberdeenshire;
- (2) approve the ongoing direction and development of the strategy; and
- (3) the first draft of the literacies strategy being submitted to the meeting of the Education and Children Services Committee on 27 August 2021.

9. PARENTAL INVOLVEMENT AND ENGAGEMENT STRATEGY 2018 - 2021 – “LEARNING TOGETHER IN ABERDEENSHIRE

With reference to the Minute of Meeting of the Committee of 7 February, 2019 (Item 6), when the Committee (1) approved the recommendations arising from the findings of the consultation on the draft Parental Involvement and Engagement Strategy and the current version of the Strategy and Action Plan 2018-2021, as appended to the report, (2) noted and approved the Aberdeenshire Family Learning Plan, and (3) instructed the Parental Engagement Support Hub Aberdeenshire (PESHA) team to submit six-monthly implementation reports to the Committee, there was circulated a report dated 29 April, 2021 by the Director of Education and Children’s Services which provided the Committee with an update on progress of the implementation of the “Learning Together in Aberdeenshire” action plan.

The Committee discussed Members’ comments on increasing awareness of home learning; financial and local circumstances affecting parental involvement; engagement, attendance and frequency in parent council meetings and other opportunities for parents to engage with officers.

Thereafter, the Committee **agreed** to:-

- (1) note the progress of the delivery of the Parental Involvement and Engagement strategy and development of the Family Learning Plan; and
- (2) instruct the Parental Engagement Support Hub Aberdeenshire (PESHA) team and CLD to present a 6-month implementation report to the Education and Children’s Services Committee by December 2021.

10. PLACING REQUESTS UPDATE

There was circulated a report dated 20 May, 2021 by the Director of Education and Children’s Services, which provided an update on Out of Zone Placing Requests that had been considered by the Learning Estates Team for all primary and secondary schools across Aberdeenshire during 2019/20 and 2020/21 sessions.

Having considered Members’ comments regarding the importance of balancing parental choice and financial management and the possibility for the information being considered by Area Committees, the Committee **agreed** to note the Out of Zone Placing Requests Update.

11. EDUCATION AND CHILDREN’S SERVICES DIRECTORATE PLAN

With reference to the Minute of Meeting of the Committee of 28 January, 2021 (Item 11), when the Committee approved the Education and Children’s Services Directorate Plan and the Service advised that further developments had been required to refine the actions and confirm performance measures and targets, there was circulated a report dated 12 May, 2021 by the Director of Education and Children’s Services which presented the updated Education and Children’s Services Directorate Plan with more details, namely (1) an Executive Summary of the Plan, (2) the performance measures and targets relating to the actions the service will take in support of the Strategic Priorities set out in the Council Plan 2020-22, and (3) an updated staffing and workforce planning position.

Having considered Members' comments in respect of the workforce composition; wellbeing and planning; engagement with union representatives; performance indicators and outcomes; collaborative outcomes and transition between Children's and Adult Services, the Committee **agreed** to: -

- (1) note and approve the updated Education and Children's Services Directorate Plan, attached as Appendix 1 to the report, including the addition of an Executive Summary, the updated Staffing and Workforce Planning section, the addition of a Covid-19 Recovery Action Plan and the updated Directorate Improvement Action Plan; and
- (2) instruct the Director of Education and Children's Services to present performance reports to future meetings of the Committee evidencing progress and performance with delivery of the Council Plan 2020-2022.

12. ANNUAL SCRUTINY REPORT 2020/21

Councillor Cassie, Chair of the Audit Committee and Councillor McKelvie, Vice Chair of the Audit Committee, were present for this item and took part in the discussion.

There was circulated a report dated 11 May, 2021 by the Director of Education and Children's Services, which provided the Committee with an annual report outlining its scrutiny activity in the period from 1 April 2020 to 31 March 2021.

Following consideration of Members' comments on scrutiny activities and arrangements included in the report being presented in more detailed way in the future, the Committee **agreed** to note the activities outlined in the report.

13. DRAFT ANNUAL GOVERNANCE STATEMENT 2020/21

Councillor Cassie, Chair of the Audit Committee, and Councillor McKelvie, Vice Chair of the Audit Committee, were present for this item and took part in the discussion.

With reference to the Minute of Meeting of Audit Committee of 25 March, 2021 (Item 10), when approval had been given to the process and timetable for the preparation of the Annual Governance Statement 2020/21 and the proposed schedule of engagement and dialogue between the Chair and Vice-Chair of the Audit Committee and the Policy Committees, there was circulated a report dated 23 April, 2021 by the Director of Business Services Committee which asked Members to note and comment on the draft Annual Governance Statement 2020/21.

Members discussed the development of extensive work around audit and importance of the cooperation between the Education and Children's Services and Audit Committees to provide the assurance on compliance with the Code of Corporate Governance and to achieve the best outcomes for the Council.

Thereafter, and having considered Members' comments on working collaboratively to achieve best outcomes; the role of External Audit; outstanding internal audit recommendations and reports; frequency of meetings between Committees; Education and Children's Service areas to be discussed by the Audit Committee;

Internal Audit controls; and the importance of good governance and transparency, the Committee **agreed** to:-

- (1) note the draft Annual Governance Statement (“the draft Statement”), as detailed in Appendix 1 to the report;
- (2) note that the draft Statement was a work in progress and further amendments would be made, as detailed in the report;
- (3) note that the draft Statement would be presented to all other Policy Committees and would be subject to change prior to presentation and sign off at the meeting of the Audit Committee on 1 July 2021;
- (4) note that the Annual Scrutiny Report formed an integral part of the review of annual effectiveness activities and would be included within the Statement; and
- (5) acknowledge details of the Committee’s contribution to providing assurance that it had complied with the Code of Corporate Governance and ensured that the Code was operating effectively in practice.

The Committee **agreed** to suspend Standing Order 2.1.2, in order to allow the meeting to continue beyond 1.00p.m.

14. FINANCIAL PERFORMANCE AS AT 30 APRIL 2021

With reference to the Minute of Meeting of Aberdeenshire Council of 17 March, 2021 (Item 5), when approval had been given to the Education and Children’s Services Revenue Budget for financial year 2021/2022, there was circulated a report dated 13 May, 2021 by the Director of Education and Children’s Services, which (1) provided the Committee with financial performance information pertaining to the areas of service delivery for which the Committee had responsibility, (2) highlighted the financial information and forecast position as at 30 April, 2021, and (3) listed the number of emerging issues, together with actions taken to address those considerations.

Having considered Members’ comments in respect of the basis for the forecasts and the way in which the data was presented; additional input from officers on how to respond to the presented figures; vacancy management and re-structure of the teams; the current situation with out of authority placements; cost of unitary charges; and the methodology of staffing numbers and base budgets in Primary Schools, the Committee **agreed** to:-

- (1) note the financial information and forecast position, as at 30 April, 2021;
- (2) note the progress in achieving the agreed savings, as detailed in Appendix 3 to the report;
- (3) instruct officers to provide feedback on out of authority work, specifically in Buchanhaven School, Peterhead and more generally on early intervention and support provided to families across Aberdeenshire; and

- (4) instruct officers to provide a briefing note to the Committee on a breakdown of school transport costs.

15. DEVOLVING BUDGETS IN AN EMPOWERED SCHOOL SYSTEM

There was circulated a report dated 16 April, 2021 by the Director of Education and Children's Services which provided an update on progress in devolving budgets in an empowered school system, with specific reference to the development and implementation of a revised Devolved School Management (DSM) Scheme for Aberdeenshire Council.

Having considered Members' comments regarding the collaborative working across clusters; vacancy management and flexibility of staffing budgets; reviewing staffing formulas; mechanisms preventing schools from overspending; dealing with potential overspending; staff wellbeing; and difficulties with vacancy management in primary schools, the Committee **agreed**: -

- (1) to acknowledge the work undertaken to date and next steps within each workstream;
- (2) to acknowledge the identified budget issues and risks related to further devolving of budgets, as outlined in Section 4.5 of the report;
- (3) that a further report providing an update on the key workstreams and budget issues/risks be submitted to a future meeting of the Committee, as appropriate; and
- (4) to note that a Devolved School Management Workshop would take place on 23 June, 2021.

16. REVIEW OF MEMBERSHIP OF ABERDEENSHIRE EDUCATIONAL TRUST SUB-COMMITTEE

There was circulated a report dated 30 March, 2021 by the Director of Education and Children's Services which sought approval for changes to the membership of the Aberdeenshire Educational Trust (AET) Sub-Committee, as recommended by the Sub-Committee following the advice from Audit Scotland.

The Committee **agreed**:-

- (1) to confirm that the Sub-Committee should remain a 5 member group;
- (2) that the membership of the Sub-Committee should be:
 - (a) either the Chair or Vice Chair of the Education and Children's Services Committee (with one substituting for the other),
 - (b) either the Chair or Vice Chair of the Communities Committee (with one substituting for the other),
 - (c) two additional councillor members following the current political proportionality as set out in paragraph 4.3 of the report, and

- (d) a Head Teacher Representative to be appointed by the Education Service;
- (3) to appoint members to the AET Sub-Committee on the basis of the formula as set out in paragraph 2.2 of the report; and
- (4) that the political groups would confirm the names of their candidates after their meetings on 31 May, 2021.

17. SUPPLEMENTARY DIRECTORATE PROCUREMENT PLAN – PROCUREMENT APPROVAL

There was circulated a report dated 9 April, 2021 by the Director of Education and Children's Services seeking approval for the addition of a contract for the supply, delivery and installation of audio-visual equipment in schools to the Education and Children's Services Directorate Procurement Plan for 2021/2022 and a formal procurement exercise undertaken to ensure compliance with the Scheme of Governance.

The Committee **agreed**: -

- (1) to approve the Directorate Supplementary Procurement Plan, as detailed in Appendix 1;
- (2) to approve the item on the Supplementary Work Plan and note that that item would be added to the Directorate Work Plan that was approved by the Committee at the meeting on 18 March 2021;
- (3) to approve the Procurement Approval Form, as detailed in Appendix 2 to the report which was within the Committee's remit and the value of the matter being over £1,000,000; and
- (4) not to reserve the award of the final contract for any matters over £1,000,000 and noted that if not reserved the Head of Service, Resources and Performance has the delegated powers to award the final contract.

18. GOVERNANCE – ROBB'S TRUST – APPOINTMENT OF TRUSTEE

There was circulated a report dated 19 May, 2021 by the Director of Business Services, which sought the appointment of a Trustee to the Robb's Trust to fill the position previously held by the late Councillor Hood.

The Committee **agreed** to appoint Councillor Reid to fill the current Trustee vacancy on the Robb's Trust, in a decision making capacity.

**A. MINUTE OF MEETING OF ABERDEENSHIRE EDUCATIONAL TRUST
SUB-COMMITTEE OF 5 JUNE, 2019**

The Committee **noted** the Minute of the following Meeting, a copy of which forms Appendix A to this Minute:-

DRAFT

APPENDIX A

EDUCATION AND CHILDREN'S SERVICES COMMITTEE

ABERDEENSHIRE EDUCATIONAL TRUST SUB-COMMITTEE

WOODHILL HOUSE, ABERDEEN, 5 JUNE, 2019

Present: Councillors I Davidson (Chair), M Findlater, A Forsyth and J Whyte.

Apology: Mrs A Guy.

Officers: Principal Accountant (Shirley-Ann Gordon), Senior Committee Officer (Allan Bell), Senior Solicitor (Iain Meredith) and Accountant (Wendy Evans), all Business Services.

1. DECLARATION OF MEMBERS' INTERESTS

The Chair asked members if they had any interests to declare, in terms of the Councillors' Code of Conduct. No interests were declared.

2. PUBLIC SECTOR EQUALITY DUTY

In taking decisions on the undernoted items of business, the Sub-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 of opportunity between those who share a protected characteristic and persons who do not share it; and
 - (c) foster 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.

3. DRAFT MINUTE OF MEETING OF THE SUB-COMMITTEE OF 17 MAY, 2018

On consideration of the circulated Minute of Meeting of the Sub-Committee of 17 May, 2018, members **approved** the Minute as a correct record and **noted** that the three-monthly updates which officers had been requested to provide on grants approved by the Head of Finance had not been supplied because there had been no such grant awards since the last meeting.

Thereafter, the Minute was signed by the Chair.

4. ABEDEENSHIRE EDUCATIONAL TRUST CHARITABLE MANAGEMENT

Consideration was given to a circulated report dated 27 May, 2019, by the Director of Business Services (1) which explained that the Council's External Auditors had recommended that a Management Plan be prepared for Aberdeenshire Educational Trust, in order to ensure that the Trustees discharged their functions appropriately and (2) to which was appended a copy of the Aberdeenshire Educational Trust (AET) Charitable Management Plan, setting out the history of the Trust's purpose, and the specific roles and duties of the Trustees.

After consideration, the Sub-Committee **approved** the AET Charitable Management Plan, as appended to the report, subject to consideration of members' comments in respect of councillors' term of office, the provision of a definition of the "County of Aberdeen", the scope of "educational" purposes, the provision of audited Trust accounts on the Council's website, a quarterly report being provided to Trustees with details of grants made and duties fulfilled on their behalf, and the availability online of interests declared by Trustees.

5. ABERDEENSHIRE EDUCATIONAL TRUST GRANT FUNDING

There was circulated and **noted** a report by the Director of Business Services, which outlined grants awarded by Aberdeenshire Educational Trust for school trips and post-school education grants.

Thereafter, the Sub-Committee **requested** officers to provide a bulletin on the scope of the original Trust deed for disbursing funds for sports and cultural activities.