

ABERDEENSHIRE COUNCIL

EDUCATION AND CHILDREN'S SERVICES COMMITTEE

WOODHILL HOUSE, ABERDEEN, 1 FEBRUARY, 2018

Present: Councillors G Owen (Chair), M Findlater (Vice Chair), Dr E Anderson, R Bruce, C Buchan, M Buchan, S Dickinson, A Evison, M Ford, Ms A Guy, V Harper, M Ingleby, R McKail, Mrs R Paterson, A Simpson, J Whyte and L Wilson.

Officers: Director of Education and Children's Services, Head of Resources and Performance, Head of Lifelong Learning and Leisure, Head of Primary Education and Curriculum Development, Head of Secondary Education and Additional Support, Head of Children's Services, Corporate Finance Manager, Principal Solicitor Governance (Ms R O'Hare), Public Transport Manager, Equality Improvement Manager (Learning Estate and Education Development), Learning Estates Team Leader (Banff and Buchan/Buchan), Lead Officer (Children and Family Protection Committee), and Senior Committee Officer (Mr N David).

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 Evison declared an interest in Item 12 as President of CoSLA and indicated that she would take part fully in the item. No other interests were intimated.

2A. 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.

2B. RESOLUTION

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 item 14 so as to avoid disclosure of exempt information of the class described in paragraphs 8 and 10 of Part 1 of Schedule 7A of the Act.

3. MINUTE OF MEETING OF THE EDUCATION AND CHILDREN'S SERVICES COMMITTEE OF 7 DECEMBER, 2017

The Minute of Meeting of the Education and Children's Services Committee of 7 December, was circulated. It was **noted** that Dr E Anderson required to be added to the list of those present at the meeting. Thereafter, the Minute was **approved** as a correct record and signed by the Chair.

ADDITIONAL ITEM – SCHOOL TRANSPORT – DRIVER AND VEHICLE STANDARDS AGENCY(DVSA) CHECKS

In terms of Standing Order 4.12(c), the Chair had deemed this to be an urgent matter for reason of the importance to acknowledge the paramount importance of the safety of all pupils using school transport services within Aberdeenshire.

In this regard there was circulated a report dated 29 January, 2018, by the Director of Education and Children's Services on DVSA checks on school transport.

The report explained that, following the DVSA inspection of the vehicles used by seven operators providing school transport services to Meldrum Academy, three received vehicle prohibition notices. Namely, J and M Burns; Kineil Coaches; and Watermill Coaches. Details of the vehicle defects identified were sought from the operators involved and, in line with contractual requirements, all of the operators had updated the Council with regard to the prohibition notices. J and M Burns received an immediate prohibition notice (where the vehicle was not permitted to be driven); Kineil Coaches one immediate and one delayed prohibition notice; and Watermill Coaches a delayed prohibition notice. Bain's Coaches, also received an advisory notice regarding two minor defects on one vehicle that did not merit a delayed or immediate prohibition notice.

Given the serious nature of the two immediate prohibition notices, termination of contract notices were issued to the two operators in receipt of the prohibition notices.

The report further explained that the DVSA carried out regular inspections of passenger service vehicles that provided services to private and public sector alike. This had included carrying out such inspections at both primary schools and academies in the past. All operators were aware that these unannounced inspections could take place at any time. In addition, general monitoring of the service was undertaken by schools and officers of the Council.

Following discussion, the Committee **agreed**:-

- (1) to acknowledge work which took place to ensure the safety of all pupils using school transport service within Aberdeenshire, and
- (2) that the Public Transport Manager write to all operators providing school transport highlighting and reminding them of the safety requirements.

4. GLOW (DIGITAL LEARNING FOR SCOTLAND) VISIT

The Head of Primary Education and Curriculum Development provided an informative oral update on the recent GLOW (Digital Learning for Scotland) Visit.

The Committee **noted** the position.

5. SECONDARY SCHOOL ADMISSION LIMITS AND REVISED RESERVED SPACES

With reference to the Minute of Meeting of the Education Learning and Leisure Committee of 24 March, 2016 (Item 4), there was circulated a report dated 8 December, 2017, by the

Director of Education and Children's Services on Secondary School Admission Limits and Revised Reserved Spaces.

The report reminded members that admission limits required to be reviewed regularly and varied to adapt to demand for in-zone places. These variations required to be approved by the Education and Children's Services Committee. In this context, the secondary schools in Aberdeenshire were currently required to maintain ten reserved spaces in their S1 cohort. This allowed in-zone pupils to move into their local school from S1 to S4.

The report went on to outline the admission limits for Aboyne Academy, Alford Academy, Kemnay Academy, Mackie Academy, Mearns Academy and Meldrum Academy.

The Committee **agreed** to:-

- (1) approve the Secondary School Admission Limits 2018 / 2019, as detailed within the report, and
- (2) approve the number of reserved places for secondary schools for 2018 / 2019, as detailed in Appendix 1 to the report.

6. 2017 BASED SCHOOL ROLL FORECASTS

There was circulated a report dated 17 January, 2018, by the Director of Education and Children's Services on 2017 Based School Roll Forecasts.

The report explained that the Education and Children's Service published school roll forecasts for all primary and secondary schools in Aberdeenshire on an annual basis. The 2017 based school roll forecasts had been discussed at each of the Council's Area Committees during January 2018.

The report included the School Roll Forecast 2017 in a summary form within an appendix. The school roll data in the report was based upon the annual pupil census which took place in September 2017.

The report went on to explain variations to forecasts and then concluded by outlining the forecasts by geographical area.

The Committee **agreed** to approve the publication and circulation of Appendix 1 to the report, as the Official Aberdeenshire 2017 Based School Roll Forecasts.

7. PRIMARY SCHOOL CAPACITIES REVIEW 2017

With reference to the Minute of Meeting of the Committee of 12 October, 2017 (Item 7) when consideration had been given to using a revised methodology for assessing Primary School Capacities, and the commencement of a review of primary school capacities based on Scottish Government guidelines entitled "Determining Primary School Capacity" published in 2014.

The Committee had approved the commencement of the review, sought further information on the potential outcome of the revised methodology and requested a further report be brought to the Committee.

The report therefore explained that officers had assessed the capacities of each primary school in Aberdeenshire using the proposed methodology. Subsequently the proposed capacities were detailed in Appendix 1 to the report.

The Committee **agreed** to approve the proposed capacities based on Scottish Government guidelines for Aberdeenshire primary schools, as detailed in Appendix 1 to the report.

8. TEACHER RECRUITMENT

There was circulated a report dated 19 January, 2018, by the Director of Education and Children's Services which provided an update on measures being taken to address teacher recruitment issues in Aberdeenshire schools. The report reminded members that recruitment pressures had been more acute in primary schools in north Aberdeenshire and for specific subjects in secondary schools.

The report went on to outline the range of actions that had been taken. This included measures such as the Distance Learning Initial Teaching Education (DLITE) flexible learning programme; a new framework contract to use specialist recruitment agencies; the reinstatement of the location incentive scheme; participation in the Transition into Education Scheme (TIES); and the introduction of return to teaching sessions.

The report concluded by outlining further measures, including monthly reports to identify teaching posts which had been advertised but not filled, with HR contacting Head Teachers to support the schools in enhancing advertising for each vacancy; ongoing discussions through the Northern Alliance with the Scottish Government to look at ways difficulties currently being experienced could be mitigated; and the continuation of strong working relationships between management and teaching trade unions and the Service to continue to work in partnership to consider innovative ways to recruit and retain teachers.

The Committee **agreed** to:-

- (1) acknowledge the update regarding measures being taken to address teacher recruitment issues in Aberdeenshire school, and
- (2) acknowledge the impact on service delivery of the continued drive to maintain a secure teaching staff position.

9. PRIMARY CURRICULUM – UPDATE ON MANAGING NON-CLASS CONTACT TIME

With reference to the Minute of Meeting of the Committee of 7 December, 2017 (Item 8), there was circulated a report dated 18 January, 2017, by the Director of Education and Children's Services which provided a further update on progress with the changes in the way that non-class contact time was covered in primary schools in Aberdeenshire.

The report reminded members that there was a move away from deployment of staff in a centralised model of visiting specialist teachers to a model where schools and clusters could work collegiately to agree the composition of staffing for their situations. The report again highlighted that there would be no reduction in teacher numbers. It would be a change in the way in which teaching staff were deployed and managed.

The report indicated that it was not anticipated that there would be a disproportionate impact on smaller and rural schools. University training for primary teachers covered the full curriculum and primary teachers were expected to be able to deliver the breadth of the curriculum. However, in addition, Head Teachers already had the flexibility to work with other schools in their cluster to share teaching staff with particular sets of skills. A worked example of this was included as an appendix to the report.

The report did acknowledge that the change had not been universally supported and that the change process may be challenging for staff involved. However, the Service continued

to work with individual visiting specialist teachers to support them through the change and to emphasise that their skills and experience were important. The Service was committed to retaining as many as possible of those currently employed as visiting specialist teachers who wanted to continue to work as teaching staff for Aberdeenshire Council. This would ensure that their skills set would be retained and could be shared with other teaching staff as appropriate.

The report concluded by highlighted that the changes had already been implemented in certain areas within Aberdeenshire and in those areas the new arrangements were working well.

The Committee **agreed** to note the update detailed within the report on progress to date with arrangement in schools to ensure that non-class contact time was covered in schools.

10. PERIOD POVERTY

There was circulated a report dated 7 December, 2017, by the Director of Education and Children's Services on Period Poverty.

The report reminded members that the Committee requested in June, 2017 that consideration be given to making sanitary products more readily and easily available to pupils. The report highlighted how women, particularly those on low incomes, could access sanitary products free of cost and free of stigma was of concern to those involved in supporting young people.

The report provided legislative and policy context which explained that the School Premises (General Requirements and Standards) (Scotland) Regulations 1967 maintained underpinning for standards in school toilets in Scotland. These regulations set out ratios of children to toilets and toilets to washbasins, requirements for locks on toilet doors, and that there should be a place to dispose of sanitary towels from Primary 4, but the provision of sanitary products was not required. A proposal for a Bill to ensure free access to sanitary products, including in schools, colleges and universities was currently subject to consultation. If successful the Bill would establish a legal requirement to provide free sanitary products at schools. Additionally, in order to grant the greatest possible access and to preserve students' dignity and privacy, the proposed Bill would require products to be available via dispensers in toilets, and not only available at a central location in the school such as an office or reception desk.

The report went on to outline the local and national context, whereby schools in Aberdeenshire were currently providing products for pupils who required them in both primary and secondary schools at no cost to the pupil. In secondary schools this was generally done via guidance staff or the school nurse and involved the pupil requesting products. Pupils were generally made aware of how to access products through personal and social education. Whereas, in primary schools pupils accessed these products free of charge typically from a teacher or pupil support assistant by asking the member of staff. Pupils were generally made aware of how to access products through relationships, sexual health and parenthood education and some primary schools provided primary 7 pupils with a starter pack of products.

The report concluded by outlining three options for change. Namely, option one – continuing with current arrangements; option two – providing schools with free products and continuing to provide to pupils through current arrangements; and option three – free provision from dispensing units.

Following discussion, Councillor Bruce, seconded by Councillor McKail, moved that option one, as outlined within the report, namely continuing with the current arrangements be approved.

As an amendment, Councillor Evison, seconded by Councillor Harper, moved that option three be approved, namely free provision of sanitary products from dispensing units in secondary schools, with the current arrangements for primary schools continuing.

The members of the Committee voted:

for the motion	(9)	Councillors Bruce, M Buchan, Dickinson, Findlater, Ingleby, McKail, Owen, Simpson and Whyte.
for the amendment	(5)	Councillors C Buchan, Evison, Ford, Harper and Wilson.
declined to vote	(1)	Dr E Anderson.

The motion was carried and the Committee **agreed**:-

to approve option one, namely continuing with the current arrangements.

11. ANNUAL REPORT OF THE ABERDEENSHIRE CHILD AND FAMILY PROTECTION COMMITTEE

There was circulated a report dated 15 December, 2017, by the Director of Education and Children's Services on the Annual Report of the Aberdeenshire and Child and Family Protection Committee.

The report explained that the Aberdeenshire Child and Family Protection Committee was a locally based inter-agency strategic partnership responsible for the design, development, publication and domestic abuse policy and practice across the public, private and wider third sectors in Aberdeenshire.

The Committee's Annual Report for 2017 was attached as an appendix.

Following discussion, the Committee **agreed**:-

- (1) to acknowledge the Annual Report for 2017 of the Aberdeenshire Child and Family Protection Committee, as appended to the covering report, and
- (2) that the Lead Officer, Aberdeenshire Child and Family Protection Committee, organise a workshop and training session for members of the Education and Children's Services Committee in due course.

12. PROPOSALS FOR CHANGES TO THE GOVERNANCE OF EDUCATION

There was circulated a report dated 18 December, 2018, by the Director of Education and Children's Services which addressed the Scottish Government's third and latest consultation on proposals for the reform of Education Governance.

The report explained that the Scottish Government proposals for changes to the governance of education followed a wide-ranging consultation that ran from September 2016 to January 2017, generating 1,154 written responses in addition to the views of 700 people who took part in face to face consultations.

The latest set of proposals, entitled “Empowering Schools a Consultation on the provisions of the Education (Scotland) Bill” were published on 7 November, 2017, with a closing date for comments of 31 January, 2018. This had been extended for Aberdeenshire Council to enable discussion with elected members. The full document was included as an appendix to the report. A further appendix to the report comprised the proposed consultation response to be submitted to the Scottish Government by Aberdeenshire Council.

The covering report provided background information to the response to the proposals, including information on: regional collaboratives; more autonomy for Head Teachers; the role of parents; and alternative approaches.

The report concluded by highlighting that the consultation questions appeared to be based on an assumption that there was no alternative and that the proposals would deliver the anticipated improvements in educational outcomes. However, major concerns remained around: the lack of detail on resourcing such an ambitious set of proposals; the centralisation of key functions and loss of local democratically elected checks and balances in the system; a “one size fits all” approach to addressing perceived shortcomings in some local authorities; the tensions that would be created between different parts of the education system; the fragmentation of schools and education from other services for children; and the loss of locally based support for schools, and the loss of local contact for communities on many aspects of education.

Following detailed discussion on this matter, the Chair proposed, in terms of Standing Order 5.3, a brief adjournment to the meeting. The meeting was adjourned for ten minutes.

Thereafter, the Committee **agreed**:-

- (1) to note the Scottish Government’s proposals on Education Governance, as set out in the Appendix 1 to the report, and
- (2) that the Director of Education and Children’s Service amend the beginning and conclusion of the consultation response at Appendix 2 to reflect comments by members of the Education and Children’s Services Committee; thereafter, the revised response to be shared with all members of the Committee on Monday, 5 February; and thereafter the Director to submit the response to the Scottish Government on 6 February, following consultation with the Chair, Vice Chair and Group Spokespersons.

13. FINANCIAL MONITORING AS AT 31 DECEMBER, 2017

There was circulated a report dated 25 January, 2017, by the Director of Education and Children’s Services which detailed the position with regard to financial monitoring as at 31 December, 2017.

The report explained that the Council’s Scheme of Governance aligned budget responsibility with Policy Committee responsibility. The report covered the 2017 / 2018 forecast position as at 31 December, 2017 for both revenue and capital budget monitoring.

The forecast revenue expenditure to the end of financial year was £300,857,000, which was under budget by £227,000. The financial position was detailed in Appendix 1 to the report.

The Education and Children’s Services revised capital budget for the year 2017 /2018 was currently £32,797,000. The current forecast capital expenditure for 2017 / 2018 was £28,607,000 which was £4,190,000 less than the revised budget figure. The reason for the major variances were detailed in Appendix 5 to the report.

The Committee **agreed** to:-

- (1) note the revenue capital budget monitoring as a 31 December, 2017, as detailed within the report, and
- (2) approve the virements set out in Appendix 3 and note the revenue budget adjustments, some of which would be reported to Full Council for approval.

14. EDUCATION AND CHILDREN'S SERVICES WORK PLAN

There was circulated a report dated 18 January, 2018, by the Director of Education and Children's Services on the Education and Children's Services Work Plan.

The report reminded members that the Scheme of Governance introduced changes to the Council's financial management arrangements, including aligning service budget responsibility with Policy Committees, front loading procurement measures and increasing expenditure thresholds for officers.

A Work Plan for Education and Children's Services Directorate was included as Appendix 1 to the report. Each entry contained a unique contract reference number, contract name, description of work, goods or services to be procured, estimated start and end dates, any proposed extension period, a value to be approved by Committee and estimated total contract value relevant service, and committee.

The Committee was being asked to approve Business Cases detailed in Appendix 3 as the value of the contract exceeded £1,000,000, or in the case of the pre-paid account and associated services due to the timescales for commencement of the contract. These contracts related to pre-paid accounts and associated services; provision of meat dynamic purchasing system; residential care; provision of early learning and childcare services contracts; and dynamic purchasing system for the provision of mainstream and additional support needs.

The Committee **agreed** to:-

- (1) note the Directorate Work Plan, as detailed in Appendix 1 to the report,
- (2) approve the items on the Directorate Work Plan, and
- (3) approve the Business Cases as detailed in Appendix 3 to the report.