

MORAY COUNCIL

Minute of Meeting of the Education, Communities and Organisational Development

Wednesday, 11 August 2021

Various Locations via Video-Conference

PRESENT

Councillor George Alexander, Councillor James Allan, Councillor Frank Brown, Councillor Paula Coy, Councillor Lorna Creswell, Councillor Tim Eagle, Councillor Claire Feaver, Councillor Aaron McLean, Councillor Shona Morrison, Councillor Laura Powell, Councillor Derek Ross, Councillor Amy Taylor, Councillor Sonya Warren, Councillor Walter Wilson

IN ATTENDANCE

Also in attendance at the above meeting were Depute Chief Executive (Education, Communities and Organisational Development), Head of Education, Head of Governance, Strategy and Performance, Head of Education Resources, Acting Head of Children, Families and Criminal Justice Social Work, Head of Housing and Property, Principal Architect, Corporate Parenting Manager, Senior Project Manager (Learning Estate), Acting Educational Resources Manager, Gillie Hearn, Continuous Improvement Officer and Tracey Sutherland, Committee Services Officer

Also present were Councillor Leadbitter (Ex-Officio) and Susan Slater (Secondary Teacher Representative)

1. Chair

The meeting was chaired by Councillor Aaron McLean.

2. Declaration of Group Decisions and Members Interests *

In terms of Standing Order 20 and the Councillors' Code of Conduct, there were no declarations from Group Leaders or Spokespersons in regard to any prior decisions taken on how Members will vote on any item on the agenda or any declarations of Member's interests in respect of any item on the agenda.

3. Resolution

The meeting resolved that in terms of Section 50A (4) and (5) of the Local Government (Scotland) Act 1973, as amended, the public and media representatives be excluded from the meeting for Item 17 of business on the grounds that it involves the likely disclosure of exempt information of the class described in the relevant Paragraphs of Part 1 of Schedule 7A of the Act.

Para Number of the Minute	Para Number of Schedule 7a
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21		8 and 9 Information on proposed terms and/or expenditure to be incurred by the Authority

4. Agenda Order

In respect of Standing Order 28, the Chair sought agreement from the Committee to take Item 8 on the agenda first.

This was agreed by the Committee.

The Chair also noted that Question Time had been omitted from the Agenda and this would be taken as Item 16a.

5. Congratulations

The Chair joined Councillor Warren and the Committee in congratulating all Moray students on their recent exam results.

6. Welcome

The Committee joined the Chair in welcoming Mr Edward Thomas as the new Head of Housing and Property to his first meeting of the Committee.

7. Minute of Meeting of 26 May 2021

The minute of the meeting of the Education, Communities and Organisational Development Committee dated 26 May 2021 was submitted and approved subject to noting that Councillor A McLean left the meeting prior to consideration of Item 28 and returned to the meeting following the conclusion of the item.

8. Written Questions **

The Committee noted that now written questions had been submitted.

9. Review of Additional Support Needs Services

Under reference to paragraph 16 of the minute of the meeting of Education, Communities and Organisational Development Committee, a report by the Depute Chief Executive (Education, Communities and Organisational Development) informed the Committee of progress plans to review the services that specialise in how children and young people with additional support needs are fully supported, included and involved in their learning, as part of the Council's Improvement and Modernisation Programme.

The Head of Education Resources and Communities assured the Committee that the Business Case is work in progress and will be monitored and scrutinised by the Transforming Learning Board on a regular basis. The Business Case was put

before the Board in June and there had been the opportunity for comments by members of the Board at that point. She further added that there will be continued stakeholder engagement with the unions, teachers, ASN Staff and parents to find the most appropriate way forward.

Councillor Warren thanked everyone involved in the development of the report and moved to accept the report and the recommendations therein. This was seconded by Councillor A McLean

In response, Councillor Eagle expressed concern about the lack of consultation in the preparation of the report and said that he was not confident that the Council would be delivering an adequate ASN service for all. He proposed that the Committee recognise the report as a starting point and that a working group be created to include Councillors, Officers, Unions, parent representatives and other relevant stakeholders to take the review forward.

A number of Councillors shared Councillor Eagle's concern that there had not been enough consultation with stakeholders in this difficult issue for the Council, however there was agreement during discussion that the issue is not a political one and that it was important to get it right for every child.

During the lengthy discussion there was reference to the role of the Transform Learning Board as an alternative to a working group as it had been proven during the Leisure Review that the Transform Learning Board had Councillors, trade union representatives and officers in attendance.

Assurance was sought by Councillor Alexander that the amendment was not being used as a way to get a special school in Moray. In response, Councillor Eagle confirmed that they were not trying to pre-empt what the working group may decide but there is concern that the review is not fully reflecting the fears on the ground.

Following consultation with the Head of Governance, Strategy and Performance, Councillor Eagle, seconded by Councillor Brown proposed that:

- i) the Committee agree to form an ASN Stakeholder group (10 members) made up of an independent chair agreed by the group, 2 Council Officers, a representative of each political group (SNP, Conservative, COG and MAG), a Union Representative, a parent representative and a head teacher to examine the business case in more depth and suggest amendments that provide a clearer strategy and approach;
- ii) the group is empowered to call in or add additional members as is required during the life of the stakeholder group; and
- iii) the group will report back to Committee with the updated business case within 6 months.

Mrs Slater, Secondary Representative also sought clarification on whether the teacher representatives and other lay members were eligible to vote at this Committee and going forward.

In response, the Head of Governance Strategy and Performance confirmed that at the meeting of Moray Council on 30 June 2021 it was agreed that only Elected Members would be eligible to vote at any Committees going forward.

On the division there voted:

For the motion (7) Councillors Warren, A McLean, Alexander, Coy, Creswell, Morrison and Taylor

For the amendment (7) Councillors Eagle, Brown, Allan, Feaver, Powell, Ross and Wilson

Abstentions (0)

In terms of standing order 63(a) where there is an equality of votes, the Chair shall have the casting vote. The Chair voted with the motion.

Accordingly the motion became the finding of the meeting and the Committee agreed to approve the Business Case and action plan within it to take forward the Review of Additional Support Needs Service.

10. Education Revenue Budget Monitoring to 30 June 2021

A report by the Depute Chief Executive (Education, Communities and Organisational Development) informed the Committee of the budget position for Education as at 30 June 2021.

Following consideration the Committee agreed to note the budget position at 30 June 2021.

11. Moray Early Learning and Childcare - Play Strategy

A report by the Depute Chief Executive (Education, Communities and Organisational Development) requested that the Committee approve the Moray Play Strategy.

Following consideration the Committee agreed to approve the Moray Play Strategy.

12. Education Resources and Communities and Education Capital Budget Monitoring Report

Under reference to paragraph 2 of the minute of the meeting of Moray Council on 3 March 2020, a report by the Depute Chief Executive (Education, Communities and Organisational Development) informed Committee of projects and proposed expenditure for Capital Budgets within Education Resources and Communities and Education for 2021/2022.

Following consideration the Committee noted the contents of the report.

13. Education Resources and Communities Revenue Budget Monitoring to 30 June 2021

A report by the Depute Chief Executive (Education, Communities and Organisational Development) informed the Committee of the budget position for Education Resources and Communities as at 30 June 2021.

Councillor Eagle sought clarification on whether the leisure booking system was going to continue as he had been approached by some constituents who found the booking system quite restrictive and Councillor Eagle wanted to ensure that the availability of the services was available to all.

In response, the Acting Education Resources Manager confirmed that a report could be presented to the next meeting of the Committee on the options going forward for the booking system. The Committee agreed that this would be helpful.

Following consideration the Committee agreed to note the budget position.

14. Partnership Community Learning and Development Plan 2021-24

A report by the Depute Chief Executive (Education, Communities and Organisational Development) advised the Committee of progress towards the development and publication of the refreshed Partnership Community Learning and Development (CLD) Plan for 2021-24.

Councillor Feaver requested that a section be included in the plan that covers what has been delivered over the last 5 years. In response, the Depute Chief Executive (Education, Communities and Organisational Development) confirmed that this is work in progress and that there would be a section included which reflected on past practice before the final plan comes back to Committee.

Following consideration the Committee agreed to:

- i) endorse the principles and direction of the draft Partnership Community Learning and Development (CLD) Plan for 2021-24;
- ii) provide comment on the content of the draft CLD Plan; and
- iii) agree that the final version of the CLD Plan be brought back to Education, Children's Services and Leisure Committee on 6 October 2021.

15. Moray Artificial Turf Pitch Update and Proposed Replacement

Under reference to paragraph 6 of the minute of the meeting of Moray Council on 18 February 2021, a report by the Depute Chief Executive (Education, Communities and Organisational Development) provided the Committee with an update in relation to the condition of Moray's artificial turf pitches.

Councillor Eagle requested that before progressing to the tender stage for the Buckie artificial pitch replacement he would like to see a report which details all the options, environmental impacts, multi sports use, real grass option and costs of the full replacement of the Buckie artificial pitch.

Following consideration and as there was no one otherwise minded the Committee agreed to:

- i) note the information in relation to the inspection report of Moray's artificial turf pitches;

- ii) a report being presented to the next meeting of this Committee to consider all the options, environmental impacts and costs of the full replacement of the Buckie artificial pitch, the report is to include the ability for multi sports use and a real grass option; and
- iii) note that work is ongoing to create a sustainable maintenance and replacement plan for all artificial pitches from 2022 onwards including costs.

During discussion of the item, the Chair sought the Committee's approval to suspend standing order 75 to conclude the consideration of the item past 12.45pm. This was unanimously agreed.

16. The Queens Platinum Jubilee

Councillors Alexander, Creswell and Wilson and Mrs Slater, Secondary Teacher representative left the meeting prior to the discussion of this item.

A report by the Depute Chief Executive (Education, Communities and Organisational Development) asked the Committee to consider the proposals for recognising the Queen's Platinum Jubilee as a Public Holiday on Friday 3 June 2022.

During discussion of the report the Head of HR, ICT and Organisational Development advised the Committee that the decision with regards to an additional day of closure for schools was still being discussed at a national level and that the Committee may be minded to await the outcomes of those discussions before making a decision or to delegate the action to Officers taking account of the national position, the decision relating to which rests with the Scottish Government.

In response, Councillor Brown suggested that the discussions may result in a number of options and felt that given there was ample time, a report should come back to Committee to allow members to make the decision.

Following further consideration the Committee agreed to:

- i) allocate all employees an additional day of annual leave, fixed to 3 June 2022 (pro rata for part-time employees). Those staff unable to take it on this day because they do not work that day or for service reasons, would be able to take the extra day annual leave at another time; and
- ii) a further report be submitted to Education, Children's Services and Leisure Committee in October 2021 following the conclusion of the national discussions with regards to an additional day of closure for schools.

17. Kickstart Scheme 2021

A report by the Depute Chief Executive (Education, Communities and Organisational Development) invited the Committee to approve the recommendation to support the government Kickstart Scheme by hosting 9 placements with appropriate funding.

Councillor Coy welcomed the placements but requested that an update report comes back to a future Committee detailing the progress of the scheme and an update on the placements of the young people employed through the scheme.

Following consideration the Committee agreed to:

- i) the creation of nine Kickstart placements as noted in 3.1; and
- ii) funding of £34,056 from free general reserves to enable payment of the national living wage for the nice kickstart placements for the duration of the placement.
- iii) The Committee also noted that work will continue with services to identify the further 6 Kickstart opportunities as set out in the report to Economic Growth, Housing and Environmental Sustainability Committee on 14 April 2021 (para 11 of the minute refers), to delegate to the Head of Financial Services, authority to release further funding from reserves of up to £22,702 to fund these placements on the same basis as above.

18. Children and Families Social Work Services Revenue Budget Monitoring to 30 June 2021

A report by the Chief Executive informed the Committee of the budget position for Children and Families Social Work Services as at 30 June 2021.

Following consideration, the Committee agreed to note the budget position at 30 June 2021.

19. Fostering Scheme Revision of Level 4 Requirement

Under reference to paragraph 19 of the minute of the meeting of Children and Young People's Committee on 13 February 2019, a report by the Chief Officer, Health and Social Care sought approval for change to the approved foster scheme.

Councillor Brown expressed concerns with the proposed change and felt that the Council would not be getting it right for every child if the changes were approved as the children in these placements are some of the most vulnerable with complex needs. He therefore moved that the proposed change was not agreed. This was seconded by Councillor Feaver.

In response, the Corporate Parenting Manager explained that the proposed change was in respect of a nominated carer that is known to the family and the child/ren and would negate the need for short breaks to be used where the child/ren would go to another foster carer for a short period of time. This would be a better option for the child/ren as it is akin to a normal family situation in how childcare is managed. She further added that there is concern that if the change is not approved it may result in the loss of some foster carers to the Council.

In response, Councillor Warren, seconded by Councillor Morrison moved to accept the change as she felt that the change would improve the service for both the foster carers and the children in their care. By making the change the Council would be putting the needs of the children front and centre. She further added that

the change would support the current Foster Carers and hopefully encourage more people to become Level 4 Foster carers.

On the division there voted:

For the motion (6) Councillors Brown, Feaver, Allan, Eagle, Powell and Ross

For the amendment (5) Councillors Warren, Morrison, Coy, A McLean and Taylor

Abstention (0)

Thereafter the motion became the finding of the meeting and the Committee agreed to leave the approved scheme in relation to Level 4 skilled carers unchanged.

20. Question Time

Councillor Ross sought an urgent meeting of the Transforming Learning Board be convened as he felt that there had been a lack of scrutiny on the earlier paper on the Review of Additional Support Needs. He felt that the meeting should include Head Teachers, ASN Practitioners and a larger group of Councillors.

In response the Head of Governance, Strategy and Performance sought clarification from Councillor Ross on whether he wished the membership of the Transforming Learning Board to be expanded.

Councillor Ross confirmed that this was the case, he further added that he felt the report earlier on the agenda had not been scrutinised fully and a number of Councillors have concerns about the content.

The Head of Governance, Strategy and Performance confirmed that in the first instance the composition of the Board should be raised at the next Group Leaders meeting. With regards to the second issue around lack of scrutiny, he further clarified that as part of the governance review he had undertaken to report back to Council on 15 September 2021 with a Scrutiny Charter for approval. The Charter should give a basis for how scrutiny should work within the Council.

Councillor McLean added that the paper had been debated and discussed for 90 minutes and he gave everyone who wished to comment the opportunity to speak and felt that there had been a good discussion of the report.

21. Learning Estate Improvement Plan [Paras 8 & 9]

Under reference to paragraph 5 of the minute of the meeting of Moray Council on 16 December 2020, a report by the Depute Chief Executive (Education, Communities and Organisational Development) sought agreement from the Committee to prepare a bid to the Scottish Government to support Learning Estate Investment Programme (LEIP) Phase 3 grant submissions and recommend to the Economic Growth, Housing and Environmental Sustainability (EGHES) Committee budget approval for a proposal (Appendix 1) to engage external consultancy from Hub North Scotland Limited (HNSL) to develop detailed business cases.

Following consideration the Committee agreed to:

- i) the preparation of a formal bid submission to the Scottish Government for the Learning Investment Programme Phase 3 funding;
- ii) note the value of external consultancy support to develop Moray submissions for LEIP Phase 3 funding; and
- iii) recommend to EGHES Committee that approval is given to bring forward capital budget for schools (£25,000) to fund HNSL support to LEIP Phase 3 submission process.