

# MORAY COUNCIL

## Minute of Meeting of the Education, Children's and Leisure Services Committee

Tuesday, 19 September 2023

Council Chambers, Council Office, High Street, Elgin, IV30 1BX

### **PRESENT**

Mrs Sheila Brumby, Councillor Tracy Colyer, Councillor John Cowe, Councillor Juli Harris, Councillor Sandy Keith, Councillor Scott Lawrence, Councillor Graham Leadbitter, Councillor Marc Macrae, Councillor Bridget Mustard, Councillor Kathleen Robertson, Councillor Derek Ross, Mrs Susan Slater, Mrs Emma Tunnard, Councillor Sonya Warren

### **APOLOGIES**

Councillor James Allan, Mrs Anne Currie, Mr Alfie Harper, Councillor Paul McBain, Councillor Shona Morrison, Reverend Tembu Rongong, Councillor Ben Williams

### **IN ATTENDANCE**

Chief Executive, Head of Governance, Strategy and Performance, Head of Education, Acting Head of Education Resources and Communities, Head of Housing and Property, Head of HR, ICT and Organisational Development, Head of Service/Chief Social Work Officer, Business Support Team Manager, Stewart McLauchlan, Quality Improvement Manager, Robin Paterson, Senior Project Manager (ELC), David Mackay, ICT Project Leader, the Democratic Services Manager and Caroline O'Connor, Committee Services Officer.

#### **1. Chair**

The meeting was chaired by Councillor Kathleen Robertson.

#### **2. 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 Items 17 and 18 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
19	Para 8 and 9 Information on proposed terms and/or expenditure to be incurred by the Authority
20	Para 1 Information relating to staffing matters

### **3. Declaration of Group Decisions and Members Interests \***

In terms of Standing Order 21 and 23 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.

### **4. Congratulations**

As this was the first meeting of Education, Children's and Leisure Services Committee following the summer break, the Committee joined the Chair in congratulating all the young people in Moray on their exam results and pathways they are moving onto and wished those continuing with the studies well.

The Committee further joined the Chair in welcoming back Alfie Harper as the pupil representative on the Committee.

### **5. Thanks**

The Committee joined the Chair in thanking the Head of Education, Head of Housing and Property Services, the Acting Head of Education Resources and Communities and Fairhurst Surveyors on the work undertaken following the discovery of Reinforced Autoclaved Aerated Concrete (RAAC) at Forres Academy. It was noted that the school will reopen on a phased approach from 22 September 2023 with assurances being provided regarding pupil and staff safety.

### **6. Minutes of meeting of 7 June 2023**

The minute of the meeting of Education, Children's and Leisure Services Committee on 7 June 2023 was submitted and approved.

### **7. Written Questions \*\***

The meeting noted the following written question submitted by Councillor Warren and the Council's response thereto:

#### **British Sign Language**

The British Sign Language Act 2015 is an Act of the Scottish Parliament to promote the use of British Sign Language to include the provision for preparation and provision for authorities to prepare and publish their own British Sign Language plans.

By learning BSL, students can gain many cognitive benefits and also be exposed to a different perspective and could gain a greater appreciation for the diversity of the UK.

Recently in Moray, we have seen how BSL transcends normal language barriers when a deaf Ukrainian refugee with no English could communicate fluently with a member of our deaf community as there's a huge amount of commonality in sign language.

The Scottish Government is committed to supporting and developing the use of BSL as a language for teaching and learning.

Can we get an update on where we are with the Moray Plan for BSL, the development of learning and teaching of BSL in our schools in Moray, what CPD is offered to our educational staff, how many schools in Moray are offering BSL as a second language, and how many schools (both primary and secondary) are preparing to offer BSL as a second language, along with numbers of pupils that have been presented for SQA awards in BSL?

## **RESPONSE**

We currently have an Acting PT Sensory Education Services who was not involved in this piece of work which was being led by the previous PT and the Equalities officer. The existing team are currently delivering BSL training in 2 primary schools as well as upskilling the team in BSL also. This will increase the sensory team's ability to support Education staff across schools and ELC settings to more effectively support children who are deaf or hard of hearing. The sensory education team offer Stage 2 Deaf awareness training as part of our Supporting all Learners training offer.

The team are unaware of any schools offering BSL as a second language however the training will raise awareness of it as a second language option and the team are happy to support any schools who would be interested in this. Moray College deliver courses in BSL at SCQF levels 3-6 which offers the opportunity to work in partnership.

The Equalities officer is currently engaging with a number of BSL users to develop the Council's BSL plan for next year. There is currently a focus on improving access rather than strategic outcomes. There is a plan to invite BSL users to various Council services, to begin with the contact centre. There is also an intention to involve users in consultations, especially regarding the budget and the cultural quarter. There is work ongoing to discuss BSL interpretation for the Out of Darkness Theatre Group's next Xmas panto.

As a supplementary question, Councillor Warren sought clarification on whether anything was in place to positively encourage to increase training opportunities for both staff and pupils in secondary schools to use BSL as a second language.

In response the Head of Education confirmed that the training offer currently being circulated is to encourage uptake and the Sensory Services will monitor the uptake and support the training if BSL is wished to be a second language.

## **8. Children and Families Social Work Services Revenue Budget Monitoring to 30 June 2023**

The meeting had before it a report by the Chief Officer, Health and Social Care Moray which informed the Committee of the budget position for Children and Families Social Work Services as at 30 June 2023.

During considering Councillor Leadbitter was concerned about the style of the report. He felt that the figures needed to be clearer with more narrative around them, however he added that he did not have concerns about the content just how it had been presented.

In response, the Head of Service/Chief Social Work Officer confirmed that she would arrange for changes to be made to the report style for the next Committee.

Following further consideration the Committee unanimously agreed to note the budget position at 30 June 2023.

#### **9. Education Revenue Budget Monitoring to 30 June 2023**

The meeting had before it a report by the Depute Chief Executive (Education, Communities and Organisational Development) which informed the Committee of the budget position for Education as at 30 June 2023.

Following consideration the Committee unanimously agreed to note the budget position at 30 June 2023.

#### **10. Education National Improvement Framework Report and Plan**

The meeting had before it a report by the Depute Chief Executive (Education, Communities and Organisational Development) which advised Committee of the annual National Improvement Framework plan return which is submitted to the Scottish Government by the end of September.

Following lengthy consideration the Committee unanimously agreed:

- i) to note the contents of the Moray Self-evaluation document progress report; and
- ii) the annual National Improvement Plan (NIF) and Stretch Aims return be submitted to the Scottish Government by 30 September 2023.

#### **11. Raising Attainment Curriculum Breadth and Digital Infrastructure Progress**

The meeting had before it a report by the Depute Chief Executive (Education, Communities and Organisational Development) updating Committee on progress in the development of the Raising Attainment: Curriculum Breadth and Digital workstream within the Council's Improvement and Modernisation Programme and sought agreement for the development of the Education networks digital infrastructure.

Councillor Mustard expressed concern that the update gave no indication for growth over the next 10 - 15 years and highlighted that 1500 licences were being sought which is not enough licences for the current number of devices.

The Head of HR, ICT and Organisational Development confirmed that all costs are estimated and that although there has been no decision on the strategic direction there will be enough control to keep a watching brief on future purchases. She further added that while the ICT strategy is not directly aligned to the future strategic direction of devices for schools as this has not yet been fully determined, the ICT service continues to support the schools infrastructure as much as possible.

The Chair sought agreement to add to recommendation (vi) of the report as follows:

- vi) notes that further reports will be presented to Committee updating on progress and impact of the proposed solution to support the Curriculum Breadth and Digital Workstream making note of specific issues around expenditure and licences and seek to have information on Apple product use and growth going forward.

Councillor Keith sought clarification on recommendation 2.1 (ii) and which Business Case Option was the Committee being asked to approve.

In response Mr Paterson confirmed it was Option 1.

The Chair suggested adding Option 1 into recommendation 2.1 (ii) for clarity.

Following further consideration and there being no one otherwise minded the Committee unanimously agreed:

- i) to note the contents of the Digital Inclusion (Infrastructure) Business Case (Appendix 1);
- ii) the preferred Business Case Option 1 in addressing connectivity issues and supporting iPads which was informed through conducting a staff engagement workshop
- iii) the 12 month extension of the Senior ICT Officer post at a cost of £56,000 to be sourced from Transformation Reserves;
- iv) that the external professional services to support implementation and training at an estimated cost of £10,000 to £15,000 would be sourced from the remaining £35,849 of the £50,000 agreed by the Education, Children's and Leisure Services Committee on 26 January 2022, previously allocated from the Transformation Reserves;
- v) that the ongoing annual Mobile Device Management System (MDM) licence fee per device (current cost estimated at £8,000 to £9,000) would be funded from the Devolved School Management (DSM) budget; and
- vi) to note that further reports will be presented to Committee updating on progress and impact of the proposed solution to support the Curriculum Breadth and Digital Workstream making note of specific issues around expenditure and licences and seek to have information on Apple product use and growth going forward.

## **12. Raising Attainment Improved Wellbeing Outcomes**

The meeting had before it a report by the Depute Chief Executive (Education, Communities and Organisational Development) updating Committee on progress in the development of the Raising Attainment: Pastoral Care project within the Council's Improvement and Modernisation Programme (IMP) and sought direction on the development of the project.

Following consideration the Committee unanimously agreed:

- i) to note the inclusion of data in relation to the impact child planning workload for Primary Schools (See Appendix 1a and 1b);
- ii) to note the arrangements made to date and the work that is underway to ensure that existing resources are allocated to maximise their impact on the objectives of this project;
- iii) to note that work will continue to explore and develop approaches that would contribute to the Business Case outcomes via other projects and funding with similar aims such as the Whole Family Well-being and SEF funding;
- iv) that a monitoring report be provided to Committee in 12 months on the extent to which the project outcomes have been addressed through these alternative routes;
- v) that the matter of administrative support for the child planning process in schools is referred to the school business administration project for consideration of an appropriate solution; and
- vi) to cease the project (other than recommendation (v) above) as part of the Improvement and Modernisation Programme in light of the above and on the basis that none of the options identified as part of the Pastoral Care Outline Business Case offer a sustainable solution that would continue beyond the time limited funding.

### **13. Moray Education Early Learning and Childcare - Financial Sustainability**

The meeting had before it a report by the Depute Chief Executive (Education, Communities and Organisational Development) informing the Committee of the financial support including grants provided to partner provider settings during the Early Learning and Childcare (ELC) expansion period and throughout the Covid - 19 pandemic and the ongoing evaluation of the sustainable rate for ELC funded hours.

Councillor Keith expressed unease that no further uplift is to be considered for the 2023/24 and raised concern about the equalities impact if the uplift is not considered. He therefore moved to agree recommendations (i) and (ii) and remove recommendations (iii) and (iv) as printed and agree a new recommendation (iii) which states:

- iii) agree to refer to Moray Council for consideration of whether to uplift the sustainable rate for 2023/24.

This was seconded by Councillor Cowe.

Councillor Mustard, seconded by Councillor Warren proposed the recommendations as printed as she felt that it would be beneficial to wait until after the Cosla review had taken place as she felt the Councillors would be better informed with the information from the review.

The Head of Governance, Strategy and Performance sought clarification from Councillor Keith on what the referral reason to Moray Council would be, was it to fix an amount or to start the process as he questioned whether there was enough time to provide enough information for members to be able to make an informed decision.

Councillor Keith confirmed that it was for Moray Council to consider whether to apply an uplift.

The Head of Governance, Strategy and Performance further added, that if the recommendation had been to apply an uplift then additional information would have needed to be provided to the Committee on the knock on effect to partner providers, the annual budget on changing the rate and did not think members had that information to be able to make the decision at today's meeting and it would be required to make an informed decision unless Councillor Keith wished for the decision to be reviewed in this financial year, in which case Officers would then provide the information to a later meeting.

### **Adjournment of the Meeting**

The Chair proposed a short adjournment to allow Councillor Keith time to consider his motion.

### **Resumption of the Meeting**

The Head of Governance Strategy and Performance, confirmed that following discussions with Councillor Keith and Officers during the adjournment, if the Committee were minded to defer the decision on recommendations (iii) and (iv) to Moray Council, it would be for the Council to determine whether the rate is reviewed, further information would need to come back on the process and a further report would be prepared should the Council be minded, if referred for a decision.

Councillor Keith confirmed that he was happy with what had been proposed by the Head of Governance, Strategy and Performance.

On the division there voted:

For the Motion (2)	Councillors Keith and Cowe.
For the Amendment (9)	Councillors Mustard, Warren, Colyer, Harris, Lawrence, Leadbitter, Macrae, Robertson and Ross
Abstention (0)	

Accordingly the amendment became the finding of the meeting and the Committee agreed:

- i) note the overall financial support provided to partner provider settings during the ELC expansion period and throughout the Covid-19 pandemic;
- ii) note the ongoing process to evaluate the sustainable rate for ELC funded hours;

- iii) that no further uplift to the sustainable rate will be considered during the 2023/24 financial year; and
- iv) that the sustainable rate will be reviewed for 2024/25 financial year as part of the partner provider financial sustainability review.

#### **14. Moray Education Speech and Language Contract and Support**

The meeting had before it a report by the Depute Chief Executive (Education, Communities and Organisational Development) informing the Committee of the status of the delivery of the Speech and Language Contract (SALT) for children and young people with complex needs who require specialist input and the proposed changes to address the impact thereof.

Following consideration the Committee unanimously agreed:

- i) to note the historic support from SALT for Children and Young People with complex needs across Moray;
- ii) to note the previous spend allocation for SALT for Children and Young People;
- iii) the proposed re-allocation of current budget for Children and Young People with complex communication needs across Moray;
- iv) the proposed approach for the communication needs of Children and Young People with complex needs across Moray; and
- v) as part of the proposed approach for the communication needs of Children and Young People with complex needs across Moray the underspent budget is allocated to recruit Pupil Support Worker (PSW).

#### **15. Education Resources and Communities Revenue Budget Monitoring to 30 June 2023**

The meeting had before it a report by the Depute Chief Executive (Education, Communities and Organisational Development) informing the Committee of the budget position for Education Resources and Communities as at 30 June 2023.

Following consideration the Committee unanimously agreed to note the budget position at 30 June 2023.

#### **16. Learning Estate Update - Future Forres Academy and Buckie High School**

The Committee had before it a report by the Depute Chief Executive (Education, Communities and Organisational Development) informing the Committee on the status of the Learning Estate Investment Programme (LEIP) Phase 3 project funding bids for Future Forres Academy and Future Buckie High School and to seek budget approval for proposals (Appendix 1 and Appendix 2) to engage external consultancy from Hub North Scotland Limited (HNSL) to undertake feasibility studies and outline business case development.



Following consideration the Committee unanimously agreed to:

- i) Note that while Council awaits an investment decision in terms of the Scottish Government's Learning Estate Investment Programme (LEIP) Phase 3, Officers seek to progress work on Future Forres Academy and Future Buckie High School projects;
- ii) approve project capital funding to be released for appointment of external consultancy support to support feasibility studies and development of Outline Business Cases for both projects;
- iii) the appointment of Hub North Scotland Limited to provide this consultancy support within the Strategic Support Partnering Services under the contractual terms of the Territory Partnering Agreement;
- iv) Note that following the announcement from the Scottish Government on LEIP Phase 3 bids revised project timelines will be communicated to this Committee; and
- v) Note that the Outline Business Cases will be presented to the Education, Communities and Leisure Services Committee on completion of the feasibility studies.

## 17. Question Time \*\*\*

Under reference to paragraph 22 of the minute of the meeting of Education, Children's and Leisure Services Committee on 7 June 2023, Councillor Warren sought an update on the Service Level Agreement (SLA) with Moray Leisure Services Committee.

In response the Acting Head of Education Resources and Communities confirmed that there is an ongoing review of the conditions with regards to the loan, lease and early payment of funds to Moray Leisure Centre to support their extension. He further added that the anticipated date for the SLA to be available would be the end of the year.

The Head of Governance, Strategy and Performance added that he would circulate the current funding agreement to all Members for information.

Under reference to paragraph 22 of the minute of the meeting of 7 June 2023, Councillor Warren sought an update on the expansion project for Moray Leisure Centre and the progress made as the decision was made in June 2023 to support the project and it is now a few months on.

The Acting Head of Education Resources and Communities sought agreement to discuss the question within the confidential section of the meeting as some of the available updates were commercially sensitive.

### **Additional Support Needs Review**

Mrs Slater, the Secondary School representative sought an update on the ASN Review and where the Council is in terms of the review. The remit of ASN moved to the Head of Education until the end of October, however the Committee does not meet again before then so there is concern that the pace of the review may slow down if a plan is not in place.

In response the Chief Executive gave assurance that work is ongoing to produce a plan to address the wider concerns around the remit and this should be able to be confirmed once the Depute Chief Executive (Education, Communities and Organisational Development) returns from annual leave.

### **Connecting Scotland Funding and Digital Lending Libraries**

Councillor Warren sought clarification on whether the Council had applied to the 2 funding streams via Connecting Scotland and does Moray offer any digital lending libraries particularly in the more rural locations.

In response the Acting Head of Education Resources and Communities was unable to confirm but would seek to provide a response to the Committee following the meeting. He further added that all funding options are looked at and applications submitted where applicable.

## **18. Information Reports - if called in**

The Committee noted that no Information Reports had been called in.

## **19. Learning Estate Programme - Elgin High School Capacity Expansion Project Update [Para 8 and 9]**

The meeting had before it a report by the Depute Chief Executive (Education, Communities and Organisational Development) informing the Committee on the current status of the Elgin High School capacity expansion and sought an investment decision to progress to a full business case.

Following consideration the Committee unanimously agreed to:

- i) approve the outline business case, acknowledge the estimated capital cost growth, to provide additional capacity at Elgin High School which accounts for developer growth across both Elgin Academy and Elgin High School Associated School Groups;
- ii) to recommend to Moray Council the increase to the capital funding allocation for the project;
- iii) to note the estimated funding for the next phase of the project; and
- iv) to note that a further report will be submitted to this Committee on the next stage of the project, including the procurement strategy and associated costs.

Councillor Cowe left the meeting during the consideration of this item.

## **20. Business Administration Support for Early Learning and Childcare and Primary Schools Update [Para 1]**

The meeting had before it a report by the Depute Chief Executive (Education, Communities and Organisational Development) informing the Committee of the progress and status of the Business Administration Review for Early Learning and Childcare (ELC) settings and Primary Schools.

Mrs Slater expressed concern about the use of the word misconception in relation to section 3 of Improvement Plan (Appendix 2) and asked for it to be changed, as section 3 deals with genuine concerns raised by respondents to the consultation.

In response, Mr Paterson, the Senior Project Manager (ELC) apologised for the use of the word, accepted the points raised by Mrs Slater and agreed to change misconceptions to concerns in Appendix 2.

Councillor Keith expressed unease about the recommendations in the report and moved to remove recommendations (i) and (ii) and for Committee to agree a new recommendation (i) and make recommendation (iii), (ii) as follows:

- i) Agree to inform stakeholders that no change to current arrangements within the ELC and Primary Schools will take place; and
- ii) note that further reports will be submitted to this Committee in relation to the implementation of the ELC and Primary School Improvement Action Plan and the progress of the Secondary School Business Admin Review.

This was seconded by Councillor Ross.

Councillor Mustard expressed concern that the Inequalities Impact Assessment (IIA) only focused on staff and did not include other parent characteristics and sought assurance that the IIA would be expanded. She further sought agreement that admin staff and Head Teachers be included in the working group and that no work on the Secondary Admin review starts until a report has come back to this Committee with an update on the ELC and Primary School review.

The Acting Head of Education Resources added that the Council can not sustain the status quo as there is no equity of service across all the Council's schools, however confirmed that he was happy to accept the points raised by Councillor Mustard.

The Chief Executive further added that he was happy to accept the points raised by Councillor Mustard and rename the project as a Service Review.

Several Councillors expressed concern about the staff who may be losing money as part of the service review.

Following lengthy consideration Councillor Leadbitter proposed referring the report to the meeting of Moray Council on 27 September 2023 to allow all 26 members to debate the issue. Following this proposal, Councillor Keith withdrew his motion and there being no one otherwise minded the Committee unanimously agreed to defer the decision to allow consideration by the meeting of Moray Council on 27 September with no recommendations from the Education, Children's and Leisure Services Committee.