



Education, Children's and Leisure Services Committee

Wednesday, 27 March 2024

NOTICE IS HEREBY GIVEN that a Special Meeting of **Education, Children's and Leisure Services Committee** is to be held at **Council Chambers, Council Office, High Street, Elgin, IV30 1BX** on **Wednesday, 27 March 2024** at **11:00** or immediately following **Special Meeting of Moray Council** whichever is the earlier.

BUSINESS

1. **Sederunt**
2. **Declaration of Group Decisions and Members Interests ***
3. **Resolution**

Consider, and if so decide, adopt the following resolution:
"That under 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 7 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."
- 4.* **Learning Estate Programme - Future Forres Academy** **5 - 26**

Project Update
Report by Depute Chief Executive (Education, Communities and Organisational Development)
- 5.* **Federation Policy for Schools** **27 - 56**

Report by Depute Chief Executive (Education, Communities and Organisational Development)

**of the Policy and Procedures for the allocation of ELC
Places in Moray**

Report by Depute Chief Executive (Education, Communities and
Organisational Development)

**Item(s) which the Committee may wish to consider with
the Press and Public excluded**

7.* **Additional Support Needs Allocations [Para 1]**

- 1. Information relating to staffing matters;

**Only items marked * can be considered and determined
by all members of the Committee**

**Summary of Education, Children's and Leisure Services
Committee**

To exercise all the functions of the Council as Education Authority within the terms of relevant legislation with regard to school education, nurseries and child care, Gaelic, children's services, leisure, libraries and museums, sport and the arts, CLD, life long learning, youth justice and child protection.

GUIDANCE NOTES

- * **Declaration of Group Decisions and Members Interests** - The Chair of the meeting shall seek declarations from any individual or political group at the beginning of a meeting whether any prior decision has been reached on how the individual or members of the group will vote on any item(s) of business on the Agenda, and if so on which item(s). A prior decision shall be one that the individual or the group deems to be mandatory on the individual or the group members such that the individual or the group members will be subject to sanctions should they not vote in accordance with the prior decision. Any such prior decisions will be recorded in the Minute of the meeting.

MORAY COUNCIL

Education, Children's and Leisure Services Committee

SEDERUNT

Councillor Kathleen Robertson (Chair)
Councillor Bridget Mustard (Depute Chair)

Councillor James Allan (Member)
Councillor Tracy Colyer (Member)
Councillor John Cowe (Member)
Councillor John Divers (Member)
Councillor Juli Harris (Member)
Councillor Sandy Keith (Member)
Councillor Scott Lawrence (Member)
Councillor Graham Leadbitter (Member)
Councillor Marc Macrae (Member)
Councillor Paul McBain (Member)
Councillor Shona Morrison (Member)
Councillor Derek Ross (Member)
Councillor Sonya Warren (Member)

Mrs Sheila Brumby (Non-Voting Member)
Mrs Anne Currie (Non-Voting Member)
Mr Alfie Harper (Non-Voting Member)
Ms Jillian MacKellar (Non-Voting Member)
Reverend Tembu Rongong (Non-Voting Member)
Mrs Susan Slater (Non-Voting Member)
Mrs Emma Tunnard (Non-Voting Member)

Clerk Name:	Caroline O'Connor
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Clerk Email:	committee.services@moray.gov.uk



**REPORT TO: SPECIAL EDUCATION, CHILDREN'S AND LEISURE SERVICES
COMMITTEE ON 27 MARCH 2024**

**SUBJECT: LEARNING ESTATE PROGRAMME – FUTURE FORRES
ACADEMY PROJECT UPDATE**

**BY: DEPUTE CHIEF EXECUTIVE (EDUCATION, COMMUNITIES AND
ORGANISATIONS DEVELOPMENT)**

1. REASON FOR REPORT

- 1.1 To inform the Committee of the current status of the Future Forres Academy project and seek approval to progress to Full Business Case.
- 1.2 This report is submitted to Committee in terms of Section III (D) (17) of the Council's Scheme of Administration relating to the School Estate to consider and make recommendations on capital and minor works programmes within the remit of the Committee.

2. RECOMMENDATION

2.1 It is recommended that Committee:

- (i) note the evidence to support a New Build project option (para 3.3);**
- (ii) agree that public engagement is undertaken regarding the location of a new school (para 4.1);**
- (iii) agree determination of the preferred site following public engagement will be at the Education, Children's and Leisure Services (ECLS) Committee on 14 May 2024 (para 4.1); and**
- (iv) approve the procurement strategy and associated costs to take the project to Full Business Case (FBC) (Para 4.7-4.10).**

3. BACKGROUND

- 3.1 In October 2023 the Future Forres Academy project was accepted as part of the Scottish Governments Learning Estate Investment Programme (LEIP) Phase 3 programme. In order to access this funding, the Council will require to meet and maintain specific performance levels for the building over a 25 year period, as documented in the Outcome Based Funding Model attached as **Appendix 1**.

3.2 At the Education, Children’s and Leisure Services Committee (ECLS) on 19 September 2023 (para 16 of minute refers), it was agreed to engage hub North Scotland Limited (HNSL) to undertake a project feasibility/project definition for Future Forres Academy, due to the scale, scope and potential cost risks associated with progressing the design, build and operational assessment of the project.

3.3 The feasibility study reviewed several options of how to improve Forres Academy: Do Nothing, Refurbish, and New Build with these options summarised below.

Do Nothing

3.4 The current building is assessed as overall condition D – that is life expired and/or in serious risk of imminent failure. The current school was designed for an earlier approach to educational provision and no longer reflects the needs of the community for the integration of education, skills and jobs that will support long-term resilience and sustainability. There is a trend of increasing reactive maintenance spend on the existing building and a rising sum of investment required to make much needed fabric improvements. Considerable sums have already been spent over the last few years, despite which there have been intermittent failures in elements such as drainage which have led to disrupted learning and these interventions have only maintained the low condition ratings and indeed not prevented further deterioration in condition. The continued drain on resources to simply maintain the current school at low condition and suitability standards is unsustainable. In addition, the assessment and discovery of Reinforced Autoclaved Aerated Concrete (RAAC) within the current building has necessitated urgent remediation works and a regular programme of remedial inspections, which have resulted in areas of school no longer being accessible and reduced the overall capacity of the building to meet future needs.

Refurbishment

3.5 Several criteria were considered when reviewing this option including: the existing condition, LEIP 3 compliance, and challenges that a refurbishment scenario may present including: functionality and quality issues; whole life carbon; and cost implications. Whilst a refurbishment can meet a number of the LEIP 3 requirements, two issues present significant if not insurmountable challenges; the existing span between the structural floor slabs (which is significantly less than in modern education facilities) would pose a challenge with the mechanical ventilation required to meet LEIP 3 as well as the probable requirements to insulate under the existing ground floor slab. Based on benchmark data the construction cost to refurbish a school is generally around 90% of the cost of a new build however, the additional costs pertaining to Forres Academy, such as temporary accommodation for decant, RAAC which would require to be replaced and concerns over fire engineering requirements would mean the cost for delivering a refurbished school would be likely to exceed the cost for delivering a new build.

3.6 Given that one of Moray Council’s learning estate strategy aspirations and key drivers is that ‘All learners be educated in high quality buildings (minimum level B for condition and suitability)’ the financial challenge of simply

maintaining the existing building without ever being able to improve its condition it would not be acceptable to 'Do Nothing' at Forres Academy.

- 3.7 In addition, when consideration is taken of a compromised design solution that may have to be accepted for a refurbished school in comparison to a new build without any cost benefit, it was concluded that a refurbishment solution would not offer good value for money to Moray Council and the end product would unlikely meet the aspirations of the local community. Therefore, the study considered that a New Build is the most prudent and cost effective solution for a Future Forres Academy.

New Build

- 3.8 The feasibility study initially considered eight sites to support a new school build option. An assessment of the viability of these eight sites identified that only three potential development sites for a new build would meet the project need: Grantown Road, Lochyhill and Applegrove Playing Fields/Roysvale Park. With each of these sites a number of assessments were undertaken which included: visioning and strategic definition, existing information analysis, development of educational briefing, lessons learnt analysis, desktop appraisal of site options.
- 3.9 To assist in determining the most appropriate site for building the new school, a scored options appraisal exercise was undertaken by the design team which looked at fourteen factors pertaining to the three sites: context, place, sustainability, landscape and ecology, planning considerations, transport, flood risk, utility infrastructure, underground risks, construction, orientation massing and shading, ground conditions, drainage, future expansion. These criteria were weighted with respect to current Council policies and placed the highest weightings on 'context' and 'place'. This was in line with local living and 20 minute neighbourhood intent to encourage, promote and facilitate the application of the place principle (as set out in the National Planning Framework) and create connected and compact neighbourhoods where people can meet the majority of their daily needs within a reasonable distance of their home, preferably by walking, wheeling or cycling or using sustainable transport options.
- 3.10 A summary of the three site options is provided below with the full scoring matrix detailed in **Appendix 2** and a site map and boundary locations in **Appendix 3**:

A Grantown Road

This site would see only a new build secondary school constructed with associated 3G pitch and car park. The current school would be demolished but the swimming pool and hydrotherapy pool would remain.

This site would provide minimal design constraints and meets most of the education strategic objectives. However, this does not meet with the place principle set out in National Planning Framework (Policy 14), would remove easy access to swimming facilities for educational benefit and most likely would increase traffic to the site. There is no current consideration of safer routes to schools and there would likely be a requirement for road improvements to provide access. The

Council does not own the land and therefore this would require to be purchased from the current landowners. In addition, it is outside the settlement boundary, the land is not currently allocated under the current Local Development Plan and therefore, the site would never be part of the wider context, meaning the school would remain remote from other facilities within the town. The site is also adjacent to a high pressure gas main which may preclude future expansion.

B *Lochyhill*

This site would see only a new build secondary school constructed with an associated 3G pitch and car park. The current school would be demolished but the swimming pool and hydrotherapy pool would remain.

This site would provide minimal design constraints and meets the majority of the education strategic objectives. However, there is no existing primary school to enable a full 5-18 campus, it does not meet with the place based policy, would remove easy access to swimming facilities for educational benefit and potentially would increase traffic to the site. There is no current consideration of safer routes to schools and there may be the possible requirement for a new roundabout on the A96 to provide access. - Although there is a site safeguarded for a Primary School at Lochyhill in the Local Development Plan it could not be used for the secondary school as this is an existing need and not one arising through any future development at Lochyhill. Therefore the Council does not own the site and therefore this would require to be purchased from the current landowners. If this was the chosen site, there is a risk that the proposed surrounding housing development never materialises and the school would remain remote from the town. The site does allow for future expansion, although further land would need to be purchased to facilitate this.

C *Applegrove Playing Fields/Roysvale Park*

This site would provide a new build school constructed adjacent to Applegrove Primary School (Council-owned land), retaining the pavilion and grass pitch on Roysvale Park with the addition of a bus drop off on Sanquhar Road. The current swimming pool and hydrotherapy pool would remain, with the rest of the current school being demolished and the site redeveloped with a 3G pitch and car park, which would serve both the school and the wider community sports facilities. The car park would be accessed from the existing opening on Sanquhar Road.

This site offers the opportunity to develop a 5-18 campus, the building is located away from the common good land and provides a pedestrian priority campus with a dedicated bus/coach drop off which would avoid road congestion (edge of Roysvale site). Although the car park and 3G pitch are located on a split site they provide a dual purpose serving both the school, swimming pool and community events. This site provides a central location for the school with a good opportunity for a united civic presence with Applegrove Primary School. It provides links to other existing green/health and wellbeing spaces providing both educational and community benefit. It meets the educational strategic objectives and place-based policy and would be using and improving

on the current safe routes to school. This site would provide good opportunities for educational links during construction and maintain the economic benefits to the surrounding businesses. The overarching issue with this site is that the Roysvale Park element of the site is designated as common good land.

The change in common good land use would be restricted to a bus drop off on Sanguhar Road. The development of the site would maintain the majority of the common good as green space and the development would likely see an improvement to the current surface water drainage issue.

- 3.11 The outcome of the design team option appraisal was that Grantown Road would be discounted with the Lochyhill scoring slightly lower than Applegrove/Roysvale Park. In addition to the scored option appraisal, high level cost models were developed with the differential in cost between Lochyhill and Roysvale Park being estimated at £3.9M, with Lochyhill the more expensive option due to additional project costs associated with procurement of land, roads, pathways and utility service upgrades.
- 3.12 Whilst there are risks associated with developing either of these sites, it was noted that only Applegrove/Roysvale Park is under ownership of the Council, whilst Lochyhill would require the Council to formally acquire the land in question. The main risk with developing the Applegrove/Roysvale site lies with the fact that a major part of the developable site is classed as 'Common Good', although the main school building is not planned on this site but rather the Council-owned land adjacent to Applegrove Primary School and currently used as grass playing fields by them

4. NEXT STEPS

- 4.1 While consultation is not a requirement at this stage, given the extent of local interest, it is proposed that the next step is to engage with the community on the two remaining site options: B - Lochyhill and C – Applegrove/Roysvale Park. To ensure that project delay is minimised the engagement would be undertaken during and after the school Easter holidays over a period of 3 weeks and would take the format of an information sharing on line, online and document survey and a public drop in session during week 3 of the engagement. The feedback would be analysed and presented to this Committee on 14 May 2024 for the preferred development site to be determined. This would allow the project to move to the development of the Full Business Case (FBC) which will provide a detailed design and an option for a fixed price cost for the project to deliver an operational school in 2028.
- 4.2 The next step following the decision at Committee in May 2024 is dependent on the preferred site selected. It would be to either:

B - Lochyhill: consult regarding the relocation of the school in accordance with the Schools (Consultation)(Scotland) Act 2010 or;

C - Applegrove/Roysvale - consult the public regarding the Common Good use to support school construction for the duration of the project and for permanent development of bus drop off areas.

- 4.3 With Option C – Applegrove/Roysvale, due to the land being categorised as inalienable Common Good, the Council would require to obtain consent of the Sheriff Court in terms of the Section 75(2) Local Government (Scotland) Act to appropriate the land. Section 222(2) of the Local Government (Scotland) Act 1973 requires the Council to have regard to the interests of the inhabitants of the former Burgh of Forres when administrating Common Good land.
- 4.4 In addition, Section 104 of the Community Empowerment (Scotland) Act 2015, which came into force on 27 June 2018, requires that before taking any decision to appropriate a Common Good asset, the Council must publish details about the proposed disposal. In publishing these details, the Council must also:
- (i) notify the relevant community council and any community body that is known to have an interest in the property; and
 - (ii) invite those bodies to make representations in respect of the proposals.
- 4.5 In deciding whether or not to appropriate the land, the Council must have regard to any representations made, whether by those invited or by some other relevant party. The proposal, along with the summary of any representations received, would then form the basis of a further report to this Committee to allow it to make a decision regarding the appropriation of the site and submission for court approval.
- 4.6 With Option B – Lochyhill a statutory consultation would be undertaken in accordance with Schools (Consultation)(Scotland) Act 2010, which is triggered by the move to a new location.
- 4.7 Further to the decision of site selection, given the complexity and potential cost risk associated with progressing design, build and operational asset management of this project, it is proposed to engage HNSL to undertake the detailed design works which will inform the FBC. HNSL have undertaken the feasibility study, were successful in supporting the Moray Council LEIP 3 Scottish Government submissions, are working with other local authorities within the Northern Territory Partnership on similar work and have acted on behalf of Moray Council to deliver recent projects of similar scale, Lossiemouth High School and Elgin High School and are considered the preferred design and build partner to progress the project.
- 4.8 HNSL is one of the five public-private partnership companies set up across Scotland. Developed as a Scotland-wide initiative, led by Scottish Futures Trust (an executive non-department public body of the Scottish Government), to support new community infrastructure delivery. The establishment of the HNSL Framework was procured in compliance with Official Journal of the European Union (OJEU) requirements and establishes the structure and agreements for collaborative working underpinned by our Shareholder Agreement and Territory Partnering Agreement.
- 4.9 Through a Hub approach, a lengthy World Trade Organisation’s Government Procurement Agreement process – utilising the Find a Tender Service - is avoided along with the time consuming and expensive competitive dialogue

that this entails. The advantages of the Council Procurement Strategy for this project adopting the Hub approach include:

- Increase cost and programme certainty
- Early involvement of advisers and contractors
- More assured partnership working and innovation
- More effective risk management
- Transparent procurement
- A minimum of 80% of packages (by value) market tested
- A qualified and experienced supply chain working to capped rates
- Opportunity with economies of scale with HNSL already appointed to support other planned major capital projects (Elgin High School Extension) and potentially others in the future (Buckie High School).

4.10 The benchmarked project fees for taking the project to FBC, with a detailed design and build proposition is £1.569M, with the spend being across financial years 24/25 and 25/26, with the view to start construction in August 2025.

5. SUMMARY OF IMPLICATIONS

(a) Corporate Plan and 10 Year Plan (Local Outcomes Improvement Plan (LOIP))

This report supports the LOIP outcomes:

Building a better future for children and young people in Moray:

- Healthier Children: children get the healthiest start in life and are supported to achieve the best possible mental health and wellbeing and there is equity for vulnerable groups.

And the aims of the Corporate Plan to:

- Build thriving, resilient, empowered communities, managing the financial and resourcing pressures of our learning estate

As Roysvale Park is a Common Good asset the interests of the inhabitants of former Burgh take precedence over the Councils Corporate Plan and 10 Year Plan (LOIP).

(b) Policy and Legal

Lochyhill is outside the current school boundary and therefore consultation regarding the relocation of the school in accordance with the Schools (Consultation) (Scotland) Act 2010 would require to be undertaken.

Roysvale Park is inalienable Common Good and its appropriation will require Court Consent in terms of Section 75(2) of the Local Government (Scotland) Act 1973. Section 222(2) of the 1973 Act requires the Council to have regard to the views of the inhabitants of the former burgh and any appropriation would also require the consent of court.

(c) Financial implications

The Future Forres Academy project is within the agreed 2024-2034 ten year current plan.

The overall project costs are currently as per the LEIP 3 bid and within agreed 10 year capital plan but a review of the costs due to inflation and any other factors will be undertaken and reported in due course.

The LEIP 3 funding model is revenue based, with revenue payments made by the Scottish Government over the 25 year life of the proposed facility. Funding is to be released on a phased basis on achievement of agreed outcomes as documented in **Appendix 1**.

The benchmarked project fees for taking the project to the next stage of a detailed design and build proposition, together with a FBC is £1.569M. This is within the 2024/25 financial year capital plan allowance approved by Council on 28 January 2024.

(d) Risk Implications

The following risks are already identified and should be noted:

- i. For any LEIP funded project the Council carry the full risk of capital funding, with revenue budget support only provided once the school is operational and at different stages in the building lifecycle, dependent on the achievement of outcomes set out in the Financial implications above.
- ii. There is risk that the area metric proposed by the Scottish Government to value a LEIP 3 project will not correspond to the actual market rate experienced at the time of construction. The consequence is that the maximum 50% of qualifying project value provided by the Scottish Government could be significantly less than that (with the Council therefore bearing a significantly higher proportion of the overall costs of the project).
- iii. The Outcome Based Funding Model requires a consistent level of investment through the life of the facility to ensure funding targets can be achieved and maintained over the 25 year period, which impacts on the building whole life costs. As noted above, failure to meet these funding targets throughout the 25 year funding period could put the ongoing Scottish Government contribution to funding at risk.

Indicative costs take account of current market uncertainty and inflationary forecast. There is a risk of continuing market uncertainty through the life of the project, with a consequential impact on costs.

The cost of purchasing land is a high level estimate, may increase and would also require legal negotiations to be undertaken with the current land owner.

The common good land transaction would require the consent of the Sheriff Court following a Public Consultation. Moray Council would require to incur the costs of the Public Consultation, Court Action and Legal Notices etc. which are estimated at between £3-£5K. Any objection may affect the outcome of the application to the Court. If the Court was to reject the application the Council would be unable to recover the expenses incurred and would require to purchase an alternative piece of land, which would increase the project delivery timescales. Currently an allowance of 6 months (January 2025) has been incorporated into the project plan timeline

(e) Staffing Implications

There are no staffing issues arising from this report.

(f) Property

The property implications are set out in the body of the report.

(g) Equalities/Socio Economic Impact

The quality of the learning environment can impact on learning and attainment by as much as 16%. The condition and suitability of our learning estate, and capacity challenges associated with both growth and population decline in some areas, give rise to unequal opportunity across Moray.

This proposal supports the Learning Estate Strategy requirement that all Learning Estate buildings meet minimum standards and are fit for purpose.

(h) Climate Change and Biodiversity Impacts

The proposal will have a climate change impact with embodied carbon impacts during construction and whole life operational carbon. The scale of this overall impact will be assessed in detail as the project progresses to FBC and this will be balanced against the current operational carbon budgets. The LEIP 3 standards for both operational carbon (energy efficiency) and embodied carbon require the new build design to minimise carbon.

(i) Consultations

Head of Legal and Democratic Services, Chief Financial Officer, Head of Education (Chief Education Officer), Head of Housing and Property, Head of Economic Growth and Development, Legal Services Manager, Assistant Manager Procurement, Equal Opportunities Officer, Caroline O'Connor, Committee Services Officer and members of the Learning Estate Programme Board and Asset Management Working Group have been consulted and the comments received have been incorporated into the report.

6. CONCLUSION

6.1 The Committee is asked to confirm it is in agreement that public engagement is undertaken on the location of the new build, with the final decision on the new build school location being determined at this

Committee on 14 May 2024. Thereafter, the statutory consultation route, associated with each option, will commence.

6.2 It is recommended that Committee approve the procurement of HNSL to progress the FBC, which will look to provide a fixed cost permanent solution to the capacity issues, and the £1.569M cost associated with this.

Authors of Report: Shona Leese, Senior Project Officer (Learning Estate)
Andy Hall, Programme Manager (Learning Estate)

Background Papers:

Ref: SPMAN-9425411-342 / SPMAN-9425411-341 /
SPMAN-9425411-349

Learning Estate Investment Programme (Phase 3) – Outcome-based Funding Criteria

Scottish Government (SG) funding will be available through the Outcomes Based Funding (OBF) model. SG funding will be released as the achievement of agreed outcomes is evidenced. The details of these outcomes are included in the table below:

Funded Outcome	Outcome to be achieved
1. Condition	<p>Local authorities must provide evidence, through their annual returns that the facility is kept in condition A or B for a period of 25 years.</p> <p>This is intended to be a binary funding condition. In recognition of the potential for survey issues to be identified, removal of funding would be suspended for one year to allow for rectification of any issues leading to a C condition rating. The funding would be reinstated, the next financial year, once it could be demonstrated that the facility was in A/B condition again.</p> <p>If the building drops into condition C more than once during a five-year period, the condition funding element will be suspended without the one-year grace period, until the condition is rectified to A/B.</p> <p>In the event of exceptional circumstances such as fire or flood resulting in the condition of the building being unable to be rectified to an A/B condition within 1 year of becoming a C, or meaning that the facility drops into condition C for a second occasion, this will be reviewed on a case by case basis between the authority and SG.</p>
2. Energy Efficiency	<p>Authorities must provide evidence that the in-use energy target of 67/kWh/sqm/p.a. for core hours of 2,000 p.a. and core facilities is achieved.</p> <p>Core Facilities</p> <p>To provide consistency of definition across the variety of projects in the programme, the following facilities are excluded from the total energy consumption target:</p> <ul style="list-style-type: none"> • Dedicated community/health facilities • Swimming pool/hydrotherapy pool • External sports flood lighting

- Production kitchens (serving multiple sites)
- Data centres (serving multiple sites)
- Electric Vehicle Charging Points
- Other (e.g. specialist vocational/industrial facilities, councils to propose)

Within the remaining core facilities, all energy uses relating to the building and users are included in the energy target. The target includes all consumed energy regardless of source e.g. energy provided from renewable sources is included in the same manner as gas or electricity from the mains or grid. Contribution from heat pumps should be included on the output side rather than input side to support the aim of creating energy efficient buildings using a fabric first approach.

Core Hours

To recognise that councils and individual schools have different operational hours and term dates, the target is anticipated to cover all energy uses during a bank of 2000 operational hours per annum. If the facilities are operational for more or less hours then a pro rata approach should be taken to compare against the target.

Building use purely for cleaning, maintenance or security tasks will not be considered as operational hours.

Example

To report on previous year:

- total open operational hours of a facility for school and community use (excluding cleaning etc) = 3000 hours
- total annual energy consumption from all sources (after exclusions) = 120 kWh/m²/annum
- reportable core energy consumption would be $(2000/3000) \times 120 = 80$ kWh/m²/annum

Energy Outcome Funding

This is recognised as being an ambitious target, therefore it is not anticipated that this will be a pass/fail outcome for funding but that a sliding scale will be attached.

From feedback and discussion with Directors of Finance, ADES Resources and SHOPS the sliding scale is grouped into ranges with a corresponding alteration to funding depending on which range is demonstrated as being achieved:

Energy Consumption kWh/sqm/p.a.	Energy Funding %
A 67- 83	100%
B 84- 99	90%
C 100 – 115	60%
D 116 -130	30%
E 131+	0%

If the facility exceeds 130/ kWh/sqm/p.a for core hour use of energy use – no funding will be available for that outcome. The funding for the energy outcome will commence in year 3 of operations to allow a 2-year period to monitor in use energy consumption and optimise systems and behaviour. At the end of year 2 the in-use energy will be measured, and this will determine the initial funding band.

Following the initial reporting of the energy target at the end of year 2, the energy outcome will be assessed every 5 years in years 7, 12, 17 and 22. The rolling five-year average is what should be reported. In the event of a change of performance from the previous measurement, there will be a 1-year grace period to allow Councils to rectify the change and bring back to the original target of maintain improved energy performance, before any required changes, to funding are implemented.

3. Digitally Enabled Learning

Digital is an evolving and fast-growing area and one that is becoming more prevalent in every-day learning as digital learning and teaching strategies continue to develop.

To ensure facilities are future proofed and able to continue to support high quality digital learning and teaching, regardless of technology advancement, the local authority must provide evidence that the underlying digital infrastructure of the facility is capable of supporting 11Gbps. This underlying infrastructure should extend to at least one point within every learning and teaching space throughout the facility.

	<p>If the cost of providing the initial connection speed to the facility is prohibitively expensive due to geographic location or it is not physically possible yet in that location, this can be reviewed on a case by case basis to establish an appropriate solution.</p>																												
<p>4. Economic Growth</p>	<p>Investment in infrastructure is synonymous with economic growth. The Construction Industry Training Board (CITB) has published benchmarks outlining how many new jobs should be supported from investment in the education sector.</p> <p>The authority will require to collate and provide evidence that they have met the target for jobs supported as per the CITB benchmarks published July 2017. The number of jobs to be supported depends on the size of investment (based on construction contract value):</p> <table border="1" data-bbox="645 560 1883 724"> <thead> <tr> <th>£1-3.5m</th> <th>£3.6-6m</th> <th>£6.1-10m</th> <th>£10.1m-15m</th> <th>£15.1-20m</th> <th>£20.1-30m</th> <th>£30.1-40m</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>4</td> <td>5</td> <td>10</td> <td>11</td> <td>12</td> <td>14</td> </tr> <tr> <th>£40.1-50m</th> <th>£50.1-60m</th> <th>£60.1-70m</th> <th>£70.1-80m</th> <th>£80.1-90m</th> <th>£90.1-100m</th> <td></td> </tr> <tr> <td>15</td> <td>18</td> <td>19</td> <td>19</td> <td>21</td> <td>22</td> <td></td> </tr> </tbody> </table> <p>Funding will be available if the relevant target is achieved. If this is not achieved in full, funding will be adjusted accordingly. E.g. if 12 jobs is the target but only 11 are evidenced as being achieved then 11/12ths of the funding for that outcome will be available.</p> <p>This outcome could be multi-faceted and also provide a measure to ensure training places are supported and learner engagement is embedded in the design and construction process through site visits and work experience placements.</p> <p>It is proposed that because the achievement of this outcome will happen in the design and construction phase of the project that the funding for it, if achieved, is received in the first two years of operations, rather than extend over the 25-year period.</p>	£1-3.5m	£3.6-6m	£6.1-10m	£10.1m-15m	£15.1-20m	£20.1-30m	£30.1-40m	1	4	5	10	11	12	14	£40.1-50m	£50.1-60m	£60.1-70m	£70.1-80m	£80.1-90m	£90.1-100m		15	18	19	19	21	22	
£1-3.5m	£3.6-6m	£6.1-10m	£10.1m-15m	£15.1-20m	£20.1-30m	£30.1-40m																							
1	4	5	10	11	12	14																							
£40.1-50m	£50.1-60m	£60.1-70m	£70.1-80m	£80.1-90m	£90.1-100m																								
15	18	19	19	21	22																								
<p>5. Construction Embodied Carbon</p>	<p>Reducing Whole Life Carbon is key to ensuring the long-term sustainability of the learning estate. Building on the Operational Energy Target already established in LEIP, the opportunity exists to significantly reduce the Construction Embodied Carbon footprint from inception, through design and construction to practical completion.</p> <p>Construction Embodied Carbon Outcome</p>																												

Local authorities should evidence that the construction embodied carbon target of **600 kgCO₂e/m²** for core facilities is achieved. Local authorities should track and record this throughout the project stages using an assessment tool compliant with BRE IMPACT methodology managed by an assessor with appropriate expertise.

Evidence of achieving this target using actual material, product, transport and contractor activity data will be required at project completion.

Methodology

The Construction Embodied Carbon target should be assessed for the building and external plant only, excluding external works and loose FF+E. This should include Stages A1-A5 “from cradle to practical completion” as defined in the RICS Professional Statement of Whole Life Carbon:

- A1-A3: Products/Materials (c. 95% of target CO₂ emissions)
- A4: Transport of materials and products to site
- A5: Construction site operations

Local Authorities should consider the guidance in the Net Zero Public Sector Building Standard (NZPSBS) Objective 2.

Core Facilities

To provide consistency of definition across the variety of projects in the programme, the Construction Embodied Carbon target should only include the core facilities, as defined in Outcome 2 – Energy Efficiency.

Construction Embodied Carbon Outcome Funding

This is recognised as being an ambitious target, therefore it is not anticipated that this will be a pass/fail outcome for funding but that a sliding scale will be attached.

The construction embodied target funding is grouped into bands corresponding alteration to funding depending on which range is demonstrated as being achieved:

Embodied Carbon kgCO ₂ e/m ²	Embodied Carbon Funding %
A <600	100%
B 601-666	90%
C 667-733	60%
D 734-800	30%
E 800+	0%

If the facility exceeds 800 kgCO₂e/m² of construction embodied carbon, no funding will be available for that outcome.

Refurbishment

The Construction Embodied Carbon funding targets will apply to all projects in the programme – Newbuilds, Refurbishments and Extensions. Where a proposed project has over 50% GIFA as refurbishment it will automatically be deemed Band A compliant and receive 100% associated Construction Embodied Carbon funding. A Construction Embodied Carbon assessment should be provided for all projects.

Appendix 3 - Future Forres Academy Site Locations



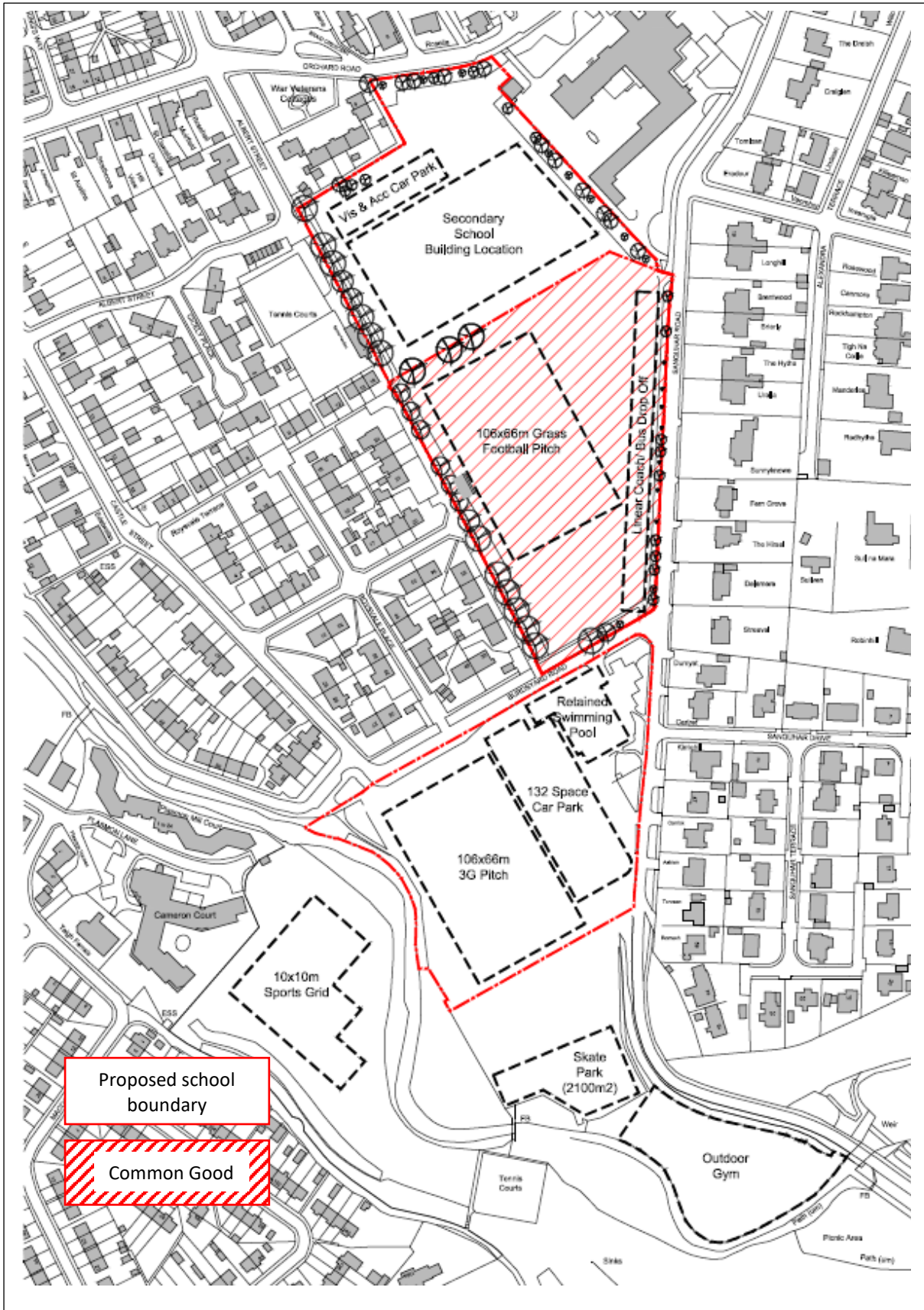
A- Grantown Road



B - Lochyhill



Applegrove/Roysvale Site





**REPORT TO: SPECIAL EDUCATION CHILDREN'S AND LEISURE SERVICES
COMMITTEE ON 27 MARCH 2024**

SUBJECT: FEDERATION POLICY FOR SCHOOLS

**BY: DEPUTE CHIEF EXECUTIVE (EDUCATION, COMMUNITIES AND
ORGANISATIONAL DEVELOPMENT)**

1. REASON FOR REPORT

- 1.1 To seek Committee approval to scrutinise the reviewed policy and adopt this for future vacancies across schools.
- 1.2 This report is submitted to Committee in terms of Section III (D) (1) of the Council's Scheme of Administration relating to all the functions of the Council as an Education Authority.

2. RECOMMENDATION

2.1 It is recommended that Committee considers and agrees to:

- i) acknowledge work to date and agree the reviewed Federation Headteacher Policy to be adopted for schools; and**
- ii) delegate authority to the Chief Education Officer, working with the Business Support Team Manager and the Local Negotiating Committee for Teachers, to create a linear formula for management structure and staffing for any federation models and to review this regularly;**
- iii) adopt this policy for any future vacancies across schools from 1 April 2024;**
- iv) adopt option 6 management structure for the new pairing for St Sylvester's and East End;**
- v) adopt option 2 management structure for the new executive model for Newmill, Botriphnie and Rothiemay; and**

vi) instruct officers to review the current pilot across Milne's High School and Milne's Primary to bring back a report by the end of academic session 2024/25 regarding 5-18 campus model.

3. BACKGROUND

- 3.1 As part of a review of Leadership and Management arrangements in Primary Schools in 2016, the Federation Headteacher Policy for Primary Schools was originally presented to the Children and Young People's Services Committee on 27 April 2016 (para 8 of minute refers) where changes to the proposed policy were made and Committee instructed the Corporate Director (Education and Social Care) to share the revised policy with the Local Negotiating Committee for Teachers (LNCT) once these amendments had been made.
- 3.2 A subsequent update report was then taken to the Children and Young People's Services Committee on 22 June 2016 (para 14 of minute refers). At this time, it was also agreed to a full review of the Devolved School Management Scheme (DSM) to take place to consider management time for Depute Head Teacher (DHT) and Principal Teacher (PT) posts subject to funding being made available. Due to budgetary decisions subsequently taken, this was never implemented. The Paired Head Teacher Model for Primary Schools has since been the policy followed and implemented to date.
- 3.3 Following this meeting, many changes have been made to the DSM scheme for budgetary reasons as well as being relevant to leadership and management arrangements. A report was taken to the Emergency Cabinet on 14 May 2020 (para 7 of minute refers) to take account of updates to the scheme given budget decisions from 2014. In addition, changes were being made where nursery pupils were removed from calculations for school roll due to a new management structure for Early Learning and Childcare due to the implementation of 1140 hours. At this time, Committee agreed to three linear formulae (for staffing and management allocations) to be implemented in August 2020 for Primary Schools i.e.:
- for schools with no enhanced provision
 - for schools with an enhanced provision
 - for schools with paired head teacher arrangements
- 3.4 Changes to DSM at this time had to be cost neutral in order to avoid budget pressures. This decision superseded the desire in June 2016 to consider management time for Principal Teachers (PTs) and Depute Head Teachers (DHTs). Management arrangements agreed at this time were as follows:
- DHT in non-enhanced provision – 0.4 management time, 0.6 class commitment;
 - DHT in enhanced provision – 0.6 management time, 0.4 class commitment, to take account of the demands of child's planning

processes and management of support staff. This was budgeted for through removal of the PT post in enhanced provision schools from DSM allocation. Schools received PT ASN through ASN allocation;

- PT in paired schools received 10 days of management time over the course of the year through DSM allocation.

3.5 As a result of the adoption of the paired Head Teacher policy (**Appendix 1**) and in line with section 2.2, where there was a vacancy in a school with fewer than 145 pupils the post of Head Teacher was advertised as a single post initially and where there was difficulty in filling the post, a paired headship was considered. Five pairings were put in place across 10 primary schools:

- Newmill and Botriphnie (Keith Associated Schools Group)
- Rothiemay and Crossroads (Keith Associated Schools Group)
- Glenlivet and Tomintoul (Speyside Associated Schools Group)
- Knockando and Inveravon (Speyside Associated Schools Group)
- Portgordon and Portnockie (Buckie Associated Schools Group)

3.6 Of the 5 pairings, Crossroads primary has been mothballed as well as Inveravon which has now been closed following approval by Moray Council at their meeting on 24 May 2023 (para 12 of minute refers). The post of paired Head Teacher has become a normality across Scotland and a viable career path for Head Teachers who have a passion for leading small schools in particular. Research has been undertaken by Aberdeen University at the request of the Northern Alliance and provides evidence of the success of this leadership post within Education (see background papers).

3.7 Appointments to Head Teacher posts in Moray have been historically problematic with many posts being re-advertised multiple times. The General Teaching Council for Scotland (GTCs) also requires Head Teachers to hold the Standard for Headship by undertaking appropriate qualifications including Into Headship. Appointment on a permanent basis to a Head Teacher post is conditional with candidates requiring to hold a necessary Scottish or equivalent qualification.

3.8 Looking back over last school academic session (2022-23) 8 Acting HT posts have been advertised 3 of which have been re-advertised with 2 of these still being vacant. Officers had to initiate exigencies of the service for one post with a Depute Head Teacher (DHT) from another school in the Associated Schools Group (ASG) providing support until the post is filled on a permanent basis. Since August 2022, 6 permanent HT posts have been advertised with 3 being re-advertised. Two posts remain unfilled and are currently re-advertised on a permanent basis.

3.9 In the current session 2023/24 there are currently the following number of HT vacancies:

- St Peter's Primary School, Buckie, currently has no HT, permanent post been advertised once internally and 4 times externally. The most recent Acting HT has taken up a permanent DHT post elsewhere in Moray. Further to additional advertisements and in discussion with the local priest and Diocese, exigencies of the service have been enacted and an interim pairing is in place with the HT of St Thomas Primary School in Keith.
- Milne's Primary School, Fochabers has been vacant since August 2023 and has been advertised 2 times internally and once externally. A HT was redeployed from their post as Acting HT however has returned to their substantive post in January 2024. Using Exigencies of the Service, officers have put in place an Acting 3-18 campus arrangement with the Head Teacher at Milne's High School.
- Burghead Primary School, Burghead has been advertised externally (3 times) and internally (3 times) with exigencies of the service being enacted to put in place an Acting Head Teacher (DHT from another school) for 23 months.
- Dyke Primary School, Forres has been advertised externally once with no appointment. The current Head Teacher leaves post at the end of this session. The parent council are currently considering a video to supplement the advert.
- St Sylvester's primary has been advertised 4 times externally and 2 times internally. An extended acting HT arrangement is in place.
- Rothiemay primary has been vacant since 2022 and has not been advertised externally and once internally. An extended acting HT arrangement is in place.
- There are acting Head Teachers at Greenwards, Lhanbryde and Rothiemay Primaries. In order to support an Acting Head Teacher appointment at Greenwards Primary, an interim pairing has been put in place (exigencies of the service) at Logie and Dallas Primary Schools.

3.10 The principles of the current Paired Head Teacher Model are as follows:

- A school will only be paired with another school from within its Associated school group so that the Head Teacher links with one secondary school;
- The headteachers in both schools identified for pairing have a class commitment;
- The roll projections for both schools identified for pairing are such that the headteachers will remain class committed for the foreseeable future;

3.11 In addition, there will be factors which lead to a decision not to proceed with a paired model. These would include:

- Despite being in the same ASG, the proximity of the two schools is regarded as an issue;
 - The school with the vacancy is deemed to require short-term additional headteacher input beyond that available from a paired headteacher;
 - The school which does not have the vacancy has particular difficulties which would make pairing unwise.
- * The only exception to this would be a denominational school where discussions would include representatives of the Roman Catholic Church.

3.12 Given that the service continues to face challenges in recruiting Head Teachers, particularly in primary, and given the number of alternative arrangements currently in place which are outwith policy it is proposed to move from a Paired Head Teacher policy to that of a wider Federation policy to allow for the following:

- Paired headships to be considered when a vacancy occurs for two primary schools where each Head Teacher is currently class committed;
- Paired headships to be considered when a vacancy occurs for two primary schools where one head teacher is class committed and one is not ie a larger school and smaller school;
- Executive or multiple pairings (i.e. more than 2 schools) can be considered where a vacancy occurs in an Associated Schools Group (ASG) where a pairing already exists and the Head Teacher has a class commitment;
- Paired headships are considered where a vacancy occurs in denominational schools with the pairing across 2 ASGs;
- That delegated authority is provided to the Chief Education Officer and Business Support Team Manager to consider an initial management structure for any new arrangements with the view to remaining cost neutral;
- Subsequently the linear formula for pairings will be extended to include larger and smaller schools as well as multiple pairings;
- The Chief Education officer will have delegated authority to consider federation arrangements when any vacancy occurs in order to reduce exigencies of the service and to support permanent leadership arrangements in schools in Moray.

3.13 It is proposed to adopt the following principles moving forwards in a new Federation Policy for Head Teachers as follows:

- A school will be paired with another school from within its ASG so that the Head Teacher links with one secondary school, except where any pairing is of denominational schools.

- A multiple school model is considered where a pairing already exists in the Associated Schools Group. This would be an executive or multiple pairing model. This federation can be used for up to a maximum of 4 schools.
- The headteachers in schools identified for pairing will normally have a class commitment .
- A school will be paired with another where the headteacher in one school is class-committed but the other is non class-committed and either all other schools have been paired in ASG or the distance between schools is too great (ie a pairing between a smaller school and a larger school).
- Where possible the schools considered for executive/multiple models as part of the federation policy should be relatively close in proximity to each other. This may not be possible in some rural areas.

3.14 Other factors to take into consideration are the small numbers of teachers who either hold the standard for headship qualification or are actively working towards this as a Professional Development Activity. The table below provides information on how many colleagues in Moray have studied into headship and how many of them are now in HT posts.

Session	No in Into Headship	No passed	No in HT posts
2023/24	2	2 on track to pass	1 (Permanent when passed I2H programme in July 2024)
2022/23	4	4	1 (Acting)
2021/22	8	7	4
2020/21	4	4	3

- 3.15 In addition, the service has, post Covid, restarted the leadership and management courses for those colleagues who are actively seeking a senior leadership post in Moray. There is currently 6 on the leadership course and over 20 on the management one. These courses have previously been successful as a stepping stone to a promoted post across Primary and Secondary.
- 3.16 Of the posts which are hard to fill, denominational schools are included in this list. The Chief Education Officer has communicated with the Director of the Scottish Catholic Education Service (SCES) to discuss concerns regarding the appointment of denominational Head Teachers. This is a concern not only in Moray but across Scotland and further meetings are planned to explore this further.
- 3.17 Taking all the background into consideration, the Education service has considered a wide range of factors in order to review the current policy in operation (Paired Head Teacher Model) and to replace with a Federation Head Teacher policy (**Appendix 2**).

3.18 It is requested that Committee agree the new policy and that this should be used for vacancies which occur from 1 April 2024. In addition, the Education Service requests that the following interim arrangements are formalised as well as proposed new model(s) as follows:

- The interim arrangement for St Peter's, Buckie and St Thomas, Keith is formalised as a pairing;
- That the service creates a pairing between East End Primary and St Sylvester's primary (non-class committed HT and class-committed HT);
- That an executive/multiple pairing is put in place with the current pairing of Newmill and Botriphnie with the vacant Rothiemay Primary.

Appendix 3 provides possible options for management structures for the latter 2 proposals with recommendations from officers being Option 6 for the new pairing and Option 3 for the executive/multiple pairing option as there is no current linear formula. Officers will develop this for any new models moving forwards.

3.19 Option 6 is recommended for the pairing between East End and St Sylvester's. The reason for this is it adds capacity in each school and although a cost to the Council, this provides stability in leadership across both schools where we are experiencing difficulties in recruiting to denominational schools. This is not a Moray issue but one which is being seen nationally too. There are risks associated with not considering a federation model at this time with regards to securing leadership and management arrangements in the longer term for St Sylvester's which has had interim arrangements for some time. This will impact on capacity to improve, self-evaluation gradings and any potential HMle inspection. The Service firmly believes that the option proposed provides the minimum requirements in terms of leadership arrangements and structure to support longer term improvement and stability.

3.19 There is currently a 5-18 campus model in place at Milne's High School and Milne's Primary School. Officers would like to review this pilot over the course of the next session with a view to taking a paper back to Committee in future to consider and recommend a future policy on 5-18 Campus model in Moray.

4. SUMMARY OF IMPLICATIONS

(a) Corporate Plan and 10 Year Plan (Local Outcomes Improvement Plan (LOIP))

This report was informed by the priorities within the Corporate Plan and 10 Year Plan and in particular to Our People, Building a better future for our children and young people in Moray.

(b) Policy and Legal

There are no legal implications arising directly from this report.

(c) Financial implications

The preferred Federation model (Option 2) at Rothiemay will result in:
Removal of HT at Rothiemay (£63,879).

Job-sizing of HT for Federation Model (£93,115 with oncosts).

Increase management time for all 3 PTs across the federation model to 20 days.

Resulting in a net saving across the Federation of £21,921.

The preferred Federation model at St Sylvester's and East End Primary (Option 6) will result in:

- Removal of HT at St Sylvester's (£68,265 net of oncosts).
- Job Sizing of HT for Federation Model (£103,898 with oncosts).
- Increase management at East End to non class committed DHT
- Addition of a class committed DHT at St Sylvester's
- Resulting in a net increase across the Federation of (£26,008).

Corporate Management Team Additional Expenditure Warning
When the Council approved the budget for 2023/24 on 1 March 2023 (paragraph 5 of the Minute refers) it balanced only by using reserves and one-off financial flexibilities. The indicative 3 year budget showed a likely requirement to continue to make savings in the order of £20 million in the next two years. All financial decisions must be made in this context and only essential additional expenditure should be agreed in the course of the year. In making this determination the committee should consider whether the financial risk to the Council of incurring additional expenditure outweighs the risk to the Council of not incurring that expenditure, as set out in the risk section below and whether a decision on funding could reasonably be deferred until the budget for future years is approved.

The balance of the additional cost for one federation model against the reduction of cost of the other, leaves a residual balance of £4k which will be funded from the central Education budget, giving no cost to the Council at this time.

(d) Risk Implications

The change to policy will reduce the number of HT posts in Moray however with posts vacant and unfilled the move to federation or additional paired headships will mitigate gaps in leadership and management with existing head teachers providing leadership across more than one school. There is significant risk to the leadership and management of denominational schools if the suggested federation does not go ahead as we are unable to fill these posts on a permanent basis

which will have an impact on the improvement journey, capacity to improve and any pending inspection by HMle.

(e) Staffing Implications

If a federation model is supported, it would require an additional PT in one school. There would be a requirement for additional teaching time given the increased management time for the 3 PTs from 10 to 20 days per year. Given that at the moment the HT in Rothiemay has a class commitment as a single teacher school, this would be backfilled with a PT.

(f) Property

There are no property issues arising from this report.

(g) Equalities/Socio Economic Impact

There are no implications arising directly from this report, however, equalities impacts and considerations have been taken into account in the previous deployment of resources to support the covid impacts and would be factored into any development of options directed by the committee beyond the budget pressures set out.

(h) Climate Change and Biodiversity Impacts

None.

(i) Consultations

The Head of Education Resources and Communities, the Head of Financial Services, Head of HR, ICT and OD, Quality Improvement Managers, LNCT joint secretaries, Education consultative group and Caroline O'Connor, Committee Services Officer, have been consulted on this report and agree with the sections of the report relating to their areas of responsibility.

5. CONCLUSION

5.1 Securing stable and high quality leadership across schools in Moray is a key priority in order to ensure that schools are well led, managed and that the needs of learners are met. With increasing difficulties being experienced in recruiting to posts, it is vital that any policy reduces the number of times exigencies of the service are enacted so that there is continuity in leadership and management across the school estate.

Author of Report: Vivienne Cross, Head of Education
Background Papers: Northern Alliance Research on Paired Headships
Ref: SPMAN-1315769894-280

THE MORAY COUNCIL**MINUTE OF MEETING OF THE CHILDREN AND YOUNG PEOPLE'S
SERVICES COMMITTEE****27 APRIL 2016****COUNCIL OFFICE, ELGIN****PRESENT**

Councillors A Skene (Chair), G Alexander (Depute Chair), J Allan, G Coull, L Creswell, J Divers, K Reid, D Ross, M Shand, C Tuke and A Wright; Reverend S Dicks and Mrs E Hewitt (Religious Representatives); Mrs S Slater (Secondary School Representative); Ms K McCalman (Primary School Representative) and Mrs E Symon (Parent Representative).

APOLOGIES

Apologies were intimated on behalf of Councillors M Howe, A McLean and P Paul; Reverend C Ketley (Religious Representative) and Miss M Townshend (Pupil Representative).

IN ATTENDANCE

The Corporate Director (Education and Social Care); the Head of Integrated Children's Services; the Head of Lifelong Learning, Culture and Sport; the Head of Schools and Curriculum Development; the Senior Education Adviser; and Mrs C Howie, Committee Services Officer as Clerk to the Meeting.

1. TRIBUTE TO FORBES McFALL

The Committee joined the Chair in paying tribute to the late Forbes McFall following his untimely death. Forbes had been seconded to a role as Quality Improvement Officer from his substantive post of Principal Teacher of Mathematics at Elgin Academy. Forbes greatly contributed to Education in Moray and the Committee's condolences were extended to his family.

2. DECLARATION OF GROUP DECISIONS AND MEMBER'S 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. EXEMPT INFORMATION

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 during consideration of the items of business appearing at the relevant paragraphs of this minute as specified below, so as to avoid disclosure of exempt information of the class described in the appropriate paragraphs of Part 1 of Schedule 7A of the Act.

<u>Para Number of Minute</u>	<u>Para Number of Schedule 7A</u>
18	4

4. MINUTE OF THE CHILDREN AND YOUNG PEOPLE'S SERVICES COMMITTEE DATED 2 MARCH 2016

The Minute of the meeting of the Children and Young People's Services Committee dated 2 March 2016 was submitted for approval.

Councillor Divers sought clarification on Item 10 (ii) of the Minute "Leadership and Management Arrangements in Primary Schools – Consultation" and stated it had been advised at the meeting that the figures in paragraph 3.3 of the report were incorrect but that this had not been minuted.

The Chair advised the Minute would be amended.

With this change the Minute was agreed.

5. WRITTEN QUESTIONS

The Committee noted that no written questions had been submitted.

6. RESPONSE TO CONSULTATION ON ESTABLISHING A NEW PRIMARY SCHOOL FOR SOUTH-EAST ELGIN

Under reference to paragraph 5 of the Minute of the meeting of the Children and Young People's Services Committee dated 9 December 2015 a report by the Corporate Director (Education and Social Care) informed Committee on the outcome of the public consultation on the proposals to establish a new primary school to serve the delineated zone in south-east Elgin.

Prior to consideration of this item the Chair referred to a letter that had been sent to all Committee Members which questioned the pupil forecast statistics. She stated the letter failed to respect the consultation process, other stakeholders' interests in the process and the Council's Committee process. She therefore asked Committee to disregard the letter they had received and to focus on the content of the report.

Thereafter the Senior Education Adviser provided information on the credibility of the data within the report on which the need for the new school was based.

Councillor Ross stated he was of the opinion dialogue between Elected Members, the Council and interested parties should be encouraged and he did not endorse the feeling that letters of this kind should be discouraged.

Subsequently discussion took place on the suggestion from East End Primary School parents to provide transport to East End Primary School from the Pinefield, Reynolds Crescent, Barlink Road and Waulkmill Road areas (page 6 of the Consultation report refers).

Following discussion the Committee agreed not to take forward the suggestion from East End Primary School parents to provide transport to East End Primary School from the Pinefield, Reynolds Crescent, Barlink Road and Waulkmill Road areas

Thereafter the Committee agreed:

- (i) to establish a new primary school, with nursery provision, to serve the agreed catchment area for the delineated geographical zone in south-east Elgin with the school located in the area identified within Appendix 2 of the report subject to Full Council agreeing to include this project within the 10 year capital plan review;
- (ii) that the new school be established initially at a temporary site at East End Primary School Annexe until the new school building is complete. (The temporary accommodation will initially accommodate P1 children and will accommodate P1-3 in future years);
- (iii) the implementation date for these proposals will be 15 August 2016, for the temporary accommodation, except that the nursery will only commence once the new school building opens;
- (iv) the new school will relocate to its permanent site on the completion of the new school building. The target date for this is August 2018.
- (v) to instruct the Corporate Director (Education and Social Care) to consult with interested stakeholders on a name for the new school in order that this Committee can agree the name at its next meeting;
- (vi) to instruct the Corporate Director (Education and Social Care) to provide regular information reports on the operational arrangements for the new school including any arrangements which impact on, or require joint working with, East End Primary School; and
- (vii) that the suggestion from East End Primary School parents to provide transport to East End Primary School from the Pinefield, Reynolds Crescent, Barlink Road and Waulkmill Road areas (page 6 of the Consultation report refers) would not be taken forward.

Thereafter Reverend Dicks stated the Moderator of the Church of Scotland would be visiting New Elgin Primary School on Thursday 5 May 2016.

7. FORRES ASSOCIATED SCHOOLS GROUP PRIMARY SCHOOL ZONING

Under reference to paragraph 6 of the Minute of the meeting of the Children and Young People's Services Committee dated 19 August 2015 a report by the Corporate Director (Education and Social Care) sought Committee's approval to bring forward draft proposals for a formal consultation on primary school zoning in the Forres Associated Schools Group (ASG) under the Schools (Consultation) (Scotland) Act 2010.

Following consideration the Committee agreed to:

- (i) the draft proposals for Forres ASG primary school zones; and
- (ii) instruct the Corporate Director (Education and Social Care) to undertake the next steps in preparing for the consultation and to a future report to come to Committee in order that the consultation proposals may be considered.

8. FEDERATION HEADSHIP POLICY

Under reference to paragraph 7 of the Minute of the meeting of the Children and Young People's Services Committee dated 2 March 2016 a report by the Corporate Director (Education and Social Care) invited Committee to agree the revised policy on federation headships, previously paired headship.

During discussions clarification was sought on several points within Appendix 2 of the report.

The Head of Schools and Curriculum Development advised she would update Appendix 2 of the report in light of the discussions and would issue the updated Federation Headteacher Policy for Primary Schools (Appendix 2 of the report) to Committee for comment prior to the updated Policy being passed to the Local Negotiating Committee for Teachers (LNCT)

Thereafter the Committee agreed:

- (i) that amendments be made to the revised Federation Headteacher Policy for Primary Schools (Appendix 2 of the report), as discussed at the meeting, as follows:
 - Delete the last sentence in paragraph 2 of section 1
 - Update the final paragraph of section 1 to include a parent council
 - Update bullet point 4 of section 3 to include the requirement to report back to Committee for authority to proceed
 - Update bullet point 5 of section 3 to include the requirement to report back to Committee for authority to proceed
 - Update 4.1 so that the vacancy is advertised once prior to consideration of a pairing if the vacancy remains unfilled
 - Update 4.2 in line with above changes

- (ii) to instruct the Corporate Director (Education and Social Care) to share the revised policy with the LNCT once those amendments have been made.

9. UPDATED ANALYSIS OF ATTAINMENT AND ACHIEVEMENT 2015

A report by the Corporate Director (Education and Social Care) provided an update to the attainment report from October 2015 which included data from National Qualifications results as well as information on the National Measures on attainment and achievement as profiled on “Insight”. Insight is a major online benchmarking tool designed to help bring about improvements for learners in the senior phase (S4 to S6). It is a professional tool for secondary schools and local authorities to identify areas of success and where improvements can be made. The system is updated twice annually, September for attainment results, and February for school leavers’ data.

Prior to discussion of the report the Chair advised that 3 young Moray musicians had been selected to play with the National Youth Orchestra for Scotland at the Albert Hall, London, during the National Proms on 7 August 2016. The Committee joined the Chair in offering them sincere congratulations and wishing them well for the concert.

Thereafter following consideration the Committee agreed to note:

- (i) the updated attainment information of young people in Moray in this the second year of the new National Qualifications with specific regard to the National Measures published on Insight in February 2016; and
- (ii) the contents of the wider achievements report.

10. EDUCATION AND SOCIAL CARE THREE YEAR SERVICE PLAN: 2016 – 2019

A report by the Corporate Director (Education and Social Care) advised Committee about the Education and Social Care Service Plan for 2016 – 2019.

Following consideration the Committee agreed to approve the Service Plan by Education and Social Care, comprising strategic priorities for Schools and Curriculum Development, Integrated Children’s Services and Lifelong Learning, Culture and Sport.

11. SINGLETON INSPECTIONS OF EARLY LEARNING AND CHILDCARE CENTRES – PUBLISHED REPORTS FROM SEPTEMBER 2015 TO MARCH 2016

A report by the Corporate Director (Education and Social Care) informed Committee of the content of singleton inspection reports of Early Learning and Childcare centres by the Care Inspectorate which were published between September 2015 and March 2016. These were:

Portessie Playgroup
 Aberlour and Craigellachie Pre-School
 Pilmuir Primary School Nursery
 RAF Lossiemouth Childcare Centre
 Millbank Primary School Nursery
 New Elgin Primary School Nursery
 Kinloss Day Care Centre
 Jack 'n' Jill Pre-school Centre and 1st Base Out of School Care

Following consideration the Committee agreed to note the contents of the report and congratulate staff on their achievements.

12. EDUCATION & SOCIAL CARE CAPITAL BUDGETS 2015/16

Under reference to paragraph 2 (g) of the Minute of the Special meeting of The Moray Council dated 12 February 2015 a report by the Corporate Director (Education and Social Care) informed Committee of the projects and patterns of expenditure projected for Capital Budgets within Education and Social Care for 2015/16.

The Chair advised that the figure of £35m at paragraph 4.7 of the report was incorrect and that the correct figure is £3.5m.

Discussion took place in respect of the funding package for the Lossiemouth High School Replacement Project and what this would cover.

The Head of Lifelong Learning, Culture and Sport advised discussions had been ongoing with Scottish Futures Trust (SFT) however, as yet, no written confirmation had been received on the extent of the funding.

Councillor Ross queried if it would be possible to amend the recommendations to include clarification of the funding with SFT and a further report being provided on costings thereafter.

The Committee agreed to the requested change to the recommendations.

Thereafter the Committee agreed to:

- (i) note the contents of the report; and
- (ii) task officers with seeking clarification from SFT in respect of the funding package for the Lossiemouth High School Replacement Project and what the funding would cover. Thereafter to provide a report on costings to a meeting of The Moray Council.

13. EDUCATION AND CHILDREN AND FAMILIES REVENUE BUDGET MONITORING 2015/16

A report by the Corporate Director (Education and Social Care) informed Committee of the budget position for Education and Children and Families Services as at 29 February 2016.

Following consideration the Committee agreed to note the revenue budget position at 29 February 2016 and the estimated outturn for 2015/16.

14. ADOPTION ALLOWANCE SCHEME

Under reference to paragraph 8 of the Minute of the meeting of the Children and Young People's Services Committee dated 2 December 2009 a report by the Corporate Director (Education and Social Care) sought approval from Committee for revisions to the Adoption Allowance Scheme for Moray.

Following consideration the Committee agreed to approve the following revisions to the Moray Adoption Allowance Scheme as described in the report:

- (i) an increase in contribution towards legal costs from £500 to £700 for the first child and from £250 to £350 for the second and any subsequent siblings, where the children are placed at the same time;
- (ii) payment of an interim fostering allowance equivalent to the adoption allowance rate, from the date of placement with the prospective adopters, only if the child and his/her family meet the criteria for adoption allowance; and
- (iii) start-up financial support of £450 where two siblings are placed together and £900 where three siblings are placed together.

15. PRIMARY SKILLFORCE PROGRAMME

A report by the Corporate Director (Education and Social Care) advised Committee of the Primary Skillforce Programme which has been undertaken in primary schools over the last two sessions.

Following consideration the Committee agreed to note the contents of the report.

16. MORAY APPROACH TO BULLYING IN SCHOOLS

Under reference to paragraph 13 of the Minute of the meeting of The Moray Council dated 27 March 2013 a report by the Corporate Director (Education and Social Care) informed Committee of progress made towards developing an anti-bullying approach in schools.

Following consideration the Committee agreed to note the contents of the report.

17. QUESTION TIME

Under reference to paragraph 7 of the draft Minute of the meeting of the Children and Young People's Services Committee dated 2 March 2016 "Schools For the Future Policy – Report on Consultation and Pilot" Councillor Divers sought clarification on when the proposed Deputy Head Teacher (DHT) and Principal Teacher (PT) posts would be filled.

In response the Head of Schools and Curriculum Development advised the 7 additional DHT posts agreed last year had now been filled. She further advised that due to the number of vacancies it would not be possible to recruit additional DHTs under the new banding points until August 2016 and she would provide a further report to Committee thereafter.

Councillor Ross sought clarification on when the Deanshaugh playing fields would be ready for use and requested information on why remedial drainage works were being undertaken at this stage.

In response the Head of Lifelong Learning, Culture and Sport advised vertical drains were being inserted and it may not be until August 2017 before the playing fields would be ready for use. He undertook to issue information to the Committee on the drainage works following the meeting.

Councillor Tuke stated a series of participation events were being run by the Association of Directors of Education in Scotland, with a local event being held in Lossiemouth High School on 1 June 2016 from 6.00pm to 9.00pm. The events are particularly for armed forces personnel and are to allow parents the opportunity to discuss any education issues they may have.

Councillor Allan sought information on the school roll forecasts for Lossiemouth as additional houses were being built and a new squadron was being located at RAF Lossiemouth.

In response the Head of Lifelong Learning, Culture and Sport advised that the effect the arrival of a new squadron would have on Lossiemouth schools was misleading as the majority of married quarters are outwith Lossiemouth. He further advised the projected role for Hythehill Primary School rises to 357 for 2022 which is 78% capacity.

Thereafter Councillor Reid sought clarification on whether the arrival of the new squadron had been taken into account when projecting the figures for the Elgin schools.

In response the Head of Lifelong Learning, Culture and Sport advised it was difficult to take account of this as it is unknown where people will live. He further advised discussions were underway with personnel at RAF Lossiemouth to ascertain where the new personnel are likely to settle, and the numbers and ages of children expected, to allow consideration to be given to where the children may be accommodated for their education.

The Chair stated the daily Moray Mile had been launched the previous day with all the pupils in 33 out of the 45 primary schools in Moray participating.

The Corporate Director (Education and Social Care) advised he had, as requested by Committee, been investigating a mechanism to provide Committee with information on current issues within schools. He further advised options had been considered and these were still under discussion. He would however give an update following today's Committee.

**18. MORAY & NAIRN EDUCATIONAL TRUST – DISBURSEMENT 2015/2016
[PARA 4]**

There was submitted a report by the Corporate Director (Education and Social Care) providing information and seeking approval for the payment plan to be used to assess applications to the Moray & Nairn Educational Trust and to consider applications to the trust.

Following consideration the Committee agreed to approve the grants at the rates provided in the payment plan.

Federation Headteacher Policy for Primary Schools

1. Background and Rationale

In Moray the Senior Management Team in Education agrees with the evidence from research that the key to school improvement is the quality of our staff and particularly the development of the skills and talents of our headteachers and teaching staff. In order to allow this development and to ensure it is undertaken in a comprehensive, planned and systematic manner, it is vital that schools have high quality headteachers who are clearly leaders and specifically leaders of learning. We see the paired headteacher, federation or multiple pairing (i.e. more than 2 schools) models as a way of releasing headteachers from an on-going class commitment so that they can lead and focus on their own development and that of their staff, in order to improve the outcomes for children and young people in Moray. Therefore, from a research based and philosophical standpoint we recommend the federation models. As part of the Schools for the Future Policy and subsequent reviews of all schools in Moray, federation models are suggestions when recommending the sustainability of a school for the future.

However, from a pragmatic and practical point of view, we acknowledge that there is a small, but significant, counterweight to the above. As we are a small rural authority with a limited number of staff applying for senior posts, we need to keep options open for those staff who might aspire to senior positions. Historically, a number of staff saw the post of class-committed headteacher as their preferred route to headship as it maintained a close connection to the classroom. Taking all other challenges into consideration, a non-class committed headteacher post, with preferably some form of management team, is now seen as the more preferential option. An increase in additional support needs along with challenging behaviour has increased the requirement for headteachers to support working with a range of partners to better meet the needs of pupils. That, along with increasing scrutiny and need for improvement supports the requirement for non-class commitment to provide additional time to lead and manage on a daily basis.

As a result of the above we need to be flexible in our approach in order to ensure we have high quality leaders in headteacher posts. Ideally, to strengthen leadership and management in our schools, we aim eventually to have no class committed headteachers in Moray. An aspiration which is shared by many other local authorities. Pairings are now common place in Moray and there is a need to once again explore alternative options due to the growing challenge of appointing senior leaders, particularly Head Teachers who are required to hold standard for headship qualifications as a prerequisite from 1 August 2020. This currently is met with Into Headship, previously called Flexible Route to Headship and Scottish Qualification for Headship. Federation models would provide further leadership opportunities with Principal Teacher and Depute Headteacher posts.

When federation models are created the schools will retain their individual identities and operate as single schools where possible. Each will retain its

uniqueness with a curriculum, uniform and identity to suit their local context and community. The headteacher may consider and plan opportunities for staff to work together if shared priorities exist across the schools. Joint planning, moderation or assessment practices will provide opportunities for staff to have a stage partner which is not possible within their own school.

It will be at the discretion of the headteacher and in discussion with staff, pupils and each parent council whether joint trips or joint events take place. Each school will retain its own pupils Council. These things may evolve as the model in place develops. At the moment each school will retain its own budget. The Schools for the Future Policy recommended one budget across the federation but this will need to be considered when the Devolved School Management Scheme is reviewed in future.

2. Aims and Outcomes

This policy sets out the principles/selection criteria and processes when considering a pairing, federation or multiple pairing model in primary schools under one headteacher.

3. Principles for Federation

A pairing can be considered when a class committed headteacher post becomes vacant and has been advertised on at least one occasion with no appointment being made. Where there is an existing pairing and a vacancy occurs for a class committed headteacher in the same ASG, a multiple school model can be considered.

Suitability will be determined on the basis of the following:

- A school will be paired with another school from within its ASG so that the Head Teacher links with one secondary school. The only exception to this will be where any pairing is for two denominational schools.
- A multiple school model is considered where a pairing already exists in the Associated Schools Group. This would be an executive or multiple pairing model. This federation can be used for up to a maximum of 4 schools
- The headteachers in schools identified for pairing/executive models will have a class commitment
- A school will be paired with another where the headteacher in one school is class-committed but the others is non class-committed and either all other schools have been paired in ASG or the distance between schools is great (ie a pairing between a smaller school and a larger school)
- Where possible the schools considered for executive/multiple models as part of the federation policy should be relatively close in proximity to each other. This may not be possible in some rural areas.

4. Appointment Processes for Federation Models

- 4.1 When a vacancy occurs for a class-committed headteacher post, possible pairings will be considered within the Associated Schools Group in the first instance. If a pairing is possible, the initial step will be to offer the remaining substantive headteacher the post. An interview for the paired headteacher post. This will be conducted by the Chief Education Officer and Quality Improvement Manager/Business Support Team Manager or delegates. At interview there will not be the opportunity to make no appointment. The exception to this is where the vacancy is in a denominational school where a pairing outwith the ASG can be considered.
- 4.2 When a vacancy arises for a class-committed headteacher post and a pairing already exists with the Associated Schools Group, consideration should be given to an executive/multiple pairing if the substantive headteacher agrees to this. The headteacher will be subject to an interview by the Chief Education Officer and Quality Improvement Manager/Business Support Team Manager or delegates. At interview there will not be the opportunity to make no appointment. The exception to this is where the vacancy is in a denominational school where a pairing outwith the ASG can be considered.
- 4.3 If vacancies arise in more than one school in an Associated Schools Group and they meet the criteria as indicated in section 3, this should be advertised as a paired headteacher post. Interviews would follow the normal HT appointment procedure.
- 4.4 When a new pairing or any federation model is created, the Headteacher will liaise with the Business Support Team to advertise and appoint any additional management posts. This will further enhance leadership capacity across the schools.
- 4.5 Where a federation model is considered, the leadership arrangements put in place will be in line with any new linear formula being developed and under constant review with any major changes reported to Committee.

5. Consultation Processes for Federation Models

- 5.1 Once a vacancy has been advertised with no appointment on at least one occasion, the Chief Education Officer, the Business Support Team Manager and Quality Improvement Manager (with responsibility for schools) should consider federation model arrangements. This should be shared with the Chief Education Officer's line manager. The LNCT joint secretaries will be advised when the Education department first identifies a possibly pairing/federation model. A job sizing exercise will be undertaken. It should be noted that any job sizing for a paired or federation HT will be the job sizing salary plus one salary point.
- 5.2 The Quality Improvement Manager should inform Ward members as well as the Chair and Vice Chair of Children and Young People's Services Committee.

- 5.3 Where a pairing is considered with a school which has a substantive Headteacher, they will be consulted in the first instance so that they can consider whether to accept the invitation to interview.
- 5.4 The parent council of each school should be visited by officers so that they can be informed of the proposed pairing or federation model being considered.
- 5.5 Consultation should be undertaken for any pairing and as part of this officers should visit staff in each school to inform them of the pairing and discuss the changes to leadership and management arrangements prior to any changes proceeding. Information should be provided about staffing policies and procedures should additional leadership posts be put in place.
- 5.6 In order to inform pupils of the new arrangements, children from an existing pairing/federation model should visit each school so that they can hear from their peers how the pairing has worked for them. They should be joined by their headteacher.
- 5.7 Once all consultations have been completed a letter should be sent to all parents/carers/parent council chairs and staff to inform them about the pairing or federation model and when this will take effect.

6. Roles and Responsibilities

It will be the role of the Chief Education Officer working with a Quality Improvement Manager and Business Support Team Manager or other officers to seek advice or to implement this policy,

7. Quality Improvement, Monitoring and Evaluation

The Quality Improvement Framework and procedures for schools in Moray is appropriate and robust with ongoing review including the potential to formulate school improvement groups outwith the formal Associated Schools Group format. These policies and procedures apply in the case of all schools and will apply where schools have a federation model in place.

8. Staff Development

The Education Service puts in place peer support and officer support for newly appointed headteachers and this will apply to those in federation models.

9. Consultations

The following have been consulted in the formulation of this policy:

- Senior officers in Education
- Parent Council chairs
- The Moray Education Headteacher Consultative Group
- Head Teachers of existing paired schools
- Head Teachers
- Local Negotiating Committee for Teachers (LNCT)
- Chair and Vice Chair of Committee

10. Review Date

This policy will be reviewed as and when required or within five years (2029) if no changes have been made by this point.

Potential Federation Model Costings

Federation models for Botriphnie, Newmill and Rothiemay Primary Schools

Option	Staffing Implication	Additional Cost
Option 1	1 HT across the federation schools with an additional DHT in the largest school and a PT in each of the other schools.	£2,662
Option 2	1 HT across the federation schools with a PT in each of the 3 schools each with 20 days cover for additional duties (10 more than currently)	- £21,921

Please note that the HT post has been re job sized to account for the responsibilities of a 3rd school and costs indicated are without any on costs and show the increase in costs across the model.

Federation models for St Sylvester's and East End Primary Schools

Option	Staffing Implication	Additional Cost
Option 1 Pros: DHT in each school PT in each school Cons: DHT class-committed so leadership capacity limited	1 HT across the federation with 1 DHT in each school class-committed and a principal teacher in each school with 10 days each out of class	-£3,203

<p>PTs are class-committed with only 10 days to undertake leadership role If HT in another school no DHT released to deal with management issues in second school as class-committed</p>		
<p>Option 2</p> <p>Pros DHTs are non-class committed which provides leadership and management when HT in either school or out of school PT in each school</p> <p>Cons PTs are class-committed with only 10 days to undertake leadership role</p>	<p>1 HT across the federation with 1DHT in each school non class committed and a PT in each school with 10 days each out of class</p>	<p>£73,821</p>
<p>Option 3</p> <p>Pros PT in school which loses HT</p> <p>Cons No additional leadership in larger school No DHT in second school When HT out of school or in paired school – no additional leadership to deal with management issues</p>	<p>1 HT across the federation model with a class committed DHT in the larger school and a PT in both schools.</p>	<p>-£44,363</p>
<p>Option 4</p> <p>Pros PT in both schools DHT non class-committed in larger school</p>	<p>1 HT across the federation model with a non class committed DHT at the larger school and a PT in both schools</p>	<p>-£5,851</p>

<p>Cons School which loses HT only gains PT with 10 days management time School which loses HT has no leadership if HT in larger school</p>		
<p>Option 5 As option 1 but no PT in smaller school</p>	<p>1 HT across the federation model with a class committed DHT in both schools and a PT in the larger school</p>	<p>-£12,504</p>
<p>Option 6 Pros DHTs in both schools PT in larger school adding to management capacity Capacity in each school to allow flexibility when HT is working in either school or out of school Additional capacity in larger school Cons DHT in smaller school still has class commitment</p>	<p>1 HT across the federation model with a non class committed DHT in the larger school and a class committed DHT in the smaller school. Also a PT only in the larger school</p>	<p>£26,008</p>

Please note that the HT post has been re job sized to account for the responsibilities of a 2nd school whilst the DHT positions have been job sized with the responsibility of only 1 school. Given that we have a model currently in place for a pairing where 10 days of management time are allocated to each PT across the school year, we have not altered that in this model. Costs indicated are without any on costs and show the increase in costs across the model.



**REPORT TO: SPECIAL EDUCATION, CHILDREN'S AND LEISURE SERVICES
COMMITTEE ON 27 MARCH 2024**

**SUBJECT: BRIEFING REPORT: RECEIPT OF PETITION TO REQUEST A
REVIEW OF THE POLICY AND PROCEDURES FOR THE
ALLOCATION OF EARLY LEARNING AND CHILDCARE PLACES
IN MORAY**

**BY: DEPUTE CHIEF EXECUTIVE (EDUCATION, COMMUNITIES AND
ORGANISATIONAL DEVELOPMENT)**

1. PETITION DETAILS

1.1 Title of Petition: To request a review of the policy and procedures for the allocation of Early Learning and Childcare (ELC) places in Moray.

1.2 Petitioner: Clare Stables, who has submitted the petition on behalf of the Buckie Community and over 150 residents, in support of opening a new nursery in Buckie.

1.3 Petition Statement:

We, the undersigned, call on The Moray Council to review the policy and procedures for allocation of Early Learning and Childcare (ELC) places in Moray to ensure:

- a) there is adequate provision within each secondary school area to enable families living in that area to access appropriate ELC within their 20 minute neighbourhood.
- b) that, where reasonably practicable, children can receive their funded entitlement at times and locations that best support their learning and development, and fit with the needs of their parents/carers.
- c) that the criteria used to allocate places takes particular account of the needs of vulnerable families and children with additional support needs, including minimising travel time and cost, enable siblings to attend the same provision, and ensuring smooth transition to Primary School.

- 1.4 Reasons for the petition/concerns raised by the petitioner: These are contained in the petition, a copy of which is attached as **APPENDIX A** and are summarised as follows:
- Travel distance for families that do not have access to their own transport.
 - Cost of public transport
 - Co-ordination of drop off/pick up if siblings are not at the same ELC provision
 - Concerns around continuity of provision, particularly when children transition into Primary 1

2. **BACKGROUND**

- 2.1 Buckie Associated Schools Group (ASG) currently has ten ELC settings, including Teddy Bear Developmental Group, that offer a mixture of term time and year round models to support families accessing up to 1140 hours of funded ELC. ELC settings differ from school in as much as there are no “catchment” areas and instead parental choice is the reasoning for place allocation, where there is capacity.
- 2.2 Alongside the ten ELC settings we also have nine childminders that support the Buckie ASG.
- 2.3 Six of the ELC settings are run by the local authority and the other four are private providers in contract with Moray Council to offer the funded hours. The childminders all run as private business with three of them being in contract to offer funded hours to eligible 3-5 year olds.

3. **CURRENT POSITION**

- 3.1 Currently funded childcare places are allocated with priority given as follows:
- Child with existing attendance in the nursery
 - Child resident in secondary catchment area and sibling in the nursery
 - Child resident in secondary catchment
 - Child with [Co-ordinated Support Plan \(CSP\)](#), and/or assessment by the Education Authority
 - Child outwith secondary catchment area and sibling in the nursery
 - Child outwith the secondary catchment area

Priority within any of the six categories above, where it is necessary to be determined, will be given to older children first and then to those resident closest to the setting (distance being calculated by the straight line method)

- 3.2 This [allocation process](#) was originally published in 2000 and was last reviewed in 2010. At the time the policy noted Moray Council will attempt, where possible, to match admissions to parents' wishes.
- 3.3 The current policy complies with the Scottish Government requirements as per the [Funding follows the child guidance](#).

3.4 Currently, both in Buckie High ASG and across Moray, there is sufficient capacity to accommodate all of the children that are eligible for funded 3-5's places. Capacities are reviewed on annually based on Community Health Index (CHI) data.

4. PETITION PROCESS

4.1 In terms of the process for considering petitions this is the preliminary hearing and the Committee may decide as follows:-

- Direct that the petition (in whole or part) proceed to a full hearing, at the next available date of that service committee, another appropriate service committee or full council, at which a further report will be presented by officers detailing the full background to the petition and addressing any issues of particular interest to members.
- Reject the petition (in whole/part) stating reason
- For simple issues instruct immediate action by the council without any further hearing or report
- Pass the petition to the relevant director and chairperson to look into, with or without any specific direction as to action.

5. CONSIDERATIONS AND FINANCIAL IMPLICATIONS

5.1 It is clear that there are different and potentially conflicting views around the availability and allocation of ELC places across Moray and more specifically in Buckie High ASG. However it should be noted currently there are sufficient ELC spaces across the ASG.

5.2 The ELC service has a clear policy for allocation of spaces and this reflects similar approaches to allocations of funded places across Scotland.

5.3 Consideration would need to be given to whether a review of policy is warranted, however, this would not be the officer recommendation due to there being sufficient capacity already within the ASG. While it is recognised that it is not always possible to meet parental preference, the practical reality is that although ELC provision is made in a number of locations within the ASG it is not always possible to ensure this matches with local demand for particular settings and adequacy of provision must be considered across the whole ASG. The current policy already makes provision to accommodate parental preference as far as possible. If the Committee directs that petition should proceed to a full hearing, a further report would be required to provide more detailed background and information in respect of any particular points from the Committee.

6. CONCLUSION

- 6.1 It is clear that there is a concern from local people as reflected in the petition regarding allocation of ELC services in Moray. However, when the CHI data is reviewed it illustrates that there are sufficient ELC places to accommodate the number of eligible children in the Buckie ASG. Consideration should be given to a proportionate response to these concerns and it may be that action to ensure there is a shared understanding around the existing policies and procedures could be considered as a response.**
- 6.2 Consideration should also be given to the key points noted in 3.2, 3.4 and 5.1 as the service advice is that there are sufficient ELC spaces in Buckie ASG, that the policy already reflects parental choice as far as possible, and therefore the recommendation is to reject this petition on that basis.**

Author of Report: Hazel Sly, Early Years' Service Manager

Background Papers:

Ref: SPMAN-1315769894-509 / SPMAN-1315769894-507



Office use: Petition number

PE2014-001

Updated 09/01/2023

PETITION SUBMISSION FORM

If you wish to submit a petition for consideration by The Moray Council, please complete this form. For guidance, further information or advice on the submission of a petition please contact the Democratic Services Manager on 01343 563016 or email committee.services@moray.gov.uk, or alternatively refer to information on www.moray.gov.uk/petitions

Details of principal petitioner submitting the petition

Please enter the name of person and organisation you represent (if applicable) and who is raising the petition.

Include a contact address to which correspondence may be sent, a contact telephone number and e-mail address if available so that we can contact you with any queries.

Name: Clare Stables

Address: 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

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**Title of the
Petition**

To request a review of the policy and procedures for the allocation Early Learning and Childcare places in Moray

Petition Statement - Please state (in no more than 250 words) what action the Petitioner wishes the Council to take. If you require you can attach a typed sheet to this form with the detail.

We, the undersigned, call on The Moray Council to review the policy and procedures for allocation of Early Learning and Childcare places in Moray to ensure:

[a] there is adequate provision within each secondary school area to enable families living in that area to access appropriate ELC within their 20 minute neighbourhood.

[b] that, where reasonably practicable, children can receive their funded entitlement at times and locations that best support their learning and development, and fit with the needs of their parents/carers.

[c] that the criteria used to allocate places takes particular account of the needs of vulnerable families and children with additional support needs, including minimizing travel time and cost, enabling siblings to attend the same provision, and ensuring smooth transition to Primary School.

Cont.

Action taken (if any) to resolve issues of concern before submitting the petition

Before a petition is submitted, petitioners are expected to have taken reasonable steps in attempting to resolve the issues.

Please enter below details of any individuals or organisations approached.
Copies of correspondence, including any responses, should be attached.

This information will be made available when this Petition is considered.

I have spoken to local Councillors and to my MSP.

Background Information

Please note any other background information that you think we should be made aware of.

Families without access to a car struggle to take children to ELC provision outwith walking distance.

Public transport isn't always available, and having to use it adds to the overall cost which is an issue when families are struggling with the cost-of-living crisis.

Use of any petrol or diesel transport is undesirable in the fight to reach Net Zero.

Siblings aren't guaranteed provision in the same establishment making it challenging to coordinate pick-up and drop-off, particularly in case of emergency. This adds stress, costs time and money, and limits the parents' availability for work.

Having an ELC placement within their Primary School catchment area enables children to have continuity from nursery to pre-school to primary, allowing them opportunity to develop social relationships with their future classmates and increasing the likelihood of a smooth transition to Primary Education.

Unless overall provision is increased, replacing half day sessions with full day sessions reduces the number of children who can benefit from a placement.

Other Proceedings

Please indicate the following to the best of your knowledge.

Are the issue(s) raised in the petition currently being handled or been submitted in the past as a formal complaint to Moray Council?

No

Are the issue(s) raised in the petition currently subject to any other formal processes in the council e.g. appeal or planning process

No

Are the issue(s) raised in the petition, currently subject to any other legal proceedings, e.g. information within is not subject to interdict or court order?

No

Appearance before a meeting considering the petition

The Chairperson of the appropriate Committee who hears the petition will invite the petitioner to appear before the meeting to speak in support of their petition. This is useful in assisting elected members to reach a decision.

Please indicate below whether you wish to submit a request to make a brief statement to the Committee when it is considering your petition. Please note that you will be asked to submit a written summary of your comment 3 days prior to the meeting.

***I DO wish the opportunity to make a brief statement before the Meeting**

Signature of Principal Petitioner

When satisfied that the petition meets all the criteria outlined in the *Guidance to Submission of Petitions*, the Principal Petitioner should sign and date the form in the box below.

Any additional sheets of signatures should be attached to the form.

Signature Date 12 Jan 2024

Name of signatory in block capitals CLARE STABLES

Number of people who have signed the petition	<u>187</u>
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