

MORAY COUNCIL

Minute of Meeting of the Education, Communities and Organisational Development

Wednesday, 18 November 2020

remote locations via video conference,

PRESENT

Councillor George Alexander, Councillor James Allan, Councillor Paula Coy, Councillor Lorna Creswell, Councillor John Divers, Councillor Tim Eagle, Councillor Claire Feaver, Councillor Graham Leadbitter, Councillor Aaron McLean, Councillor Ray McLean, Councillor Laura Powell, Councillor Derek Ross, Councillor Sonya Warren

APOLOGIES

Councillor Shona Morrison

IN ATTENDANCE

Also in attendance at the above meeting were the Chief Executive, Depute Chief Executive (Education, Communities and Organisational Development), Head of Education, Head of Education Resources and Communities, Head of Governance, Strategy and Performance, Head of HR, ICT and Organisational Development, Head of Transformation, Head of Children and Families and Criminal Justice Social Work; Criminal Justice Co-ordinator, Corporate Parenting and Commissioning Manager, Acting Education Resources Manager and Tracey Sutherland, Committee Services Officer.

Also present for items 5 - 14 were Susan Slater, Secondary Teacher Representative, Angela Stuart, Primary Teacher Representative and Nicola Belcher, Parent Council Representative.

1. Chair of Meeting

The meeting was chaired by Councillor Aaron McLean.

2. Agenda Order

Chair informed the Committee that items 24 - 31 of the agenda will be taken first.

3. Declaration of Group Decisions and Members Interests *

In terms of Standing Order 20 and the Councillor's 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 interest in respect of any item on the agenda.

4. Resolution

The meeting resolved 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.

Para Number of the Minute Para Number of Schedule 7A

4

Information relating to any applicant or recipient of any financial assistance provided by the Authority

9

Information on proposed terms and/or expenditure to be incurred by the Authority

5

Information relating to the adoption, care, fostering or education of any particular child or relating to the supervision or residence of any particular child in accordance with a supervision requirement.

5. Minute of the Meeting of 23 September 2020

The minute of the meeting of the Education, Communities and Organisational Development Committee dated 23 September 2020 was submitted and approved.

6. SPSO Continuing Care and Transitions

A report by the Chief Executive informed the Committee of actions required as an outcome of a parental complaint made to the Scottish Public Services Ombudsman (SPSO).

Following consideration the Committee:

- i) noted that following agreement at Moray Council on 28 October the final recommended revisions of the transitions policy and of the continuing care policy are tabled at Education, Communities and Organisational Development Committee on 3 February 2021;
- ii) agreed that the final recommended revisions of the transitions policy and of the continuing care policy are tabled at Education, Communities and Organisational Development Committee on 3 February 2021 following active and meaningful engagement with parents and carers; and

- iii) agreed that a progress report should be submitted to Moray Council on 21 January 2021.

7. Performance Report Integrated Children's Services - Half Year to March 2020

A report by the Chief Executive informed the Committee of the performance of the service for the period from 1 October 2019 to 31 March 2020.

Following consideration, the Committee welcomed the good performance detailed within the report and thereafter agreed to note:

- i) note performance of the Service Plan, Operational Performance Indicators and Complaints to the end of March 2020; and
- ii) note the actions being taken to improve performance where required.

8. Children's Services Revenue Budget Monitoring Report September 2020

A report by the Chief Executive informed the Committee of the budget position for Children's Services as at 30 September 2020.

Following consideration the Committee agreed to note the budget position at 30 September 2020.

9. Children and Families and Justice Social Work Services Performance Framework

A report by the Interim Chief Officer, Health and Social Care provided assurance to the Committee that there is a framework that enables performance to be scrutinised that can be further developed as required.

Following consideration the Committee agreed to note the frameworks around social work performance and examples of how it is being used to improve outcomes for children and families.

10. Community Mental Health and Wellbeing Supports and Services Framework

A report by the Interim Chief Officer, Health and Social Care advised the Committee of the National Community mental health and wellbeing supports framework and the funding allocated to Moray to support the development of services.

Following consideration the Committee agreed to note the funding available and agree to it being used by local collaborative partnerships for planning, development and programme costs associated with the implementation of the Framework to support children and young people's mental health and wellbeing.

11. Childrens Services Plan Annual Report 2019-20

A report by the Chief Executive provided the Committee with a copy of the Children's Services Plan Annual report 2019-20 for information purposes.

Following consideration, the Committee agreed to note the Annual Report (Appendix1).

12. Community Justice Activity in Moray 2019-20

A report by the Interim Chief Officer, Health and Social Care advised the Committee of the National Community Mental Health and Wellbeing Supports Framework and the funding allocated to Moray to support the development of services.

Following consideration the Committee agreed to note the funding available and agree to it being used by local collaborative partnerships for planning, development and programme costs associated with the implementation of the Framework to support children and young people's mental health and wellbeing.

13. Formal Sign-Off of Children's Services Plan 2020-23

A report by the Chief Executive requested the Committee to formally sign off the 2020-23 Children's Service Plan.

Following consideration, the Committee agreed to formally sign off the 2020 - 2023 Children's Services Plan for the Council's interests therein.

14. Service Plan 2020-22

A report by the Depute Chief Executive (Education, Communities and Organisational Development) invited the Committee to consider the Education, Communities and Organisational Development Services' Service Plans for 2020-22.

Following consideration the Committee agreed to approve the Service Plans for services within Education, Communities and Organisational Development.

15. Suspension of Standing Orders

The Chair sought agreement of the Committee to suspend Standing Order 74 to allow the meeting to continue beyond 12.45pm. This was unanimously agreed.

16. Performance Report Education – Half Year to March 2020

A report by the Depute Chief Executive (Education, Communities and Organisational Development) informed the Committee of performance of the service for the period from 1 October 2019 to 31 March 2020.

Following consideration, the Committee welcomed the good performance detailed within the report and thereafter agreed to note:

- i) performance of the Service Plan, Operational Performance Indicators and Complaints to the end of March 2020; and
- ii) the actions being taken to improve performance where required

17. Initial Attainment Report for Secondary Schools 2020

A report by the Depute Chief Executive (Education, Communities and Organisational Development) informed the Committee of the SQA attainment across our secondary schools and for this data to be fully scrutinised as part of our raising attainment improvements and strategy.

Following consideration, the Committee agreed to note:

- i) the Senior Phase Attainment across our secondary schools for session 2019/20 and the initial processes in preparation for exams in session 2020/21;
- ii) that school based attainment meetings took place in October and November 2020 and actions for improvement were agreed and;

that a follow up report of leaver destinations will be reported to Committee in
iii) April 2021 which will be supported by further attainment meetings which Elected Members will be invited to attend.

18. Moray Raising Attainment Strategy

A report by the Depute Chief Executive (Education, Communities and Organisational Development) informed the Committee of the new Moray Raising Attainment Strategy in order that it could be scrutinised and approved.

Following consideration the Committee agreed to:

- i) note the Moray Education Raising Attainment Strategy, Toolkit and Practitioner Guide;
- ii) note that the documentation is clearly linked to local and national priorities and performance measures; and
- iii) approve the Strategy for implementation and use for 2020-23 across all Moray schools as an integral component of improving performance.

19. Education Revenue Budget Monitoring Report September 2020

A report by the Depute Chief Executive (Education, Communities and Organisational Development) informed the Committee of the budget position for Education as at 30 September 2020.

Following consideration the Committee noted the budget position at 30 September 2020.

20. Performance Report Education Resources – Half Year to March 2020

Mrs Belcher, Parent Representative left the meeting during the discussion of this item.

A report by the Depute Chief Executive (Education, Communities and Organisational Development) informed the Committee of the performance of the service for the period from 1 October 2019 to 31 March 2020.

Following consideration, the Committee welcomed the good performance detailed within the report and thereafter agreed to note:

- i) note performance of the Service Plan, Operational Performance Indicators and Complaints to the end of March 2020; and
- ii) note the actions being taken to improve performance where required.

21. Education Resources and Communities Revenue Budget Monitoring Report September 2020

A report by the Depute Chief Executive (Education, Communities and Organisational Development) informed the Committee of the budget position for Education Resources and Communities as at 30 September 2020.

Following consideration the Committee agreed to note the budget position at 30 September 2020.

22. Review of Moray's Leisure Service

Ms Slater, Secondary School Representative left the meeting during the discussion of this item.

A report by the Depute Chief Executive (Education, Communities and Organisational Development) informed the Council of the progress made in relation to the review of Moray's Leisure Services and to agree to the development of Business Case on the preferred option for the future delivery of Leisure Services.

Following consideration the Committee agreed to:

- i) note the progress made in relation to the Review of Moray's Leisure Service;
- ii) approve the new Business Plan for the Sport and Leisure Service;

- the development of a Business Case on the preferred option for the future
- iii) meeting of the Education, Communities and Organisational Development Committee;
 - iv) use Improvement and Modernisation programme funding for expert external support to the maximum of £10,000 to help create the Business Case;
 - v) the Leisure Estate Project Board report back via the Education, Communities Organisational Development Committee on future developments; and
- the extension of the Active Schools and Community Sports Hub programmes from existing budget for a further one year period from 1 April 2021 in partnership with sportscotland at a cost of £177,000, with the potential of continuing this partnership on an annual basis up to 31 March 2023.
- vi)

23. Counselling through Schools Report

A report by the Depute Chief Executive (Education, Communities and Organisational Development) updated the Committee on the 2018-19 Programme for Government in which is stated that around 350 new counsellor positions would be created in Scotland (Scottish Government, 2019) and on the proposed approach to delivering Counselling through Schools support in Moray.

Following consideration the Committee agreed:

- to utilise the Scottish Government funding to commission a holistic Counselling
- i) through Schools service as part of a whole school approach to supporting mental health and wellbeing; and
- ii) that progress on the delivery of a Counselling through Schools service is brought back to a future meeting of the Committee.

Mrs Slater, Secondary School Representative left the meeting following the consideration of this report.

24. Suspension of Standing Orders

The Chair sought the agreement of the Committee to suspend Standing Order 74 to allow the meeting to continue beyond 5.00pm. This was unanimously agreed.

25. Review of Additional Support Needs Services Report

A report by the Depute Chief Executive (Education, Communities and Organisational Development) updated the Committee on progress made in the review of Additional Support Needs Services and the proposed next steps.

During consideration of the report, Councillor Ross sought clarification on why the new Inclusion Manager post was temporary and moved that:

Recommendation 2.1 (ii) the position of Inclusion Manager should be permanent; and

Recommendation 2.1 (iii) the position of ESO (ASN) should be changed to a qualified teacher with experience in ASN. .

In response, the Depute Chief Executive (Education, Communities and Organisational Development) confirmed that the post is temporary as it was felt that part of the review was to look at the structure of the team and in making the post temporary it makes it clear to any possible applicants that there may be a change within the team following the outcome of the review. She further added that to change the ASN Support Worker to a qualified teacher would change the intended nature of the posts and would require the Committee to receive further information as the Committee did not have enough information to make an informed decision on that point.

Following lengthy consideration Councillor McLean proposed agreeing the recommendations as printed, this was seconded by Councillor Alexander.

As Councillor Ross' motion failed to obtain a seconder, the motion fell and accordingly the amendment became the finding of the meeting.

The Committee agreed to:

- i) note the timeline for bringing forward business case for the ASN review;

agree to recommend to Moray Council the creation of an Inclusion Manager post
- ii) for an initial period of 2 years to stabilise ASN services and to progress the transformation agenda (at a cost of £83, 258 per annum);

agreed to recommend to Moray Council the re-instatement of the second ESO
- iii) (ASN) post for an initial period of two years to provide capacity to support schools during the Covid-19 pandemic and to help provide a secure platform from which change can be driven forward (at a cost of £68,244) per annum);

note the outcomes of the ASN staffing Change Management Plan and agrees to
- iv) allocated the Council's Support for Learning budget for academic year 2020/21 to schools for PSA hours on a needs basis;

agree to use the (carried forward) 2019/20 Scottish Government Additional
- v) Support for Learning funding to develop the proposed Pupil Support Worker role as a test of change to inform the development of the ASN Review Business Case; and

agree to use the 2020/21 Scottish Government Additional Support for Learning
- vi) funding to provide flexibility to meet emerging additional support needs in school year (including needs associated with the impact of COVID-19) through the allocation of additional PSA hours.

Resumption of the meeting of 18 November 2020.

PRESENT

Councillor George Alexander, Councillor James Allan, Councillor Paula Coy, Councillor Lorna Creswell, Councillor John Divers, Councillor Tim Eagle, Councillor Claire Feaver, Councillor Graham Leadbitter, Councillor Aaron McLean, Councillor Ray McLean, Councillor Laura Powell, Councillor Derek Ross, Councillor Sonya Warren.

APOLOGIES

Councillor Shona Morrison.

ALSO IN ATTENDANCE

Also in attendance at the above meeting were the Chief Executive, Depute Chief Executive (Education, Communities and Organisational Development), Head of Governance, Strategy and Performance, Head of HR, ICT and Organisational Development, Head of Transformation, Head of Children and Families and Criminal Justice Social Work; Criminal Justice Co-ordinator, Corporate Parenting and Commissioning Manager and Lissa Rowan, Committee Services Officer.

Also present for item 15 were Susan Slater, Secondary Teacher Representative, Angela Stuart, Primary Teacher Representative and Nicola Belcher, Parent Council Representative.

27. Education Resources and Communities and Education Capital Budget Monitor Report

Councillor R McLean lost connection during discussion of this item.

A report by the Depute Chief Executive (Education, Communities and Organisational Development) informed the Committee of projects and proposed expenditure for Capital budgets within Education Resources and Communities and Education for 2020/21.

The Acting Head of Housing and Property gave a brief update on the impact that Covid-19 has had on the project plan dates for Lossiemouth High School and Linkwood Primary School. He added that the changeover for Lossiemouth High School from the old school to the new would now take place during the Easter holidays 2021 and not half term as originally anticipated.

With regards to Linkwood Primary School, the Acting Head of Housing and Property confirmed that the school was due to be handed over on 19 November 2020 but due to issues with some of the certification of the building this did not happen. Discussions are taking place with HubCo to agree a new handover date which it is anticipated to be in a matter of weeks.

During lengthy discussion of the report, Councillors expressed concerns at the late cancellation of the handover of Linkwood Primary School as assurances had been given that the school would be handed over on schedule and sought information on whether there would be compensation for the delays and also the additional costs of delays to both schools.

In response the Acting Head of Housing and Property confirmed that the design and build method for the school is carried out through HubCo with the work being contracted to Balfour Beatty and therefore the Council is a participant in the project rather than a client. He further added that HubCo were aware of the issues with the certification but wanted the Council to take possession of the school on the agreed date. When the Council became aware of some of the certification results for the school Officers were unhappy and refused to take possession. He further clarified that the Council are clear on the results required and having taken legal Officers are satisfied that it was the right decision not to take possession at the current time.

Discussions are taking place with HubCo and he further emphasised that the risks that emerged were not communicated to the Council in the run up to the handover and so there was no way of knowing earlier of the issues which have now come to light.

With regards to the delays caused by Covid-19 and the additional costs, the Acting Head of Housing and Property confirmed that the additional costs will be in the region of 1 - 2% but assured Councillors that negotiation on those costs are ongoing and all claims by the contractors are being scrutinised. A request has been made to the Scottish Government for assistance with the costs. He further added that Lossiemouth High School was funded by the Government and is optimistic that financial assistance will be obtained for that project, however Linkwood Primary was funded by the Council and it is not clear if assistance will be received for this project.

Following lengthy consideration the Committee agreed to:

- i) note the year end out turn position for Education Resources and Communities and Education budgets during 2019/20;
- ii) note the Education Resources and Communities and Education Capital Budgets to 30 September 2020;
- iii) note the delay in the Schools Essential Maintenance Programme due to the postponement of the summer works due to the Covid-19 restrictions;
- iv) approve the inclusion of external building fabric projects in Schools Essential Maintenance Programme for 2020/21 and 2021/22 financial years; and
- v) note the delay to Lossiemouth High School and Linkwood Primary School Projects due to the Covid-19 restrictions and the additional contractual costs that will be incurred.

28. Performance Report HR OD ICT - Half Year to March 2020

Councillor Allan lost connection during discussion of this item.

A report by the Depute Chief Executive (Education, Communities and Organisational Development) informed the Committee of the performance of the service for the period from 1 October 2019 to 31 March 2020.

Following consideration, the Committee welcomed the good performance detailed within the report and thereafter agreed to note:

- i) performance of the Service Plan, Operational Performance Indicators and Complaints to the end of March 2020; and
- ii) note the actions being taken to improve performance where required.

29. Workforce Planning 2019-20

A report by the Depute Chief Executive informed the Committee of the progress made against the workforce strategy and plan and to consider the proposed interim workforce strategy for the period 2020-22.

Following consideration the Committee agreed to:

- i) note the progress made against the 2019 workforce plan;
- ii) note the impact of Covid-19 on the programme delivery; and
- iii) approve the proposed interim workforce and organisational development strategy that prioritises activity for 2020-2022.

30. Health and Safety Annual Report

Councillor Allan re-joined the meeting during discussion of this item.

A report by the Depute Chief Executive (Education, Communities and Organisational Development) asked the Committee to consider the annual health and Safety report and approve the progress noted, proposed future actions and carry forward of outstanding actions for the next year.

Following consideration, the Committee agreed to:

- i) note the content of the annual health and safety report, as set out in Appendix 1 and the progress towards the outcomes established in the last report; and
- ii) approve the carry forward of outstanding actions and proposed future actions for 2020.

31. ICT Strategy and Plan 2020-23

A report by the Depute Chief Executive (Education, Communities and Organisational Development) informed the Committee of the progress made against the ICT strategy and plan and to consider the refreshed ICT strategy and plan for the period 2020-2023.

Following consideration, the Committee agreed to:

- i) note the progress made against the 2019 ICT plan;
- ii) note the impact of Covid-19 on the programme delivery; and
- iii) approve the refreshed ICT strategy that prioritises activity for 2020- 2023

32. Elected Member Learning and Development Strategy

Councillor Coy lost connection during discussion of this item.

A report by the Depute Chief Executive (Education, Communities and Organisational Development) asked the Committee to consider and approve the Elected Member Learning and Development Strategy.

Following consideration the Committee agreed to approve the Elected Member Learning and Development Strategy (Appendix 1) and encourage all Members to engage with developing their personal development plan and to continue to optimise their uptake of development and training opportunities.

33. Performance Report Governance Strategy and Performance – Half Year to March 2020

A report by the Depute Chief Executive (Education, Communities and Organisational Development) informed the Committee of the performance of the service for the period from 1 April 2019 to 31 March 2020.

Following consideration, the Committee welcomed the good performance detailed within the report and thereafter agreed to note:

- i) performance of the Service Plan, Operational Performance Indicators and Complaints to the end of March 2020; and
- ii) the actions being taken to improve performance where required.

34. Improvement and Modernisation Programme

Mrs Belcher, Parent Representative left the meeting during discussion of this item.

A report by the Depute Chief Executive (Education, Communities and Organisational Development) informed the Committee of the latest progress with respect to the Council's Improvement and Modernisation Programme.

Following consideration, the Committee agreed to:

- i) note the progress made against the projects within the IMP; and

- ii) note the actual and estimated savings identified against the various work streams to date.

35. Schools ICT Strategy

A report by the Depute Chief Executive (Education, Communities and Organisational Development) invited the Committee to consider the progress made towards the development of a revised Digital Strategy for Education.

Following consideration, the Committee agreed to:

- i) note the work being undertaken towards the development of a revised Digital Strategy for Education; and
 - ii) note that a revised strategy will be reported to this Committee in June 2021; and
- that an update be provided to the next meeting of this Committee in relation to
- iii) the provision of adequate bandwidth to enable learning and teaching requirements across all schools.

36. Question Time ***

Councillor Ross stated that he was aware that fluid resistant face masks had been issued to members of teaching staff within Aberdeenshire and Aberdeen City Councils and queried whether these fluid resistant face masks are available for teaching staff in Moray Council.

In response the Head of Education advised that fluid resistant masks are available for those members of staff who have to breach the 2 metre social distance when carrying out their duties.

37. Moray and Nairn Educational Trust - Disbursement 2020/21

A report by the Depute Chief Executive (Education, Communities and Organisational Development) provided information and to seek approval for the payment plan to be used to assess applications to the Moray and Nairn Educational Trust and to consider applications to the trust.

Following consideration the Committee agreed to:

- i) approve grants at the rates provided in the payment plan, with a caveat that recommended grants for section 7b (to enable young people to participate in organised educational excursions) will not be paid out to applicants unless the excursion takes place; and
- notes that, due to Covid-19 travel restrictions affecting planned educational excursions, the recommended grants for section 7b (to enable young people to participate in organised educational excursions) will either be paid to the
- ii) applicant to fund an excursion rescheduled within 12 months, or withdrawn and the grant amount returned to trust funds for carry forward to financial year 2021/22.

38. Suspension of Standing Orders

The Chair sought the agreement of the Committee to Suspend Standing Order 74 to allow the meeting to continue beyond 12.45 pm. This was unanimously agreed.

39. Early Learning and Childcare - Proposed Lease and Rental Arrangements

A report by the Depute Chief Executive (Education, Communities and Organisational Development) asked the Committee to agree equitable lease arrangements and rental charges for private and third sector early learning and childcare (ELC) providers operating from Council premises.

During discussion it was suggested that the Council consult with ELC Providers on the proposed changes to their lease terms prior to formal agreement by the Council.

In response, Mr Paterson, Senior Project Manager (Early Learning and Childcare Expansion) advised that it was possible to carry out this consultation and bring a report back to a future meeting of this Committee with the response to the consultation however sought an agreement in principle from the Committee in relation to offering VIP Childcare a 5 year lease to allow continued occupancy of Elgin Community Centre and to provide a sufficient amount of time for the VIP Childcare Management Committee to secure alternative accommodation. This was agreed.

Thereafter, the Committee agreed that:

- i) officers contact the ELC providers operating from Council premises to consult on the main lease terms, as set out in Section 5 of the report with a further report being brought to a future meeting of this Committee with the response to the consultation; and
- ii) VIP Childcare be offered a 5 year lease in principle, to allow continued occupancy of Elgin Community Centre and to provide a sufficient amount of time for the VIP Childcare Management Committee to secure alternative accommodation.

40. Fostering Fees and Short Breaks

A report by the Interim Chief Officer, Health and Social Care sought approval to consult with foster carers about options for revision to the scheme in relation to the short breaks number of days and levels of fees.

Following consideration the Committee agreed to:

- i) a period of consultation with foster carers concerning proposed revisions to the existing foster scheme, in relation to the arrangement for short breaks; and

- ii) homologate the action taken in having made an allowance payable to one specific fostering household outwith the current scheme.