



Education, Communities and Organisational Development

Wednesday, 03 February 2021

NOTICE IS HEREBY GIVEN that a Meeting of the **Education, Communities and Organisational Development** is to be held at **remote locations via video conference**, on **Wednesday, 03 February 2021** at **09:30**.

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 Items 20 to 22 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. **Minute of the Meeting of Appointments Committee of 18 October 2019** 7 - 8
5. **Minute of the Meeting of Appointments Committee of 20 November 2019** 9 - 10
6. **Minute of Meeting of 18 and 25 November 2020** 11 - 26
8. **Written Questions ****

9.	Governance Strategy and Performance Performance Report 1 April to 31 December 2020	27 - 34
	Report by Depute Chief Executive (Education, Communities and Organisational Development)	
10.*	Education Performance Report 1 April to 31 December 2020	35 - 40
	Report by Depute Chief Executive (Education, Communities and Organisational Development)	
11.*	Education Revenue Budget Monitoring Report to 31 December 2020	41 - 46
	Report by Depute Chief Executive (Education, Communities and Organisational Development)	
12.*	Education Resources and Communities and Education Capital Budget Monitoring Report	47 - 56
	Report by Depute Chief Executive (Education, Communities and Organisational Development)	
13.*	Education Resources Performance Report 1 April to 31 December 2020	57 - 62
	Report by Depute Chief Executive (Education, Communities and Organisational Development)	
14.*	Education Resources and Communities Revenue Budget Monitoring to 31 December 2020	63 - 68
	Report by Depute Chief Executive (Education, Communities and Organisational Development)	
15.	Children and Families and Criminal Justice Social Work Performance Report 1 April - 31 December 2020	69 - 76
	Report by Chief Officer, Health and Social Care	
16.	Children and Families Social Work Revenue Budget Monitoring	77 - 82
	Report by Chief Officer, Health and Social Care	
17.	Children and Families and Criminal Justice Service Plans 2020-23	83 - 92
	Report by Chief Officer, Health and Social Care	

18. Continuing Care Policy Revision

**93 -
138**

Report by Chief Officer, Health and Social Care

19. Question Time ***

Consider any oral question on matters delegated to the Committee in terms of the Council's Scheme of Administration.

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

20. Forres Golf Course [Para 9]

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

21. Residential Care for Looked After Children [Para 1 and 5]

- Information relating to staffing matters;
- 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;

22. ELC Proposed Lease and Rental Agreements [Para 9]

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

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

Any person attending the meeting who requires access assistance should contact customer services on 01343 563217 in advance of the meeting.

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.

** **Written Questions** - Any Member can put one written question about any relevant and competent business within the specified remits not already on the agenda, to the Chair provided it is received by the Proper Officer or Committee Services by 12 noon two working days prior to the day of the meeting. A copy of any written answer provided by the Chair will be tabled at the start of the relevant section of the meeting. The Member who has put the question may, after the answer has been given, ask one supplementary question directly related to the subject matter, but no discussion will be allowed.

No supplementary question can be put or answered more than 10 minutes after the Council has started on the relevant item of business, except with the consent of the Chair. If a Member does not have the opportunity to put a supplementary question because no time remains, then he or she can submit it in writing to the Proper Officer who will arrange for a written answer to be provided within 7 working days.

*** **Question Time** - At each ordinary meeting of the Committee ten minutes will be allowed for Members questions when any Member of the Committee can put a question to the Chair on any business within the remit of that Section of the Committee. The Member who has put the question may, after the answer has been given, ask one supplementary question directly related to the subject matter, but no discussion will be allowed.

No supplementary question can be put or answered more than ten minutes after the Committee has started on the relevant item of business, except with the consent of the Chair. If a Member does not have the opportunity to put a supplementary question because no time remains, then he/she can submit it in writing to the proper officer who will arrange for a written answer to be provided within seven working days.

Clerk Name: Tracey Sutherland

Clerk Telephone:

Clerk Email: tracey.sutherland@moray.gov.uk

THE MORAY COUNCIL

Education, Communities and Organisational Development

SEDERUNT

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

Clerk Name: Tracey Sutherland
Clerk Telephone:
Clerk Email: tracey.sutherland@moray.gov.uk

Minute of Meeting of the Children and Young People's Services Appointments Committee

Friday, 18 October 2019

Committee Room, Council Office, High Street, Elgin, IV30 1BX

PRESENT

Councillor George Alexander, Councillor Paula Coy, Councillor Claire Feaver, Councillor Derek Ross, Councillor Sonya Warren

APOLOGIES

Councillor Tim Eagle, Councillor Shona Morrison

IN ATTENDANCE

Also in attendance at the above meeting were the Depute Chief Executive (Education, Communities and Organisational Development), the Acting Head of HR, ICT and Organisational Development and Tracey Sutherland, Committee Services Officer.

1. Chair

The meeting was chaired by Councillor Sonya Warren.

2. Resolution

The meeting resolved that in terms of Section 50A (4) and (5) of the Local Government (Scotland) Act 1973, as amended, the public and media representatives be excluded from the meeting during consideration of the items of business appearing at the Paragraph 3 of this minute as specified below, so as to avoid disclosure of exempt information of the class described in paragraph 1 of Part 1 of Schedule 7A of the Act.

3. Shortleat for the Appointment of Head of Education Resources and Communities

The Committee noted that there were 6 applicants for the post of Head of Education Resources and Communities.

Following discussion, the Committee agreed not to shortleat candidates 1, 2 and 5 as they did not meet the specified criteria requested for the position.

During further discussion on the remaining candidates, a motion was moved and duly seconded that the remaining 3 candidates, namely 3, 4 and 6 should be invited to the next stage of the interview process in accordance with agreed arrangements.

It was then proposed to only bring candidate 4 through to the next stage or re-advertise the post, this was duly seconded.

On the division there voted:

For the motion (3)

For the Amendment (2)

Abstentions (0)

Therefore the motion became the finding of the meeting and candidates 3, 4 and 6 were invited to attend the next stage of the selection process in accordance with the agreed arrangements.

Minute of Meeting of the Children and Young People's Services Appointments Committee

Wednesday, 20 November 2019

Committee Room, Council Office, High Street, Elgin, IV30 1BX

PRESENT

Councillor George Alexander, Councillor Paula Coy, Councillor Tim Eagle, Councillor Derek Ross, Councillor Sonya Warren

APOLOGIES

Councillor Claire Feaver, Councillor Shona Morrison

IN ATTENDANCE

Also in attendance at the above meeting were Councillor Leadbitter as substitute for Councillor Morrison, Councillor M McLean as substitute for Councillor Feaver, Depute Chief Executive (Education, Communities and Organisational Development), Head of HR, ICT and Organisational Development and Tracey Sutherland, Committee Services Officer.

1. Chair

The meeting was chaired by Councillor Sonya Warren.

2. Resolution

The meeting resolved that in terms of Section 50A (4) and (5) of the Local Government Act 1973, as amended, the public and media representatives be excluded from the meeting during consideration of the items of business appearing at paragraph 3 of this minute as specified below, so as to avoid disclosure of exempt information of the class described in paragraph 1 part 1 of Schedule 7A of the Act.

3. Appointments Committee Presentations for the Post of Head of Education Resources and Communities

Under reference to paragraph 3 of this Committee dated 18 October 2019, the Committee noted that following the shortleeting 3 candidates namely 3, 4 and 6 had been invited to participate in the assessment centre and interviews in accordance with the agreed arrangements on 6 November 2019.

Following participation in the assessment centre and interviews all 3 applicants had been invited to give a presentation for the post of Head of Education Resources and Communities.

On conclusion of the presentation the Committee adjourned until 1.45pm to allow a summary report to be written on the 3 candidates detailing their results from the assessment centre and interviews on 6 November and a summary of the presentations.

4. Resumption of Meeting

The meeting resumed at 1:45pm.

5. Present

Councillors S Warren (Chair); P Coy; T Eagle; D Ross; G Leadbitter (as substitute for Councillor S Morrison) and Councillor M McLean (as substitute for Councillor C Feaver).

6. In Attendance

The Depute Chief Executive (Education, Communities and Organisational Development), the Head of HR, ICT and Organisational Development and Tracey Sutherland, Committee Services Officer, as clerk to the meeting.

7. Appointments Committee Presentations for the Post of Head of Education Resources and Communities (continued)

The Committee noted the summary information report had been issued during the adjournment and proceeded to discuss the results for each candidate.

Thereafter the Committee unanimously agreed to appoint Candidate 6 namely Jo Shirriffs to the post of Head of Education Resources and Communities.

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;
- iii) that a follow up report of leaver destinations will be reported to Committee in 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;
- ii) agree to recommend to Moray Council the creation of an Inclusion Manager post 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);
- iii) agreed to recommend to Moray Council the re-instatement of the second ESO (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);
- iv) note the outcomes of the ASN staffing Change Management Plan and agrees to allocated the Council's Support for Learning budget for academic year 2020/21 to schools for PSA hours on a needs basis;
- v) agree to use the (carried forward) 2019/20 Scottish Government Additional 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
- vi) agree to use the 2020/21 Scottish Government Additional Support for Learning 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:

- approve grants at the rates provided in the payment plan, with a caveat that
- i) 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.



**REPORT TO: EDUCATION, COMMUNITIES AND ORGANISATIONAL
DEVELOPMENT COMMITTEE ON 3 FEBRUARY 2021**

**SUBJECT: PERFORMANCE REPORT (GOVERNANCE, PERFORMANCE
AND STRATEGY) – PERIOD FROM 1 APRIL TO 31 DECEMBER
2020**

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

1. REASON FOR REPORT

- 1.1 To inform the Committee of the performance of the service for the period from 1 April to 31 December 2020.
- 1.2 This report is submitted to the Education, Communities and Organisational Development Committee following a decision of Moray Council on 17 June 2020 to agree a simplified committee structure as a result of the COVID-19 pandemic in the case of this committee the combining of the delegated responsibilities of Children and Young Peoples Services, Governance, Strategy and Performance (para 9 of the minute refers).

2. RECOMMENDATION

- 2.1 **It is recommended that Committee scrutinises performance of the Service Plan, Operational Performance Indicators and Complaints to the end of (Month Year).**

3. BACKGROUND

- 3.1 On 7 August 2019, the Moray Council, approved a revised Performance Management Framework for services (para 5 of the minute refers). The framework introduced new arrangements for Managing, Delivering and Reporting of Performance with the aim of increasing focus on priority areas, reducing the level of reporting on lower priority indicators and directing scrutiny towards areas of strategic importance trends. Whilst the key performance trends in operational performance will continue to be reported, the focus of committee scrutiny will be on the delivery of priorities in the Local Outcome Improvement Plan (LOIP), Corporate Plan and Service Plan. This report covers progress in achieving the Governance, Performance and Strategy Service Plan priorities, as well the important trends in the key performance indicators.

- 3.2 The Performance Monitoring Statements document was developed to support the Performance Management Framework. This half-yearly performance report refers to this document. The document includes tabular updates on actions, indicators relating to Service Plan priorities as well as complaints data, and can be found at:
http://www.moray.gov.uk/moray_standard/page_92321.html

4. SUMMARY OF PERFORMANCE

- 4.1 At a meeting of the Education, Communities and Organisational Development Committee on 18 November 2020, approval was given for the Governance, Performance and Strategy Service Plan covering the period 2020-2022 (para 33 of the minute refers). As per the Performance Management Framework, this Service Plan consists of two distinct sections;

- Strategic Outcomes - locked down against commitments in National Outcomes, the Local Outcome Improvement Plan and the Corporate Plan.
- Service Level Outcomes – reflecting service priorities not covered in higher level plans.

- 4.2 A total of 25 actions were included in the Service Plan; 3 actions have missed their completion date of December 2020 as highlighted in paragraphs 4.6 and 4.7 below.

Overall, the Service Plan was 30% complete at the end of Quarter 3 2020-21; on schedule for completion by the end of March 2022.

Level of Action	Number of Actions	Expected completion by end December 2020	Actual completion by end December 2020
Strategic Outcomes	15	2	0
Service Level Outcomes	10	1	0

Effect of COVID-19 response on Service plan and operational activity

- 4.3 There has been a significant impact on services ability to progress service plan activity and to keep routine services running as normal as a result of the Council COVID-19 response. This is reflected in the data within this report.
- 4.4 Many services have seen a change in focus in their normal activity. Whilst much of this new activity has been captured and reported through the Emergency Cabinet, Members Briefings and composite reports to the combined Service committees, it has not been formally recorded through performance indicators. The following headings give an indication of the activity and scale of this change of focus within Governance Strategy and Performance Services:

Access points: closed with staff helping to deal with increased email traffic.

Registrars: Adapted so that birth and death registration processes are now mostly online with just a brief socially distanced meeting required.

Research and Information team: collated large amounts of data for Scottish Government, Councillors and CMT on staffing and on the Councils COVID-19 response.

Licensing Team: Coped with a significant increase in support to businesses to navigate their way through constantly changing guidance and restrictions with a significant increase in certain license types as businesses have adapted to the changing landscape.

The Non-domestic Rates team assisted in the administration and payment of 2,000 Scottish Government business support grants,

Contact Centre: Coped with a marked increase in queries about services which have either stopped or changed. They have taken on both incoming COVID-19 assistance calls and outgoing support calls in relation to self-isolation referred by Public Health Scotland, currently around 100 per week.

Benefits and Money Advice Teams have assisted in the distribution of additional school meal payments, Scottish Government food support payments (through the Council's nationally commended Fairer Food fund) and in increase in activity in Scottish Welfare Fund payments.

The Legal team have kept essential court, public inquiry and property processes running despite challenges with the availability of other public agencies.

The Committee Services team have put an online meeting solution in place with some of the best functionality in Scotland and have adapted to a new committee structure and online clerking.

- 4.5 Some of these changes will be temporary and some will become permanent, influencing the next suite of performance indicators. Staff should be commended for their commitment and adaptability through a very challenging period.

Strategic Outcomes - successes

- 4.6 **Governance Review.** Contributing to the Corporate Plan priority 'Financial Sustainability of Moray Council', the Governance Review aims to streamline processes including reviews of committee structures, schemes of delegation and reporting to committees. Taking account of the current situation, a preference for a committee structure for the short term has been determined by elected members at the Full Council on 20 January and this will be reviewed when the covid pandemic situation allows. The final phase of review will be to refresh the Council's second tier governance documents. **(ACTION GSP20-22.Strat-4.1)**
- 4.7 **Revised Service Plans.** As part of the roll-out of the Performance Management Framework, in support of the Corporate Plan priority 'A Sustainable Council: that provides valued services to our communities', the 2020-21 Service Plans were approved by Committee in November with key corporate indicators defined. **(ACTION GSP20-22.Strat-4.3)**

Service Level Outcomes - successes

- 4.8 The review of the Council's complaints handling procedures is almost complete and a report will be submitted to this committee in March 2021, as scheduled. The final stage of the action is to obtain approval from the Scottish Public Services Ombudsman (SPSO) for the revised policy, which aims to reduce the number of complaints upheld by SPSO for failure to follow the Council's procedure. Training will be provided for staff on the new procedures once they have been approved. **(ACTION GSP20-22.Serv-5.2b)**

Strategic Outcomes – challenges and actions to support

- 4.9 **Performance Management.** Two of the actions associated with the roll-out of the Performance Management Framework were due to be completed by the end of December 2020. However, the routine collection of performance data was deferred due to reprioritising to support pandemic responses. This has delayed the planned work with service managers to review service performance indicators to improve the outcome focus and identification of key performance measures. During the next quarter work will be undertaken with service managers to review service performance indicators to ensure provision of effective measurement of corporate and service priorities. **(ACTIONS GSP20-22.Strat-4.2a and 4.2b)**
- 4.10 **Modernisation and Improvement.** Three actions that are planned to improve the service to Moray residents when contacting the Council have not progressed since October 2020 following the departure of the Customer Services Manager. The actions are: the redesign of Customer Services of customer contact/face to face **(ACTION GSP20-22.Strat-4.5a)**; the move to “digital first” interactions with customers, where possible **(ACTION GSP20-22.Strat-4.5b)**; and the use of Forres access point as a model to review customer facing service provision in other locations **(ACTION GSP20-22.Strat-4.5c)**. Access points have been closed since March 2020 and a change management plan is under development. It is hoped to recruit a replacement Customer Services Manager shortly to continue with this development work.

Service Level Outcomes – challenges and actions to support

- 4.11 Work on the action to increase the number of services using Sharepoint as their primary document management system did not meet the completion date of the end of December 2020 for 2 reasons. First, the lead officer for this project left the Council in October 2020 and a replacement is being sought. Second, the team has been busy helping with the COVID-19 pandemic response so their efforts have been diverted to other priorities. It is worth noting that the two services that have yet to migrate their files to Sharepoint are education and social work. As these are large services significant resource will be needed to make the planned changes. **(ACTION GSP20-22.Serv-5.7)**

Operational Indicators – exception reporting

- 4.12 Six of the 20 performance indicators were close to, met or exceeded the required standard. Those with the greatest challenges are detailed below:

Code & Title	Gauge	Value	Target
● CPS059 Percentage of telephone calls answered within 20 seconds		59.93%	74%
Code & Title	Gauge	Value	Target
▲ CPS058 Percentage of telephone calls answered against those rec...		90.17%	93%
▲ SCM6b Percentage of current year council tax received (cumulative)		79.9%	81.6%

- 4.13 **Contact Centre.** The target on Customer Services of responding to 93% of all telephone calls received and answering calls within 20 seconds have proved difficult to achieve over the years and it is proposed to review them. They do not necessarily reflect the efficiency of the Contact Centre in dealing with customer queries. As more customers are choosing to contact the Council by email the balance of calls/email/self-service may be a more useful indicator or an indicator to show the level of unnecessary or repeat contacts made, contacts which could have been avoided. (**INDICATOR CPS059**)
- 4.14 The response to the COVID-19 pandemic, along with long term absence and staff recruitment continues to affect the ability to meet this target. Since September the Contact Centre has been responsible for taking inbound Grampian Coronavirus (COVID-19) Assistance Hub calls, with no additional staff, and making outbound calls to people self-isolating due to Positive COVID-19 tests. The calls are to establish whether any help is required and, if eligible, take applications for self-isolation Grants. The outbound calls can be lengthy, taking over 30 minutes, and are not included in the above stats as calls made in support of the Aberdeenshire system are made on mobile phones. (**INDICATOR CPS058**)
- 4.15 **Revenues.** An indication of the financial difficulties that some Moray residents may be experiencing are the slightly reduced levels of Council Tax receipts so far this year. The percentage of tax received so far this year is 79.9% of the expected total, which is 1.7% lower than in 2019-20. (**INDICATOR SCM6b**)
- 4.16 **Committee Services.** In response to the pandemic the Moray Council committee structure was temporarily amended, which meant that from March to December 2020 Committee Services support requirements changed significantly. Consequently, the indicators used to monitor performance were no longer appropriate for the period covered by this report. (**INDICATORS CS001, CS002 & CS003**)

Complaints & MP/MSP Enquiries

- 4.17 Between March and December 2020, Governance, Strategy and Performance received 9 complaints. 6 were closed during the same period. Of the closed complaints, 5 (83%) were dealt with at the frontline stage and 1 was investigated further. None was escalated. A total of 3 complaints (50%) were upheld. In addition to the complaints received, 37 MP/MSP enquiries covering a variety of issues were dealt with in the same period.

5 SUMMARY OF IMPLICATIONS

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

Performance measurement is used to ensure the efficient and sustainable delivery of services to meet the Council's priorities in both the Corporate Plan and the LOIP.

(b) Policy and Legal

The Council has a statutory requirement to publish a range of information that will demonstrate that it is securing best value and assist in comparing performance both over time and between authorities where appropriate.

(c) Financial implications

None.

(d) Risk Implications

None.

(e) Staffing Implications

None.

(f) Property

None.

(g) Equalities/Socio Economic Impact

An Equality Impact Assessment is not required as this report is to inform the Committee on performance.

(h) Consultations

The Head of Governance, Strategy and Performance and Service Managers, have been consulted with any comments received incorporated into this report.

6. CONCLUSION

- 6.1 At the end of the quarter 3 in the financial year 2020-2021 progress on implementing the Service Plan is on schedule at 30% complete, although the 3 actions due for completion by the end of December 2020 still required further work. The Governance, Strategy & Performance Service is meeting, or is marginally below, all but one of its performance targets indicating the service is providing the required level of support to other Council Departments. Responding to telephone calls from Moray residents within 20 seconds continues to be a challenge.

Author of Report:

Carl Bennett, Research & Information Officer

Background Papers:

Held by Author

[Governance, Performance and Strategy Service Plan](#)

Ref:

SPMAN-1108985784-513



**REPORT TO: EDUCATION, COMMUNITIES AND ORGANISATIONAL
DEVELOPMENT COMMITTEE ON 3 FEBRUARY 2020**

**SUBJECT: PERFORMANCE REPORT (EDUCATION) – 1 APRIL TO 31
DECEMBER 2020**

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

1. REASON FOR REPORT

- 1.1 To inform the Committee of the performance of the service for the period from 1 April 2020 to 31 December 2020.
- 1.2 This report is submitted to the Education, Communities and Organisational Development Committee following a decision of Moray Council on 17 June 2020 to agree a simplified committee structure as a result of the COVID-19 pandemic in the case of this committee the combining of the delegated responsibilities of Children and Young Peoples Services and Governance, Strategy and Performance (para 9 of the minute refers).

2. RECOMMENDATION

- 2.1 **It is recommended that Committee scrutinises and notes performance of the Strategic Plan, Service Plan, Recovery Outcomes and Complaints over the period April to December 2020.**

3. BACKGROUND

- 3.1 On 7 August 2019, the Moray Council, approved a revised Performance Management Framework for services (para 5 of the minute refers). The framework introduced new arrangements for Managing, Delivering and Reporting of Performance. This is intended to increase the focus on priority areas and reduce the level of reporting on lower priority indicators in order to ensure discussion, scrutiny and challenge is directed towards areas of strategic importance as opposed to operational performance. Whilst the latter is clearly deserving of scrutiny if trends develop, consideration at committee should focus on the ability to deliver Local Outcomes Improvement Plan (LOIP), Corporate Plan and Service Plan priorities. This performance report allows the Strategic and Service Plan priorities, any relevant Operational Performance Indicators and Complaints Data for Education, to be monitored by committee as outlined in this section of the framework.

4. SUMMARY OF PERFORMANCE

4.1 At a meeting of the Education, Communities and Organisational Development Committee on 18 November 2020, approval was given for the Education Service Plan (para 14 of the draft minute refers). This builds on the Education Recovery Plan that was approved by the Emergency Cabinet 21 May 2020 (para 6 of the minute refers). The service plan refers to strategic level, service level and recovery (COVID-19) priorities and outcomes which are reported in three sections:

- Strategic Outcomes - LOIP and Corporate Plan outcomes pertinent to the service.
- Service Level Outcomes – reflecting service priorities which sit below strategic level.
- Recovery & Renewal Outcomes – actions which are a direct result of dealing with the impact of the COVID-19 pandemic.

4.2 A total of three strategic actions, seven service level actions and three recovery actions have been used to measure progress over the course of the year to December 2020, summarised in paras 4.3 to 4.11. Progress has been achieved against the majority of actions, with the exception of one action which has not been progressed due largely to the increased demand on Education services as a result of the Covid-19 pandemic.

Level of Action	Number of Actions	Expected completion by end December 2020	Actual completion by end December 2020
Strategic Outcome	3	0	0
Service Level Outcomes	7	0	0
Recovery & Renewal Outcomes	3	0	0

Strategic Outcomes

4.3 Work continues to embed the Strategic Priorities through the lens of COVID-19 recovery. All priority areas of the Education plan continue to progress and are a focus in regular meetings and Quality Improvement processes with Head Teachers and aligned with Central Officer work plans. While actions are progressing, the expected outcomes may not be fully realised due to external factors including the COVID-19 pandemic. (EDU STRAT 1.1)

4.4 Significant work has been undertaken with the revision of the raising attainment strategy which was launched with all schools and continues to be a main focus, including the roll-out of the Moderation Strategy. Senior Phase

Support and Challenge Attainment Meetings have been undertaken with clear actions for improvement identified and agreed in partnership with schools. All schools have provided Early Indication information for Achievement of Curriculum for Excellence Levels (ACEL) and elements of Senior Phase attainment. Schools reported that Tracking and Monitoring is more robust due to approaches taken during COVID-19 lockdown and on returning to school. There has been a focused approach to Literacy, Numeracy and Health and Wellbeing. (EDU STRAT 1.2)

- 4.5 Due to the volume of guidance and expectations of Scottish Government in terms of school recovery and dealing with outbreaks, work around determining investment in resourcing to drive the pace and scale of change in educational attainment has not been progressed to date. This action will continue to be a priority in the longer term. (EDU STRAT 1.3)

Service Level Outcomes

- 4.6 Within the service level 'Curriculum' priority all Early Learning Centres in Moray now have Literacy and Numeracy progressions to pilot with pre-school children. Professional judgement will be encouraged for those children that are working from home. Early Years Education Support field officers will support settings to ensure consistency of support and application – this will be reviewed in March 2021. Within schools there is a continued focus on critical components of schools reopening, maintaining strategic impetus on developing the curriculum to ensure high quality learning and teaching, improvement in attainment and achievement and a flexible approach to learner pathways. Plans to progress the refreshed curriculum rationale are ongoing including support from Education Scotland as part of their wider local engagement. Curriculum rationale and design in secondary schools continues to be a main priority focus, with all schools having a flexible approach to develop learner pathways and Developing the Young Workforce initiatives. Partnership approaches are being further developed to include digital solutions. (EDU SERV1.1/2/3)
- 4.7 The service level priority around 'Improving the quality and consistency of learning and teaching' has been progressed across both early learning settings and schools. In 2019/20, 85% of the quality indicators assessed by the Care Inspectorate in Moray Early Learning Centres (ELC) achieved the National Standard rating of 4 or above. Seven ELC settings have been requested to complete and submit the 'Key Question 5' self-evaluation to the Care Inspectorate. This new tool is being used to evaluate how well settings are supporting children and families during the Covid-19 pandemic. ELC training calendar has been developed with a mix of onsite training and Loom (video messaging) to create capacity and accessibility for all settings. Schools continue to progress learning and teaching through pedagogical developments and digital approaches. Education Scotland scrutiny activity is paused at this time limiting quantitative data collection for accurate assessment of quality of school performance. Internal quality assurance processes highlight that schools – from their own self-evaluation – continue to progress engagement and development in line with Our Moray Standard for Learning and Teaching. (EDU SERV 2.1)
- 4.8 Practitioners across Moray engaging in current Education Scotland Professional Learning courses and live courses for Newly Qualified Teachers

and wider staff are continuing. Staff are continuing to embrace with Career-long Professional Learning (CLPL) and courses in line with Professional Review and Development (PR&D) and next steps identified. Further promotion of available leadership opportunities/CLPL are being undertaken. The Covid-19 pandemic continues to drive aspects of engagement for practitioners with leadership/professional learning. (EDU SERV 3.1)

- 4.9 Within the service level priority 'Supporting all Learners' the focus for Early Learning Centres is around greater understanding of inclusive practice. Training modules have been developed and will be delivered throughout 2021 using pre-recorded sessions and online "live" sessions. Ongoing work with ASN Education Support Officers and Early Intervention teachers around ensuring Universal support is offered and a wider understanding of staged intervention. Single agency child planning guidance has been revised to support Education Leads when initiating and supporting this process. This has been revised and agreed through the Local Negotiating Committee for Teachers (LNCT) and is ready to be rolled out on a small test of change. There is continued support through Multi-agency working and Multi Agency Safeguarding Hub (MASH) to respond to the needs of our most vulnerable children and young people. (EDU SERV 4.1 & 4.2)

Recovery & Renewal Outcomes

- 4.10 As part of reducing the impact of the COVID-19 pandemic on school communities Moray continue to review National Guidance and implement local guidance as a result. Head Teacher Meetings and briefings continue so staff are fully updated on expectations. The impact of COVID-19 on school communities continues to be a challenge and a major consideration of continued recovery and impact of the loss of learning on attainment and achievement.
- 4.11 All Scottish Government directives have been responded to in relation to the Covid-19 outbreak and wider Education priorities nationally are being adhered to. For example, National Improvement Priorities, Achievement of Curriculum for Excellence levels (Moray continue to gather local data and evidence for reporting), Education Scotland reporting requirements including Equity Audit and the Scottish Attainment Challenge (SAC) 5-year Impact Report. Schools and Education as a single agency continue to ensure all learners are supported and signposted to relevant 3rd sector partners and wider supports. Safeguarding and child protection procedures are reviewed regularly to respond to emerging need and changing approaches to interactions. This has continued during school recovery period.

Complaints

- 4.12 Between April 2020 and December 2020, Education received 21 complaints. 20 complaints were closed during the same period. Seven (35%) of closed complaints were resolved at frontline stage, with four complaints being upheld, one partially upheld and two not upheld. Twelve (60%) of closed complaints were at investigative stage with three being upheld, two partially upheld, and seven not upheld. One (5%) complaint was escalated and not upheld. 43% (3/7) of frontline complaints were closed within the target five days and 46%

(6/13) of investigative / escalated complaints were closed within the 20 days target. Of the 11 complaints not resolved within the recognised timescales six had been granted extensions.

5 SUMMARY OF IMPLICATIONS

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

Performance measurement is used to ensure the efficient and sustainable delivery of services to meet the Council's priorities in both the Corporate Plan and the LOIP.

(b) Policy and Legal

The Council has a statutory requirement to publish a range of information that will demonstrate that it is securing best value and assist in comparing performance both over time and between authorities where appropriate.

(c) Financial implications

None.

(d) Risk Implications

None.

(e) Staffing Implications

None.

(f) Property

None.

(g) Equalities/Socio Economic Impact

An Equality Impact Assessment is not required as this report is to inform the Committee on performance.

(h) Consultations

The Head of Education, Depute Chief Executive (Education, Communities and Organisational Development), Service Managers, Legal Services, the Equal Opportunities Officer, and Tracey Sutherland, Committee Services Officer have been consulted with any comments received incorporated into this report.

6. CONCLUSION

6.1 The committee has been asked to consider and note the progress made against the Education strategic, service and recovery actions up to the end of December 2020.

Author of Report: Neil Stables, Research & Information Officer

Background Papers: Held by Author
[COVID-19 Revised Education Plan](#)
[Education Services Plan](#)

Ref: SPMAN-1108985784-543



**REPORT TO: EDUCATION, COMMUNITIES AND ORGANISATIONAL
DEVELOPMENT COMMITTEE ON 3 FEBRUARY 2020**

**SUBJECT: EDUCATION REVENUE BUDGET MONITORING TO
31 DECEMBER 2020**

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

1. REASON FOR REPORT

- 1.1 To inform the Education, Communities and Organisational Development Committee of the budget position for Education as at 31 December 2020.
- 1.2 This report is submitted to the Education, Communities and Organisational Development Committee following a decision of Moray Council on the 17 June 2020 to agree a simplified committee structure as a result of the COVID-19 pandemic. In the case of this committee the combining of the delegated responsibilities of Children and Young People Services, Governance, Strategy and Performance, (para 9 of the minute refers).

2. RECOMMENDATION

- 2.1 **It is recommended that Committee scrutinises and notes the budget position at 31 December 2020.**

3. BACKGROUND

- 3.1 The report highlights those areas of the budget where there is a significant percentage variance identified at 31 December 2020.

4. BUDGET POSITION

- 4.1 The spend at 31 December 2020 is £42,442,000 against a budget to date of £43,387,000, giving an underspend of £945,000 as shown in **Appendix 1**.
- 4.2 The main variance in primary and secondary schools relates to devolved school budgets comprising of £441,000 in primary schools which is 1.6% of the budget and £795,000 in secondary schools which is 2.7% of the budget.
- 4.3 The main variances in Education Central Services are a £50,000 overspend in central supply, an overspend of £31,000 on clothing grants and an

underspend of £102,000 on the facilitating school improvement budget which has had very little spend due to the closure of schools.

- 4.4 There is currently an overspend of £376,000 on COVID-19 costs which mainly relates to average pay to supply teachers.

5. ESTIMATED OUTTURN

- 5.1 The estimated outturn for 2020/21 is £63,196,000 against a budget of £63,236,000 resulting in an estimated underspend for the year of £40,000.
- 5.2 There is an underspend on facilitating school improvement of £82,000, school counselling £180,000, period poverty £30,000 and an anticipated overspend on central supply £100,000 and clothing grants £30,000.
- 5.3 Anticipated costs on the COVID-19 pandemic are £376,000 for average pay to supply teachers.
- 5.4 Staff savings from vacancies and appointment below top of scale are anticipated to exceed the budget by £176,000.

6. SUMMARY OF IMPLICATIONS

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

The Education Revenue Budget has particular reference to National Outcome 8 – we have improved the life chances for children, young people and families at risk. It support delivery of the corporate plan priority: Our People - Provide opportunities where young people can achieve their potential to be the best they can be.

(b) Policy and Legal

The Council has statutory responsibilities to meet educational needs, the needs of children and young people in need and those it looks after.

(c) Financial implications

The resource implications are set out in this report and at **Appendix 1**. The underspend as at 31 December 2020 is £945,000 against a budget to date of £43,387,000. The estimated year end position is expenditure of £63,196,000 against a budget of £63,236,000 resulting in an underspend of £40,000.

(d) Risk implications

Budget Managers are aware of their responsibilities for managing budget allocations and approval for any variances will be sought from Committee in line with the Financial Regulations.

(e) Staffing implications

There are no staffing implications associated with this report.

(f) Property

There are no property implications associated with this report.

(g) Equalities/Socio Economic Impact

An Equality Impact Assessment is not needed because the report is to inform the Committee on budget monitoring.

(h) Consultations

Paul Connor, Principal Accountant and Tracey Sutherland, Committee Services Officer, have been consulted and are in agreement with the contents of this report where it relates to their areas of responsibility.

7. CONCLUSION

7.1 That Committee scrutinises and notes the budget position as at 31 December 2020.

Author of Report: Vivienne Cross, Head of Education

Background Papers: with authors and finance

Ref: SPMAN-1108985784-496

Educational Services

Budget Monitoring Report to 31st December 2020

Service	Revised Budget	Budget to Date	Actual to Date	Variance to Date	Variance
	£'000	£'000	£'000	£'000	%
Early Learning and Childcare	1,261	(1,977)	(1,989)	12	(1)%
Primary Education	27,084	20,266	19,865	401	2 %
Secondary Education	29,434	22,136	21,287	849	4 %
Education Central Services	4,277	2,123	2,069	54	3 %
Management	277	207	202	5	2 %
Efficiency Savings-Education	8	-	-	-	-
Education COVID 19	895	632	1,008	(376)	(59)%
				-	
Educational Services Total	63,236	43,387	42,442	945	-

Appendix 1

Full Year Forecast		Full Year Variance
£'000		£'000
1,261		-
27,074		10
29,422		12
4,067		210
269		8
(168)		176
1,271		(376)
63,196		40



**REPORT TO: EDUCATION, COMMUNITIES AND ORGANISATIONAL
DEVELOPMENT COMMITTEE ON 3 FEBRUARY 2021**

**SUBJECT: EDUCATION RESOURCES AND COMMUNITIES AND
EDUCATION CAPITAL BUDGET MONITORING REPORT TO 31
DECEMBER 2020**

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

1. REASON FOR REPORT

- 1.1 The purpose of this report is to inform Committee of projects and proposed expenditure for Capital Budgets within Education Resources and Communities and Education for 2020/2021.
- 1.2 This report is submitted to the Education, Communities & Organisational Development Committee following a decision of Moray Council on 17 June 2020 to agree a simplified committee structure as a result of the COVID-19 pandemic. In the case of this Committee, the combining of the delegated responsibilities of Children and Young People's Services, Governance, Strategy and Performance (paragraph 9 of the Minute refers).

2. RECOMMENDATION

- 2.1 **It is recommended that the Committee scrutinises and notes the contents of the report.**

3. BACKGROUND

- 3.1 It is the practice of this Committee to receive regular reports both providing an update on the current financial position of the capital programme and seeking approval to implement projects when they arrive at a suitable point of development.
- 3.2 At the meeting of the Moray Council on 3 March 2020 (paragraph 2 of the minute refers) Council approved the capital plan for 2020/21.
- 3.3 The capital budgets covered in this report and a list of the major projects from this financial year are contained within the Education Resources and Communities and Education Capital Plan under **APPENDIX I**.

4. BUDGET FOR 2020/21

- 4.1 The total approved Capital Budget for Education Resources and Communities and Education for financial year 2020/21 is as follows:-

	20/21 £000
Land & Buildings	20,766
Vehicles, Plant & Equipment	99
Totals	20,865

- 4.2 Actual expenditure up to 31 December 2020 including carry forwards from 2019/20 is £14.066m.

5. MAJOR PROJECTS

Schools Essential Maintenance Programme:

- 5.1 The schools maintenance programme for 2020/21 was agreed and well progressed in discussion with the appointed Contractor when the COVID-19 crisis commenced in March. Senior Management made the decision to suspend all internal works in schools for the summer of 2020, particularly when critical preparations for the safe return of pupils in August was considered highest priority. The Contractor had placed orders for materials when lock down commenced. Payment was made for this, with all other works postponed until summer 2021.
- 5.2 Housing and Property Services have commenced preparations to substitute essential maintenance projects to external building fabric repairs that can be carried out safely during school term time, to utilise budget capacity in 2020/21 and these will continue into 2021/22.
- 5.3 At the meeting of this Committee on 25 November 2020 (paragraph 27 of the draft minute refers) additional external building fabric projects approved based on current condition and maintenance assessments were:
- Hythehill Primary School – new external render
 - East End Primary School – new windows and external render
 - Milnes High School – replacement flat and pitched roofing
 - Pilmuir Primary School – replacement flat and pitched roofing
- Negotiations with the appointed Essential Maintenance Programme Contractor have commenced and indicative budget estimates are noted on **APPENDIX II**.
- 5.4 Current projections indicate a spend of £0.697m for 2020/2021 including the additional approved building fabric projects. This reflects delays due to the second COVID lockdown.
- 5.5 A programme of planned works for the Learning Estate has been developed for 2021/22. The programme will consist of the postponed internal works from this year and the external building fabric projects in paragraph 5.3. These works would be phased in such a way that the programme could adapt quickly if further COVID-19 restrictions were put in place that affected the schools or

the construction industry either locally or nationally. **APPENDIX II** sets out these works in more detail.

6. NEW BUILD (SCHOOLS)

Lossiemouth High Replacement Project:

- 6.1 The project has been delayed and reprogrammed following the impact of the COVID-19 government restrictions. Phase one of the project has been delayed by 26 weeks and the revised completion date for this phase is 12 February 2021. The school will move into the new building during the Easter holidays and it will be occupied from 12 April 2021. The second phase of work will then begin with a completion date of 21 March 2022, a delay of 32 weeks.
- 6.2 The contract entitles the contractor to costs due to the delays experienced following the COVID-19 government restrictions. These costs are currently being negotiated between the Council and hub North Scotland. The costs will be substantial, however remain commercially sensitive until agreement is reached. Once agreement is reached, these figures will be reported to Committee and will be shown in a separate line within the Capital Plan.
- 6.3 The Scottish Government (SG) are funding two thirds of the project and have been approached by the Council to contribute to the additional COVID-19 costs. The Scottish Government have requested that agreement is reached with hub North Scotland before they will fully consider the request. Negotiations are at an advanced stage with only a small number of areas to be agreed.
- 6.4 The phase one works are almost complete, telephone lines were due to be installed on 19 January 2021. The telephone lines are being installed by Openreach and are on the critical path for the planned completion date and any delay will impact the handover. Officers have contacted Openreach to ensure they are aware of the importance of adhering to installation dates. At the point of submitting this report, this work has not commenced. A delayed handover at this stage will not immediately impact the decant of the school which is planned in the Easter holidays. Officers have escalated the matter with Openreach and continue to monitor the situation.
- 6.5 Staff visits from the current school have been put on hold because of the restrictions on site due to COVID-19. However, a fly through video has been produced and posted on YouTube and is available for the public, members and staff to show progress and familiarise themselves with the building.

Linkwood Primary School:

- 6.6 The handover date of 18 November 2020 was not achieved and was verbally reported to this Committee on 25 November 2020. A briefing was also provided to the Transforming Learning Board on 18 January. Handover was delayed because Officers were not satisfied with the water safety within the building. Following additional testing and the receipt of the appropriate certification, the building was handed over to the Council on 8 December 2020. Arrangements for the decant of the existing school took place on 12 January 2021 and the school became operational on 14 January 2021.
- 6.7 The delayed handover impacted moving arrangements for pupils, parents and staff as well as the reputational damage to the Council. A review has been

carried out to establish if officers could have been aware of this potential issue at an earlier date.

- 6.8 Officers are currently establishing any costs incurred due to the delayed handover in order that these are recovered from hub North Scotland. Meetings are ongoing to ensure that the handover of Lossiemouth High School is not impacted by similar issues.
- 6.9 The contract entitles the contractor to costs due to the delays experienced following the COVID-19 government restrictions. These costs are currently being negotiated between the Council and hub North Scotland. The costs will be substantial, however, remain commercially sensitive until agreement is reached. Once agreement is reached, these figures will be reported to Committee and will be shown in a separate line within the Capital Plan.
- 6.10 The Scottish Government (SG) are not funding the project, but they have been approached by the Council to contribute to the additional COVID-19 costs. The Scottish Government have requested that agreement be reached with hub North Scotland before they will fully consider the request. Negotiations are at an advanced stage with only a small number of areas to be agreed.

Findrassie Primary School

- 6.11 At the special meeting of the Moray Council on 9 October 2020 (paragraph 4 of the minute refers) Council approved that a new Primary School at Findrassie would be the priority project submitted to the Scottish Government Learning Directorate for funding through the Learning Investment Programme (LEIP). On 18 December 2020, the Scottish Government announced that Findrassie Primary school was one of 25 projects, which had been awarded LEIP funding. Preparations are underway to begin consultation on the project within the Elgin Academy ASG.

7. EARLY LEARNING CHILDCARE EXPANSION

- 7.1 The Early Learning Childcare (ELC) Capital Programme includes 4 new build nurseries and 7 refurbishments. Projects are now complete at:

- Lady Cathcart, Buckie;
- Lhanbryde Primary;
- Burghead Primary;
- New Elgin Primary;
- Cullen Nursery; and
- Mortlach Primary, Dufftown

Pilmuir Nursery

- 7.2 The new nursery building is complete and has been operating from August 2020 with the refurbishment element progressing to a revised completion date of 29 January 2021.

Keith Nursery

- 7.3 Work started on site for the new build nursery on 31 August 2020 and is programmed to complete 9 July 2021.

- Mosstodloch Primary School Nursery
- 7.4 Layout plans have been agreed and the project is currently being tendered with an anticipated start on site in February 2021. This is a refurbishment project within the school building and the start date will be reviewed depending on the COVID-19 government restrictions and guidance in place.
- Aberlour Primary School Nursery
- 7.5 Layout plans have been agreed and a Planning Application has been submitted. Listed Building consent has been received. Tender documentation is being prepared and negotiations with the contractor are underway. To carry out the full refurbishment and extension the Council and private nursery require decant accommodation within Aberlour. An options appraisal for the decant accommodation is currently being undertaken with a site adjacent to the Primary School identified for the Council nursery and a site adjacent to the High School identified for the private nursery.

8 LEISURE AND LIBRARIES

- Gladstone Integration Project
- 8.1 This project is nearing completion. The database system has been integrated from the customer perspective with background configuration work currently being finalised.
- Moray Leisure Centre Fabric Condition Survey
- 8.2 A condition survey has been completed to establish the condition of the fabric of the Leisure Centre building. This was deemed appropriate given that the Council owns the building and there is a need to identify future maintenance commitments and potential costs.
- Milnes Fitness Suite Upgrade Equipment
- 8.3 New fitness room equipment has now been ordered for the fitness suite at Fochabers and is awaiting delivery and installation.

9 SUMMARY OF IMPLICATIONS

- (a) **Corporate Plan and 10 Year Plan (Local Outcomes Improvement Plan (LOIP)).**
This report supports the Council's corporate working principles of efficiency, effectiveness and economy.
- (b) **Policy and Legal**
Future programmes of work funded from the Capital Programme will require policy decisions to help inform how schools' projects will be prioritised and in the case of refurbishments, to what standard.
- (c) **Financial Implications**
The approved capital budget for 2020/21 is £3.2m. This report provides updates on all key areas of spend.
- (d) **Risk Implications**
The school estate (excluding new build) continues to deteriorate. The level of investment that the Council is able to afford is insufficient to maintain all schools to B/B standard. The risk of building failures, temporary closures and/or health and safety risks continue to be an

ongoing concern for Property Services. The programming of work within schools is subject to change as government guidance is issued in relation to COVID-19 restrictions. A delay in the telephone cable installation of over a month could impact the decant arrangements for the existing school.

(e) Staffing Implications

There are no staffing implications associated with this report.

(f) Property

There are no property implications other than those detailed in the report.

(g) Equalities/Socio Economic Impact

There are no equalities or socio economic implications associated with this report.

(h) Consultations

Consultations have been undertaken with Paul Connor, Principal Accountant; the Property Resources Manager; the Design Manager; the Legal Services Manager; the PPR and Communications Officer; Equal Opportunities Officer; Education Resources and Communities and Education Senior Management Team and Tracey Sutherland, Committee Services Officer. Where comments have been received, these have been included within the report.

10. CONCLUSION

10.1 This report presents the Education Capital Works budget to 31 December 2020. It clarifies the status of a number of capital projects and the financial implications associated with each of them where appropriate.

Author of Report:	Moray MacLeod, Acting Head of Housing and Property Services
Background Papers:	Education Capital Budgets 2020/2021
Ref:	SPMAN-1285234812-739

Moray Council Capital Programme 2020/21
As at 31st December 2020

APPENDIX I

	Current Capital Plan 2020/21 £000	Actual Expenditure £000	Total Projected Expenditure £000
Land & Buildings			
<i>Schools - BB - Investment to bring all schools to B for condition and B for suitability</i>			
Speyside High School replace hot & cold water supply	6	10	11
Cluny Primary replace heat source/pipe work kitchen & dining area	159	136	151
Forres Academy replace hot water supply, heating & gas pipe work	36	42	47
New Elgin Primary replace heating pipe work	6	9	10
Andersons Primary electric rewire incl. power and lighting	49	8	9
Burghead Primary replace heating system and pipe work	6	3	3
East End Primary window replacement programme	168	4	4
East End Primary drainage works)			
Millbank Primary drainage works)			
Applegrove Primary drainage works)			
Seafeld Primary drainage works)	537	0	90
St Gerardines Primary drainage works)			
Forres Academy drainage works)			
Andersons Primary Drainage)			
Hythehill Primary - 619393 PS access control	1	0	1

Hythehill Primary - 619394 - Flat Roof Replacement Ph2	9	9	10
Hythehill Primary - Replace Windows	315	117	131
Hythehill Primary - Insulated Render	255	2	2
East End Primary Replacement Windows 619490	168	4	4
East End Primary External Insulated Render	0	0	0
Milnes High - Replace Roofing	585	3	112
Pilmuir Primary - Replace Roofing	122	1	112
<i>Schools - New Build</i>			
Lossiemouth High School	9,238	8,535	9,536
Linkwood Primary School Elgin	2,919	3,056	3,056
Findrassie Primary School Elgin	150	0	150
<i>Other Schools</i>			
Legionella works - Schools	15	1	1
Schools -Fire, Safety and Security - Minor Works	100	13	100
Schools Accessibility	70	70	70
3G Synthetic turf pitches	13	0	13
4 Schools Refurb	0	46	46
<i>Early Learning & Childcare</i>			
Expansion of Early Learning & Childcare Provision	2,808	1,997	2,808
<i>Libraries & Leisure</i>			
All public facilities	10	0	10
Total Children and Young People's Services Committee	17,745	14,066	16,487

Moray Council Capital Programme 2021/22
Projected Expenditure

APPENDIX II

	Estimated value £000
Land & Buildings	
<i>Schools - BB - Investment to bring all schools to B for condition and B for suitability</i>	
Speyside High School replace hot & cold water supply	352
Cluny Primary replace heat source/pipe work kitchen & dining area	559
Forres Academy replace hot water supply, heating & gas pipe work	432
New Elgin Primary replace heating pipe work	412
Andersons Primary electric rewire incl. power and lighting	265
Burghead Primary replace heating system and pipe work	268
East End Primary drainage works)	
Millbank Primary drainage)	
Applegrove Primary drainage works)	
Seafeld Primary drainage works)	447
St Gerardines Primary drainage works)	
Forres Academy drainage works)	
Andersons Primary Drainage)	
Hythehill Primary - 619394 - Flat Roof Replacement Ph2	6
Hythehill Primary - Replace Windows	184
Hythehill Primary - Insulated Render	280
Milnes High - Replace Roofing	627
Pilmuir Primary - Replace Roofing	101
East End Primary Replacement Windows 619490	179
East End Primary external Insulated Render	112
<i>Schools - New Build</i>	
Lossiemouth High School	4,173
Linkwood Primary School Elgin	378
Findrassie Primary School Elgin	340
<i>Early Learning & Childcare</i>	
Expansion of Early Learning & Childcare Provision	1,300
Total Children and Young People's Services Committee	10,415



**REPORT TO: EDUCATION, COMMUNITIES AND ORGANISATIONAL
DEVELOPMENT COMMITTEE ON 3 FEBRUARY 2020**

**SUBJECT: PERFORMANCE REPORT (EDUCATION RESOURCES &
COMMUNITIES) – 1 APRIL TO 31 DECEMBER 2020**

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

1. REASON FOR REPORT

- 1.1 To inform the Committee of the performance of the service for the period from 1 April 2020 to 31 December 2020.
- 1.2 This report is submitted to the Education, Communities and Organisational Development Committee following a decision of Moray Council on 17 June 2020 to agree a simplified committee structure as a result of the Covid-19 pandemic in the case of this committee the combining of the delegated responsibilities of Children and Young Peoples Services and Governance, Strategy and Performance (para 9 of the minute refers).

2. RECOMMENDATION

- 2.1 **It is recommended that Committee scrutinises and notes performance of the Strategic Plan, Service Plan, Recovery Outcomes and Complaints over the period April to December 2020.**

3. BACKGROUND

- 3.1 On 7 August 2019, the Moray Council, approved a revised Performance Management Framework for services (para 5 of the minute refers). The framework introduced new arrangements for Managing, Delivering and Reporting of Performance. This is intended to increase the focus on priority areas and reduce the level of reporting on lower priority indicators in order to ensure discussion, scrutiny and challenge is directed towards areas of strategic importance as opposed to operational performance. Whilst the latter is clearly deserving of scrutiny if trends develop, consideration at committee should focus on the ability to deliver Local Outcomes Improvement Plan (LOIP), Corporate Plan and Service Plan priorities. This performance report allows the Strategic and Service Plan priorities, any relevant Operational Performance Indicators and Complaints Data for Education Resources and

Communities, to be monitored by committee as outlined in this section of the framework.

4. SUMMARY OF PERFORMANCE

4.1 At a meeting of the Education, Communities and Organisational Development Committee on 18 November 2020, approval was given for the Education Resources & Communities Service Plan (para 14 of the minute refers). This is the first service plan for this new service portfolio and it refers to strategic level, service level and recovery (Covid) priorities and outcomes which are reported in three sections:

- Strategic Outcomes - LOIP and Corporate Plan outcomes pertinent to the service.
- Service Level Outcomes – reflecting service priorities which sit below strategic level.
- Recovery & Renewal Outcomes - actions which are a direct result of dealing with the impact of the Covid outbreak

4.2 A total of seven strategic actions, six service level actions and 2 recovery actions have been used to measure progress over the course of the year to December 2020, summarised in paras 4.3 to 4.8. Progress has been achieved against the majority of actions, however the increased demand on certain services as well as the temporary closure of services due to the Covid lockdown has impacted on progress against a number of actions.

Level of Action	Number of Actions	Expected completion by end December 2020	Actual completion by end December 2020
Strategic Outcome	7	0	0
Service Level Outcomes	6	1	1
Recovery & Renewal Outcomes	2	0	0

Strategic Outcomes

4.3 Progress continues in ‘Empowering and Supporting Communities’, with Findochty Town Hall becoming the fourth such facility to have their Community Asset Transfer agreed at the Economic Growth, Housing and Environmental Sustainability Committee on 6 October 2020 (para 21 of minute refers). Ongoing capacity building support to community groups such as governance and project development are continuing as well as dealing with requests for additional support. Progress has also been made in developing and implementing the Participatory Budget (PB) programme, however Covid has impacted on the rate of progress. Moray Council PB branding “Our Communities, Our Choices” has been developed and approved, while the online CONSUL site has been developed and tested on staff (<https://mor.communitychoices.scot/>). Progress towards our Scottish Government 1% target has been restricted due to Covid, however, one pilot projects progressed to date. (STRATEGIC ERC 1.1 & 1.2). The date to

achieve the 1% target was deferred by government and is under further review due to the pandemic.

- 4.4 Further work has been undertaken in 'engaging with our communities' to help influence the future of council services. The Communities Team have engaged with the public on the Climate Change Strategy consultation, the COVID-19 Recovery Plan (analyses completed) and the Community Council Scheme consultation ahead of elections in 2021. In addition, monitoring reports for Buckie Central East and New Elgin East have been completed and submitted to the Community Planning Board (September 2020). Covid has impacted on planned Locality Planning activity, this will be progressed at the earliest opportunity, however the Community Support Unit have been active across our communities throughout the Covid pandemic, providing valuable support to community groups responding to need in their local areas. (STRATEGIC ERC 2.1 & 2.2),
- 4.5 As part of providing 'valued service to our communities' a number of strategic actions have been progressed in 2020/21. In tackling the affordability and standard of our schools and buildings the Learning Estate strategy has been approved following consideration and feedback. The learning estate investment programme for Findrassie Primary School has been approved with a business case to follow, while further engagement / consultation activity in priority ASGs (Buckie, Elgin and Forres) have been earmarked for the start of this year. As part of the Leisure Service Review staff and public consultations were undertaken with feedback embedded into the new Sport and Leisure Business Plan that was approved at ECOD Committee on 18 November. The Business Plan is now being implemented, prioritising some key transformational developments, however progress will be impacted by Covid and the requirement to close all sport and leisure facilities for the time being. Development of a Business Case on the preferred option for the future delivery of Leisure Services will be explored further in 2021. (STRATEGIC ERC 3.1 & 3.2)

Service Level Outcomes

- 4.6 A number of service actions around the development of digital solutions to maximise connectivity, collaboration and online service delivery have been progressed in 2020/21:
- The implementation of digital solutions as part of the School Business Admin review has progressed, however there is still work required to ensure consistency of uptake across all schools so that time savings can be generated across all sites. The service is currently scoping a second stage to the review that will consider the benefits of different school admin models to ensure maximum efficiency and enable continuous improvement.
 - Roll out of digital Youth Work –a Senior Youth Worker is now dedicated to digital development and a presence on social media - facebook, Instagram, and twitter. A blog is in place which is accessible to all and kept updated. The Moray Youth Work Discord server is now set up and all Youth Workers have been trained to use it (Discord provides young people with a safe space to meet with friends and Youth Workers). The server will be launched in February 2021.

- Online music instruction has been rolled out in the form of remote live video lessons and has been offered to all current instrumental music pupils as of Monday 11 January. Microsoft Teams within Glow is being used by all nine instrumental music instructors. Initial responses from families/community have been overwhelmingly positive.
 - Significant investment has been made by libraries in eResources, with standing orders now in place for monthly additional top titles. Regular online Bookbug sessions have been delivered while Libraries are closed. (SERVICE ERC 1.1 - 1.4)
- 4.7 Development of the Community Learning & Development (CLD) Strategy (2021-2024) has been delayed from March 2021 to September 2021 due to Covid. Guidance from the Scottish Government for writing of new strategic plans in light of the Covid pandemic was due in January, with an expectation that plans will be more focussed on Covid recovery and for a shorter period of time. Training input by Education Scotland for strategic officers has been postponed until February. A writing subgroup has been created in preparation for the development of the new strategic plan. (SERVICE ERC 3.1)

Recovery & Renewal Outcomes

- 4.8 A priority for recovery and renewal is the development of community resilience plans. As part of supporting communities a working group has been formed to progress resilience plans in Moray. The group gave a presentation at the Joint Community Council on resilient communities and Community Councils have now agreed to co-ordinate the plans at a local level so that contact details and local information is kept up to date. Areas have been identified to start producing the first plans, with a focus on areas with existing challenges such as flooding. Support for Community Anchor organisations is also continuing, mainly through information sharing and online meetings. Two communities (Lossiemouth and Forres) are currently developing Community Plans, prioritising community recovery from the pandemic.

Complaints & MP/MSP Enquiries

- 4.9 Between April 2020 and December 2020, Education Resources and Communities received three complaints. All three complaints were closed during the same period. The three complaints were resolved at frontline stage, all were upheld. Two of the three complaints were closed within the target five days, the overdue complaint was granted an extension.

5 SUMMARY OF IMPLICATIONS

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

Performance measurement is used to ensure the efficient and sustainable delivery of services to meet the Council's priorities in both the Corporate Plan and the LOIP.

(b) Policy and Legal

The Council has a statutory requirement to publish a range of information that will demonstrate that it is securing best value and assist in

comparing performance both over time and between authorities where appropriate.

(c) Financial implications

None.

(d) Risk Implications

None.

(e) Staffing Implications

None.

(f) Property

None.

(g) Equalities/Socio Economic Impact

An Equality Impact Assessment is not required as this report is to inform the Committee on performance.

(h) Consultations

The Head of Education, Depute Chief Executive (Education, Communities and Organisational Development), Service Managers, the Equal Opportunities Officer, and Tracey Sutherland, Committee Services Officer have been consulted with any comments received incorporated into this report.

6. CONCLUSION

6.1 The committee is asked to consider and note the progress made against the Education Resources and Communities strategic, service and recovery actions up to the end of December 2020.

Author of Report:	Neil Stables, Research & Information Officer
Background Papers:	Held by Author Education Resources & Communities Service Plan Community Planning Board (September 2020) LOIP Performance Reports (Agenda Item 3)
Ref:	SPMAN-1108985784-542



**REPORT TO: EDUCATION, COMMUNITIES AND ORGANISATIONAL
DEVELOPMENT COMMITTEE ON 3 FEBRUARY 2020**

**SUBJECT: EDUCATION RESOURCES AND COMMUNITIES REVENUE
BUDGET MONITORING TO 31 DECEMBER 2020**

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

1. REASON FOR REPORT

- 1.1 To inform the Education, Communities and Organisational Development Committee of the budget position for Education Resources and Communities as at 31 December 2020
- 1.2 This report is submitted to the Education, Communities and Organisational Development Committee following a decision of Moray Council on the 17 June 2020 to agree a simplified committee structure as a result of the COVID-19 pandemic. In the case of this committee the combining of the delegated responsibilities of Children and Young People Services, Governance, Strategy and Performance, (para 9 of the minute refers).

2. RECOMMENDATION

- 2.1 **It is recommended that Committee scrutinises and notes the budget position at 31 December 2020.**

3. BACKGROUND

- 3.1 The report highlights those areas of the budget where there is a significant percentage variance identified at 31 December 2020.

4. BUDGET POSITION

- 4.1 The spend at 31 December 2020 is £19,214,000 against a budget to date of £18,381,000, giving an overspend of £833,000 as shown in **Appendix 1**.
- 4.2 The main variances are loss of income in sport and leisure £1,108,000, libraries £86,000 and music instruction £43,000 due to the COVID pandemic. The overspend is reduced by an underspend on facility operational costs of £228,000.

- 4.3 There is an underspend in schools repairs and maintenance due to no building works having been undertaken in the first few months of the year because of lockdown restrictions in place.
- 4.4 There is currently an overspend of £230,000 on costs associated with the COVID pandemic. The costs are for average pay to relief staff during lockdown, recovery costs associated with the reopening of leisure facilities and £156,000 of hardship payments which will be funded by a grant from the Scottish Government.
- 4.5 Underspends on staff travel across the service are £52,000.

5 ESTIMATED OUTTURN

- 5.1 The estimated outturn for 2020/21 is £24,804,000 against a budget of £24,492,000 resulting in an estimated overspend for the year of £312,000.
- 5.2 The impact of the COVID pandemic and lockdown measures that have been put in place have had a significant impact on income with a projected loss for leisure, sports development, libraries and music instruction of £1,610,000. There are anticipated underspends on the operation of facilities closed during the lockdown periods of £110,000. Direct costs of response to the pandemic are £72,000
- 5.3 There is an anticipated underspend of £410,000 on schools repairs and maintenance and energy of £91,000.
- 5.4 Staff savings from vacancies and appointment below top of scale are anticipated to exceed the budget by £496,000.
- 5.5 Underspends on staff travel across the service are anticipated to be £57,000

6. SUMMARY OF IMPLICATIONS

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

The Education Resources and Communities Revenue Budget has particular reference to National Outcome 8 – we have improved the life chances for children, young people and families at risk.

(b) Policy and Legal

The Council has statutory responsibilities to meet educational needs, the needs of children and young people in need and those it looks after.

(c) Financial implications

The resource implications are set out in this report and at **Appendix 1**. The overspend as at 31 December 2020 is £833,000 against a budget to date of £19,214,000. The estimated year end position is expenditure of £24,804,000 against a budget of £24,492,000 resulting in an overspend of £312,000.

(d) Risk implications

Budget Managers are aware of their responsibilities for managing budget allocations and approval for any variances will be sought from Committee in line with the Financial Regulations.

(e) Staffing implications

There are no staffing implications associated with this report.

(f) Property

There are no property implications associated with this report.

(g) Equalities/Socio Economic Impact

An Equality Impact Assessment is not needed because the report is to inform the Committee on budget monitoring.

(h) Consultations

Paul Connor, Principal Accountant and Tracey Sutherland, Committee Services Officer, have been consulted and are in agreement with the contents of this report where it relates to their areas of responsibility.

7. CONCLUSION

7.1 That Committee scrutinises and notes the budget position as at 31 December 2020.

Author of Report: Joanna Shirriffs, Head of Education Resources and Communities

Background Papers: with authors and finance

Ref: SPMAN-1108985784-502

Education Resources & Communities

Budget Monitoring Report to 31st December 2020

Service	Revised Budget	Budget to Date	Actual to Date	Variance to Date	Variance
	£'000	£'000	£'000	£'000	%
Communities	1,213	832	792	40	5 %
Sport & Leisure	1,007	595	1,522	(927)	(156)%
Culture	1,814	1,409	1,435	(26)	(2)%
Additional Support Needs	12,128	8,992	8,925	67	1 %
Business Support Unit	1,341	960	956	4	-
Schools Repairs & Maintenance	1,094	705	448	257	36 %
Public Private Partnership	5,424	4,644	4,662	(18)	-
Education Resources	250	186	186	-	-
Education Resources & Communities COVID-19	58	58	288	(230)	-
Education Resources & Communities Efficiency Savings	163	-	-	-	-
				-	
Education Resources & Communities Total	24,492	18,381	19,214	(833)	-

Appendix 1

Full Year Forecast		Full Year Variance
£'000		£'000
1,150		63
2,225		(1,218)
1,940		(126)
11,977		151
1,329		12
684		410
5,452		(28)
250		-
130		(72)
(333)		496
24,804		(312)



**REPORT TO: EDUCATION, COMMUNITIES AND ORGANISATIONAL
DEVELOPMENT COMMITTEE ON 3 FEBRUARY 2021**

**SUBJECT: PERFORMANCE REPORT (CHILDREN AND FAMILIES AND
CRIMINAL JUSTICE SOCIAL WORK) – 9 MONTHS FROM 1
APRIL TO 30 DECEMBER 2020**

BY: CHIEF OFFICER, HEALTH AND SOCIAL CARE, MORAY

1. REASON FOR REPORT

- 1.1 To inform the Committee of the performance of the service for the period from 1 April 2020 to 31 December 2020.
- 1.2 This report is submitted to the Education, Communities and Organisational Development Committee following a decision of Moray Council on 17 June 2020 to agree a simplified committee structure as a result of the COVID-19 pandemic in the case of this committee the combining of the delegated responsibilities of Children and Young Peoples Services and Governance, Strategy and Performance (para 9 of the minute refers).

2. RECOMMENDATION

2.1 It is recommended that Committee:-

- (i) scrutinises performance of the Service Plan, Operational Performance Indicators and Complaints to the end of December 2020**
- (ii) welcomes good performance; and**
- (iii) notes the actions being taken to improve performance where required.**

3. BACKGROUND

- 3.1 On 7 August 2019, the Moray Council, approved a revised Performance Management Framework for services (para 5 of the minute refers). The framework introduced new arrangements for Managing, Delivering and Reporting of Performance. This is intended to increase the focus on priority areas and reduce the level of reporting on lower priority indicators in order to ensure discussion, scrutiny and challenge is directed towards areas of strategic importance as opposed to operational performance. Whilst the latter

is clearly deserving of scrutiny if trends develop, consideration at committee should focus on the ability to deliver Local Outcomes Improvement Plan (LOIP), Corporate Plan and Service Plan priorities. This performance report from 1 April to 31 December 2020 allows the Service Plan priorities, any relevant Operational Performance Indicators and Complaints Data for Integrated Children's services, to be monitored by committee as outlined in this section of the framework.

4. SUMMARY OF PERFORMANCE

4.1 The COVID-19 pandemic has had significant impact on service delivery for the period in which this report covers. As a result, the preparation of a three-year service plan for Children and Families & Criminal Justice Services has taken longer than would normally be anticipated. The proposed Service Plan, a separate item on the agenda for approval and, although not yet approved at the time of writing this report, performance has been measured against the key strategic and service level outcomes.

- Strategic Outcomes - Identified LOIP and Corporate Plan outcomes pertinent to the service.
- Service Level Outcomes – reflecting service priorities not covered in higher level plans.

4.2 A total of eight Strategic actions and two Service level actions have been used to measure progress over the course of the nine-month period. One Strategic and one Service level actions are due for completion by April 2021. Some of the other actions have yearly milestone indicators to monitor the progress of these actions throughout the duration of the plan, updates will be detailed where appropriate.

Level of Action	Number of Actions	Expected completion by end March 2021	Forecast to complete by end March 2021
Strategic Outcome	8	1	0
Service Level Outcomes	2	1	1

Strategic Outcomes - successes

4.3 Within Local Outcomes Improvement Plan (LOIP) priority 'Building a better future for our children & young people in Moray: Children and care leavers have safe, secure, stable and nurturing homes, there are two strategic actions (STRAT1.1 & 1.2) both of which are ongoing actions. Annual improvement milestones have been set for some elements to enable the monitoring of progress over the three-year plan period. Evidence suggests that looked after children (LAC) and young people achieve better outcomes if placed within a community-based placement. Within the action to increase the proportion of children and young people looked after in Kinship and Foster Care placements (STRAT1.1) significant progress has been made and, if the current trend continues, is forecast to achieve the annual milestone target by April 2021. Since the end of quarter 4 2019/20 the proportion of LAC placed

within kinship care has increased and remains above target, this however has been partially negated by the decrease in proportion being looked after within foster care placement. Since the end of March 2020 three new fostering households have been recruited, however overall capacity has fallen from 45 to 43 households. The Fostering service improvement plan identifies actions required to develop strategy to increase availability of kinship and foster placements. The overall balance of care between community and residential based placements has a significant bearing on the service's budget. With the proportion of 'Paid' placements reducing from 79.3% at the end of March 2020 to 72% at the end of December and the balance of care increasing in community placements it is expected that this will reduce budget pressures.

- 4.4 Within the LOIP 'Children live in safe and supportive families' and Corporate Plan 'Improved outcomes for our most vulnerable young people and families' proposed outcomes there are three actions to intervene at the earliest opportunity to minimise the impact of neglect, substance misuse and domestic abuse for young people and their families (STRAT2.1,2.2 & 2.3). One of the most vulnerable groups of children and young people, where early intervention is critical, are those for which there is a need to place on the Child Protection Register (CPR) due to concerns raised for their wellbeing. The numbers of children and young people registered on the CPR have fallen significantly and consistently since the highpoint of 84 at the end of June 2017 to 24 at the end of December 2020 and for the period covered by this report have fallen by a third. This is testament to the work carried out by practitioners in the field putting protective measures in place to safeguard these children. Concerns relating to neglect, substance use and domestic abuse have been identified as areas of particular concern. It is particularly difficult to identify and evidence progress in intervening at the earliest opportunity and the measures currently in place to do so will need to be revisited. High levels of child protection concerns at registration stage can be seen as intervening at the earliest opportunity. Concerns identified during the registration process are currently measured. The proportion of children registered with neglect concerns have risen from 8.3% at the end of March 2020 to 21% as of 31 December 2020, drug concerns have risen from 22% to 33% and those of domestic abuse from 11% to 17% over the same period. Those with alcohol concerns have fallen from 19% to 8%. In an effort to evidence early intervention, work has been ongoing within the service and a tool to assess neglect will be embedded across the service from March 2021. In addition a Safe and Together Framework to support working with families affected by violence in the home will be implemented during 2021.

Strategic Outcomes – challenges and actions to support

- 4.5 Work has not yet commenced on the LOIP planned outcome 'The number of looked after children and care leavers who enter the youth and criminal justice systems is reduced'. It is highly unlikely that the action to 'improve the identification and monitoring of care leavers and care experienced young people in the youth and criminal justice systems' (STRAT1.4) will be completed by the target date of March 2021. Capacity and resource shortages have prevented this action moving forward, if these issues can be resolved work could commence on the requirements needed to improve the identification of care leavers and care experienced young people entering both justice systems.

Service Level Outcomes- Successes

- 4.6 The instigation of the Transformational Change programme is the main focus of service development. The Action 'Complete immediate business case and get authorisation to progress with the programme' (SERV1.1) has a single Planned Outcome 'The whole system has a clear road map to understand the change required to support children and families the way they want to be supported', is due for completion by April 2021. Initial feedback from CMT advised that additional work is required before authorisation to commence the programme is approved. An agreed project officer post to support the implementation of the programme is currently in the process of recruitment. This action is on course to be completed by the end of this reporting year.
- 4.7 The Action 'Initiate the three work streams within the transformational change programme', has three planned outcomes (SERV1.2, 1.3 & 1.4) that are not due for completion in this reporting year. It should be noted however that all three have made good progress to date.

Operational Indicators - successes

- 4.8 In line with the Performance Management Framework, operational performance is reviewed quarterly by departmental management. Areas performing well and/or areas subject to a decreasing trend or where benchmarking results show performance below comparators will be reported to this committee for member scrutiny.
- 4.9 In this reporting period, of particular note is the significant increase in the proportion of Looked After children and young people under home supervision (EdS606.01). At the end of March 2020 19.1% were looked after at home, at the end of quarter 3 the proportion had increased to 23.4%, the highest figure recorded since this indicator was introduced in March 2016. Although significantly lower than the comparator median it has shown a marked improvement. To bring the proportion in line with the comparator median milestone annual targets have been set for the duration of the service plan. To meet these targets a 3% increase is required annually, if the current proportion remains the same or improves during quarter 4 the target will be met for 2020/21.
- 4.10 As a consequence of home supervision placements increasing, the proportion of Looked After children placed in residential placements (CSCF 102) have decreased. As at 31 March 2020 21.3% of Looked After children were in residential placements, by the end of December 2020 18.2% were in these type of placements. This is the lowest value recorded since quarter 1 2017/18. Similar to item 4.9 milestone targets have been introduced to bring Moray in line with the median of our comparator authorities by the end of the three-year plan. To achieve each annual milestone a 3% reduction is required each year. At the end of quarter 3 the proportion is on target, if this remains the same or improves the milestone target for 2020/21 will be met.

- 4.11 Items 4.9 & 4.10 demonstrate that the balance of care has changed between the least and most expensive types of placements for Looked After children. Based on latest available Local Government Benchmarking Framework (LGBF) data the cost of placing a residential placement for a Looked After child is approximately ten times the cost of a community-based placement. Home supervision placements tend to be the least costly of all community-based placements. For each child moving from a residential to a community placement the estimated saving (per week) based on LGBF data, would show a reduction in budget expenditure in the region of £3.5K. It is important however to recognise each child requires a placement that meets their needs and not all Looked After children can easily be placed in a community placement without significant support being in place.
- 4.12 Since the end of quarter 4 2019/20 only one Looked After child has been placed in an 'Out of Area' placement (LAC004) and a total of three have returned to Moray (LAC005). During the same period of 2019/20 five children were placed out of area and three returned. Out of area placements are the most expensive of placements as more often than not specialised care is required for each child.
- 4.13 With the number of Looked After children (LAC) and those on the Child Protection register (CPR) decreasing the rates per 1,000 of the relevant populations have also decreased. The rate for LAC (LAC003) at 31 December 2020 stood at 9.6, a decrease of 0.7 from 31 March 2020. Over the same period the rate for children on the CPR (CMS013a) also decreased by 0.7 to stand at 1.5 at 31 December. Both of these rates are significantly below the median of our comparator authorities. Child protection referrals have also significantly fallen when quarters 1-3 are compared from 2019/20 and 2020/21. In 2019/20 193 child protection referrals were made, during the same period of 2020/21 106 were made. It may be the case that with children being less visible due to the COVID-19 pandemic restrictions referrals have fallen as a result. At present this is an unknown factor, however if referrals increase as restrictions are lifted it would strengthen this argument.

Operational Indicators - challenges and actions to support

- 4.14 Within strategic action STRAT1.1 'Children and young people looked after in kinship or foster care increases', one of the measures to gauge progress is the number of fostering households and the number and type of placements that they are able to offer. It has been recognised that the number of households, number of placements and type of placements needs to be expanded. As detailed in item 4.3 the number of Moray Council fostering households have decreased by two between 31 March and 31 December which has impacted on the number of placements available. The number of active placements decreased from 29 to 24 between 31 March and 31 December. If this trend were to continue and there is a need for foster care placements, it may be necessary to place children with other foster care agencies paid for by Moray Council at an increased cost. The target (median of comparator authorities) set for '% of foster LAC in Foster Care purchased by Moray Council' is 4%, whilst the proportion has reduced over the past nine months to 6.2% it remains significantly above target.

Complaints & MP/MSP Enquiries

- 4.15 Between April and December 2020, Children and Families and Criminal Justice Social Work Services received 23 complaints. 30 complaints were closed during the period. Of the closed complaints 12 (40%) were resolved at frontline stage, five (42%) of these complaints were partially upheld and seven (58%) were not upheld, no frontline complaints were upheld during the period. One of the 18 investigative complaints was upheld during the period, 10 (56%) were partially upheld and seven (39%) were not upheld. Three extensions were granted for investigative complaints with one being partially upheld and the other two not upheld. 17% of Frontline complaints were closed within five days and 28% of investigative complaints were closed within 20 days. It is likely that the impact of COVID restrictions and working arrangements have affected the timescales for resolving complaints. Two MSP enquiries were received during the period, one was resolved with the other being outwith jurisdiction.

5 SUMMARY OF IMPLICATIONS

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

Performance measurement is used to ensure the efficient and sustainable delivery of services to meet the Council's priorities in both the Corporate Plan and the LOIP.

(b) Policy and Legal

The Council has a statutory requirement to publish a range of information that will demonstrate that it is securing best value and assist in comparing performance both over time and between authorities where appropriate.

(c) Financial implications

None.

(d) Risk Implications

None.

(e) Staffing Implications

None.

(f) Property

None.

(g) Equalities/Socio Economic Impact

An Equality Impact Assessment is not required as this report is to inform the Committee on performance.

(h) Consultations

The Head of Children and Families & Criminal Justice Social Work, Deputy Chief Executive (Education, Communities & Organisational Development), Service Managers, Legal Services and the Equal

Opportunities Officer have been consulted with any comments received incorporated into this report.

6. CONCLUSION

- 6.1 One of the two service plan actions is expected to complete by 31 March 2021. No completion date can be provided for the other action which is not expected to complete until the shortfall in capacity to take the identification of care leavers and care experienced in the justice systems is addressed. Being a three-year plan and with most actions ongoing, milestones have been integrated within many of the indicators to measure progress annually. At the end of quarter 3 2020/21 progress within many of the milestone indicators is encouraging with most either achieving or within reaching distance of set targets. Children and Families and Criminal Justice social work services have undergone many changes in structure and service delivery in preceding years, further changes are in progress with the instigation of the transformational change programme which will see changes to practice and commissioning in pursuit of providing the best care for the young people of Moray.**

Author of Report:	Iain Sneddon, Research & Information Officer
Background Papers:	Held by Author
Ref:	SPMAN-1108985784-544



**REPORT TO: EDUCATION, COMMUNITIES AND ORGANISATIONAL
DEVELOPMENT COMMITTEE ON 3 FEBRUARY 2021**

**SUBJECT: CHILDREN AND FAMILIES SOCIAL WORK SERVICES
REVENUE BUDGET MONITORING TO 30 NOVEMBER 2020**

BY: CHIEF OFFICER, HEALTH AND SOCIAL CARE MORAY

1. REASON FOR REPORT

- 1.1 To inform the Education, Communities and Organisational Development Committee of the budget position for Children and Families Social Work Services as at 31 December 2020..
- 1.2 This report is submitted to the Education, Communities and Organisational Development Committee following a decision of Moray Council on the 17 June 2020 to agree a simplified committee structure as a result of the COVID-19 pandemic. In the case of this committee the combining of the delegated responsibilities of Children and Young People Services, Governance, Strategy and Performance, (para 9 of the minute refers).

2. RECOMMENDATION

- 2.1 **It is recommended that Committee scrutinises and notes the budget position at 31 December 2020.**

3. BACKGROUND

- 3.1 The report highlights those areas of the budget where there is a significant percentage variance identified at 31 December 2020.

4. BUDGET POSITION

- 4.1 The spend at 31 December 2020 is £12,452,000 against a budget to date of £14,533,000, giving an underspend of £2,081,000 as shown in **Appendix 1**.

- 4.2 The area teams have an underspend of £180,000. This is mainly due to underspends of £130,000 on self directed support, £61,000 on home to school transport for foster children and £40,000 on the area teams operational budget
- 4.3 Corporate Parenting and Commissioning has an underspend of £1,454,000. This is mainly due to an underspend in out of area and additional resource packages of £1,300,000 which is partly due to children transitioning into adult services. There are also underspends on adoption placements through external providers and adoption legal fees of £84,000, fostering fees and allowances £244,000 and one-off income from another authority for the placement of adopted children £78,000.

5. ESTIMATED OUTTURN

- 5.1 The estimated outturn for 2020/21 is £16,900,000 against a budget of £19,584,000 resulting in an estimated underspend for the year of £2,684,000.
- 5.2 The underspend predominately relates to an underspend of £1,730,000 in Out of Area Placements which is partly due to children transitioning to adulthood. Fostering fees and allowances are projected to be underspent by £310,000, the adoption service is projected to be underspent by £202,000, due to one-off income received and reduced placements with external providers and social work area teams are projected to be underspent by £285,000 relating to Self Directed Support, home to school transport for foster children and operational budgets.

6. SUMMARY OF IMPLICATIONS

- (a) **Corporate Plan and 10 Year Plan (Local Outcomes Improvement Plan (LOIP))**
The Children's Services Revenue Budget has particular reference to National Outcome 8 – we have improved the life chances for children, young people and families at risk.
- (b) **Policy and Legal**
The Council has statutory responsibilities to meet educational needs, the needs of children and young people in need and those it looks after.
- (c) **Financial implications**
The resource implications are set out in this report and at **Appendix 1**. The underspend as at 31 December is £2,081,000 against a budget to date of £14,533,000.
- (d) **Risk implications**
Budget Managers are aware of their responsibilities for managing budget allocations and approval for any variances will be sought from Committee in line with the Financial Regulations.

(e) Staffing implications

There are no staffing implications associated with this report.

(f) Property

There are no property implications associated with this report.

(g) Equalities/Socio Economic Impact

An Equality Impact Assessment is not needed because the report is to inform the Committee on budget monitoring.

(h) Consultations

Paul Connor, Principal Accountant and Tracey Sutherland, Committee Services Officer, have been consulted and are in agreement with the contents of this report where it relates to their areas of responsibility.

7. CONCLUSION

7.1 That Committee scrutinises and notes the budget position as at 31 December 2020.

Author of Report: Joyce Johnston, Acting Head of Children and Families and Justice Social Work Services

Background Papers: with authors and finance

Ref: SPMAN-1108985784-479

Children's Services

Budget Monitoring Report to 31st December 2020

Service	Revised Budget	Budget to Date	Actual to Date	Variance to Date	Variance
	£'000	£'000	£'000	£'000	%
Quality Assurance Team	136	100	96	4	4 %
Children's Services Area Teams	4,077	2,943	2,734	209	7 %
Corporate Parenting & Commissioning	14,656	11,176	9,309	1,867	17 %
Justice Services	471	213	206	7	3 %
Reviewing Team	289	214	213	1	-
Care Experienced Children & Young People	-	(51)	(51)	-	-
Children & Young People Mental Health & Wellbeing Funding	-	(62)	(62)	-	-
Efficiency Savings-Children's Services	(45)	-	-	-	-
Children's Services COVID 19 costs	-	-	7	(7)	-
				-	
Children's Services Total	19,584	14,533	12,452	2,081	-

Appendix 1

Full Year Forecast	Full Year Variance
£'000	£'000
130	6
3,792	285
12,285	2,371
465	6
289	-
-	-
-	-
(68)	23
7	(7)
16,900	2,684



**REPORT TO: EDUCATION COMMUNITIES AND ORGANISATIONAL
DEVELOPMENT COMMITTEE ON 3 FEBRUARY 2021**

**SUBJECT: CHILDREN AND FAMILIES AND JUSTICE SERVICES SOCIAL
WORK SERVICE PLAN 2020-23**

BY: CHIEF OFFICER, HEALTH AND SOCIAL CARE MORAY

1. REASON FOR REPORT

- 1.1 To invite the Committee to consider the Children and Families and Justice Services Social Work Service Plan for 2020-23.
- 1.2 This report is submitted to the Education, Communities and Organisational Development Committee following a decision of Moray Council on 17 June 2020 to agree a simplified committee structure as a result of the COVID-19 Pandemic in the case of this committee the combining of the delegated responsibilities of Children and Young People Services, Governance, Strategy and Performance, (para 9 of the minute refers).

2. RECOMMENDATION

- 2.1 **It is recommended that Committee consider and approve the Service Plan for children and families and justice social work.**

3. BACKGROUND

- 3.1 Service planning is a key aspect of the Council's Performance Management Framework and is undertaken annually to set out the strategic direction for services over the coming months. Typically, actions are more certain in the short term but work will continue beyond a 12 month period and will feature in plans for more than a single year. There has been a delay in presenting service plans due to the Covid-19 pandemic and so these plans cover the period to April 2023 in order to recover the April planning cycle.

The Plan

- 3.2 The Children and Families and Justice Social Work Service Plan identifies the areas to be progressed over the next three years, with the ambition of improving outcomes for children and their families in their communities. The main focus will be on the model and approach of social work; the model and approach to commissioning at a strategic and individual level, and the subsequent contract monitoring; and to support Moray children who are living

out of area, to return to be closer to their families and communities where appropriate (**Appendix I**).

3.3 This plan will also contribute to support the ambitions of the Moray Children's Services Plan 2020/23.

3.4 Looking forward it is anticipated that a significant amount of planned work will be on improvement and modernisation of the approach of social work, informed by the Independent Care Review and The Promise. Operationally, the covid-19 pandemic will continue to have a significant ongoing impact on service delivery and management of time and resources. It is, very likely to affect services' ability to focus on planned work as well as responding to the operational context the pandemic creates. Nevertheless there remains within the services a clear commitment to progressing change.

4. SUMMARY OF IMPLICATIONS

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

The service plans were informed by the LOIP and the Council's Corporate Plan.

(b) Policy and Legal

Statutory requirements and council policies are considered by Manager's when preparing service plans for the year ahead.

(c) Financial implications

No additional financial resources are required to support the service.

(d) Risk Implications

Up to date risk registers are maintained and considered as part of the service planning process. The covid-19 pandemic will have an ongoing impact on services as resources are directed to the priority of responding to and adapting to COVID requirements. This will mean that resources may be diverted from the actions set out in the plan depending upon how the pandemic evolves.

(e) Staffing Implications

Service plans are integral to good management practice including workforce planning and assisting with communication about work plans for staff, identifying priorities and matching staff time to the Council's priorities.

(f) Property

There are no property implications arising from this report.

(g) Equalities/Socio Economic Impact

Managers consider equalities issues for staff and service users when assessing current service delivery arrangements and future requirements.

(h) Consultations

the Chief Executive; Senior Human Resources Advisor; Paul Connor, Principal Accountant; Morag Smith Senior Solicitor; Equal Opportunities Officer; Corporate Parenting and Commissioning Service Manager; Criminal Justice Service Manager and Tracey Sutherland, Committee Services Officer have been consulted in the preparation of this report and are in agreement as regards to their respective responsibilities.

5. CONCLUSION

- 5.1 Service plans have been prepared identifying the improvements targeted for the period up to April 2022. In preparing the plans managers have taken account of risk, performance data (including inspections and Best Value), the LOIP, the Corporate Plan and other relevant factors such as audit outcomes. Consideration has also been given to the impact of the Covid-19 pandemic and recovery that is required to respond to that. The service plans identify the resources allocated to each service and how these will be utilised to deliver core service requirements and improvements.**

Author of Report: Joyce Johnston, Acting Head of Children and Families and Criminal Justice Social Work

Background Papers: With Author

Ref: SPMAN-1108985784-499

Item 17.
COVID REVISED SERVICE PLAN

1. Service Definition:	CHILDREN AND FAMILIES AND CRIMINAL JUSTICE SOCIAL WORK SERVICES SERVICE PLAN 2020-23 A. Children and Families social work teams (East, West, Access); B. Placement Services. C. Youth Justice. D. Criminal Justice. E. Community Justice. F. Out of Hours team. G. Reviewing team. H. Associated business support. I. Cala (managed on behalf of children's service by adult services). J. Commissioned services
2. Service Resources:	REVENUE BUDGET: £19,276,000 FTE: 148.37

3. What have we identified for improvement in 2020/21	Recovery & Renewal (tick if app)	What evidence did we use to identify this improvement? Please add benchmark information wherever available and relevant to the improvement.
Our social work approach to how we work with people	<input type="checkbox"/>	LGBF on our numbers of children who are not living with their own families or in a family setting; learning from complaints; Effective and regular monitoring of available data to influence service delivery.
Our approach to commissioning	<input type="checkbox"/>	Contracts requiring to be reviewed; financial imperative to release savings identified through budget setting; refresh contracts that have been in place to ensure they are meeting the outcomes for children and their families; costs of placements; having to source places for children to stay in away from Moray; our Out of Area budget remaining at £6.5M, funding a very small number of people often in places far from home.
Keeping children who can't stay with their families in Moray	<input type="checkbox"/>	Independent Care Review findings and associated actions. Above two boxes of evidence are equally relevant here too.

COVID REVISED SERVICE PLAN

4. Strategic Outcome or Priority	Action	Planned Outcome	Recovery & Renewal	Outcome measures	Completion target	Lead	Priority Rating (1 high 3 low and 4 for ongoing, 5 for on hold?)
(L) Building a better future for our children & young people. (CP) Our People: Opportunity for people to be the best they can be CSP Priority 4; Improved outcomes for looked after and care experienced children and young people.	1. Children and young people looked after in kinship or foster care increases 2. Time taken and number of placements a young person experiences before achieving permanence reduces.	(L) Children and care leavers have safe, secure, stable and nurturing homes	Choose an item.	1. Increase the number and range of fostering households. 2. Increased % of children in foster, kinship and care at home. 3. % of brother and sisters remaining together within the same Foster Care placement. 4. Reduction in drift and delay as measured by PACE data. 5. Reduction in the number of children moving placement within the reporting year.	March 2023 with milestone annual improvements.	Joyce Johnston	1
(L) Building a better future for our children & young people. (CP) Our People: Opportunity for people to be the best they can be	1. Improve the identification and monitoring of care leavers and care experienced young people in the youth and criminal justice systems 2. Reduce any over representation of care leavers and care experienced young people in the youth and criminal justice systems	(L) The number of looked after children and care leavers who enter the youth and criminal justice systems is reduced	Choose an item.	1. Process in place which is consistently adhered to. 2. Reduce the % of care experienced young people in the youth and criminal justice systems.	March 2021 March 2023	Joyce Johnston	1

COVID REVISED SERVICE PLAN

(L) Building a better future for our children & young people. (CP) Our People: Opportunity for people to be the best they can be	1. Children and young people feel secure and supported in their relationships	(L) Looked after children and care leavers are enabled to maintain positive relationships with their family, friends, and other trusted adults.	Choose an item.	1. Baseline data to be collected to measure improvement. 2. % of Looked After Children report they feel more able to maintain positive relationships with family, friends and other trusted adults.	March 2021 March 2023	Joyce Johnston	
(L) Building a better future for our children & young people. (CP) Our People: Opportunity for people to be the best they can be	1. Intervene at the earliest opportunity to minimise the impact of neglect on children and young people 2. Intervene at the earliest opportunity to minimise the impact of parental substance use on family wellbeing. 3. Intervene at the earliest opportunity to minimise the impact of domestic abuse on children, young people and parents	(L) Children live in safe and supportive families (CP) Improved outcomes for our most vulnerable young people and families.	Choose an item.	1. % of young people who report feeling safe as a result of an intervention in the reporting year. 2. Number of children on child protection register. 3. Number of children on the Child Protection Register (per 1,000 of 0-15 population). 4. Reduction in the % of children on the Child Protection Register as a result of Neglect concerns. 5. Reduction in the % of children on the Child Protection Register as a result of Parental Substance Misuse concerns. 6. Reduction in the % of children on the Child Protection Register as a result of Domestic Abuse concerns.	March 2023 with milestone annual improvements.	Joyce Johnston	1

COVID REVISED SERVICE PLAN

				7. Number of children with child protection orders (per 1,000 of 0-15 population) 8. Number of children Looked After (per 1,000 population) 9. Number of children referred to Children's Reporter - non offence (per 1,000 0-17 population)			
--	--	--	--	---	--	--	--

5. Service Level Outcomes or Priorities	Action	Planned Outcome	Recovery & Renewal	Outcome Measures	Completion Target	Lead	Priority rating
Instigate transformational change programme	Complete Intermediate business care and get authorisation to progress with programme	The whole system has a clear road map to understand the change required to support children and families the way they want to be supported	Choose an item.	Change programme is underway	April 2021	Andy Doneghan	1
	Initiate the three work streams within the transformational change programme	1. Our practice model changes	Choose an item.	1. Families report feeling supported in how they look after their children	March 2022	Social Work Services Manager	2
		2. Our commissioning model changes		2. Contracts with commissioned services are explicit in what is expected of them to meet individual outcomes for the child or family they are commissioned to support	March 2023	Commissioning and corporate parenting service manager	2
		3. Our children return to Moray		3. Children return to live in Moray from where they currently live	March 2022	Social work services manager in conjunction with commissioning and corporate parenting manager.	2

COVID REVISED SERVICE PLAN

6. New – Recovery & Renewal Outcomes	Action	Planned Outcome	Recovery & Renewal	Outcome Measures	Completion Target	Lead	Priority rating
			Choose an item.				
			Choose an item.				
			Choose an item.				
			Choose an item.				
			Choose an item.				



**REPORT TO: EDUCATION, COMMUNITIES AND ORGANISATIONAL
DEVELOPMENT COMMITTEE ON 3 FEBRUARY 2021**

SUBJECT: CONTINUING CARE – POLICY REVISION

BY: CHIEF OFFICER, HEALTH AND SOCIAL CARE MORAY

1. REASON FOR REPORT

- 1.1 To inform the Committee of recommended changes to the continuing care policy and processes.
- 1.2 This report is submitted to the Education, Communities and Organisational Development Committee following a decision of Moray Council on 17 June 2020 to agree a simplified committee structure as a result of the COVID-19 pandemic. In the case of this committee the combining of the delegated responsibilities of Children and Young People Services, Governance, Strategy and Performance, (para 9 of the minute refers)

2. RECOMMENDATION

2.1 It is recommended that Committee: -

- (i) approves the procedures (APPENDIX A) relating to continuing care processes;**
- (ii) approves the proposed method for financial payments; and**
- (iii) agrees that an annual report is presented to Committee that confirms the budget being spent on continuing care, and which highlights whether the costs of continuing care are in excess of budget allocation.**

3. BACKGROUND

- 3.1 The Children and Young People (Scotland) Act 2014 (the Act) is made up of various parts which place duties on the Council with the aim of improving services to children and young people. Part II of the Act places duties on local authorities in relation to young people who have been looked after, to support them as they transition into adulthood. The ethos of this part of the Act is to encourage young people to remain in their care placement and to be supported for longer once they have reached adulthood.

- 3.2 The right to continuing care applies to eligible young people who are looked after within foster care, approved Kinship Care or residential care placements. It affords young people more choice and places a duty on the local authority to provide continuity of support that meets the welfare needs of the young person up to their 21st birthday. The provision of support and the continuation of a care placement is to provide a bridge from the protected status of a looked after child to adult independence. The duty does not apply to young people who are placed in Residential Schools on the basis of educational placement request, young people in secure accommodation or young people who are looked after at home. The duty applies to young people who are looked after, at least 16 years old and who have a date of birth after 1 April 1999.
- 3.3 The existing policy and procedures for continuing care were approved by the Children and Young People's Services Committee on 18 October 2017 (item 14 of the agenda refers). At that time revision of the policy and procedures was indicated in October 2018 and October 2020, and authority to make amendments in line with legislative and practice issues was delegated to the Chief Social Work Officer. That delegation was at the period when the budget holder and Chief Social Work Officer was the same post holder. This report to Committee seeking approval for changes to the policy and procedures are considered to be wider than practice changes and are recommended at this time, when the budget holder and the Chief Social Work Officer are separate post holders.
- 3.4 In addition to the need for revision based on practice and procedure, this revision is necessary in response to the outcome of complaint made to the Scottish Public Services Ombudsman (SPSO). The need for revision of the continuing care policy, as one aspect of the outcome of that complaint, was reported to Council on (7 October 2020) and to Education, Communities and Organisational Development Committee on 18 November 2020, (para 6 of the minute refers) within the report "SPSO report on Continuing Care and Transitions". The policy for transitions is tabled as a separate item.
- 3.5 The policy and practice recommended at **APPENDIX A**, with associated tools in **APPENDICES I - VIII**, is consistent with Scottish Government guidance on Getting it Right for Every Child and with guidance on Continuing Care and the Welfare Assessment: Practice Note issued by the Centre of Excellence for Children's Care and a Protection (CELCIS), the Clan child law centre and the Care Inspectorate. See **APPENDIX B**
- 3.6 The inclusion of recommended practices within the policy, for young people who go to university or who are at college at distance from their home, were developed given one specific case that was being actioned through judicial review. The Council has a duty under regulations made under s29 Children (Scotland) Act 1995 to provide accommodation for young people at university/ college, see **APPENDIX VIII**, if that accommodation is not available to them at holiday periods.
- 3.7 The key points of interest and of potential risk that will be of most interest for Committee are the costs associated with the recommended policy and practices.

- (i) It is recommended that when a young person goes away to higher education their local authority foster carer or kinship carer, will receive the same sum as they had been receiving, in the year before the young people left to go to university. It is recommended that this should continue for the first year to ensure that the young person has the emotional support and option to return for support to what has been their known home.
- (ii) In the years following that initial year it is recommended that the carer will receive the pro rata equivalent of what are support accommodation project rates. The detail is in **APPENDIX A**
- (iii) For young people who remain in the continuing care of their foster or kinship carer, for the first year, the sums made payable will not change unless the young person earns a sum which is in excess of the living wage – in which case allowances paid will reduce.
- (iv) In the second and subsequent years, consistent with the approach for young people who are away from home at university, the sum payable will be that which is consistent with the sum payable for supported lodgings provisions. This would be whole week.
- (v) For young people who have been in independent foster care, the commissioning team will agree with the care provider rates which will not be less than those payable had the carer been a local authority carer.
- (vi) For young people who are cared for in residential care out of Moray, the commissioning team will agree with the care provider rates which reflect the ethos of the legislation but which also reflect the level of care that the young person is receiving from the care provider.
- (vii) For young people who are cared for in residential care in Moray, given that care is block funded it will be difficult to calculate the sum, for purposes of knowing how much budget is being spent on continuing care.
- (viii) It is in part for this reason that an annual report should be made to committee, to explore the numbers of young people who are in continuing care and to explore the budget that is aligned to continuing care.

3.8 The original report to Committee in October 2017 advised that the Scottish Government had provided additional funding to implement continuing care. The sum allocated to Moray to implement continuing care was £68,000, detail was contained within the report to Committee on 7 October 2015 (paragraph 9 of the minute refers). There is currently £147,000 funding available for Continuing Care for young people who choose continuing care as a placement option and remain in placement until they are 21 years old.

- 3.9 The report then identified the risk that there would be a sizeable shortfall in budget, given the guidance that care givers should experience no change in sums payable following change of status to continuing care.
- 3.10 Current numbers of young people choosing to remain in continuing care have been small; currently 3 and previously 4. Most having been from kinship care but increasingly some young people have been cared for in local authority foster care. There is one young person in residential care out of Moray.
- 3.11 The budget for continuing care has been met from the placement funding stream in which the young people had had their placement as a looked after child: in the main kinship care and fostering. At the Committee in October 2017 it was agreed that as placements are made in continuing care, the budget from the budget stream in which the young person had been cared would move into the continuing care stream whenever possible, without creating overspend in the original budget stream. That has been the practice to date. Discussion with accountancy has confirmed that especially for the young people who move to continuing care from fostering and kinship care, given the underspend in the fees and allowances this alignment is affordable at this time.
- 3.12 However there are issues as noted in aligning the budget for young people who are in residential care both within and out of Moray.
- (i) Within Moray there is an allocated budget (Cala) or a contract sum (Action for Children). Reporting will be on the number of young people who are cared for on the basis of continuing care. The budget however will be a crude calculation based on simple division.
 - (ii) Out of Moray the sum is made payable through the Additional Resource and Allocation Group (ARAG) based on the assessed needs of the young person; the legislation and the ethos of continuing care.
- 3.13 It might have been helpful to try to provide an estimate of possible future numbers of young people and estimated costs associated with continuing care but given the variables of age; months/ years that a young person may seek continuing care; the various care bases within which such care might be provided, giving an estimate is not possible. In the report to Committee in 2017 we did try to offer estimate but the table was not reflective of what happened for those young people, so confirms that an estimate is not a helpful indicator.
- 3.14 The aim of continuing care provision is to encourage, enable and empower young people to stay in an existing care placement until they are able to demonstrate their readiness and willingness to move on to independent living. The revision to policy and procedures as recommended and contained at **APPENDIX A** with associated appendices, is reflective of the legislation, the guidance that has been developed by CELCIS, the Care Inspectorate and Clan Law and addresses the outcome and requirement from the SPSO complaint and outcome relating to continuing care.

4. SUMMARY OF IMPLICATIONS

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

The Children's Services plan 2020/23 identifies improving outcomes for looked after children as a key priority the Children and Families and Justice Social Work service improvement plan identifies actions to be taken to support these improvements the Corporate plan (2020 update) identifies the following priorities:

Work with families as partners to give their children the kind of lives they want them to lead so that children grow up to be strong and resilient;
Improve the life chances and outcomes for care experienced children and young people
Improvement in children and young people's health and well-being

(b) Policy and Legal

The relevant legislation and policies are detailed within the report.

(c) Financial implications

The financial implications are unknown. The risk is concerned with significant shortfall in budget. The proposal is to continue to align budget as the young person moves from one care base to continuing care when possible and to report on this annually to Committee.

(d) Risk Implications

The risk is noted in the body of the report in that there was the requirement made by the SPSO to review policy for continuing care and further, in relation to one young person the case was settled prior to judicial review.

(e) Staffing Implications

There are no direct staffing implications associated with this report.

(f) Property

There are no direct property implications associated with this report.

(g) Equalities/Socio Economic Impact

An equality impact assessment was carried out and found no negative impacts.

(h) Consultations

Chief Executive, Moray Council; Chief Social Work Officer; Head of Service, Children & Families & Criminal Justice Services; Senior Human Resources Adviser; Principal Accountant, Morag Smith, Senior Solicitor, Tracey Sutherland, Committee Services Officer and the Equal Opportunities Officer have been consulted in the preparation of this report and are in agreement with the content relating to their areas of responsibility.

5. CONCLUSION

- 5.1 It is recommended that Committee approves the revision to the policy and provision for continuing care.**
- 5.2 That annually a report on the number of children and costs for continuing care is submitted to Committee. It is recommended that this is forwarded to Committee following end of financial year, so that detail of budget is known.**

Author of Report: Jennifer Gordon Corporate Parenting and Commissioning Manager

Background Papers: SPMAN-1108985784-541

Ref:

Appendix 1

**OUTCOMES OF PATHWAY INITIAL ASSESSMENT - CONVERSION TO CONTINUING CARE PLACEMENT & REVIEW**

At least three months prior to a young person's 15th birthday, but preferably before, a Looked After Child Review (LACR) will trigger a request for a Pathway – Initial Assessment to take place. This assessment will be carried out by either the young person's currently allocated Social Worker, or after discussion with the young person, a social worker from the Placement Services Team (through care) and fully involve the young person, their family and all others who are supporting the young person (the team around the young person).

The Pathway – Initial Assessment will be completed in time for the next LACR and one of four possible outcomes will be agreed. These are:

1. YP would like the opportunity to stay within their current placement for a continued period of time and this may extend until they are 21: the young person wishes this to start at the age of 18.
2. YP would like the opportunity to stay within their current placement for a continued period of time and this may extend until they are 21: the young person wishes this to start at the age of 16 (note: YPs subject to a PO cannot enter continuing care until they are 18).
3. YP would plan to leave their placement by their 18th birthday – and does not wish continuing care prior to this.
4. YP would plan to leave their placement on or just after their 16th birthday.

Outcome 1 - stay within their current placement for a continued period of time and this may extend until they are 21 and wishes this to start at age 18.

If YP in a local authority foster-care placement or residential placement, actions to be taken are:

1. Foster-carer or residential placement to confirm that they are, in principle, available for the YP's continuing care placement. If they are not then the team to work with the young person on what are appropriate next steps.
2. Conversion of foster-carer to a continuing care provider to be progressed before YP's 18th birthday if they are not already approved as a continuing care provider.
3. Confirmation of approval of residential house to be a continuing care placement, if necessary.
4. If continuing care placement available, in principle, then actions require added to Child's Plan to enable review of progress.
5. Full Pathway Assessment (which incorporates the Welfare Assessment) to be undertaken by YP's 17th birthday (allocated to a Throughcare/Aftercare Worker)

6. YP Planning Meetings to continue.
7. 6 Monthly LAC reviews to monitor Child's Plan, while the young person remains looked after.

If YP is in an independent foster-care placement or residential placement, actions to be taken are:

1. Foster-carer or residential placement to confirm that they are, in principle, available for the YP's continuing care placement. If they are not then the team to work with the young person on what are appropriate next steps.
2. Conversion of foster-carer to a continuing care provider to be progressed before YP's 18th birthday if they are not already approved as a continuing care provider.
3. Approval of residential house to be a continuing care placement, if necessary.
4. The commissioning team will begin negotiations with current provider in relation to level of future funding once continuing care provider for YP.
5. The Additional Resource Allocation Group (ARAG) to be approached in relation to approval for continued funding of placement – if not agreed then YP to follow an appeal process (Still to be developed)?
6. If continuing care placement available, in principle, then actions require added to Child's Plan to enable review of progress.
7. Full Pathway Assessment (which incorporates the Welfare Assessment) to be undertaken by YP's 17th birthday (allocated to a Throughcare/Aftercare Worker)
8. Child Planning Meetings to continue
9. 6 Monthly LACRS to monitor Child's Plan.

Outcome 2 - YP would like the opportunity to stay within their current placement for a continued period of time and this may extend **until they are 21 and wishes this to start between the ages of 16 and 18.**

If YP in a local authority foster-care placement or residential placement, actions to be taken are:

1. Check that the young person is not on a PO.
2. Foster-carer or residential placement to confirm that they are, in principle, available for the YP's continuing care placement. If they are not – then the team to work with the young person on what are appropriate next steps.
3. Conversion of foster-carer to a continuing care provider to be progressed before YP's 16th birthday if they are not already approved as a continuing care provider.
4. Approval of residential house to be a continuing care placement, if necessary.
5. If continuing care placement available, in principle, then actions require added to Child's Plan to enable review of progress.
6. Full Pathway Assessment (which incorporates the Welfare Assessment) to be undertaken following Pathway Assessment – no need to wait until next LACR. This task to be allocated to a Throughcare/Aftercare Worker).
7. Be mindful of the need to alter legal status, i.e., cessation of CSO.
8. YP Planning Meetings to continue.
9. 6 Monthly LACRS to monitor Child's Plan until conversion to a continuing care placement is complete.

If YP is in an independent foster-care placement or residential placement, actions to be taken are:

1. Foster-carer or residential placement to confirm that they are, in principle, available for the YP's continuing care placement. If they are not then the team to work with the young person on what are appropriate next steps.

2. Conversion of foster-carer to a continuing care provider to be progressed before YP's 16th birthday if they are not already approved as a continuing care provider.
3. Approval of residential house to be a continuing care placement, if necessary.
4. Commissioning team to begin negotiations with current provider in relation to level of future funding once continuing care provider for YP.
5. ARAG to be approached in relation to approval for continued funding of placement – if not agreed then YP to follow appeal process (Moray Council Complaints procedure?)
6. If continuing care placement available, in principle, then actions require added to Child's Plan to enable review of progress.
7. Full Pathway Assessment (which incorporates the Welfare Assessment) to be undertaken following Initial Pathway Assessment – no need to wait until next LACR. This task allocated to a Throughcare/Aftercare Worker.
8. Be mindful of the need to change legal status, i.e., cessation of CSO.
9. 6 Monthly LACRS to monitor Child's Plan until conversion to a continuing care placement is complete.

Outcome 3 – YP plans to leave their placement by their 18th birthday (and does not wish Continuing Care prior to this), actions to be taken are:

1. Throughcare/After Worker to be allocated to YP at age 16 at the latest, to begin to build a relationship and focus on options for future in relation to, housing, further education etc.
2. Child's Plan to be updated to show focus on supporting young person to move into more independent living and what is required for this to happen.
3. YP Planning Meetings to continue.
4. 6 Monthly LACRS to monitor Child's Plan.
5. ***Remain alert to the young person changing their views and possibly seeking continuing care.***

Outcome 4 - YP would plan to leave their placement on or just after their 16th birthday

1. Throughcare/After Worker to be allocated as a matter of priority to the YP to begin to build a relationship and focus on options for future in relation to, housing, further education etc.
2. Child's Plan to be updated to show focus on supporting young person to move into more independent living and what is required for this to happen.
3. YP Planning Meetings to continue.
4. 6 Monthly LACRS to monitor Child's Plan.
5. ***Remain alert to the young person changing their views and possibly seeking continuing care.***

LACRs to confirm start date of Continuing Care Placement and transfer of financial components of support (if Adult Services are supporting YP) and lead professional to be identified if more than one agency involved in support.

FOLLOWING CONTINUING CARE PLACEMENT START DATE

1. 3 month review meeting to be organised by lead professional for YP. The framework for this meeting will be the Pathway Planning process. If a transfer between the young person's Childcare Social Worker to a Throughcare/Aftercare Worker has not happened before this meeting, then this will be the happen here.

2. Annual reviews thereafter, or at a frequency agreed by young person and support organisations.
3. Annual review to be timed for just before a YPs 20th birthday to look at all options for the YP following their 21st birthday. Remember, when the continuing care placement ends that the YP is entitled to Aftercare support.

Author:

Gillian McIntosh

Consultant Practitioner

Date: 10-12-20

DRAFT 10-12-2020

**Appendix 2****Guidance Note: Pathways and Continuing Care assessments**

1. For all young people teenage years are full of changes and intense and often polarised feelings. There is a natural inclination to extend outside of the family home, often with peers, and often, to push the boundaries put in place by parental figures. They have a lot to deal with and more so if care experienced.
2. When there is an expectation that a child or young person will be accommodated following their 16th birthday, the Lead professional and care givers need to be mindful of the necessary processes in relation to the implications of the young person's age. It is considered not helpful to introduce a Pathway assessment only through the context of age which may give the message of an expectation of moving on, when actually the young person's best interests are much more likely to be served by supporting them within the family and relationships where they are.
3. For Throughcare workers being introduced into a family or other care placement when a young person reaches the age of 15, there is an inherent challenge in achieving the balance of the right message. The goal should be that of incrementally gaining independence skills while remaining in their placement.
4. The expectation of care continuing up until 21 requires attitudinal change which although underway is not yet fully embedded, for either carers or young people themselves, so again, the professional role is that of conveying this message and information from an early stage.
5. For these reasons a two- stage Pathway assessment process is recommended, with the initial assessment starting between the young person's 14th and 15th birthdays. Initially, this should be a fairly basic exploration about the wishes and expectations of young person and carers, and an opportunity to offer relevant information and guidance about the future with this being clearly recorded. If the discussions are reflecting that at this stage in care there is a sense that the young person believes that they may wish to remain in placement until they reach their 21st birthday, then the full Pathways/ Continuing Care assessment can be deferred until their 17th birthday: there are risks with that which need to be explored. The risks being that the young person has a change of plan in which case assessments would need to be accelerated to try to catch up to ensure fresh, effective and responsive planning. Conversely, if the young person has complex needs then an extended transition period may be useful in terms of early identification and exploration of what the young person may need from Adult services following their 18th birthday so that they experience as seamless a transition as possible.
6. Alternatively, if the young person is keen to move on at 16, or this may happen because the young person is fluid in their thinking, then the full assessment can proceed following the initial assessment.
7. The achievement of better understanding regarding status and financial support for carers as well as young people means that all concerned will know what they can expect and plan with greater confidence. Increasingly kinship and foster carers hear about Continuing Care from recruitment and assessment onwards, so they are well placed to engage in these discussions. There may need to be greater emphasis on sharing this knowledge and understanding with birth relatives too.

Ailsa Williams
Senior Social Worker
Through care/Aftercare Team
Approved March 2021

Gillian McIntosh
Consultant Practitioner
July 2020
Revision date – March 2022



THROUGH-CARE/AFTERCARE SERVICE PATHWAYS INITIAL ASSESSMENT

Aims:

For most young people, from the age of 14 or 15 onwards, thoughts and early planning turn to the future and what their path forward might look like. This report reflects that process with young people who are formally looked after (and accommodated) through the Moray Council. We hope and expect that young people will remain in their current care placement for as long as this will meet their needs. This means that a number of young people will remain in their placement until they are 21. This process is to ensure that young people and their families have access to all the information and help that they will need when the time comes to decide on their own pathway to the future.

This Pathway planning reflects the requirements of Sect 29 of the Children (Scotland) Act 1995 and The Children and Young People (Scotland) Act 2014.

This assessment should be presented and discussed at a Looked After Child Review when the Young Person is 15, or earlier if a future transition to Adult Services may be appropriate.

'Data Protection' – the information you have supplied will be used for the purpose for which you have provided it, and any relevant procedures following on from this. The data will be maintained in accordance with the Data Protection Act 2018 and will not be passed on or sold to any other organisation without your prior approval unless this is a legal requirement.

Young Person's Details			
Name :		Previous names used	
Social Work No:		DoB :	
Home address :		Gender :	
		Ethnicity	
		Telephone No :	
Non-disclosure of address		Reason :	
Current address (if different) :			
Any conditions/disabilities?			
Communication needs:			

Important people in young person's life:		
Name	Relationship	Consent given by the young person for that person to receive a copy of Assessment (All / Part or None)
		All / Part – Plan Only / No
		All / Part – Plan Only / No
		All / Part – Plan Only / No

GP	
Name of GP :	
Contact details :	

Lead professional	
Name :	
Role :	
Contact details:	

Legal Status / Measures – Current + Previous
Legal orders (SCRA / Court)

Summary of discussions and current circumstances

--

Check list	YES	NO	N/A	Who will do this? and other notes				
Does the young person have a Passport?								
Does the young person have a copy of their Birth Certificate								
National Insurance								
Does the young person have a Bank account?								
That issue re contracts on behalf of the yp – and when they may transfer over?								
Is the young person planning to remain in current situation up to at least 18?				Yes No				
Would the young person like to remain in Continuing Care thereafter – possibly up to their 21st birthday?				Yes No				
Who will carry out the full Pathway Assessment and/or Continuing Care transfer and when?								
Transitions worker required to support and coordinate a potential move to adult services?				Yes No				
Is a Throughcare/Aftercare worker to remain/become involved at this point?				Yes No				
Who will be the Lead Professional and coordinate the young person's Childs Plan?								
Outcome of Initial Assessment and future actions (to be recorded on young person's Child Plan)								

--

Young Person/ Parent / Carer Views on Assessment			
Young Person			
Parent if they have legal rights and responsibilities			
Carers views			
Areas of dissent:		Actions to be taken:	

Date of completion:			
Completed by (name and job title):			
	Signature	Date	
Young Person			
Parents			
Carers			
Social Worker			
Senior Social Worker			

Author:
 Gillian McIntosh
 Consultant Practitioner
 10-12-20
 Revision due:



THROUGH-CARE/AFTER-CARE SERVICE

PATHWAYS and WELFARE ASSESSMENT

FOR

GDPR and the Data Protection Act 2018 governs the way information is obtained, recorded, stored, used and destroyed. Health & Social Care Moray, Moray Council and NHS Grampian comply with all the requirements of the Act and ensure that personal data is processed fairly and lawfully, that it is used for the purpose it was intended and that only relevant information is used. Health & Social Care Moray will ensure that information held is accurate, and where necessary kept up to date and that appropriate measures are taken that would prevent the unauthorised or unlawful use of any "personal information".

Name:		Care First No:	
Address:		Date of Birth:	
Telephone Number:		National Insurance Number:	
Author of Assessment:		Date:	

Reason for Assessment

Health & Wellbeing

Current strengths

Areas to make progress

What support may be needed

Lifestyle (Emotional/Behaviour Development & Identity)

Current strengths

Areas to make progress

What support may be needed

Family & Friends (Relationships including Social Skills)

Learning & Work (Education/Training/Employment)

Accommodation (Practical & Self Care Skills)

Financial

Rights & Legal Issues

Is the young person requesting Continuing Care?

If so, is the conclusion of the assessment that Continuing Care meets the young person's welfare needs?

Support Network

Name & Designation:	Address:	Telephone Number:	Young person has consented or not – mark clearly – to that person receiving a copy of Assessment & Plan (All / Part or None)
			All / Part – Plan Only / No
			All / Part – Plan Only / No
			All / Part – Plan Only / No
			All / Part – Plan Only / No
			All / Part – Plan Only / No

I have either read the contents of this assessment or the contents have been explained to me in full and I agree with it.

I give my permission to share the information held within this assessment as required with the people above.

Young Person's Views of the assessment:

Recommendation

Date:

Young Person's Signature:

Social Worker's Signature:

DRAFT - V8 - 10 12 2020

Throughcare Support Plan

What is the issue / concern or task?	What do we want to achieve? (SMART-objectives)	Who will do this?	What will be done?	When will this be done?	How will we measure progress?
Health & Wellbeing (Including Emotional)					
Lifestyle					
Family & Friends					
Learning & Work					
Accommodation					
Money					
Rights & Legal Issues					

Level of Support (approximate assessed requirement of support)

Worker/s	Named Person/s	Days of Support	Estimated Allocated Time
Social Worker			
Support Worker			

Date:

Young Person's Signature: Key Worker/Foster Carer's Signature:

Case Social Worker's Signature: TC/AC Worker's Signature:

Supplementary Support Plan

(Following Assessment, if additional tasks are identified at any Core Group Meeting then they should be added to this Plan with entry date).

What is the issue/ the concern or task?	What do we want to achieve? (SMART objectives)	Who will do this?	What will be done?	When will this be done?	How will we measure progress?
Health & Wellbeing – (Including Emotional)					
Lifestyle					
Family & Friends					
Learning & Work					
Accommodation					
Money					
Rights & Legal Issues					

Level of Support (approximate assessed requirement of support)

Worker/s	Named Person/s	Days of Support	Estimated Allocated Time
Social Worker			
Support Worker			

Date:

Young Person's Signature: Key Worker/Foster Carer's Signature:

Case Social Worker's Signature: TC/AC Worker's Signature:

DRAFT - V8 - 10 12 2020



Pathways & Welfare Assessment - Guidance

General notes

The Pathways assessment process is in equal part, one of sharing information about alternatives and adult systems, and finding out about the young person and their strengths, needs and preferences so that together the young person and the worker/s can explore what support is needed as they go forward.

As with any social work assessment, the worker should use their skills in getting to know the young person, meeting and talking with them and the people who are relevant to them, gaining a rounded understanding of them and their life. Gaining an understanding of their history and relationships through reading previous records is also necessary.

The full Pathways Assessment may proceed at 15, **or earlier** if the young person may be expected to require additional services in future to ensure, not only, that the transition to any adult services which are needed to support the continuing care placement are in place but that the young person experiences as seamless a transition as possible. If the young person is expected to remain looked after and accommodated until they are 18 and there are not complex issues to be considered, then full assessment may be deferred until 17 this will have been determined by the Initial Pathways Assessment.

Once started, the assessment should be completed in a 6 – 8 week period, and be presented to the next Looked After Child (LAC) review, so that recommendations can be formally discussed and endorsed or changed.

For some young people this period of intensive work is likely to establish their relationship with the TCAC service; respectful relationships are crucial with the young person and the team around that young person.

Information to be given to young person:

- Continuing Care
- After Care rights and what the service looks like
- Education supports, options and care- experienced supports
- Support into work
- Accommodation options and systems
- Financial supports

Assessment

The following questions provide suggested areas that can guide conversations, and enable you to provide an assessment that is relevant to the young person. Not all the suggestions in each heading below will be relevant in every case.

A. Safe and Risk

1. Does the young person feel safe in their current accommodation/placement?
2. Does the young person feel safe in their local community?
 - are they at risk of harm from others in the community
 - able to access support locally
 - are there historic abuse concerns locally?
3. Does the young person understand online / Internet Safety?
4. Does the young person have any self-harm issues?
5. Does the young person pose a risk to their local community?
6. Is the young person drawn to risk- taking activities?
7. Does the young person use illicit substances / alcohol / tobacco?
8. Is the young person putting themselves at risk of harm in the obtaining of illicit substances? This harm could be legal, in that they could attract the attention of Criminal Justice Services or physical or emotional as they may have to make negative associations with others to obtain substances.
9. Is the young person at risk of harm from overdosing or mixing substances?

B. Health and Wellbeing

1. Is the young person registered with a Medical Practice / Dentist / Optician / other health professional (such as a Diabetes or Dietetic practitioner)?
2. Does the young person know how to register and make appointments with a medical services, such as a Medical Practice, and are they able to do it?
3. Does the young person have any regular and ongoing involvement with any healthcare professionals?
4. Does the young person have any additional needs, health condition or diagnosis that affects how they function? If so, what are the implications of this?
5. Has the young person had all their vaccinations?
6. Does the young person take any regular medication?
7. What does the young person do to make themselves feel better when their life feels challenging? How does the young person self-nurture?
8. Where does the young person go, who does the young person associate with for a nurturing or comforting experience?
9. What is the young person's diet like?
10. Does the young person understand the value of exercise?
11. Does the young person engage with any physical activity? This does not need to be formal exercise, it could be walking / cycling socially or for transport.

C. Lifestyle and Identity

1. Does the young person identify with any particular gender?
2. Does the young person understand safe sex practice?
3. Is the young person sexually active?
4. Does the young person feel that they are a confident person, or do they feel that they lack confidence? What areas of life does the young person feel confident in engaging with?
5. How does the young person interact with people and officials? Are they able to engage easily in conversation with people socially? More formally?
6. Does the young person experience any language barriers or issues with communicating with others?
7. To be observed rather than asked?: Does the young person take care of their presentation? Is it felt that their presentation, if poor, might be indicative of less than ideal mental wellbeing?
8. What are the young person's strengths, talents, hobbies and interests?

9. Does the young person engage in activities and interests (such as hobbies, employment, education, a significant social circle) that could be said to evidence that they are not isolated from society?
10. Does the young person feel that they experience issues which makes them withdraw from society and are therefore becoming socially excluded and isolated?

D. Family and Friends

1. Who does the young person consider to be their family and who is important to them?
2. Do they wish to remain in their current living situation under Continuing Care?
3. What contact does the young person have with their birth family?
4. What are relationships like between the young person and the various members of their birth family?
5. Where does the young person celebrate special occasions such as Birthdays and Christmas?
6. Does the young person have close and possibly nurturing friendships?
7. Does the young person feel that their peer friendships are a positive influence upon their lives?
8. Is the young person easily led by their peers or other people in their lives? Are they drawn into engaging in negative or destructive behaviours that they would rather not be involved in?

E. Learning and Work

1. Is the young person still at school? Are they attending regularly?
2. Does the young person have any additional learning needs?
 - If so, how are these met?
 - How significant will they be for their life after school?
3. Is the young person currently engaged in any education, training or employment?
4. What are their hopes and aspirations? Has the young person thought of what they want to do after school regarding education, training or employment?
5. Has the young person achieved qualifications?
6. Has the young person met an SDS worker/ Careers advisor?
7. Is the young person good at keeping appointment times? Would they need reminders to attend appointments?

F. Accommodation, Practical and Self-Care Skills

1. What is the young person's current living situation?
2. What would the young person like their next accommodation to be? Where would this be?
3. What domestic tasks does the young person currently undertake?
4. What domestic tasks can the young person do, but does not do?
5. Does the young person know of all the varieties of accommodation that exist? These should be explained to the young person.
6. Has the young person completed an Apply4homes application and a HomeHunt application for Grampian Housing Association?
7. Does the young person know about the After Care Grant available from Placement Services? Explain this to them if they have not heard of this.
8. Does the young person have any awareness of the responsibilities that come with having a tenancy, for example gatekeeping, paying bills etc..?
9. Discuss the potential for feelings of loneliness and isolation when living alone in a tenancy and think about ways to address these feelings should they arise.
10. Does the young person have any furniture of their own that they could take to a tenancy as and when one is offered?
11. Discuss with the young person the items that they would need for a tenancy, e.g. Flooring, white goods, kitchen equipment, lightbulbs etc...

G. Financial

1. What level of experience and ability does the young person have of managing money? What support do they currently have with this?
2. Does the young person have a Bank Account?
3. Does the Young person have an ISA?
4. Does the young person have any form of income?
5. Discuss the Financial Assessment, carry this out when appropriate and explain the responsibilities and value of Income Maintenance.

H. Rights and Legal Issues

1. Ensure that the young person is informed about their rights to
 - Request Continuing Care
 - After care support up to 26 yrs.
 - Financial supports (IM, Care experienced education bursaries)
2. Does the young person have a passport?
3. Do they have any personal legal concerns e.g. name change,
Has the young person has any contact with the Police?
4. Does the young person have a Criminal Justice Social Worker or a Youth Justice Social or Support Worker?
5. Does the young person have any Charges that are still to be addressed by the Courts or Criminal Justice Social Work?
6. Does the young person know what the Citizens Advice Bureau do and its location?
7. Does the young person know what Trading Standards can help with, and do they know its location?

Ailsa Williams
Senior Social Worker
Throughcare/Aftercare Team
August 2020

Approved March 2021

Review March 2022



Continuing Care and the Welfare Assessment: Practice Note

Research tells us that raising the age at which young people move on from care is the most direct way of increasing their likelihood of a successful transition into adulthood. This consistent research evidence from home and abroad informs both the [Staying Put Scotland Guidance \(Scottish Government, 2013\)](#) and [Part 11 \(Continuing Care\) of the Children and Young People \(Scotland\) Act 2014](#). Evidence shows that extending care placements is associated with sustaining better educational and employment outcomes than leaving care early and with young people receiving more assistance after leaving care.

Part 11 (Continuing Care) of the 2014 Act provides the legislative framework to 'encourage, enable and empower' looked after young people to remain in positive care placements longer. It builds on the principles and philosophical underpinning provided by the Staying Put Scotland Guidance. Section 26A of the 2014 Act places a legal **duty** on local authorities to support looked after young people to remain in positive care until aged **21** years.

The Guidance emphasises the crucial importance of continuity of relationships and the expectation that staying put in positive continuing care arrangements becomes the default and new norm for Scotland's looked after children and young people.

The term Continuing Care refers to a local authority's duty to provide young people whose final looked after placement, on or after their 16th birthday, was in foster, kinship or residential care with the same accommodation and other assistance as was being provided by the local authority, immediately before the young person ceased to be looked after.

Continuing Care enables a young person to remain in the same placement they were in when they were looked after. It should not be used as an alternative to remaining looked after under the Children (Scotland) Act 1995 if it is in the best interest of the young person. A young person who is currently looked after under section 17(6) of the 1995 Act should remain 'looked after' up until the age of eighteen years if that is in their best interest. The Care Inspectorate has produced guidance on admission to care services and Continuing Care to support young people remaining in their placement beyond the age of 16 years.

Continuing Care is available to all eligible young people who were looked after in foster care, in formal kinship care (if they were looked after under section 17(6) or section 25 of the Children (Scotland) Act 1995) and in residential care. This includes young people in foster care or residential education/care purchased by the local authority from private and third sector providers. There are certain caveats to this alongside key processes and considerations, and the aim of this paper is to help to bring greater clarity and understanding, and to support implementation of Continuing Care in practice.



There are three circumstances where a local authority does not have a duty to provide Continuing Care to an eligible young person:

- a) If the young person was accommodated in secure care immediately before ceasing to be looked after;
- b) If the young person was in a care placement where the carer/provider has indicated that they are unable or unwilling to continue to provide the placement; or
- c) If the local authority considers that providing the care would significantly adversely affect the welfare of the person.

Notwithstanding points a) and b) above, the guidance clearly emphasises that the **only** reason for failing to provide Continuing Care is if to do so would significantly adversely affect the welfare of the young person (section 26A(5)(c)). This must be evidenced in a **Welfare Assessment** that meets the requirements of [The Continuing Care \(Scotland\) Order 2015](#) as soon as reasonably practicable before the person ceases to be looked after by the local authority.

Key considerations

- A Welfare Assessment **must** be carried out.
- It is a legal duty on all local authorities for all prospective care leavers, and is not optional.
- The welfare assessment does not need to be a stand-alone assessment and can be incorporated into any existing young person's care plan/Looked After plan/Pathways Assessment and Plan – but it must be clear and explicit.
- There is a legal requirement to make a separate decision about welfare and to provide that decision in writing.
- The assessment has to be carried out within a reasonable time **before** the person leaves care
- The views of the young person must be taken into account and the views of family, anyone with parental responsibilities, carers and accommodation providers, school, college or university and health professionals can be sought and, when sought, must be taken into account.
- The local authority has to record all of these views in a written record and make that record available to the young person again 'as soon as reasonably practicable'
- The young person must be given the decision that comes from the Welfare Assessment and have it explained to them.

The regulations set out the things that must legally be considered by the local authority in carrying out a Welfare Assessment so that this is intended as a comprehensive analysis of what support and accommodation the young person needs and will need into adulthood. It is something that should take time – it is intended to take time.



The involvement of the young person at an early stage should also ensure that they can exercise their right to seek advocacy or advice if needed. The local authority must seek and have regard to the views of the young person. However, a welfare assessment must be carried out, and continuing care provided, even where the young person cannot or does not wish to give their views or attend and participate in any meetings.

The Welfare Assessment should cover:

- The young person's emotional state, day-to-day activities, personal safety, influences and identity.
- Family relationships, children, other caring responsibilities, life story, friends and relationships with other significant people including carers.
- General health (including any mental health needs), contact with health services, medical conditions and disabilities and emotional and mental wellbeing.
- Schooling, skills and experience, qualifications and certificates, training and work.
- Future plans for study, training or work.
- The young person's current accommodation arrangements, practical living skills, accommodation options for the future and any support required for everyday living.
- Sources of income, outgoings, savings and debts, requirement for financial support and budgeting skills.
- Knowledge of their rights and legal entitlements, any previous or current involvement in legal proceedings, including criminal proceedings as a victim, witness, or alleged perpetrator.

A comprehensive, holistic person-centred assessment would generally cover all of the above points as a matter of good practice. These key points align with the key considerations of both the SHANARRI wellbeing indicators and what should be included in a comprehensive and holistic pathways assessment.

The above points clarify the legislative requirements when undertaking a Welfare Assessment. We would, however, also refer practitioners and managers to the Continuing Care (Scotland) Order 2015 itself and to the underpinning principles and philosophy of care outlined in the Staying Put Scotland Guidance. Continuing Care should be considered the default option for young people who are looked after away from home on, or after, their 16th birthday, and they should be 'encouraged, enabled and empowered' to stay put in positive care placements. Individual care plans and service planning processes should anticipate, expect and plan for children and young people electing to 'stay put', with relational practice informing, guiding and supporting this. Additionally, service planning and commissioning processes should anticipate, expect and plan for young people remaining in positive care placements as a matter of course.



References

Care Inspectorate (2019) Guidance for services on the provision of Continuing Care
https://www.careinspectorate.com/images/Guidance_for_services_on_the_provision_of_continuing_care.pdf

Care Inspectorate (2020) *Matching Looked After Children and Young People: Admissions Guidance for Residential Services*
<https://hub.careinspectorate.com/media/4033/admissions-guidance-for-residential-services.pdf>

Cashmore, J. and Paxman, M. (2006) *Predicting after-care outcomes; the importance of 'felt' security*. Child and Family Social Work, 2006, 11, 232-241

CEL CIS (2014) *The Children and Young People (Scotland) Act 2014, Parts 10 and 11 (Aftercare and Continuing Care)*, CEL CIS Inform Briefing
https://www.celcis.org/files/3914/5563/2193/Children_and_Young_People_Scotland_Act_Pt_10_and_11_New.pdf

Mann-Feder, V and Goyette, M. eds. (2019) *Leaving Care and the Transition to Adulthood*, New York: OU Press

McGhee, K. (2017) *Staying Put and Continuing Care: The Implementation Challenge*
https://www.celcis.org/files/4215/0641/7391/2017_Vol_16_2_McGhee_K_Staying_Put_and_Continuing_Care_The_Implementation_Challenge.pdf

Scottish Government (2013) *Staying Put Scotland: Providing care leavers with connectedness and belonging* <http://www.scotland.gov.uk/Resource/0043/00435935.pdf>

Scottish Government (2014) *Children and Young People (Scotland) Act 2014*
http://www.legislation.gov.uk/asp/2014/8/pdfs/asp_20140008_en.pdf

The Continuing Care (Scotland) Order 2015
<https://www.legislation.gov.uk/sdsi/2015/9780111026618/contents>

Scottish Government (2015a) *Children's Social Work Statistics Scotland 2013-14*. ISSN 1479-7569 <http://www.gov.scot/Resource/0047/00474429.pdf>

Scottish Government (2015b) *Children and Young People (Scotland) Act 2014: Guidance on Part 11: Continuing Care*. <http://www.gov.scot/Publications/2016/11/4644>

Stein, M. (2012) *Young People Leaving Care*. London: Jessica Kingsley



For further clarification, advice and guidance please contact:

Care Inspectorate:

enquiries@careinspectorate.gov.scot

CELICIS:

celcis@strath.ac.uk

Clan Childlaw:

info@clanchildlaw.org

APPENDIX A**CONTINUING CARE POLICY AND PROCEDURE****Contents**

1. Introduction
2. Scope of this Policy
3. Where, and for whom this Policy Procedure applies
4. General Principles
5. Relevant Legislation, Strategies and Policies
6. Involvement of the young person
7. Who is eligible for Continuing Care
8. Who is not eligible for Continuing Care?
9. Continuing Care Procedure
10. Potential Outcomes and Actions following the completion of a Pathway – Initial Assessment
11. Financial Support of a Continuing Care Placement
12. Young People who attend University or College away from their Continuing Care Placement
13. Reviewing of a Continuing Care Placement
14. Ending of a Continuing Care placement
15. Appeals Process
16. Performance Monitoring
17. Equalities Statement
18. Data Protection
19. Freedom of Information
20. Human Rights Act
21. Review and Feedback

List of Appendices:

1. Outcomes of Pathway Initial Assessment -> Conversion to Continuing Care Placement & Review
2. Guidance Note: Pathways and Continuing Care assessments
3. Pathways Initial Assessment
4. Full Pathway and Welfare Assessment
5. Practice Guide for Full Pathways and Welfare Assessment
6. Additional Practice Note – CELCIS, Clan Childlaw and The Care Inspectorate
7. Additional Resource Allocation Group (ARAG) Process

1. Introduction

It is recognised that care leavers have long had poorer outcomes than their non-Looked After peers, in terms of education, employment, and physical and mental health etc. Their needs are complex, reflecting backgrounds of trauma, loss and instability. Safeguarding and promoting their welfare and wellbeing can, therefore, be challenging. As a Local Authority, there are a number of duties and powers given on behalf of Care Leavers. Over the last few years, there have been a number of changes as the needs of this group of young people have been highlighted and focused upon.

The Staying Put Scotland Guidance (2013) promoted the needs of young people, focusing upon connectedness and belonging. It recognised that young people require support over an extended period of time.

The Children and Young People (Scotland) Act 2014 created the new provision of Continuing Care. This provision placed a duty on local authorities to provide care leavers, whose final placement was 'away from home', with a continuation of the kinds of support they received prior to their ceasing to be looked after. There was a phased implementation and some changes made but currently all eligible young people aged 16-18 years old can request Continuing Care, which means they can request to remain in their care placement up to their 21st birthday. This is a new legal status which results in the young person no longer being Looked After by the Local Authority – but it also does not make them immediately eligible for Section 29 Aftercare (Children (Scotland) Act 1995), as they will remain in a care placement.

This policy and practice guide focuses upon Continuing Care. The Scottish Government state that there are 3 main aims or objectives to the principle of Continuing Care:

- To address the inequalities between looked after children and their non-looked after peers by providing a stable home and ensuring that young people are not discharged from care until they are prepared and ready to leave;
- To improve the assessment, preparation and planning for young people leaving care; and
- To provide better personal support for young people after leaving care.

(Taken from Guidance on Part 11 (Continuing Care) of the Children and Young People (Scotland) Act 2014)

The Independent Care Review published in February 2020 also told us that children and young people need any transitions to be: limited in number, be relational, be planned and young people must be informed and involved as much as possible and it would be the vision that this policy and procedure will meet these needs and, therefore, this policy will be reviewed at least on an annual basis to ensure that the Moray Council are "Getting it Right" for the young people who are eligible for, and enter, Continuing Care.

2. Scope of this Policy

This policy focusses on the transitions of young people, including those with additional support needs, between being supported through the Looked After process to being supported within the Continuing Care process.

The policy supports the effective assessment, planning and review process for each young person to support this change to happen as efficiently as possible.

This policy should be read in conjunction with the Transitions from Children Services Policy as this outlines the assessment process which will identify the route which will best meet the young person's needs and provide the best outcomes for them as they move to adulthood.

3. Where, and for whom this Policy Procedure applies

This policy principally applies to Social Work professionals employed by the Local Authority but will be of interest to all professionals who support Looked After Children, who are accommodated on their 16th birthday, or anyone else who has an interest, either personal and professional, in the subject.

4. General Principles

The core principles of this policy emphasise the importance of having a strong, explicit philosophy of care which promotes actively delaying the exit of young people from their care placement up to the age of 21, and continuing in that setting until they are confident, skilled and ready to move on.

Similar principles are outlined in the Scottish Government's "Staying Put Scotland" document:-

- Young people are encouraged, enabled and empowered to remain in positive care settings until they are ready to move on.
- No looked after young person leaves care without the skills and support necessary for success.
- Local authorities and their corporate parenting partners will have made explicit their commitment to the "Staying Put Scotland" approach.

In addition Getting it Right for Every Child (GIRFEC) principles also apply:-

- Planning will follow a holistic, young person-centred approach
- Assessment will focus on the long-term wellbeing needs and aspirations of care leavers;
- Intervention will be appropriate, proportionate and timely.
- There will be high standards of cooperation, joint working and communication between agencies, young people and where appropriate, their families to achieve best outcomes for young people.

5. Relevant legislation, strategies and policies:

- The Independent Care Review 2020
- The Children and Young People (Scotland) act 2014
- Scottish Care Leavers Covenant 2014
- Supporting Young People Leaving Care in Scotland: Regulations and Guidance on Services for Young People Ceasing to be Looked After by Local Authorities published in 2004
- These are our Bairns Scottish Executive 2008
- Freedom of Information (Scotland) Act 2002
- The United Nations Convention on the Rights of the Child
- The Human Rights Act 1998 and Equality Legislation
- Data Protection Act 1998

6. Involvement of the young person

Professionals working with young people to assess and plan how to meet the young person's needs **must** seek and take account of the young person's views and wishes. Professionals must take steps to make sure that the young person can attend and take part in meetings that are held about the young person. At a minimum the views of the yp, if not the yp, must be "at the table". Professionals should ensure that the timing of meetings does not prevent/ discourage the young person from attending. Professionals will be encouraged to be creative to ensure that the views of the young person are sought and heard, e.g., using video clips, or drawings or writing etc. Professionals must ensure that the young person has received, and understands the information on which decisions are made.

If the young person has any particular needs because of language or impairment, professionals should make sure the assessment and other materials are in a format accessible to them.

Advocacy is available for looked after young people. At the time of creating this refreshed policy the advocacy provider is Who Cares? Scotland. Professionals should ensure that the young person is aware of this service and support them to access it if required. Some young people will choose to speak for themselves or will have another person act as their advocate: the outcome to be achieved is to hear the views of the young person at the table.

7. Who is eligible for Continuing Care?

The Moray Council has a duty to provide Continuing Care for **all** young people who request it and who are Looked After and Accommodated on their 16th birthday. This includes all young people with a disability whose future support may be given by Adult services following their 18th birthday and also those YP with a disability for whom a Guardianship order may be sought as their Guardians will be able to make decisions in the best interests of the young person. These young people will be either:

- In a foster-care placement either provided by the Moray Council or by an independent provider purchased by the Moray Council.
- Within a Looked After kinship care placement (i.e., not subject to a Kinship order).
- Within a residential setting either provided by the Moray Council or by an independent provider purchased by the Moray Council.

These young people will be eligible to remain in their care placement up to their 21st birthday. A young person may be subject to either a Compulsory Supervision Order away from home, or be being Looked After on a voluntary basis or be subject to a Permanence Order: it makes no difference to their eligibility. A Continuing Care placement can start at the age of 16, if the young person's would prefer their Looked After status ends then, but The Moray Council encourages all young people to remain looked after until they are 18, in which case Continuing Care is most likely to apply from 18 to 21. It should be noted that if a young person is subject to a Permanence Order then the transition of their placement to a Continuing Care placement cannot begin until their 18th birthday, as this is when their Permanence Order will automatically end.

8. Who is not eligible for Continuing Care?

The Moray Council does not have a duty to provide Continuing Care for:

- A young person who is subject to a Kinship Order through the Children Scotland Act (1995) as they are not Looked After by the Local Authority.
- A young person who is subject to a Compulsory Supervision Order at home as they are not Looked After and Accommodated by the Local Authority.
- A young person if they were accommodated in secure care immediately before ceasing to be looked after.
- A young person whose carer/placement provider has indicated that they are unable or unwilling to continue to provide the placement; or
- A young person whose welfare would be significantly adversely affected if they remained within the placement.

9. Continuing Care Procedure

Shortly before a young person's 15th birthday a Looked After Review (LACR) will ask for a Pathway – Initial Assessment to be completed which will identify the young person's needs as they move into adulthood (See Appendices 1, 2 and 3). This assessment will be completed in partnership with the young person and other important people in the young person's life. The outcome of this assessment will be, firstly, to identify what the young person plans are for them following their 16th birthday and where they see themselves living and, secondly, the support needs of the young person as they move into adulthood and where these will be best met. At this LACR it will be identified whether an additional/specialist assessment is required to assist the process of transition to adulthood. This will, although not exclusively, usually relate to young people with additional support needs such as complex medical health needs, a learning disability, mental health or emotional wellbeing needs and those young people who present with challenging behaviour and who, as they become young adults, may struggle to manage with a more independent lifestyle. This assessment will be carried out by either the young person's Social Worker, or after discussion with the young person, a Throughcare Worker from the Placement Services Team and in partnership with a Social Worker from the Adult Transition Service if this would be of assistance.

10. Potential Outcomes and Actions following the completion of a Pathway – Initial Assessment

1. When the outcome of the Pathway – Initial Assessment is that an (eligible) young person has decided that they wish to stay in their current care setting, potentially up to their 21st birthday under Continuing Care then a full Pathway and Welfare Assessment (please see Appendices 4 & 5) will need to be completed to ensure that this would not significantly adversely affect their welfare. This assessment need not be carried out until nearer the young person's 17th birthday to progress the conversion of their placement to that of a Continuing Care placement. *Please note: the date of this full Pathway and Welfare Assessment may need to be earlier if the young person is requesting Continuing Care begins between their 16th and 18th birthday and are not subject to a Permanence Order.*

Attached at Appendix 6 is a practice note, written and endorsed by CELCIS (Centre for Excellence – Children's Care & Protection), the Care Inspectorate and Clan Childlaw which provides further useful guidance and information.

2. When the outcome of the Pathway – Initial Assessment is that a young person sees themselves only staying within their placement until their 18th birthday and is not requesting Continuing Care then a full Pathway Assessment will need to be completed following a young person's 16th birthday. A Throughcare/Aftercare Worker will take the lead in coordinating this assessment.
3. When the outcome of a Pathway – Initial Assessment is that a young person sees themselves leaving their placement at the age of 16, then a Throughcare/After Worker is to be allocated to a young person and a full Pathway Assessment is to be completed to support the young person with their future plans.

11. Financial Support of a Continuing Care Placement

For Continuing Care providers who were previously LA Foster-carers

For Continuing Care providers who were previously LA Foster-carers, they will continue to receive the equivalent of their last fostering-fee and allowances for the first year of the young person's continuing care placement. However, if a young person is working and earning over £14,344 per annum, then these allowances will be reduced by 50%. At the start of the second year of the young person's continuing care placement a fixed fee of £255.07 will be given to the Continuing Care provider and no allowances will be paid provided the young person is 19 years old at this point. If the young person is under the age of 19, then allowances will continue to be paid until they reach their 19th birthday. A review of the Continuing Care placement will take place shortly before a young person's 19th birthday and a part of this review will be to ensure that a change in the financial support of the placement will not negatively impact upon its continuation. The Continuing Care provider and the young person will both have access to an appeal process, using the Moray Council's current complaints procedure if they are unhappy with any decisions made. The Continuing Care provider will continue to receive this fee until the young person leaves the placement or their 21st birthday, whichever applies.

For Continuing Care providers who were previously Kinship Carers

For Continuing Care providers who were previously Kinship Carers, they will receive a fee of £255.07 from the start of the Continuing Care placement and this will continue until the young person's 21st birthday or before this if the young person is no longer in placement. Part of the Welfare Assessment for the young person will be to make sure that there is sufficient financial support for a Continuing Care provider to ensure the continuation of the placement. The Continuing Care provider and the young person will both have access to an appeal process, using the Moray Council's current complaints procedure if they are unhappy with any decisions made.

For Continuing Care providers who were previously independent Foster-carers

For placements provided by independent fostering agencies, the Commissioning team will enter into negotiation in relation to the development of a new contract with the provider as a Continuing Care Provider. See also Appendix 7 for details of how to request continued financial support of this placement.

For Continuing Care providers who were previously external Residential Care providers

For placements provided by external residential setting providers, the Commissioning team will enter in negotiation in relation to the development of a new contract with the provider as a Continuing Care Provider. See Appendix 7 for details of how to request continued financial support of this placement.

12. Young People who attend University or College away from their Continuing Care Placement

For the first year of a young person's university or college course, the Continuing Care provider will continue to receive their full fee and allowances if this is also the first year of the continuing care placement. Following this, they will receive the £255.07 on a pro rata basis for the time the young person is at home e.g. weekends and holidays. These changes in financial support will form part of a review of the young person's placement and the young person and Continuing Care provider would both have access to an appeal process procedure, (under development), if they are unhappy with any decisions made.

If the Continuing Carer was a previous Kinship Carer then they will receive a fee of £255.07, if this is also the first year of the continuing care placement. Following this, they will receive the £255.07 on a pro rata basis for the time the young person is at home e.g. weekends and holidays. These changes in financial support will form part of a review of the young person's placement and the young person and Continuing Care provider would both have access to an appeal process procedure (under development), if they are unhappy with any decisions made.

13. Reviewing of a Young Person's Continuing Care Placement

A Review of the Continuing Care placement will take place after 3 months of the conversion date. This will be chaired by the most appropriate service. Following this an annual Review will be held (additional Reviews may held when necessary, i.e., when discussing attendance at University or College courses away from the placement). The basis for review will be that for the continuation of the placement it must not be significantly, adversely affect the wellbeing of the young person.

14. Ending of a Continuing Care placement

The placement will end if:

1. the young person chooses to leave the placement
2. the accommodation ceases to be available
3. the LA consider that providing the care would significantly adversely affect the welfare of the person.
4. The young person reaches the age of 21 and had remained within the continuing care placement until that age.

The young person will at this point be eligible for aftercare in accordance with their assessed needs. The principle of relationship based care should follow, with plans incorporating how any previous relationships can be maintained and sustained over time, if appropriate.

It would be hoped that any transition out of a continuing care placement (which means it ending as a formally registered and financed service) will be carried out in a planned way as possible. Particularly in relation to point 4 above, planning for the young person's next steps should be an ongoing conversation but, following the young person's 20th birthday, focus should be placed on what happens next to ensure that discussions can be held with the young people and their support network to ensure a smooth ending of the Continuing Care placement and to make firm plans for the next steps which could involve remaining living with their continuing care setting.

15. Appeals Process

If a young person is unsatisfied with the service they have received from The Moray Council or any decisions made that they are not in agreement with, they have the right to appeal using The Moray Council Social Work Complaints Procedure.

If a young person's complaint relates to a care service that The Moray Council provide, they can choose whether to complain to The Moray Council or the Care Inspectorate. A young person will be able to find out about both complaints procedure by contacting either organisation directly either by telephone, email or through their respective websites:

The Moray Council:

Website: <http://www.moray.gov.uk/>
Telephone: 01343 543451
Email: complaints@moray.gov.uk

Care Inspectorate:

Website: <https://www.careinspectorate.com/>
Telephone: 0345 600 9527 Monday to Friday, between 09:00 - 16:00
Email: enquiries@careinspectorate.gov.scot

16. Performance Monitoring

The monitoring of performance will focus on the extent to which the specific objective of this policy is being achieved. This is that:

The policy supports the effective assessment, planning and review process for each young person to allow this move to happen as efficiently as possible.

A key component of monitoring the performance of this policy will be gathering the young person's views and those of the care setting.

17. Equalities Statement

Health & Social Care Moray, Moray Council and NHS Grampian do not discriminate on any grounds, advocate for and are committed to equalities and recognises their responsibilities under the Equalities Act 2010 and the related Public Sector Equality Duty.

In relation to equality of information provision, Health & Social Care Moray will ensure that all communications with individuals are in plain English, and shall publish all information and

documentation in a variety of formats and languages. Where required, Health & Social Care Moray will use the services of its translation team to enable effective communication between us and the individual. Where an individual has sight, hearing or other difficulties, we will arrange for information to be provided in the most appropriate format to meet that individual's needs. Health & Social Care Moray will also ensure that there are no physical barriers that could prohibit face to face communications.

If there is a complaint against discrimination, click on the link below for reporting form and procedure: <http://www.moray.gov.uk/downloads/file62366.pdf>.

Equality and Human Rights Commission Scotland

<https://www.equalityhumanrights.com/en/commission-scotland>

Advice and Guidance section - <https://www.equalityhumanrights.com/en/advice-and-guidance>.

18. Data Protection

GDPR and the Data Protection Act 2018 governs the way information is obtained, recorded, stored, used and destroyed. Health & Social Care Moray, Moray Council and NHS Grampian comply with all the requirements of the Act and ensure that personal data is processed fairly and lawfully, that it is used for the purpose it was intended and that only relevant information is used. Health & Social Care Moray will ensure that information held is accurate, and where necessary kept up to date and that appropriate measures are taken that would prevent the unauthorised or unlawful use of any "personal information".

19. Freedom of Information

The purpose of the Freedom of Information (Scotland) Act 2002

<http://www.legislation.gov.uk/asp/2002/13/contents> is to "provide a right of access by the public to information held by public authorities". In terms of section 1 of the Act, the general entitlement is that a "person who requests information from a Scottish public authority which holds it is entitled to be given it by the authority". Information which a person is entitled to is the information held by the public authority at the time that the request is made. This is a complex area of the law that can overlap with the Data Protection Act and other legislation.

Please see the following link for guidance to the law in Scotland;

<http://www.itspublicknowledge.info/Law/FOISA-EIRsGuidance/Briefings.aspx>

All Freedom of Information requests to Health & Social Care Moray, Moray Council or NHS Grampian should be directed to the **FOI/DPA team/officer** in those organisations. At Health & Social Care Moray the contact is info@moray.gov.uk.

20. Human Rights Act

The main rights and freedoms covered in the Human Rights Act 1998 are:

Right to life; freedom from torture; freedom from slavery and forced labour; right to liberty and security; right to a fair trial; no punishment without law; right to respect for private and family life; freedom of thought, belief and religion; freedom of expression; freedom of assembly and association; right to marry; prohibition of discrimination; peaceful enjoyment of property; right to access education and right to free elections.

Public authorities must ensure, in discharging functions that they don't act in a manner incompatible with rights outlined in the Human Rights Act. Only in some limited circumstances can an individual's rights be infringed upon and even then only when done under legal authority, in pursuit of a legitimate aim and when necessary in a democratic society i.e. proportional in terms of finding a balance between carrying out a necessary statutory duty and infringing upon the person's human rights. It is also important that any interference is non-discriminatory. When in doubt about any proposed action legal advice should be sought.

All parts of this policy and associated procedures will comply with obligations within the Human Rights Act

21. Review and Feedback

This policy will be reviewed annually or when policy, guidance or legislation changes.

Author:

Gillian McIntosh

Consultant Practitioner

Date: 10-12-20

Revision date:

Continuing Care Process/Procedure

For LAC/YP who are eligible & accommodated at age 16

At each stage, for example, meetings & assessments/ planning, the involvement of & the views/wishes of the YP (& their parents/carer/advocate) are paramount. Communication support needs, where relevant, should be assessed and facilitated – see also the Transition from Children's Services Policy & Continuing Care Policy



