

MORAY COUNCIL

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

Wednesday, 26 January 2022

Remote Locations via Video Conference,

PRESENT

Councillor George Alexander, Councillor Frank Brown, Councillor Lorna Creswell, Mrs Anne Currie, Councillor Tim Eagle, Councillor Claire Feaver, Councillor Graham Leadbitter, Councillor Aaron McLean, Councillor Shona Morrison, Councillor Laura Powell, Reverend Tembu Rongong, Councillor Derek Ross, Mrs Susan Slater, Councillor Amy Taylor, Councillor Sonya Warren

APOLOGIES

Councillor James Allan, Councillor Ryan Edwards, Ms Angela Stuart

IN ATTENDANCE

Also in attendance at the above meeting were the Depute Chief Executive (Education, Communities and Organisational Development), Head of Governance, Strategy and Performance, Head of Education, Head of Education Resources and Communities, Acting Head of Children, Families and Justice Social Work Services, Head of Financial Services, Quality Improvement Manager, Project Manager (Education), Senior Project Manager (Learning Estate) and Tracey Sutherland, Committee Services Officer.

1. Chair

The meeting was chaired by Councillor Sonya Warren. With the exception of item 13 where Councillor A McLean took over the role as Chair due to Councillor Warren having connection issues.

2. Order of Business

In terms of Standing Order 28, the Chair sought the Committee's approval to take confidential items 14 and 15 on the agenda following Written Questions. The webcast would be paused until the conclusion of Item 15 and would then be re-started before resuming with the agenda order.

This was unanimously agreed.

3. Commendation

The Committee joined the Chair in acknowledging the work of the entire Education Service during the Covid-19 pandemic in keeping the schools open and therefore allowing the children and young people to be able to attend.

The Committee also joined the Chair in congratulating the Council's Catering Team in being awarded the Food for Life, Third Tier at Bronze Level award which is awarded by the Soil Association. This means that over 75% of the dishes provided are produced using non processed food using ingredients from local suppliers.

4. Declaration of Group Decisions and Members Interests *

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

5. Resolution

The meeting resolved that in terms of Section 50A (4) and (5) of the Local Government (Scotland) Act 1973, as amended, the public and media representatives be excluded from the meeting for Item 14 and 15 of business on the grounds that it involves the likely disclosure of exempt information of the class described in the relevant Paragraphs of Part 1 of Schedule 7A of the Act.

Para Number of the Minute	Para Number of Schedule 7a
10	Para 1 Information relating to staffing matters
9	Para 4 Information relating to any applicant or recipient of any financial assistance provided by the Authority

6. Minutes of meeting - 24 November 2021

The minute of the meeting of the Education, Children's and Leisure Services Committee dated 24 November 2021 was submitted and approved.

7. Written Questions **

The Committee noted that no written questions had been submitted.

8. Order of Business

In terms of Standing Order 28, due to the Acting Head of Children, Families and Justice Social Work Services having problems connecting to the meeting, the Chair sought the Committees approval to take Item 15 before Item 14 to allow the Acting Head of Children, Families and Justice Social Work Services time to connect to the meeting.

This was unanimously agreed.

9. Moray and Nairn Educational Trust - Disbursement 2021/22

A report by the Depute Chief Executive (Education, Communities and Organisational Development) provided information and to seek approval for the

payment plan to be used to assess applications to the Moray and Nairn Educational Trust and to consider applications to the trust.

Following consideration the Committee agreed to:

- i) approve grants at the rates provided in the payment plan, with a caveat that recommended grants for section 7b (to enable young people to participate in organised educational excursions) will not be paid out to the applicants unless the excursion takes place; and
- ii) 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 applicant to fund an excursion rescheduled within the next 12 months or withdrawn and the grant amount returned to trust funds for carry forward to financial year 2022/23.

10. Children's Services Transformation Proposal

A report by the Chief Officer, Health and Social Care Moray, sought approval from the Committee to drive forward the agreed Transformational Change Plan agreed on 26 May 2021 at Education, Communities and Organisational Development Committee through a re-investment to support changes to the Service. The Changes and additions to internal staffing structures will support necessary improvements, which align the service to national standards for the delivery of sustainable and effective services for our children, young people and their families across Moray. There is now evidence from the past year's financial outturn of the link between improving quality and efficiency and targeted investment will generate further savings as the further service improvements are embedded.

Following consideration the Committee agreed to:

- i) approve and support the re-investment of savings from the social work budget to allow for a new model of social work to be created to ensure sustainable, safe, robust services to children and families, subject to the agreement from Moray Council following the grading of the new posts; and
- ii) note the consultation with families and managed conversations with staff in the formation of the new social work model.

11. Improvement and Modernisation Plan - Raising Attainment Curriculum Breadth and Digital Progress Update

The Committee agreed to consider Item 11, ICT Strategy for Schools, which the Committee noted was an information report at the previous meeting of this Committee which had been called in by Councillors Eagle and Feaver, alongside this item as they were linked.

A report by the Depute Chief Executive (Education, Communities and Organisational Development) sought approval from the Committee to appoint a specialist ICT Education consultancy to support the development of the Raising Attainment: Curriculum Breadth and Digital Workstream within the Council's Improvement and Modernisation Programme (IMP).

Councillor Brown moved that the Committee agrees the allocation of £50,000 from general or covid reserves to fund the education consultancy to promote the four objectives set out in para 3.7 instead of the monies set aside for attainment in the Improvement and Modernisation Programme, this was seconded by Councillor Feaver.

Councillor Leadbitter, seconded by Councillor Warren proposed the recommendations as printed in the report.

On the division there voted:

For the Motion (5) Councillors Brown, Feaver, Eagle, Powell and Ross

For the Amendment (6) Councillors Leadbitter, Warren, Alexander, Creswell,
A McLean and Morrison

Abstentions (0)

Accordingly the Amendment became the finding of the meeting and the Committee agreed to the allocation of up to £50,000 from the earmarked reserves for transformation, for the appointment of a specialist ICT Education consultancy to assist Officers with the development of Raising Attainment: Curriculum Breadth and Digital workstream to enable the Council to make an informed decision in this area.

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

12. Analysis of Secondary School Attainment Insight Benchmarking Measures 2021

Under reference to paragraph 7 of the Minute of the meeting of this Committee dated 24 November 2021 a report by the Depute Chief Executive (Education, Communities and Organisational Development) updated the Committee on the attainment of secondary schools in Moray for session 2020/21 following Initial Attainment Report for Secondary Schools 2021 further to the National Insight Benchmarking toolkit update in October 2021.

Following consideration the Committee agreed to:

- i) note the position in respect of attainment of the young people in Moray following insight benchmarking update;
- ii) note that post-Insight attainment meetings with secondary schools have taken place during November and December 2021 where Head Teachers and central officers have agreed actions for improvement at school level;
- iii) note that a future meeting of this Committee, a follow up Insight report will be presented in consideration of school leaver data including post-school destinations following data publication in February/March 2022; and
- iv) agree to acknowledge and commend practitioner commitment, preparation and support of young people as they prepare them for the SQA 2022 Examination diet.

13. Initial Analysis of Achievement of Curriculum for Excellence Levels 2021

In terms of Standing Order 80, agreement was sought to suspend Standing Order 75 in order to conclude the discussion of this item past 12.45pm. This was unanimously agreed.

A report by the Depute Chief Executive (Education, Communities and Organisational Development) provided the Committee with a summary of the Moray data collected in June 2021 and provided to the Scottish Government at the end of October 2021 regarding Teacher Professional Judgements (TPJ) on children achieving Curriculum for Excellence Levels (ACEL) at P1, P4 and P7. This data appears in the Scottish Government.

Following consideration the Committee agreed to:

- i) note the content of the report; and
- ii) to acknowledge the impact of Covid-19 on work to close the poverty related and wider attainment gaps and progress of Moray schools despite this considerable disruption.

14. Resumption of Meeting

The meeting resumed at 2.00pm.

PRESENT

Councillor George Alexander, Councillor Frank Brown, Councillor Lorna Creswell, Councillor Tim Eagle, Councillor Claire Feaver, Councillor Graham Leadbitter, Councillor A McLean, Councillor Shona Morrison, Councillor Laura Powell, Councillor Derek Ross, Councillor Sonya Warren, Mrs Anne Currie and Mrs Susan Slater.

APOLOGIES

Councillor James Allan, Councillor Ryan Edwards, Councillor Amy Taylor, Reverend Tembu Rongong, and Mrs Angela Stuart

ALSO IN ATTENDANCE

Depute Chief Executive (Education, Communities and Organisational Development), Head of Governance, Strategy and Performance, Head of Education, Head of Education Resources and Communities, Senior Project Manager (Learning Estate) and Tracey Sutherland, Committee Services Officer.

15. Allocation of Education Funding

A report by the Depute Chief Executive (Education, Communities and Organisational Development) informed the Committee of the funding for Education in 2022/23 revenue grant settlement, to raise known budget pressures, the

ongoing impact of the Covid-19 pandemic and to ask the Committee to consider the allocation of the funding taking account of these issues.

Councillor Eagle joined the meeting during the discussion of this item.

Councillor Feaver sought clarification on what the £2.5m additional funding could be spent on and was there funding going forward.

In response the Depute Chief Executive (Education, Communities and Organisational Development) explained that the £2.5m was recurring funding and it was for the Committee to decide from the options in the report on how the money would be spent.

The Head of Financial Services further added that the Committee needed to give serious consideration to the increasing school rolls and stated that it would not be pragmatic to spend all the additional funding on new teachers.

Following further consideration Councillor Brown moved the following:

- i) notes ongoing impact of Covid pandemic on schools;
- ii) reviews and notes the update provided on the use of additional Education funding to date (Appendix 1);
- iii) notes the additional funding of £2.5m contained within the council's revenue grant that is available for Education
- iv) agrees that the first call on the above funding is to address the known budget pressures for 2022/23 relating to the increasing school roll in 2022/23, currently estimated £860,000 excluding ASN and any other support costs, which will be additional;
- v) That officers complete the detailed work to the scheme set out in Appendix 2, Option 2 – Targeted intervention to support attainment. That the detailed scheme should be constructed on the basis of a budget of £1.64m which is the balance of the additional funding for teachers from the Scottish Government minus the costs associated with 3.1 (iv) rising school roles and bring a report for scheme agreement back to this Committee at the earliest opportunity; and
- vi) This Committee recommends to Moray Council the cost in 2023/24 of the Scottish Government commitment to reduce teacher contact time committed by the Scottish Government and any other budget pressures could be met from either savings from the Education and DSM budgets or from additional budget allocation.

This was seconded by Councillor Eagle.

In response, Councillor A McLean, seconded by Councillor Warren proposed:

- i) notes ongoing impact of Covid pandemic on schools;

- ii) reviews and notes the update provided on the use of additional Education funding to date (Appendix 1);
- iii) notes the additional funding of £2.5m contained with the council's revenue grant that is available for Education
- iv) agrees that the first call on the above funding is to address the known budget pressures for 2022/23 relating to the increasing school roll in 2022/23, currently estimated £860,000 excluding ASN and any other support costs, which will be additional;
- v) Notes the options for education spend set out in para 4.22 of the report. From this further information in the form of a report for option (ii) Partial Allocation to DSM, (iii) Attainment Focus and (iv) System Wide Early Intervention be presented to a future meeting of this Committee; and
- vi) In terms of the use of the balance of funding once the budget pressure is met, the Committee is asked to note that there is a further significant anticipated budget pressure for 2023/24 arising from the planned reduction in teacher class contact time from August 2023 and in light of this to agree that the use of additional funding above should be on a temporary basis for the academic year 2022/23 pending investigation of the full implications of this change and that a further report is brought to committee to enable this to be considered in due course.

On the division there voted:

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|-----------------------|--|
| For the Motion (5) | Councillors Brown, Eagle, Feaver, Powell and Ross |
| For the Amendment (6) | Councillors A McLean, Warren, Alexander, Creswell, Leadbitter and Morrison |
| Abstentions (0) | |

Accordingly the Amendment became the finding of the meeting and the Committee agreed

- i) note ongoing impact of Covid pandemic on schools;
- ii) note the update provided on the use of additional Education funding to date (Appendix 1)
- iii) notes the additional funding of £2.5m contained within the Council's revenue grant that is available for Education;
- iv) agrees that the first call on the above funding is to address the known budget pressures for 2022/23 relating to the increasing school roll in

2022/23, currently estimated £860,000 excluding ASN and any other support costs, which will be additional;

- v) Notes the options for Education spend set out in para 4.22 of the report. From this the Committee would like further information in a report to this Committee for option (ii) Partial Allocation to DSM; and remainder to Quality Improvement team for leadership and curriculum/attainment and (iii) Attainment Focus – targeted intervention to address specific attainment issues; (iv) System Wide Early Intervention be presented to a future meeting of this Committee; and

- vi) In terms of the use of the balance of funding once the budget pressure is met, the Committee is asked to note that there is a further significant budget pressure for 2023/24 arising from the planned reduction in teacher class contact time from August 2023 and in light of this to agree that the use of additional funding above should be on a temporary basis for the academic year 2022/23 pending investigation of the full implications of this change and that a further report is brought to Committee to enable this to be considered in due course.

16. Moray Education Early Learning and Childcare Expansion Project Update

A report by the Depute Chief Executive (Education, Communities and Organisational Development) informed the Committee of the projected financial pressures on the Early Learning and Childcare (ELC) expansion budget, taking account of rising demand and changing Scottish Government grant settlement.

During consideration of the report Councillor Brown moved that Officers are instructed to take immediate steps to reduce the provision to bring it in line with the available budget, this was seconded by Councillor Feaver.

Following further consideration, with the re-assurance from Officers that work is being carried out by Officers and Internal Audit on the reasons for the overspend which will be reported back to Committee with information on what is required to bridge the funding gap, Councillor Brown withdrew his motion.

Following consideration the Committee agreed to note:

- i) the projected financial pressures within the ELC sector and the potential implications for Moray to maintain the legislative requirement of 114 hours;

- ii) that detailed work including investigation led by Internal Audit will be undertaken to provide greater clarity on the financial position for 2022/23 and work will progress through Cosla in relation to the grant allocation and the phasing of the new approach to funding ELC;

- iii) the initial options identified to accommodate the budget pressures in Moray and that work will continue to develop options to be reported back to Committee for consideration against the various scenarios that may emerge;

- iv) that the situation outlined in this report may have significant policy and service implications for the Early Learning and Childcare service in 2022/23 and future years and this will require further consideration by Committee once a final position on the grant settlement is known and can be factored into the local position; and
- v) that in light of the above, and the lead in time required to clarify the financial position and development and implement options to address any possible funding gap should that be required by the Council, that the budget pressures will be reported to and considered by the Council on 22 February 2022 as part of the budget setting process.

17. Suspension of Standing Orders

In terms of Standing Order 80, agreement was sought to suspend Standing Order 75 in order to continue the meeting past 5:00pm. This was unanimously agreed.

18. Universal Free School Meals - Primary Schools - Implementation

The Committee noted that the report had been submitted to the previous meeting of this Committee as an information report and had been called in by Councillors Eagle and Feaver in terms of the concerns in the paper over how this is funded, they believed there needed to be debate to ensure this will be fully funded and ensure the role out work to attract young people to the offer. Is PEF still linked to free school meals?

Councillor Brown moved that:

- i) Committee recommends to Council that Moray Council will not provide universal school meals for all primary children in the absence of full funding (inflation proofed) from the Scottish Government; and
- ii) That the Leader of the Council writes formally to the Education Secretary confirming this decision and that the Chief Executive writes formally to the Permanent Secretary to report this decision.

This was seconded by Councillor Feaver.

In response, the Head of Governance, Strategy and Performance said he would look at the Governance Documents around motions and amendments in respect of Information Reports and would come back to the meeting. He further suggested moving onto the next agenda item to allow him time to consider the issue.

19. OECD Report on Curriculum for Excellence and Working Paper etc

A report by the Depute Chief Executive (Education, Communities and Organisational Development) provided the Committee with an oversight of the two published Organisation for Economic Co-operation and Development (OECD) reports which were instructed by the Scottish Government.

The Committee noted that the report had been submitted to the previous meeting of this Committee as an information report and had been called in by Councillors Eagle and Feaver in terms of it being a major report on the curriculum for

excellence with potentially huge changes for Moray councils policies moving forward, they believed Councillors should have a chance to understand, debate and question the plans being highlighted.

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

20. Universal Free School Meals - Primary Schools - Implementation

During the further consideration of this item the live webcast cut out. It was agreed to resume the meeting at a different date.

21. Resumption of the Meeting - 2 February 2022

PRESENT

Councillor George Alexander, Councillor Frank Brown, Councillor Lorna Creswell, Councillor Tim Eagle, Councillor Ryan Edwards, Councillor Claire Feaver, Councillor Graham Leadbitter, Councillor A McLean, Councillor Shona Morrison, Councillor Laura Powell, Councillor Derek Ross, Councillor Amy Taylor, Councillor Sonya Warren.

APOLOGIES

Councillor James Allan, Councillor Ryan Edwards, Mrs Anne Currie, Reverend Tembu Rongong, Mrs Susan Slater and Mrs Angela Stuart

ALSO IN ATTENDANCE

Depute Chief Executive (Education, Communities and Organisational Development), Head of Governance, Strategy and Performance, Head of Education, Head of Education Resources and Communities, Senior Project Manager (Learning Estate) and Tracey Sutherland, Committee Services Officer.

22. Universal Free School Meals - Primary Schools - Implementation

The Head of Governance, Strategy and Performance addressed the Committee to clarify the position from the last meeting on 26 January 2022. He confirmed that if the Council were to not implement the Free School Meals, the Council would be in breach of its statutory duty. He further added that since the last meeting of the Committee an update from the Cosla Leaders Meeting had been received and he confirmed it would be acceptable for the additional information to be considered.

Councillor Leadbitter confirmed, following his attendance at the Cosla Leaders meeting on 28 January 2022, that the money will be distributed based on the number of children within each Authority's primary school, however he was unclear whether the figures were taken from census day or registration day. Each authority will submit the numbers of children in P1 - 5 to Cosla and the money will be allocated pro rata by Cosla.

Following the update and the guidance from the Head of Governance, Strategy and Performance, Councillor Brown moved an amended motion:

- i) To recommend that Council determines that the Moray Council will be unable to fully provide universal school meals to all primary school children in

the absence of the full funding promised to all Councils by the Scottish Government in delivering this Scottish Government policy; and

- ii) That the Leader of the Council write to the Education Secretary and the Chief Executive to the Head of the Scottish Government to inform them both of the Council's inability to deliver this policy in the absence of the necessary specific funding.

The amended motion was seconded by Councillor Feaver

Councillor Leadbitter, in response proposed, seconded by Councillor Warren, that the Committee is asked to consider and note the information contained in the report. A further update will be provided following a response from the Scottish Government on the funding allocation for P6-7 Free School Meals implementation.

On the division there voted:

For the Motion (8) Councillors Brown, Feaver, Alexander, Edwards, Eagle, Powell, Ross and Taylor

For the Amendment (5) Councillors Leadbitter, Warren, Creswell, A McLean and Morrison

Abstentions (0)

Accordingly the Motion became the finding of the meeting and the Committee agreed to:

- i) to recommend that Council determines that the Moray Council will be unable to fully provide universal school meals to all primary school children in the absence of the full funding promised to all Councils by the Scottish Government in delivering this Scottish Government policy; and
- ii) that the Leader of the Council write to the Education Secretary and the Chief Executive to the Head of the Scottish Government to inform them both of the Council's inability to deliver this policy in the absence of the necessary specific funding.

Councillor Warren left the meeting at the conclusion of this item.

23. Question Time ***

Under reference to paragraph 19 of the minute of the Education, Children's and Leisure Services Committee of 24 November 2021, Councillor Brown sought an update on whether the Chair had discussed with Officers, the running order of future meetings of this Committee.

As Councillor Warren was no longer in the meeting, Councillor A McLean confirmed he would ask Councillor Warren to respond to Councillor Brown in writing with her response.

Councillor Brown sought an update on how much money has been spent to date, on CO² monitors and ventilation in our schools.

In response, the Programme Manager (Learning Estate) confirmed that £36,000 has been spent on equipment and orders awaited. He further added that there has been some additional revenue spend allocated to look at ventilation issues, modelling of certain areas within schools. Costs for this work are still being assessed as this spend needs to be reported back to Scottish Futures Trust as that will come out of the overall £124,000 that has been set aside by Moray Council for CO² monitoring.

An additional £83,000 has been added to next financial year's budget to look at improved ventilation in areas where standard ventilation i.e. opening of windows is not possible.

Monitoring of levels in all teaching spaces and classrooms will be starting on Monday 7 February 2022 at least 1 day per week.

He further confirmed that he is confident that all measures will be covered by the funding from the Scottish Government.

Councillor Ross asked whether a report could come to a future meeting of this Committee.

In response the Programme Manager (Learning Estate) confirmed a report could be presented to the March meeting of this Committee.

Councillor Feaver sought clarification on what the Council is doing to prepare for the estimated 30% rise in energy costs and how much money has been put aside to heat and light our schools in preparation for the rise and if no money has been put aside, what cuts are the Administration planning on making to meet the increased costs.

In response, Councillor A McLean confirmed that he had received assurances from the Head of Financial Services that the Council's energy is purchased 6 months in advance but acknowledged that energy costs could become a budget pressure in the future.

The Depute Chief Executive (Education, Communities and Organisational Development) confirmed that she would be happy to pick this up with the Head of Financial Services and provide information to Members following the meeting but confirmed that there will be provision within the budget pressures for fuel costs across the Council.

Councillor Alexander sought clarification on when the Early Learning and Childcare Budget Report will come before Committee.

In response, the Depute Chief Executive (Education, Communities and Organisational Development) confirmed that work had already started on the report and the intention is to bring the report to the March meeting of this Committee. Officers are aware of the tight deadline and if a report is not available an update will be provided to Members.