

MINUTE of MEETING of the EDUCATION EXECUTIVE held within COUNCIL CHAMBERS, WEST LOTHIAN CIVIC CENTRE, on 15 JANUARY 2019.

Present – Councillors David Dodds (Chair), Stuart Borrowman, Harry Cartmill, Pauline Clark, Tom Conn, Angela Doran (substituting for Lawrence Fitzpatrick), Peter Heggie, Chris Horne, Charles Kennedy, Dave King, Sarah King, John McGinty, Andrew McGuire, Dom McGuire (substituting for George Paul), Andrew Miller, Cathy Muldoon, Moira Shemilt and Kirsteen Sullivan; Myra Macpherson and Lynne McEwen

Apologies – Councillors Lawrence Fitzpatrick and George Paul; Eric Lumsden and Margaret Russell

Absent – Elsie Aitken and Heather Hughes

## 1 DECLARATIONS OF INTEREST

Councillor Peter Heggie declared an interest in item 7 (Relocation of Cedarbank School, Livingston) as he was a parent of a pupil attending The James Young High School.

Councillors Pauline Clark and Andrew Miller declared interests in item 11 (International Education – Polar Academy) as they were friends of parents of pupils participating in the Polar Academy.

## 2 ORDER OF BUSINESS

The Chair advised that a deputation request had been received from Sharon Fairley, on behalf of 2020Together, in relation to item 12 (Early Learning and Childcare – Expansion Plan Update).

The Education Executive agreed that the deputation be heard.

The Chair ruled that the deputation be heard after item 4 and immediately followed by consideration of the officer's report on the matter. The Committee would thereafter consider items 6 (Assessment and Moderation within the Broad General Education to Support Teacher Professional Judgement) and 5 (Achievement of Curriculum for Excellence Levels 2017/18).

## 3 MINUTES

The Education Executive approved the minute of its meeting of 13 November 2018 as a correct record. The minute was thereafter signed by the Chair.

#### 4 EARLY LEARNING AND CHILDCARE - EXPANSION PLAN UPDATE

##### Deputation

Ms Sharon Fairley spoke to the Committee about the delivery of the expansion of Early Learning and Childcare (ELC). She welcomed the progress West Lothian had made to date but raised concerns regarding the sustainability of some nurseries as Council-run ELC settings provided more free hours.

Ms Fairley raised questions on the extent to which consultation had been undertaken with private sector providers, the proposed £5 hourly rate and how this had been calculated, and whether private sector providers not currently in partnership with the Council would be given an opportunity to enter a partnership to assist in the delivery of the additional hours.

Members then put questions to Ms Fairley. The Chair acknowledged the questions raised and requested that officers respond to these following the meeting.

The Chair thanked Ms Fairley for her presentation.

##### Report by the Head of Education (Learning, Policy and Resources)

The report (copies of which had been circulated) provided an update on the Early Learning and Childcare Expansion Plan and the Council's progress towards delivering 1140 free annual hours of ELC within West Lothian by 2020.

The report noted that local authority expansion plans were working documents which would evolve over time. Local authorities were required to address capacity challenges by making best use of existing assets through supporting a wide range of partners including childminders and third sector partners and building where needed.

Local authorities in Scotland were expected to provide the increase in free hours by 2020, using funding provided by the Scottish Government. Since August 2018, 30 of 61 council-run ELC settings in West Lothian provided up to 760 hours of free ELC. The Council had also successfully created and recruited to ten new management positions to support staff in the delivery. The next phase of the programme for August 2019 was to offer two full days over 50 weeks of the year in a number of settings which were noted in the report.

Consultation had been undertaken with parents and carers in August and September 2018, the results of which were attached at Appendix 1 to the report, and it was proposed that further consultation be carried out with staff in each location. The proposal to increase the hourly rate paid to partner providers to £5.00, and the requirement to provide free school meals to eligible children were highlighted.

Officers responded to questions from members regarding further consultation with private providers on the expansion and whether the

Committee would have sight of the details of the capacity assessment and the hours currently offered by providers. In relation to the proposed hourly rate paid to private providers, it was noted that this was an incremental process that would further increase in future years.

The Education Executive was recommended to note the progress made to date and to agree:

1. To provide additional free hours (up to 1000 hours) of ELC in establishments which currently offered flexibility from August 2019;
2. To provide additional free hours (up to 760 hours) of ELC in establishments which did not currently offer flexibility from August 2019;
3. To offer additional free hours (up to 1000 hours) of ELC in private partner provider settings from August 2019;
4. To undertake a pilot scheme to offer additional free hours (up to 1140 hours) of ELC with a child minder from August 2019 for eligible two, three and four year olds;
5. To increase the hourly rate paid to partner providers to £5.00 from April 2019;
6. To note the requirement to provide free school meals to all eligible ELC children from August 2020; and
7. To note the publication of the Funding Follows the Child guidance and National Quality Standard on 18 December 2018.

### Decision

- 1) To note the points raised in the deputation by Ms Fairley.
- 2) To request that officers respond to the questions raised with regard to consultation which had been undertaken with private sector providers; information on how the £5 hourly rate was calculated; and whether private sector providers which were not currently in partnership with the Council would be given an opportunity to enter a partnership to deliver the additional hours.
- 3) To agree to receive a further report on consultation with private providers not already in partnership with the Council, when this could take place and if more providers would be considered as the expansion plan developed.
- 4) To provide information to members on the details of the capacity assessment and the hours currently offered, broken down by providers.
- 5) To approve the terms of the report.

5 ASSESSMENT AND MODERATION WITHIN THE BROAD GENERAL EDUCATION TO SUPPORT TEACHER PROFESSIONAL JUDGEMENT

A presentation was delivered by Laura Caulfield, Headteacher, and Mairi Morton, Teacher at St. Thomas' RC Primary School, Addiewell on the assessment and moderation practices at the school.

The presentation provided the Committee with a class teacher's perspective and a senior leader's perspective on assessment and moderation. Information was given on the context of the school which was a Scottish Attainment Challenge school, with an aim to achieving equity in education. This was followed by an overview of the process in school including a calendar of assessments, staff discussion and evaluation, identification of pupils' needs, and implementation of actions for improvement. The Headteacher highlighted the importance of working at a cluster level on self-evaluation activities, tracking and monitoring and taking a whole school approach to improve.

The Committee then considered the report by the Head of Education (Curriculum, Quality Improvement and Performance) (copies of which had been circulated). The aim of assessment and moderation was to ensure reliable and robust attainment information within the Broad General Education.

The report outlined the practices of schools in assessing learners. It was noted that teachers used a range of techniques to assess progress and the different types of achievement across the curriculum and that it was important that judgements about pupils' learning were dependable. In relation to moderation, the report stated its benefits for helping to ensure there was an appropriate focus on outcomes for learners and that teacher participation in activities was an effective form of professional development.

It was concluded that headteachers were becoming increasingly skilled at interpreting teachers' professional judgement and that continued good practice would ensure a high level of professional dialogue within schools to track and monitor progress.

The Education Executive was asked to note the high degree of confidence West Lothian had in the data provided through teacher professional judgement due to the robust approaches to assessment and moderation.

Decision

To note the presentation and the terms of the report.

6 ACHIEVEMENT OF CURRICULUM FOR EXCELLENCE LEVELS 2017/18

Greg Welsh, Quality Improvement Manager, delivered a presentation on the recently published Curriculum for Excellence (CfE) achievement levels

for 2017/18.

Information was provided on the achievements in comparison to those of 2016/17 and the target results for 2018/19, as set out in the Raising Attainment Strategy. The presentation also detailed the results per quintile of the Scottish Index of Multiple Deprivation (SIMD) which was used nationally to quantify the attainment gap by comparing results of those in the lowest and highest quintiles. This data showed that West Lothian pupils in quintile 1 were consistently outperforming the national average for this group; however it was highlighted that West Lothian had prioritised maximising attainment for pupils across all quintiles.

The presentation concluded by advising that the priorities for all schools in West Lothian in 2018/19 were combined literacy attainment, writing attainment and a focus on improving attainment levels of those in quintile 1 of the SIMD.

The Committee then considered a report by the Head of Education (Curriculum, Quality Improvement and Performance) (copies of which had been circulated) on the achievement of CfE levels in 2017/18.

The report noted the key findings from the data, published by the Scottish Government, which related to all pupils in Primary 1, Primary 4, Primary 7 and Secondary 3. It measured national performance in aspects of literacy (reading, writing, listening and talking) and numeracy and reported the proportion of pupils who achieved the expected CfE level based on teacher professional judgement, relevant to their age.

In respect of West Lothian, the key findings included that pupils were achieving above the national average in 19 of the 20 national measures and that attainment levels in almost all areas had been sustained or improved in comparison to 2016/17. It was also noted that the attainment gap reflected the national picture but that this was being addressed as part of a focussed improvement agenda.

Details were provided on the percentage of West Lothian pupils at each of the four stages who achieved expected levels for literacy and numeracy, compared to the national average. This information demonstrated that West Lothian pupils were outperforming in all aspects except P1 early level listening and talking.

The Education Executive was asked to note the publication of the achievement of Curriculum for Excellence levels 2017/18 and the performance of West Lothian pupils.

### Decision

To note the presentation and the terms of the report.

7

### RELOCATION OF CEDARBANK SCHOOL, LIVINGSTON

The Committee considered a report by the Head of Education (Learning, Policy and Resources) (copies of which had been circulated) on a

proposal to relocate Cedarbank School to the estate of The James Young High School (JYHS). A draft statutory consultation timeline and the draft consultation document were attached to the report at Appendix 1 and Appendix 2 respectively.

Cedarbank School was a secondary education establishment for pupils with a range of support needs related to learning difficulties and social communication needs. The school was currently located over three sites within Cedarbank School Building, Deans Community High School and Armadale Academy. The relocation was proposed as while the current model had been beneficial, there were some impacts on the delivery of curriculum and the development of the school community and peer socialisation.

The report outlined the key determinants for the site location and implementation, the options which had been considered and the reasons for these being discounted. It concluded that relocating to a purpose-built accommodation within JYHS would maintain the identity of the school and facilitate a single S1 to S6 provision for pupils. The report also noted that the impact in terms of traffic around the schools had been assessed as not being detrimental.

Questions were asked of officers regarding the capacity of the school and whether expansion would be required in future years, and the methods to be used to promote the consultation to ensure as many people as possible were reached. It was explained that the capacity was not predicted to be exceeded and that various communication methods would be used to circulate the consultation.

Members also questioned the traffic management and access arrangements and were advised that more detailed plans and a layout plan could be provided after the pre-consultation stage had been completed.

The Education Executive was recommended to note the terms of the initial draft consultation paper and to approve the commencement of a formal statutory consultation with an initial pre-consultation exercise on the proposal to relocate Cedarbank School.

### Decision

To approve the terms of the report.

## 8 ALLOCATION OF MEMBERS TO HEADTEACHER AND DEPUTE HEADTEACHER APPOINTMENT PANELS – PROCEDURE

The Committee considered a report by the Head of Education (Learning, Policy and Resources) (copies of which had been circulated) detailing a proposed procedure for the allocation of members to Headteacher and Depute Headteacher Appointment Panels following the informal application of this during October and November 2018.

For all Headteacher and Depute Headteacher roles, the Council held

Appointment Panels, of which 14 Councillors and two appointed religious representatives were members. Each Panel consisted of the Chair and members of the Education Executive, but the allocation of members to each Panel was not previously set out in a formal procedure. A practice had been established and the report proposed to formalise this procedure.

The proposed procedure would include two places for elected or appointed members, the first of which would be offered to the Chair of the Education Executive. If the Chair did not take up the place, both places would be offered in rotation to the other members. The religious representative nominated by the Roman Catholic Church would be offered a place on Panels concerning appointments in the denominational sector. To ensure Panels were available in a timely manner, should any places not be taken up in line with the procedure, the Depute Chief Executive would take steps to fill these.

It was noted that the SNP group had not yet appointed any members to the Panel but that these places would be taken up in future.

The Education Executive was recommended to agree:

1. To note and consider the proposed procedure for the allocation of members to each individual Headteacher and Depute Headteacher Appointment Panel, and the impact of the informal application of this procedure in the period 1 October to 30 November 2018;
2. To adopt formally the proposed procedure for the allocation of members to each individual Headteacher and Depute Headteacher Appointment Panel;
3. To delegate to the Depute Chief Executive (Education, Planning, Economic Development and Regeneration Services) the appointment of members to each individual Headteacher and Depute Headteacher Appointment Panel and to take appropriate steps to populate panels, having regard to the proposed procedure and the availability of all members of the Panel; and
4. To delegate to the Depute Chief Executive (Education, Planning, Economic Development and Regeneration Services) the adjustment of the rota for allocation of the second place for Panel members to reflect any future changes to the composition or membership of the Panel.

### Decision

To approve the terms of the report.

## 9 INSTRUMENTAL MUSIC SERVICE UPDATE

An update report by the Head of Education (Learning, Policy and Resources) was considered by the Committee. The report provided information on the Instrumental Music Service (IMS) following the decision of the Education Executive in May 2018 to implement an annual charge

for music tuition.

It was anticipated that there would be a decrease in participation after the introduction of the charge but this was in excess of the 20% reduction which was predicted. A four-week programme of taster sessions which took place in November 2018 had attracted a significant new intake of pupils to the IMS.

The number of pupils registered with the service and projected figures for each discipline were set out in the report, with a school by school analysis showing the profile of IMS student numbers before and after charging, and following the taster sessions attached at Appendix 1 to the report.

Details were provided of the changes to the service as a result of the reduction in student numbers, including the reduction in the number of area bands and ensembles from 13 to eight. Financial projections for 2018/19 and 2019/20 were also included in the report.

The report concluded that there was sufficient demand for the continuation of instrumental music tuition on a chargeable basis.

The Education Executive were recommended to:

1. Note the number of students receiving instrumental tuition and associated financial projections for 2018/19 and 2019/20;
2. Note that with effective resource management, the IMS service could be continued within approved council resources for financial year 2019/20 onwards; and
3. Agree that a further IMS update would be reported to the Education Executive in the autumn term which would include service development proposals to consider opportunities to provide more musical experiences.

The Chair moved a motion in the following terms:

“The Education Executive instructs that the current charge for instrumental music tuition should be exempted from the annual uplift of charges as part of the budget process and should remain at its current level for session 2019/20. Based on projected uptake, the annual uplift of 3.5% would equate to additional income of approximately £12,000 for the session. However, this increase was not included within the pricing schedule which formed part of the revenue budget strategy for 2018/19 to 2022/23 agreed by Council in February because the decision to commence charging for IMS was made after this date. This proposal would therefore have no impact on the currently approved revenue budget.

Officers are instructed to investigate how the concessions available for instrumental music instruction can be extended to support families unable to pay the full charge but who are not in receipt of free school meals, to consider how this might be funded and to report back to the Education Executive in time for measures to be put in place for session 2019/20.



Officers will report back to the Education Executive at its meeting in October/November with details of the numbers involved in instrumental music tuition in each school in the authority.”

### Decision

To unanimously approve the terms of the motion.

## 10 INSTRUMENTAL MUSIC SERVICE DELIVERY MODELS

The Council had previously agreed to introduce charging for instrumental music tuition with a scheme of concessions and to identify sustainable models of service delivery for the long-term. A report by the Head of Education (Learning, Policy and Resources) (copies of which had been circulated) provided the Education Executive with options for future service delivery models for consideration.

The report set out four options which were identified as being most relevant to the Instrumental Music Service: in-house delivery, transfer to an existing Arms Length External Organisation (ALEO) (West Lothian Leisure), and the creation of a new Charitable Trust and Partnership.

The factors which were considered to determine the most appropriate future service delivery model were outlined in the report. It was proposed that the continuation of in-house delivery was most appropriate as it represented the lowest risk to the Council and the best organisational stability. It was noted that working in partnership with other organisations such as local bands could be beneficial and that it was intended to explore these types of partnerships further.

The risks relating to the other potential options of transfer to an existing ALEO or voluntary organisation and the creation of a new Charitable Trust and the rationale for discounting these options were set out. Information was also provided on other areas which delivered a similar service for comparative purposes.

The Committee was recommended to agree:

1. To note that the review of options for service delivery models was based on management guidance on engaging with outside bodies, including ALEOs, approved through the Governance and Risk Board and Corporate Management Team;
2. To note that the service delivery options identified as most relevant to the Instrumental Music Service were in-house delivery, transfer to an existing ALEO (West Lothian Leisure), creation of a new Charitable Trust and Partnership;
3. That continued in-house service delivery is the most appropriate delivery model; and
4. That, in order to provide additionality, partnership with local

community bands be explored further to enhance provision of individual disciplines and performance opportunities at an individual school level.

The Chair moved a motion in the following terms:

“Recommendation 3 will be changed to:

‘that continued in house service delivery is the most appropriate delivery model at present.’

Recommendation 4 will be changed to:

‘That partnership with local community bands be explored further to enhance provision of individual disciplines and performance opportunities and that further consultation be carried out with stakeholders including parents and young people to consider if other models of provision are possible.’ “

#### Decision

- 1) To approve recommendations 1 and 2 of the report.
- 2) To unanimously approve the motion.

### 11 INTERNATIONAL EDUCATION - POLAR ACADEMY

A report by the Head of Education (Curriculum, Quality Improvement and Performance) (copies of which had been circulated) was presented on the Polar Academy programme which Bathgate Academy pupils were currently participating in.

Ten pupils from Bathgate Academy had been selected to take part in an expedition to Greenland in April 2019. The Polar Academy was a charitable organisation which aimed to help young people boost their self-esteem and confidence. Pupils from S1 to S3 were selected from a different secondary school each year and undertook extensive and challenging training for ten months prior to the expedition.

The expedition was funded through a combination of sponsorships and donations for which parents, the school and the organisers had worked hard to fundraise. The report outlined their achievements to date and the support the school and the Council had provided, including free access to West Lothian Leisure facilities to assist with their training, and £5000 of Pupil Equity Funding which had been contributed by the school.

The Committee was recommended to consider the participation of ten pupils from Bathgate Academy in the 2019 Polar Academy expedition to Greenland, the support already agreed by the Council and whether any further support was required.

The Chair moved a motion in the following terms:

“West Lothian Council Education Executive commends Bathgate Academy for its participation in the Polar Academy and for providing West Lothian young people with a unique and life changing opportunity.

Education Executive further commends the parents group and organising committee for their fundraising efforts in order to secure the successful delivery of this opportunity for the young people, and notes the estimated current fundraising shortfall of approximately £25,000.

Education Executive notes that the parents and organising committee will continue to seek funds to ensure that the project is successfully delivered for all participants, and the financial position reflected in the Committee paper of a forecast year end overspend in the wider Education portfolio within the context of a forecast underspend in the core Education budget of approximately £289,000.

Therefore, to ensure that all West Lothian participants are successfully able to take part in Polar Academy, the Education Executive agrees to underwrite from the education service budget any remaining fundraising shortfall in funds required specifically for the participation of West Lothian young people in Polar Academy by making available one off funding of up to a maximum of £20,000 to support any funding shortfall for West Lothian young people still in place on Friday 15 February 2019.

The financial consequences of this motion have been verified by the Head of Finance.”

#### Decision

To unanimously approve the terms of the motion.