

MINUTE of MEETING of the EDUCATION EXECUTIVE of WEST Lothian COUNCIL held within COUNCIL CHAMBERS, WEST Lothian Civic Centre, on 29 MAY 2018.

Present – Councillors David Dodds (Chair), Lawrence Fitzpatrick, Stuart Borrowman, Harry Cartmill, Pauline Clark, Tom Conn, Peter Heggie, Chris Horne, Charles Kennedy, Dave King, Sarah King, John McGinty, Andrew McGuire, Andrew Miller, Cathy Muldoon, George Paul, Moira Shemilt, Kirsteen Sullivan; Appointed Representatives Elsie Aitken, Heather Hughes, Myra Macpherson, Lynne McEwen; Parent Council Representative Eric Lumsden.

Apologies: Appointed Representative Margaret Russell.

1. DECLARATIONS OF INTEREST

Members made declarations of interest as undernoted:

Agenda Item 7 – Transforming Your Council – Instrumental Music Service

Councillor Pauline Clark declared an interest as her child(ren) benefitted from the Instrumental Music Service.

Councillor Sarah King declared an interest as her child(ren) benefitted from the Instrumental Music Service.

Councillor Andrew Miller declared an interest as his child(ren) benefitted from the instrumental Music Service.

Eric Lumsden declared an interest as his child(ren) benefitted from the Instrumental Music Service.

Lynne McEwen declared an interest as her grandchild(ren) benefitted from the Instrumental Music Service.

Heather Hughes declared an interest as the local Association Secretary of the EIS which included Instrumental Music Teachers as members.

2. ORDER OF BUSINESS

The Chair agreed that the supplementary item included at agenda item 17 (Establishment of Secondary Stages of Education Within Ogilvie School Campus) be considered before agenda item 16 (Early Learning and Childcare – Expansion Plan Update) as this was a public item for decision by the Education Executive.

3. REQUEST FOR DEPUTATION

The Chair informed the Education Executive that a request for a deputation had been made by Yvonne Hall on behalf of Save our Strings and Percussion Campaign, who wished to address the meeting in relation

to agenda item 7 - Transforming your Council – Instrumental Music Service.

The Education Executive agreed that the deputation be heard.

The Chair then ruled that the deputation be heard immediately before consideration of the officer's report on the Instrumental Music Service.

4. MINUTE

The Education Executive confirmed the minute of the meeting held on 17 April 2018 as being a correct record. The Chair thereafter signed the minute.

5. CORRESPONDENCE

The Education Executive noted correspondence arising from previous decisions.

6. TRANSFORMING YOUR COUNCIL - INSTRUMENTAL MUSIC SERVICE

Deputation

Yvonne Hall spoke on behalf of Save our Strings and Percussion Campaign against the proposal to cut string and percussion disciplines from schools in West Lothian. Children in West Lothian have benefitted from receiving instrumental music tuition in schools. Ms Hall acknowledged that due to budget constraints West Lothian Council had to make difficult decisions in relation to delivering the Instrumental Music Service. However, responses received from the recent survey carried out indicated that charging some children to receive music tuition was not a fair option as this targeted and discriminated against specific groups of children. The Education Executive was asked to look at a solution for the long term sustainability of the music service for all children. Consideration should also be given to seek additional funding to support the service through an Arms-Length Organisation or Charitable Trust. It was important that everyone worked together to find a solution to continue to provide instrumental music tuition within all disciplines to children in West Lothian.

The Chair thanked Ms Hall for her presentation.

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

The Education Executive considered a report (copies of which had been circulated) by the Head of Education (Learning, Policy and Resources) inviting members of consider the outcome of the family survey and pupil engagement undertaken in line with the decision of the Education Executive of 17 April 2018.

The Business Transformation Lead – Education Services, advised that the Education Executive at its meeting of 17 April 2018 approved a motion by

Councillor Dodds accepting the decision taken by council on 13 February 2018 and instructed a survey of families of pupils currently in receipt of instrumental music, and engagement with pupils currently in receipt of tuition. The results of the survey were outlined in the report.

It was recommended that the Education Executive considers the outcome of the family survey and pupil engagement undertaken in line with the decision of the Education Executive of 17 April 2018, and determines the future model of instrumental music tuition in West Lothian in accordance with council's decision on 13 February 2018.

Motion

The Education Executive accepts the decision taken on 13 February 2018 to introduce a revised model of instrumental music provision maintaining a substantial level of tuition while achieving a saving of £493,000.

The response to the survey undertaken following the Education Executive meeting on 24 April 2018 shows a clear majority in favour of introducing charges for instrumental music tuition. While the total number of responses in favour of charging represents less than 20% of the total number of families eligible to take part the Executive will be guided by the majority view.

The Education Executive is aware that the introduction of charging may have adverse effects on the instrumental music service in the longer term, reducing the number of participants and impacting on the quality of the service. For this reason the Education Executive instructs officers to put in place a number of safeguards designed to ensure, as far as possible, that children and young people are not forced to abandon or decline instrumental music tuition because their families are unable to afford it.

The Education Executive therefore instructs officers:-

1. To implement a charge of £354 for all pupils receiving instrumental music tuition in session 2018/19 to be paid in advance. This level of charge is necessary to recover the full cost of providing the service and includes an allowance for the introduction of concessions, a drop in uptake and non-payment. A review of charges should take place in April 2019
2. To implement a scheme of concessions with:-
 - a) free tuition provided to pupils in receipt of free school meals, looked after children and pupils whose SQA performance module is in the same instrument in which they receive tuition.
 - b) a 50% reduction in the cost of tuition of the second and each of the subsequent siblings who receive tuition.
3. To inform all users and potential users of the service of these charges as soon as reasonably practicable.

The Education Executive further instructs officers to consider schemes in other Scottish local authorities, and elsewhere, that allow families not in receipt of free school meals but who would nevertheless struggle to afford the full cost of instrumental tuition to receive tuition at a discounted rate.

The Education Executive instructs the Chief Executive to write to the First Minister of Scotland, the Depute First Minister of Scotland, the Cabinet Secretary for Finance and the Constitution and the Cabinet Secretary for Culture, Tourism and External Affairs with details of the decisions taken by the Education Executive on charging for instrumental music. The Chief Executive should make clear that these decisions are a direct consequence of the failure of the Scottish Government to fully fund local authorities in Scotland and should call upon the Scottish Government to increase funding to all local authorities to allow all children in Scotland to have access to free instrumental music tuition as part of their education.

Moved by Councillor Dodds, seconded by Councillor Fitzpatrick.

Amendment

The Education Executive accepts the decision taken on 13th February 2018 to introduce a revised model of instrumental music provision maintaining a substantial level of tuition whilst achieving a saving of £493,000.

The Education Executive acknowledges the results of the family survey and pupil engagement which showed support from Students and Parents to include a charging element for the IMS to deliver the required savings.

The Education Executive notes the following extract from the Education Executive paper agreed on the 17th April 2018. (Page 10 last 3 paragraphs).

The configuration of the new model of instrumental music tuition will be an operational matter for officers to determine, and the implementation of the new model will be undertaken according to the Council's Workforce Management Policy. Officers will seek to maximise the opportunity for pupils to continue their instruction in the remaining disciplines to be offered, and this will be a factor in the deployment of staff.

The total efficiency is achieved through a combination of staff savings, overtime and supplies. Within this model, efficiencies in management and central support, the overtime necessary to support bands and ensembles, and reductions in instrument purchase and repair budgets will be possible as the overall service size will decrease by approximately half.

Further efficiency will be achieved where necessary to ensure continuity of provision in remaining disciplines by a reduction in teaching time and/or larger teaching groups, increasing the pupil:instructor ratio. A reduction in pupil numbers will be achieved through natural turnover and reduced intake rates.

The Education Executive therefore instructs officers to maximise the tools

available in the above paragraphs and any other suitable methods in order to reduce the proposed estimated cost per pupil from £354.00.

Moved by Councillor Heggie.

The Chair adjourned the meeting for ten minutes to allow members to consider the motion and amendment.

Councillor Dodds advised that following discussion a joint position was proposed. A position was subsequently agreed without division.

Decision

To unanimously agree a position as undernoted:

The Education Executive accepts the decision taken on 13 February 2018 to introduce a revised model of instrumental music provision maintaining a substantial level of tuition while achieving a saving of £493,000.

The response to the survey undertaken following the Education Executive meeting on 24 April 2018 shows a clear majority in favour of introducing charges for instrumental music tuition. While the total number of responses in favour of charging represents less than 20% of the total number of families eligible to take part the Executive will be guided by the majority view.

The Education Executive is aware that the introduction of charging may have adverse effects on the instrumental music service in the longer term, reducing the number of participants and impacting on the quality of the service. For this reason the Education Executive instructs officers to put in place a number of safeguards designed to ensure, as far as possible, that children and young people are not forced to abandon or decline instrumental music tuition because their families are unable to afford it.

The Education Executive therefore instructs officers:-

1. To implement a charge of £354 for all pupils receiving instrumental music tuition in session 2018/19 to be paid in advance with flexibility allowed in the method of payment. This level of charge is necessary to recover the full cost of providing the service and includes an allowance for the introduction of concessions, a drop in uptake and non-payment. An interim review of the level of charging will take place in December 2018 with a report coming forward to the Education Executive for consideration.
2. To implement a scheme of concessions with:-
 - a) free tuition provided to pupils in receipt of free school meals, looked after children and pupils whose SQA performance module is in the same instrument in which they receive tuition

- b) a 50% reduction in the cost of tuition of the second and each of the subsequent siblings who receive tuition.
- 3. To inform all users and potential users of the service of these charges as soon as reasonably practicable.

The Education Executive further instructs officers to consider schemes in other Scottish local authorities, and elsewhere, that allow families not in receipt of free school meals but who would nevertheless struggle to afford the full cost of instrumental tuition to receive tuition at a discounted rate.

The Education Executive instructs the Chief Executive to write to the First Minister of Scotland, the Depute First Minister of Scotland, the Cabinet Secretary for Finance and the Constitution and the Cabinet Secretary for Culture, Tourism and External Affairs with details of the decisions taken by the Education Executive on charging for instrumental music. The Chief Executive should make clear that these decisions are a direct consequence of the failure of the Scottish Government to fully fund local authorities in Scotland and should call upon the Scottish Government to increase funding to all local authorities to allow all children in Scotland to have access to free instrumental music tuition as part of their education.

7. SCHOOL SESSION DATES 2019/20

The Education Executive considered a report (copies of which had been circulated) by the Head of Education (Learning, Policy and Resources) providing details of the proposed school session dates for 2019/20.

The report advised that the proposed session dates were in line with the policy as agreed by the Education Executive at its meeting of 9 June 2015, following consultation with Parent Councils, Head Teachers and the Local Negotiating Committee for Teachers (LNCT). Appendix 1 to the report listed the proposed school session dates for 2019/20 and appendix 2 showed these dates in a calendar format for ease of reference. Appendix 3 showed the proposed session dates in those neighbouring authorities which have published dates so far for session 2019/20. Members noted that the dates differed from each other as it was not possible to set holidays which coincided with all neighbouring authorities. Some authorities have not yet published their dates for 2019/20 therefore the information in appendix 3 was subject to change.

It was recommended that The Education Executive approve the proposed session dates for 2019/20.

Decision

To approve the terms of the report.

8. EARLY LEARNING AND CHILDCARE SERVICE MODEL FOR 2020 CONSULTATION

The Education Executive considered a report (copies of which had been circulated) by the Head of Education (Learning, Policy and Resources) providing details of the Scottish Government consultation on the Early Learning and Childcare Service model for 2020.

The report explained that the Scottish Government launched a consultation in relation to the Early Learning and Childcare Service model for 2020 on 29 March 2018. The draft response to the consultation was attached as an appendix to the report.

The Education Executive was asked to consider and agree the draft response to the Scottish Government consultation on the Early Learning and Childcare Service model for 2020.

Decision

To approve the terms of the report.

9. EDUCATION SERVICES POLICY FOR LOOKED AFTER CHILDREN AND YOUNG PEOPLE

The Education Executive considered a report (copies of which had been circulated) by the Head of Education (Learning, Policy and Resources) providing details of the revised Education Service Policy for Looked After Children and Young People.

The revised Education Service Policy for Looked After Children, attached as an appendix to the report, provided up to date advice and guidance for those undertaking the role of Designated Member of Staff in schools. It also provided clear guidance on processes and procedures that were required through relevant legislation. The policy should be read in conjunction with the Positive Relationships policy recently revised by Education Services which provided specific guidance on supporting Looked After Children as part of this approach.

It was envisaged that, through careful implementation of the guidance contained in the policy, outcomes for children and young people would be improved through clarity of the role for Designated Members of Staff in educational establishments. Guidance on staff development and training was also included along with processes for quality assurance.

It was recommended that the Education Executive approves the Education Service Policy for Looked After Children as set out in Appendix 1 to the report.

Decision

To approve the terms of the report.

The Principal Education Planning Officer advised the Education Executive that the Draft Consultation Documents referred to in items 10 to 14 below allowed officers to further develop consultation proposals for use during the statutory consultation period and could therefore be subject to changes following consultation with stakeholders. Approval was being sought from the Education Executive to commence public consultation.

A number of catchment area reviews were required by Education Services to ensure housing developments outlined within the council's capital programme have appropriate catchment schools specified and to also ensure that West Lothian Council meets statutory educational responsibilities.

10. THE ESTABLISHMENT OF A NEW NON-DENOMINATIONAL PRIMARY SCHOOL AND REVIEW OF THE NON-DENOMINATIONAL SCHOOL CATCHMENT AREA AT EAST CALDER PRIMARY SCHOOL

The Education Executive considered a report (copies of which had been circulated) by the Head of Education (Learning, Policy and Resources) seeking approval to commence formal public consultation to establish a new non-denominational primary school at Calderwood, East Calder, and change the non-denomination catchment area of East Calder Primary School. The draft consultation document prepared by council officers was attached as an appendix to the report.

The Principal Education Planning Officer advised that a site for a new non-denominational primary school at Calderwood, East Calder was identified in the 2009 West Lothian Local Plan. The site identified would allow children from the entire Calderwood housing development to be educated at a new primary school within the development area. The developer would transfer the land to the council at no cost and would pay in full for the construction and delivery of the new primary school.

The creation of a new educational establishment and commencement of a catchment review of East Calder Primary School offers West Lothian Council the opportunity to amend where deemed most viable the existing non-denominational catchment specifications in East Calder. The changes outlined in the draft consultation paper would make best use of existing and future school capacities. Details of the proposals were outlined within the report.

It was recommended that Education Executive approves commencement of public consultation to establish a new non-denominational primary school at Calderwood, East Calder and change the non-denominational catchment area of East Calder Primary School.

Decision

To approve the terms of the report.

11. REVIEW OF NON-DONOMINATIONAL PRIMARY SCHOOL CATCHMENT AT HARRYSMUIR PRIMARY SCHOOL AND TORONTO PRIMARY SCHOOL

The Education Executive considered a report (copies of which had been circulated) by the Head of Education (Learning, Policy and Resources) seeking approval to commence formal public consultation to change the catchment areas of Harrysmuir Primary School and Toronto Primary School. The draft consultation document prepared by council officers was attached as an appendix to the report.

The report explained that the former Operational Services depot at Eagle Brae has been identified as a site for housing development in the Local Development Plan and has a provisional allocation of 30 dwellings. The catchment of Harrysmuir Primary School was under pressure with a roll of 409, close to the school's capacity of 415. Harrysmuir Primary School has been operating close to or just above capacity since 2015 and forecasts show it was likely to remain for the foreseeable future.

The consultation transfers the development site at Eagle Brae depot from Harrysmuir Primary School catchment to Toronto Primary School catchment where existing and future capacity was available. No external residential properties were proposed to be transferred.

It was recommended that the Education Executive approves commencement of public consultation to change the catchment areas of Harrysmuir Primary School and Toronto Primary School.

Decision

To approve the terms of the report.

12. RELOCATION OF HOLY FAMILY PRIMARY SCHOOL, WINCHBURGH

The Education Executive considered a report (copies of which had been circulated) by the Head of Education (Learning, Policy and Resources) seeking approval to commence formal public consultation to relocate Holy Family Primary School, Winchburgh. The draft consultation document was attached as an appendix to the report.

The report explained that Holy Family Primary School shared premises with Winchburgh Primary School at Glendevon Park, Winchburgh. As part of the continuing expansion of the Winchburgh Core Development Area it was proposed to relocate Holy Family Primary School to a newly built, developer funded school in the north of Winchburgh on the Beattie Road.

The school would initially be constructed as a full single stream capacity however, the intended site has capacity for expansion to a full two stream capacity establishment to accommodate demand from across the Winchburgh and East Broxburn Core Development Areas.

Delivery of a new single site education establishment would allow

relocation of the existing Holy Family Primary School in Winchburgh.

It was recommended that the Education Executive approves commencement of public consultation to relocate Holy Family Primary School, Winchburgh.

Decision

To approve the terms of the report.

13. REVIEW OF NON-DENOMINATIONAL PRIMARY SCHOOL CATCHMENT AT SIMPSON PRIMARY SCHOOL AND BOGHALL PRIMARY SCHOOL

The Education Executive considered a report (copies of which had been circulated) by the Head of Education (Learning, Policy and Resources) seeking approval to commence formal public consultation to change the catchment areas of Simpson Primary School and Boghall Primary School. The draft consultation document prepared by council officers was attached as an appendix to the report.

The report advised that the Guildiehaugh Depot site was proposed for redevelopment as housing now that it was surplus to requirements for the council's Operational Services team. One hundred residential properties were proposed in the Local Development Plan for this site.

Simpson Primary School does not have capacity to accommodate the children from a development of this size therefore it was proposed to transfer the site into the Boghall Primary School catchment which does have existing capacity and future capacity. No existing residential properties were proposed to be transferred.

It was recommended that the Education Executive approves commencement of public consultation to change the catchment areas of Simpson Primary School and Boghall Primary School.

Decision

To approve the terms of the report.

14. REVIEW OF DENOMINATIONAL PRIMARY SCHOOL CATCHMENT AREAS AT ST PAUL'S PRIMARY SCHOOL, ST NINIAN'S PRIMARY SCHOOL AND ST MARY'S PRIMARY SCHOOL, WEST CALDER

The Education Executive considered a report (copies of which had been circulated) by the Head of Education (Learning, Policy and Resources) seeking approval to commence formal public consultation to review the denomination primary school catchment areas at St Paul's Primary School, St Ninian's Primary School and St Mary's Primary School. The draft consultation document prepared by council officers was attached as an appendix to the report.

The Principal Education Planning Officer advised that the map attached at appendix 5 to the report was incorrect. The correct map was then tabled. It was also noted that St Mary's Primary School was in Polbeth and not West Calder as recorded in the report.

The report recalled that on 18 January 2011 the Education Executive approved a paper to remove from St Paul's Primary School catchment areas which crossed the boundary with City of Edinburgh Council. As part of the process new maps showing the catchment for St Paul's Primary School were produced. The adoption of the new catchment maps inadvertently left a small area of land south of Murieston outwith the St Paul's Primary School catchment without including it in the catchment area of any other school. This catchment review was intended to rectify that anomaly as well as to move a small number of properties (14 in total) that were in the St Paul's Primary School catchment but which were associated with Livingston or West Calder rather than Mid and East Calder. Details of the proposals were outlined within the report.

It was recommended that the Education Executive approves commencement of public consultation to review the denominational primary school catchment areas at St Paul's Primary School, St Ninian's Primary School and St Mary's Primary School.

Decision

To approve the terms of the report subject to the following amendments:

- To replace the map at appendix 5 to the report with the correct map; and
- To amend St Mary's Primary School (West Calder) with St Mary's Primary School (Polbeth) in future reports/consultation documents.

15. ESTABLISHMENT OF SECONDARY STAGES OF EDUCATION WITHIN OGILVIE SCHOOL CAMPUS

The Education Executive considered a report (copies of which had been circulated) by the Head of Education (Learning, Policy and Resources) providing details of proposals to commence formal public consultation in relation to Ogilvie School Campus becoming a 5-18 all-through school offering both primary and secondary education for children with severe and complex needs as agreed in the council's ASN Review 2014. The draft consultation proposal was attached as an appendix to the report.

The report advised that following the pre-consultation exercise a draft Consultation Proposal was prepared in relation to the establishment of a secondary stage within Ogilvie School Campus.

The Education Executive was requested to authorise the commencement of the Consultation in order that officers could further develop and conclude drafting of the Consultation Proposal for use during the statutory consultation period.

Decision

To approve the terms of the report.

16. EARLY LEARNING AND CHILDCARE - EXPANSION PLAN UPDATE

The Education Executive considered a report (copies of which had been circulated) by the Head of Education (Learning, Policy and Resources) providing an update on the revenue and capital funding allocations provided by the Scottish Government for 2018/19 – 2021/22 to West Lothian Council.

The Scottish Government confirmed to local authorities the revenue and capital funding allocations for 2017/2018 – 2021/2022 on 1 May 2018. Details of the funding provided to West Lothian were outlined within the report.

It was recommended that the Education Executive notes the revenue and capital funding allocations provided to West Lothian Council by the Scottish Government for the period 2018/19 – 2021/22 for the ELC expansion.

Decision

To note the contents of the report.