

MINUTE of MEETING of the EDUCATION EXECUTIVE of WEST LOTHIAN COUNCIL held within COUNCIL CHAMBERS, WEST LOTHIAN CIVIC CENTRE, HOWDEN SOUTH ROAD, LIVINGSTON, EH54 6FF, on 29 JUNE 2010.

Present – Leader of the Council Peter Johnston (Chair), Councillors Andrew Miller, Frank Anderson, William Boyle, John Cochrane, Martyn Day, Robert De Bold, Lawrence Fitzpatrick, Ellen Glass, Danny Logue, Jim Walker, Elsie Aitken and John Hendrie.

Apologies – Councillor Isabel Hutton

1. MINUTE

The Education Executive confirmed the Minute of its meeting held on 18th May 2010. The Minute was thereafter signed by the Chair.

2. REVISED EDUCATION SERVICES BUDGET 2010/2011

The Education Executive considered a report (copies of which had been circulated) by the Depute Chief Executive seeking approval to reduce the Devolved School Management Budgets by 0.7%.

The report advised that in 2008 the European Court of Justice on *Perada v Madrid Movilida SA* and *Gomez v Continental Industrias Del Gaucho SA* led to a fundamental change to the conditions of service for teachers and others workers, in particular to accrued leave following periods of maternity and sickness absence.

The report outlined the position with regards to leave entitlement if a teacher was ill during a holiday period and it was estimated if teachers did claim their entitlement during term-time this would be required to be covered by Supply Teachers and was expected to cost in the region of £40,000 per annum.

The report continued to advise the position with regards to maternity leave whereby any teacher on maternity leave could accrue paid leave on the basis of 0.3385 of a day for each day worked in a school session. Therefore assuming a maximum entitlement of 66 days and with 53 teachers on maternity leave in West Lothian the estimated costs were expected to be £583,000.

Therefore in light of the Tough Choices consultation it was proposed to cut the DSM budgets by 0.7% to fund the estimated additional costs of £623,000 per annum to cover the cost of additional accrued leave and it was further noted that briefings had been held with Head Teachers to discuss the implications of the changes to Conditions of Service.

Therefore it was recommended that the Education Executive approve the reduction in the Devolved School Management Budgets by 0.7% for

2010/2011.

Motion

To approve the terms of the report.

- Moved by the Chair and seconded by Councillor Boyle.

Amendment

“This Council while noting resource implications of sickness absence and maternity leave considers it unfair to source arising costs from devolved school management budgets.

The Labour Group therefore invites the council to formally seek the estimated shortfall from the Scottish Government and reject the proposal to reduce devolved school management budgets”

- Moved by Councillor Fitzpatrick and seconded by Councillor Logue.

It was agreed that a roll call be taken, which resulted as follows: -

Motion

Frank Anderson

William Boyle

John Cochrane

Martyn Day

Robert De Bold

Ellen Glass

Peter Johnston

Andrew Miller

Jim Walker

John Hendrie

Amendment

Lawrence Fitzpatrick

Danny Logue

Decision

Following a vote the motion was approved by 10 votes to 2, with 1 abstention, and it was agreed accordingly.

3. FUTURE STRUCTURE OF SCHOOLS MANAGEMENT IN SCOTLAND

The Education Executive considered a report (copies of which had been

circulated) by the Head of Services – Schools, advising that the Scottish Government were seeking views on the current structure of schools management in Scotland, and what, if any, changes should be made to this.

The report advised that the management of the Education function within West Lothian Council had evolved since 1996 and a review of key activities was on-going to ensure that all aspects of the service delivered best value and had a positive impact upon children and young people in West Lothian.

Through the review process the central education management service in West Lothian had reduced and given the impending financial constraint on public services would reduce further.

The report further advised that a key aspect of the success had been the collegiate working between schools and the central education service and that the schools also benefitted from corporate working with other council services and key partner agencies such as Health, Police and West Lothian College.

Attached to the report at Appendix 1 was the proposed response to the consultation and the Council Executive were invited to approve the terms of response

Decision

To approve the terms of the report.

4. PRE-SCHOOL PROVISION AND WRAPAROUND CARE

The Education Executive considered a report (copies of which had been circulated) by the Head of Service – Schools to provide an update on adjustments undertaken for session 2010/2011 to the council's wraparound care, to advise of the on-going work to review the wraparound care service and to advise of the need to adjust the current contract Terms and Conditions for the wraparound care service for session 2010/2011.

The Head of Education – Schools advised that following a review of the wraparound service and in which operating hours and staff capacity were examined it was necessary to discontinue wraparound care at Broxburn Primary School, Hopefield Nursery School and St Anthony's RC Primary School.

The report also summarised further adjustments that would be made at other schools throughout West Lothian.

The report continued to advise that it was also proposed to replace the current terms and conditions with those attached to the report at Appendix

2 with the key changes being the need for services users to notify Pupil Placement at least 4 weeks in advance of any changes to hours or cancellation of service and to invoice users on an hourly rate with a minimum charge of one hour per day.

It was recommended that the Education Executive: -

1. Note that Wraparound Care Service provision adjustments undertaken for session 2010/2011
2. Note the on-going review of the Wraparound Care Service in order to address the current heavy subsidy for this service;
3. Agree to revise contract Terms and Conditions for the Wraparound Care Service for Session 2010/2011 as outlined in the terms of the report.

Decision

To approve the terms of the report.

5. SCHOOL SESSION DATES 2011-2012

The Education Executive considered a report (copies of which had been circulated) by the Head of Service – Schools advising of the proposed dates for West Lothian schools In 2011/2012.

The Head of Service – Schools advised that attached to the report at Appendix 1 was the proposed day school session dates for 2011/2012 and which as a result of consultation had the broad agreement of the Head Teachers, Trade Unions and Parent Councils.

It was further advised that the proposed dates conformed to the Lothian model developed to harmonise session dates and adopted by the Local Negotiating Committee (Teaching) at its meeting held in April 2001.

It was recommended that the Education Executive approve the proposed dates for school session 2011/2012.

Decision

To approve the terms of the report.

6. WEST LOTHIAN COUNCIL SCHOOL EXCURSION POLICY

The Education Executive considered a report (copies of which had been circulated) by the Head of Education advising of the excursion policy for schools.

The Head of Education advised that the council recognised that

excursions out of school enhanced the education experience of pupils and that the policy had been drafted to support schools to ensure these experiences were of the highest quality.

The policy attached to the report at Appendix 1 provided a framework for excursion leaders to use when planning and organising an excursion and gave clear guidance on roles, legal requirements and responsibilities.

In response to a suggestion the Head of Education agreed that they would consult with the Youth Congress on such future policies.

It was recommended that the Education Executive approve the draft policy for excursions for schools.

Decision

1. To approve the terms of the report; and
2. Agreed to consult the Youth Congress on such policy matters in the future.