

MINUTE of MEETING of the EDUCATION EXECUTIVE of WEST LoTHIAN COUNCIL held within COUNCIL CHAMBERS, WEST LoTHIAN CIVIC CENTRE, LIVINGSTON, on 22 MARCH 2011.

Present – Leader of the Council Peter Johnston (Chair), Councillors Andrew Miller, Frank Anderson, Willie Boyle, John Cochrane, Martyn Day, Robert De Bold, Lawrence Fitzpatrick, Ellen Glass, Isabel Hutton, Danny Logue and Jim Walker, Mr John Hendrie and Mrs Myra McPherson.

Absent – Rev. W. Richard Houston

1. DECLARATIONS OF INTEREST

Agenda Item 12 (ED8 Pupil Support Workers) – Councillor Fitzpatrick declared a non-financial interest in that he was a member of the Parent' Councils of Williamson Primary School, St Ninian's Primary School and Bellsquarry Primary School.

2. MINUTE

The Committee approved the Minute of its meeting held on 22<sup>nd</sup> February 2011. The Minute was thereafter signed by the Chair.

3. DEVELOPING ST MARGARET'S ACADEMY GROUNDS – PRESENTATION BY CRAIG KERR AND EMILY LOVAT OF ST MARGARET'S ACADEMY

The Education Executive was provided with an overview of the Grounds for Learning Programme that was operating within St Margaret's Academy. School pupils Craig Kerr and Emily Lovett explained that the programme was designed to encourage pupils to think about and generate ideas for potential improvements to the school grounds, which in turn would encourage a healthier lifestyle.

A series of workshops had been convened by the school to provide suitable forums for discussion between pupils, staff and other professionals to stimulate ideas and get buy-in from all the school pupils on the programme.

Craig and Emily continued to explain that they hoped that the programme would be rolled out to other schools throughout West Lothian and that local people would also benefit from the improvements made to the school ground.

The Chair thanked Craig and Emily on behalf of all the members of the Council Executive for the very informative presentation.

Decision

To note the terms of the presentation from Craig Kerr and Emily Lovett of

St Margaret's Academy.

#### 4. PLACING IN SCHOOLS (APPEALS) COMMITTEE – MEMBERSHIP

The West Lothian Council (Placing in Schools) Appeals Committee was a statutory body set up under the Education (Scotland) Act 1980. It was independent and was not part of the council's policy making or decision making structure.

The Education Executive considered a report by the Chief Solicitor (which had been circulated) providing information on the recruitment to and membership of the panel of members for the Placing in Schools (Appeals) Committee and seeking agreement to have committee appointments made and confirmed.

The report explained that a recruitment exercise had been carried out in October 2010 to expand the membership of the committee, particularly those with education experience who could be relied upon to be available for hearings. As a result, 3 applications were received from educationally qualified persons and 4 from parents of children at school in West Lothian. The membership of the committee would be expanded to 5 educationally qualified members and 12 parent representatives. There was no need to review the councillor appointments to the committee as there were already 10 members appointed to it, although not all had undertaken the necessary training.

Members noted from the report the training which had been arranged for new and existing members, and of the arrangements for the new members to undergo a Disclosure Scotland enhanced disclosure check.

The Chief Solicitor recommended that the Education Executive agree to note the information about existing and new members of the committee and agree to appoint the new members and confirm the existing members, as outlined in the appendix to the report.

#### Decision

To approve the terms of the report.

#### 5. EDUCATION POLICY

Education Services delivered education in terms of a suite of policies but did not have a unifying policy that drew them together.

The Education Executive considered a report by the Depute Chief Executive (which had been circulated) by the Depute Chief Executive seeking agreement of a proposed Education Policy.

The Education Policy would draw together the suite of Education Services policies and would be the foundation against which all other policies governing the education system in West Lothian were built. These

included pedagogy, education legislation, national and local policy, equality of opportunity, developing enterprising citizens, ensuring positive destinations for school leavers and promoting lifelong learning.

The draft policy would cover the formal education offered to pre-school and school aged children and would recognise the commitment to ensuring that pupils progressed to positive destinations on leaving school, and to lifelong learning.

The Depute Chief Executive recommended that the draft Education Policy, as outlined in the appendix to the report, be approved.

### Decision

To approve the terms of the report.

## 6. CCTV GUIDELINES

The council currently had no guidelines on the use of CCTV within schools although national advice and guidance was followed.

The Education Executive considered a report by the Depute Chief Executive (which had been circulated) explaining that in response to a recent concern raised by a parent about the positioning of CCTV cameras over the sink areas within toilets, it was proposed to introduce guidelines to provide clarity for staff, parents and pupils and to promote consistency across the county.

Currently cameras were installed in toilets at West Calder High School and Whitburn Academy to observe the sink areas to deter acts of vandalism and indiscipline. Pupils had reported that CCTV cameras gave them an increased sense of security when using toilet areas as these were areas where pupils perceived that indiscipline or bullying occurred.

Consultation had taken place with schools, parent councils and the Local Negotiating Committee on the proposed guidelines which were appended to the report. The responses received had been detailed within the report. Head Teachers at schools where cameras were positioned to cover the sink areas had stressed their value in deterring vandalism, smoking, violent behaviour, etc., and had indicated that they would be reluctant to remove them.

The Executive noted that when the draft policy was considered by the Education Policy Development and Scrutiny Panel, two versions of the wording of Paragraph 6 had been presented. The option preferred by the PDSP was to continue to allow CCTV cameras to be positioned in changing rooms or toilets following consultation with parents, pupils and staff. In response to a suggestion by the PDSP, an additional paragraph had been added into the proposed guidelines to ensure schools regularly reviewed the continued use of CCTV and the positioning of cameras, in consultation with pupils, parents and staff.

The Depute Chief Executive recommended that the Education Executive approve the draft CCTV guidelines, as detailed in the report.

### Decision

To approve the terms of the report.

## 7. THE PROVISION MADE FOR S4-S6 PUPILS WHO HAVE SIGNIFICANT ADDITIONAL LEARNING NEEDS AND A HIGH LEVEL OF VULNERABILITY – OUTCOME CONSULTATION

At its meeting held on 31<sup>st</sup> August 2010, the Education Executive agreed to commence statutory consultation on a proposal to make changes and improvements to the provision for S4 to S6 pupils who had significant additional support needs and a high level of support based in Cedarbank School. Pupils would benefit from having access to the full range of subject specialists and resources, thereby widening their learning experiences and opportunities prior to transition for work or college.

The Education Executive considered a report by the Head of Education (Quality Assurance) (which had been circulated) advising of the outcome of the public consultation on the proposed changes and improvements to the provision for pupils who had significant additional learning needs and a high level of vulnerability currently based in Cedarbank School.

The report provided detailed information on the background to the proposals, the consultation arrangements with key stakeholders, the key issues raised through the consultations, the outcome of public meetings, the response by the trade unions representing teaching and support staff and the response by Her Majesty's Inspectorate of Education. The response from Education Services to the points arising throughout the consultation were also provided in the report.

The report concluded that by establishing a provision in Armadale Academy, the council would be providing enhanced opportunities for young people to access broader learning experiences and further develop their skills for life. Young people, at the important transition stage, would benefit from increased independence and confidence which would be advantageous in preparing them for college or work experience.

The Head of Education (Quality Assurance) recommended that the Education Executives agree to:-

- a) Establish a provision in Armadale Academy for S4-S6 pupils from Cedarbank School.
- b) Transfer a staff team from Cedarbank School to Armadale Academy on an annual seconded basis.
- c) Use the integrated assessment process to transfer pupils to

Armadale Academy with the involvement and agreement of parents/carers.

- d) Confirm that all pupils currently attending Cedarbank School would be considered for the provision in Armadale Academy.

### Decision

To approve the terms of the report.

## 8. WRAPAROUND CARE – TOUGH CHOICES ED19

The Wraparound care service provided high quality wraparound care integrated with pre-school provision. The Wraparound care service attached to a school affected the available capacity for pre-school provision and impacted on the ability of Pupil Placement to satisfy pre-school demand and, in particular, to meet parental choice for centres from parents resident in the locality. There was a need for balance when determining the provision and scale of the Wraparound care service in the context of the need for pre-school places in a locality which had been addressed during the first phase of the review of the Wraparound care service for school session 2010/2011.

The Education Executive considered a report by the Head of Service – Schools with Education Support (which had been circulated) advising of the ongoing review of the Wraparound care service to ensure full financial viability of the business model by financial year 2012/13, as indicated under the Tough Choices proposal, and seeking agreement to review the Wraparound care service contract terms and conditions.

The report provided the Executive with information on the current position and scale of charges. It also provided information arising from a benchmarking exercise on the fees charged by private providers and childminders. The uptake of the service during the school holiday periods was also provided.

The Head of Service – Schools with Education Support recommended that the Education Executive note the terms of the report and approve revised Terms and Conditions with the key changes as undernoted:-

- To increase the hourly rate for Wraparound to £3.50 from the start of session 2011/12.
- To set the annual registration fee at £20 for the start of session 2011/12.
- To introduce a per session charge during the summer school holiday period where users would apply for a half day (am or pm) £15.00, full day £25.00, or full week £110 placement. The hourly rate would be suspended over the school summer holiday period.

- To waive the annual registration fee for new users for the summer school holiday period.

### Decision

To approve the terms of the report.

## 9. TOUGH CHOICES ED23 REVIEW OF SCHOOL SUPPORT FUNCTIONS

West Lothian Council agreed at its meeting on 11<sup>th</sup> January 2011 to implement Tough Choices ED23, Review of School Support Functions, in order to achieve a budget reduction of £175,000 in financial year 2011/12. A further reduction of £175,000 would be required in financial year 2012/13. Given the financial position, there was a need to review all support functions to ensure that service requirements were met in the most efficient manner, remove duplication, streamline systems and optimise the business benefits of new technology.

The Education Executive considered a report by the Head of Service – Schools with Education Support (which had been circulated) providing an update on the proposals for the implementation of the Review of School Support Functions (ED23) in line with the required budget efficiency for financial year 2011/12.

The report provided the Executive with information on the review that had been undertaken to focus on the most efficient use of available resources. The short life working group set up to develop a new model of school support had investigated what functions would most efficiently be undertaken at school level, those that would more appropriately be provided at area level and those that could be delivered through a corporate resource working across all schools. Their review had impacted on all school sectors and had required consideration of corporate support functions.

The report then went on to outline in full the proposal to establish an Area Business Manager Model based on the 11 geographic school clusters. ASB Managers would be based in the secondary school and would provide a business management support service to the secondary school and other schools in the local area. A dedicated Health and Safety Officer would also be appointed to ensure that core Health and Safety requirements were delivered across schools and two centrally based posts would be created to undertake Finance and Workforce Planning roles.

The revised model removed a material element of the current business support resource and it would be very important to manage any risks through the implementation and review phase. To address concerns raised by the working group and Head Teachers, the senior management team proposed transitional arrangements and further work to look at the efficiency of the administrative support in schools, which were fully

outlined in the report.

The Executive noted that the required efficiency saving of £175,000 for financial year 2011/12 would be achieved through voluntary severance/early retirement. A pool of 16 staff would be considered for appointment, on a ring fenced basis, to the posts available under the new ASB model. Following the recruitment process, there would potentially be 2 staff where redeployment or voluntary severance/early retirement would require to be considered.

Finally, temporary funding would be identified to reinstate the 0.5 fte clerical post in secondary schools for 2011/12 to ensure that all secondary school offices had an Administrative Officer post to support the Area Business Manager Model which would be a condition of funding. The arrangement would be reviewed for future years as it was anticipated that there was scope for further efficiencies that could support the new model and sustain a high quality service provision for schools.

The Head of Service – Schools with Education Support recommended that the Education Executive agrees:-

- i. To implement an Area Business Manager model of school support based on 11 geographic school clusters.
- ii. To put in place transition arrangements as outlined in the report in order to support the introduction of the revised model of school support at a reduced resource level.
- iii. To progress a review of the efficiency of school administrative arrangements to meet business requirements within a reducing resource base.
- iv. To note that the revised arrangements would be reviewed in consultation with all relevant stakeholders with a 12 month period.
- v. To note that implementation of the recommendations would deliver the required efficiency for financial year 2011/12.

### Decision

To approve the terms of the report.

An amendment, moved by Councillor Fitzpatrick, was ruled incompetent by the Chair in terms of Standing Order 28.

Councillor Fitzpatrick then requested that his dissent to the decision be recorded.

However the Chair ruled under Standing Order 11 that Standing Order 15(8) only gave that right when a motion or amendment was not seconded and not where the Chair ruled that the motion or amendment

was incompetent.

10. ED 8 – PUPIL SUPPORT WORKERS

ED8 had been developed in recognition that, for some small schools in particular, the Pupil Support Worker resource was very generous, particularly in the context of class size reductions in schools serving areas of deprivation. Given the very difficult financial position of the council and the need for Education Services to identify budget reductions, it had been necessary to review the Pupil Support Worker resource as it was not possible to reduce teacher numbers within current class size requirements. It was also recognised that the deployment of the available Pupil Support Workers required to be reviewed to recognise the differences in pupil rolls and also to take account of deprivation via SIMD.

The Education Executive considered a report by the Head of Service – Schools with Education Support (which had been circulated) providing an update on progress of implementing Tough Choices ED8 “New model for Pupil Support Workers” and related issues in the primary sector and seeking agreement to conclude the review of contractual arrangements as requested by the Council Executive.

The report provided the Executive with full information on the background to the number of Pupil Support Workers that had been employed in West Lothian schools and explained the overlap of roles with other school support staff. The report then outlined the proposed management framework which had been drawn up to assist Head Teachers in the appropriate deployment of their pupil support teams. Information was also given on the council’s work with the Equality Human Rights Commission to address issues relating to the salary scales and job remits of Pupil Support Workers.

The new Pupil Support Worker model was outlined in an appendix to the report. The new model reflected more accurately the workload in schools as it was weighted for higher school rolls and deprivation. Schools would receive additional resources for identified children with additional support needs. The report concluded with information on the redeployment process and the review of contractual hours which was underway to ensure the posts were more closely related to school hours and the school term.

The Head of Service – School with Education Support recommend that the Education Executive agrees:-

- i. To develop a Management Framework for Pupil Support Staff in primary schools.
- ii. To progress with introduction of Pupil Support Workers at level 2 to meet EHRC requirements as outlined in the report.



- iii. To note that the new Pupil Support Worker Model incorporate the core Pupil Support Worker budget, adjusted to reflect revenue budget decisions and also the Physical and Sensory Audit Budget.
- iv. To introduce the new Pupil Support Worker Model for August 2011.
- v. To approve the redeployment of Pupil Support Workers as noted in the report for August 2011.
- vi. To review contractual arrangements for school support staff to consolidate the contracts into 39 weeks for either 25 or 27 hours and in line with school requirements, to be implemented by August 2012.
- vii. To receive an update report once arrangements were in place for the start of session 2011/12.

### Decision

To approve the terms of the report.

An amendment, moved by Councillor Fitzpatrick, was ruled incompetent by the Chair in terms of Standing Order 28.

Councillor Fitzpatrick then requested that his dissent to the decision be recorded.

However the Chair ruled under Standing Order 11 that Standing Order 15(8) only gave that right when a motion or amendment was not seconded and not where the Chair ruled that the motion or amendment was incompetent.

## 11. PUPIL PLACEMENT UPDATE FOR SESSION 2011/12

There was a need to manage school intakes to ensure quality of provision and that appropriate standards of provision were met for children already attending schools operating above or close to capacity. School intakes were managed in the context of the statutory requirements and guidance provided by the Scottish Government in order to ensure efficient operation of school catchment areas and consistency and fairness in the treatment of all applications to pre-school, primary and secondary schools.

The Education Executive considered a report by the Head of Service – Schools with Education Support (which had been circulated) advising that to date, 2182 applications had been received for Primary 1 places for August 2011, an increase of 91 pupils on the August 2010 intake.

The report explained that children with January and February birth dates had a statutory right to an additional year of pre-school education and, to date, the parents of 62 children in that age group had been granted places. Applications for a further 248 children were being sought,

although a number of those children had possibly left the area.

Based on the applications received to date, the report went on to list 18 primary schools that were currently over-subscribed by first choice applications and the need to reserve place. 5 of the 18 schools were currently over-subscribed by applications from pupils living within their catchment area. Consultation would continue with Head Teachers in order to accommodate as many catchment children as possible for August 2011. Parents applying for places at the 18 primary schools would be advised of the potential for over-subscription.

The report then went on to explain that whilst intake limits for secondary schools had been outlined in previous accommodation studies and reports to committee, it was still necessary to review changing circumstances at schools in discussion with Head Teachers in order to confirm the intake that the school could accommodate without detriment to pupils already in attendance at the school.

2022 applications had been received for S1 places for August 2012, the third year in a row that S1 application had been at a relatively low level. It was anticipated that secondary roles would remain relatively low for 3 more years before the current growth in primary rolls impacted on secondary schools. Based on the secondary school applications received, 4 secondary schools were over-subscribed with first choice applications. Parents applying for places at those 4 schools would be contacted and advised of the potential for over-subscription.

Reports on over-subscribed schools would be prepared for consideration by the Schools Placement Panel. There was potential for the list of over-subscribed schools to change as further applications were received or through applications being withdrawn/amended by parents. Other schools could also become oversubscribed once the implications of deciding applications for over-subscribed schools had been worked through. The council's existing Placing in School Guidelines, shown in the appendix to the report, would be used when taking decisions on all applications.

Finally, the report advised that the Scottish Government had amended "The Education (Lower Primary Class Sizes) (Scotland) Regulations 1999" with "The Education (Lower Primary Class Sizes) (Scotland) Regulations 2010. The amendment introduced a maximum class size of 25 for Primary 1 pupils to 25 with effect from the start of the school year beginning 2011 and removed uncertainty about the statutory size of P1-P3 classes.

The Head of Service – Schools with Education Support recommended that the Education Executive: -

- Agree primary and secondary intake limits proposed for Session 2011-2012 for schools currently anticipated as being over-subscribed as outlined in the report; and

- To note the legal update on class sizes of 25 at P1.

### Decision

To approve the terms of the report.

## 12. PLAYGROUP UPDATE REPORT

The council had been working with the Scottish Pre-School Play Association (SPPA) for over ten years to provide support, advice and training for playgroup staff and committees. The support had been valuable in maintaining services across West Lothian and had involved intensive “hands on” work on a continuous basis with the groups. The support however had not effectively addressed the underlying issues that led to support being required in the first instance: frequently changing committees, increased legal and regulatory requirements and staff turnover.

The Education Executive considered a report by the Head of Service – Schools with Education Support (which had been circulated) proposing the development of a suitable, sustainable model for the management of West Lothian Playgroup provision.

The report recalled the work which had been ongoing with the SPPA since January 2009 and explained that, as no visible progress had been made, despite all 28 groups having formally indicated a desire for an alternative solution, a steering group had been formed in September 2010 to drive the initiative forward.

The steering group had produced guidance and support to formulate and outline proposals for a new management model for playgroups consideration, as outlined in the appendix to the report. The model was presented to a steering group meeting on 24<sup>th</sup> January 2011 which was attended by 13 playgroups, with 14 having sent apologies. No group disagreed with the issues presented and agreed the need for change to ensure the long-term future of playgroups in West Lothian.

Playgroups felt ideally placed to contribute much more to national priorities within the Early Years Framework and local outcomes in Life Stages, through inter-agency working, early interventions and promoting and supporting parental participation. Surestart had already expressed an interest in using the model as a non-stigmatising route to engaging with parents on parenting strategies. It was essential that the initiative was urgently progressed as knowledge and momentum were easily lost with committee changes. Since August 2010, two groups had closed and many were unsure about their immediate future.

As the SPPA had not managed to deliver a new model at the level or pace of significant progress the initiative required, despite their direct support for individual playgroups having been most helpful, it was

recommended that the council cease its current arrangements on 30<sup>th</sup> April 2011 and moved with immediacy to appoint an internal fixed-term post within the Early Years Team to take the new model of provision forward.

The Head of Service – School with Education Support recommended that the Education Executive approve the proposal to develop a suitable, sustainable model for management of West Lothian Playgroup provision as described in the report.

Decision

To approve the terms of the report.