

MINUTE of MEETING of the EDUCATION EXECUTIVE of WEST LoTHIAN COUNCIL held within COUNCIL CHAMBERS, WEST LoTHIAN CIVIC CENTRE, on 9 OCTOBER 2012.

Present – Councillors Lawrence Fitzpatrick (Chair), David Dodds, Stuart Borrowman, Harry Cartmill, Alexander Davidson, Carl John, Peter Johnston, Dave King, Danny Logue, John McGinty, Anne McMillan, Andrew Miller, Angela Moohan, George Paul, Frank Toner, Cathy Muldoon (substituting for Tony Boyle) and Martyn Day (substituting for Jim Walker) and appointed representatives Elsie Aitken, John Hendrie and Myra MacPherson.

Apologies – Councillors Tony Boyle, Tom Conn and Jim Walker and from appointed representatives Eric Lumsden, Lynne McEwen and Graham Stormont.

1. DECLARATIONS OF INTEREST

Councillor Stuart Borrowman declared a non-financial interest in that his wife was employed as a teacher within West Lothian Council, however, he participated in consideration of the items of business.

Councillor David Dodds declared a non-financial interest as a member of the Education Institute for Scotland. Councillor Dodds also declared a non-financial interest in that his wife was employed as a nursery nurse/wraparound care team leader by West Lothian Council and his son was employed as a teacher within West Lothian Council however, he participated in consideration of the items of the business.

Councillor Andrew Miller declared a non-financial interest in Agenda Item 15(a), "Youth Music Initiative Year 10 Application" in that he was a Director of West Lothian Youth Action Project, however, he participated in consideration of the item of business.

Councillor Peter Johnston declared a non-financial interest as a member of the Education Institute for Scotland, however he participated in consideration of the items of business.

2. MINUTE

The Minute of the meeting held on 21<sup>st</sup> August 2012 was approved as a correct record. The Chair thereafter signed the Minute.

3. STRATEGY FOR SCHOOL CONSULTATIONS

The Education Executive considered a report, copies of which had been circulated, by the Head of Planning and Economic Development providing an update on the ongoing need for a series of school consultations to support the council's development plan.

The report advised that a series of school consultations were required to

support development plan housing proposals. The West Lothian Local Plan supported a sustained level of growth with up to 22,500 houses planned. It was deemed necessary, therefore, to ensure best use of existing school capacity, appropriate levels of occupancy, quality school provision and to respond to ongoing demographic change. The local plan identified new schools and extensions to existing schools which were necessary to support this level of growth. The plan also acknowledged that catchment area arrangements would also need to be amended.

The council had already completed some essential catchment arrangement reorganisation and it was necessary to continue this process so that development could proceed without unnecessary education infrastructure constraint. It was noted that individual towns and localities could be affected on a number of occasions as it was often not possible to combine multiple school consultation, e.g. primary and secondary, denominational and non-denominational.

In the short to medium term, the following areas were identified as potential catchment review priority areas, further details of which were outlined in the report:

- Bathgate;
- Broxburn;
- Greenrigg/Whitburn;
- Linlithgow;
- Central Livingston;
- East of West Lothian;
- Livingston and Almond Valley Core Development Area; and
- Winchburgh.

The priority order suggested and work programme were detailed in the report. It was noted that the benefits from statutory school consultations would include making the best use of existing and future capacity, supporting of housing development, limiting the capital costs to developers, limiting the capital and revenue costs to West Lothian Council and investment in existing school provision.

In conclusion, there was a need for West Lothian Council to undertake formal public consultations in line with the requirements of the Schools (Consultation) (Scotland) Act 2010, to consider a range of proposals that would address school capacity and school catchment arrangements required to support the West Lothian Development Plan. It was appropriate to prepare for a range of reviews and options to avoid unnecessary delay to development progressing. It was also essential to safeguard the council's capital and revenue funding base particularly given current financial challenges. The initial consultations could be

completed by spring 2013 if started in autumn 2012.

#### Recommendation

1. To approve priority school consultations in the following areas; Bathgate, Broxburn, Greenrigg and Whitburn, Linlithgow, Central Livingston, Pumpherston and Uphall Station, the Calders and Winchburgh would be prepared with a view to bringing forward to the Education Executive in autumn 2012;
2. To approve the priority consultations; Central Livingston and Greenrigg and Whitburn would follow the indicative timetable in Section 3.2 of the report; and
3. To approve further catchment reviews be brought forward on an annual basis to facilitate development within West Lothian.

#### Decision

To approve the terms of the report.

#### 4. CENTRAL LIVINGSTON SCHOOLS CONSULTATION 2012

The Education Executive considered a report, copies of which had been circulated, by the Head of Planning and Economic Development, providing details of the proposals for a formal public consultation to change the catchment boundaries of Livingston Village and Toronto Primary Schools, Mid Calder and Dedridge Primary Schools and St Paul's and St Ninian's Primary Schools. The draft Central Livingston Schools Consultation paper was attached as an appendix to the report. This would allow more effective use of existing and future capacity for potential future residential developments within both catchment areas.

The report advised that the school catchments in this area were last reviewed in September 2007 in connection with adjusting the Livingston Village and Peel Primary Schools catchment areas – Revised catchment arrangements for non-denomination primary education in Central Livingston. That school consultation sought to balance school catchment populations with available capacity particularly in relation to an expected peak in pupil numbers. The 2011 Base forecasts submitted to Education Executive show that this position in catchment terms had largely been achieved although the roll at Livingston Village would remain high until some of the larger intakes to the school work through.

The West Lothian Local Plan supported a sustained level of growth with up to 22,500 houses planned throughout West Lothian. While there remained uncertainty as to the immediate rate of housing development there was extensive planning application coverage for much of the development proposed. It was necessary to ensure best use of existing school capacity, appropriate levels of occupancy, quality school provision and to respond to ongoing demographic change that would not be associated with the development plan. The plan acknowledges that catchment area arrangements would need to be amended.

A “Strategy for School Consultations” had been developed to support development plan housing proposals. This identified central Livingston as a priority. There were two potential residential developments within central Livingston where education provision was likely to be a major factor restricting development, given current level of occupancy and housing – Buchanan House and New Calder Paper Mills. The Supplementary Planning Guidance (SPG) – Planning for Education (2008) set out the policy context within which planning applications must be considered and as a consequence, the nature of potential solutions, including school consultations. A proactive approach by the council would help to clarify the education infrastructure matters to be considered when the applications were before Development Management Committee and also potentially facilitate and support these developments.

The report also provided details of the following:

- Current position;
- The need for change;
- Proposals;
- Timescales and implementation; and
- Benefits from rationalisation of catchment areas.

In conclusion, the council must meet its statutory educational responsibilities. The changes outlined in the appendix to the report (draft consultation paper) proposed a solution that would make best use of existing and future school capacities. The draft consultation paper is forward as the basis for formal consultation in terms of the requirements of the School (Consultation) (Scotland) Act 2010.

#### Recommendation

1. Agrees to undertake a formal consultation on the catchment change proposal outlined in section D4;
2. Agrees that consultation would commence on 29 October 2012 and conclude on 10 December 2012; and
3. Approves the draft Consultation Paper as the basis for the consultation.

#### Decision

To approve the terms of the report.

## 5. 2011 BASE SCHOOL FORECASTS

Prior to consideration of the item of business the Chair ruled that an amendment to appendix 2 of the report be tabled to update information

previously submitted. The amended paper highlighted the revised totals at the bottom of the page based on the Local Plan Allocations.

The Education Executive considered a report, copies of which had been circulated, by the Head of Planning and Economic Development which provided information relating to the updated 2011 base school forecast that would be used for future revenue and capital plans, pupil placement decisions, education planning and consultations and development plan consultations. An updated methodology summary was attached as an appendix to the report, which included general assumptions where appropriate.

The report advised that medium term school primary and secondary school forecasts were critical elements in the forward planning of revenue and capital investment in West Lothian. The current base forecast covered a time range from school session 2011-2012 with forecast school rolls from 2012-2013 through to 2022-2023. The updated forecasts and methodology would be used in association with the Supplementary Planning Guide (SPG) on Planning for Education. It was noted that it would be necessary to update the SPG from time to time to ensure its currency with the latest school forecast methodology.

The report provided details relating to the following:

- Medium term school roll forecast methodology;
- Current school roll forecast caveats;
- 2011 base school roll forecast; and
- Summary.

During the course of the discussion Members requested that a report be submitted to a future meeting of the Education PDSP outlining schools which might experience difficulties in future school capacity requirements.

In conclusion, the updated school roll projections indicated growth in the pre-school and primary sectors over the forecast period with a period of limited decline in secondary rolls. If there was more sustained housing recovery then school rolls were likely to show stronger increases and less decrease – these being illustrated in appendix 2 to the report. There was a need to continue to monitor vacant properties for sale and the broader economic context in updating school rolls and projecting school capacity requirements. It was also important to review forecasts in light of any material changes in house building completions since this was the greatest single factor influencing school roll forecasts. Further school consultation and capacity enhancement would be necessary to ensure sufficient pre-school and school places were available.

1. To agree the forecast update on pupil rolls, including the assumptions and methodology applied in producing these data; and
2. To agree the school roll forecasts as being the basis for future

education providing planning and consultation on development planning.

#### Decision

To approve the terms of the report.

### 6. SAFE ENVIRONMENT AT SCHOOL

The Education Executive considered a report, copies of which had been circulated by the Depute Chief Executive, providing an update on the revisions to the Safe Environment at School Policy.

The report advised that the Safe Environment at School Policy, attached as an appendix to the report, was introduced to provide greater clarity to staff, parents and pupils in relation to violent incidents in schools. Following discussion with the Teaching Professional Associations the policy was reviewed in order to take account of the issue of cyber-bullying of school staff. The updated policy was drafted in the light of advice from Respect Me, the government body which promoted and developed anti-bullying policy and guidance to support schools. A new section to the policy, section 11, set out the Council's proposed position on cyber-bullying of staff.

Staff who were the subject of illegal, offensive, harassing or bullying comment on social networking sites or any other online environment, or received illegal, offensive, harassing or bullying texts or e-mails should report the matter to the senior management of the school. Disciplinary sanctions, up to and including exclusion, could be used in relation to pupils. The Council's Unacceptable Actions Policy could be used in relation to parents, although it should be recognised that the Council had limited powers to influence the conduct of parents and other adults.

"West Lothian Council has a statutory duty to safeguard the health, personal safety and welfare of its employees whilst at work. The Council also has a duty to safeguard the health, personal safety and welfare of others, for example pupils, parents and carers, volunteers and visitors to school."

#### Recommendation

To approve the revised Safe Environment at School Policy.

#### Decision

To approve the terms of the report.

### 7. APPOINTMENT OF HEAD TEACHERS AND DEPUTE HEAD TEACHERS

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

circulated, by the Depute Chief Executive providing details of the revised arrangements for the appointment of Headteachers and Deputy Headteachers.

The report advised that the Parental Involvement in Headteacher and Deputy Headteacher Appointments (Scotland) Regulations came into force on 1<sup>st</sup> August 2007. The appointment process for filling any Headteacher and Deputy Headteacher post, other than on an acting basis, must conform to these regulations.

The report provided information on the proposed new steps included in the selection process, which were detailed in points 4.5 and 4.6 of the Appointments – Head and Depute Teachers appendix attached to the report. The purpose of the additional stages was to provide additional reliable information to support the long-leet selection process.

A new Paragraph 14.3 was also included in the policy to emphasise that pre-employment checks would be carried out for the successful candidate only, and that the offer of employment was conditional on the outcome of pre-employment checks. This was in line with practice and policy in other Council posts and would reduce the administrative burden arising from conducting checks on all short-leet candidates as at present.

Paragraph 5.3 of the policy made provision for unsuccessful candidates at the long-leet stage to be informed that they would not be progressing to short-leet. In addition the policy had been updated to reflect the most recent equalities legislation. The procedure for appointments in denominational schools had been added as appendix 2 to the report in order to make the requirements explicit to candidates, and all involved in or interested in the process.

### Recommendation

To approve the arrangements set out in the report and the draft policy attached as appendix 1 for the appointment of Headteachers and Deputy Headteachers.

### Decision

To approve the terms of the report.

## 8. SCHOOL ANTI-BULLYING POLICY

The Education Executive considered a report, copies of which had been circulated, by the Head of Education (Quality Assurance) providing details of the re-drafted anti-bullying policy for schools.

The report advised that the importance of bullying prevention in schools had become recognised both nationally and internationally with an increase in research pointing to the multiple detrimental effects of bullying behaviour. The potential repercussions of bullying were wide-ranging, with possible negative impacts on physical and psychological health,

school attendance and academic attainment. The growing appreciation of the negative effects of bullying behaviour led to an increase in development of anti-bullying strategies and interventions in schools and a drive towards effective practice in tackling bullying in schools and school communities.

The updated policy, attached as an appendix to the report, was drafted in the light of advice and consultation from Respect Me, the government body which promoted and developed anti-bullying policy and guidance to support schools. The policy sought to integrate and link guidance and advice from Curriculum for Excellence (health and wellbeing); Child Protection Guidelines; Getting it Right for Every Child; rights Respecting Schools and the equalities strands within the Equalities Framework.

In conclusion, in order to raise awareness of the Anti-Bullying policy it was recommended that the following actions be carried out:

- To launch the new West Lothian Council Anti-Bullying policy during anti-bullying week (November 2012);
- To launch the policy with children and young people participating fully to perform and deliver the key messages and demonstrate how anti-bullying was integrated into the curriculum and ethos of schools; and
- Invitations to the launch to include representation from health, education, police, Respect Me, social policy, parents, councillors and voluntary organisations.

#### Recommendation

To approve the draft policy as attached as an appendix to the report and recommended actions as detailed in the conclusion (section E) of the report.

#### Decision

To approve the terms of the report.

### 9. GUIDANCE ON THE MANAGEMENT OF MEDICATION, MEDICAL ASSISTANCE AND THERAPY INTERVENTION IN EDUCATIONAL PROVISION

The Education Executive considered a report, copies of which had been circulated, by the Head of Education (Quality Assurance) providing information relating to the proposed revised Medication in Schools policy, "Guidance on the Management of Medication, Medical Assistance and Therapy Intervention in Educational Provision".

The report advised that the guidance had previously been submitted for consideration, however, it was agreed that it should be withdrawn due to the fact that consultation with the non-teaching unions had not been



concluded. It was noted that further consultation had since been carried out with the non-teaching unions and the outcome of this was included in the Guidance document attached in the appendix to the report.

It was noted that changes over time in the medical management of diabetes have had an impact on how children and young people with diabetes were required to be supported in schools. The existing Medication in Schools policy required to be reviewed to reflect these changes. The appendix to the report detailed the draft revised policy for consideration by the Panel.

The report provided details on the template for an Individual Health Care Plan (IHCP) which was established for individual pupils with medical needs to identify the level of support that was needed at school. Appendix 6 within the revised policy contained the template for an IHCP. The Headteacher was responsible for ensuring the IHCPs were regularly reviewed, at least annually, and updated by medical staff as necessary. It was essential that the Headteacher ensured that a medical practitioner signed the IHCP to confirm that medical information was correct.

In conclusion, it was noted that changes over time in the medical management of diabetes resulted in an impact on how children and young people with diabetes were required to be supported in schools. The opportunity was taken to make additional general changes to the policy the intention of which was to reflect updated terminology, include other relevant information within the policy and generally increase the user friendliness of the policy document.

#### Recommendation

To approve the revision of the Medication in Schools policy as detailed in Appendix One to the report "Guidance on the Management of Medication, Medical Assistance and Therapy Intervention In Education Provision".

#### Decision

To approve the terms of the report.

### 10. PRIMARY AND SECONDARY ADMISSION POLICY AND PROCEDURES

The Education Executive considered a report, copies of which had been circulated, by the Head of Schools and Education Support providing details on proposed clarified policies and procedures for Primary and Secondary school admission which were intended to be more clear and concise, avoiding unnecessary duplication and to increase transparency and provide all parents with information not previously provided except in response to enquiries.

The report advised that the current Primary and Secondary School Admission Policies were supplemented by an information for parents/carers pack and guidance notes on completing the form amounting to a total of thirty-two pages of information (in the case of primary

admission). Information was duplicated and the existence of multiple documents dealing with the same subject gave rise to the potential for inconsistency.

In order to reduce the amount of information that parents/carers had to read and to reduce the potential for inconsistency between the separate documents, draft clarified admission policies and procedures were prepared for both primary and secondary school admission. These combined all of the information previously contained within the policies, the information for parents' packs and the guidance notes. The only additional information that would be given to parents would be a pack of information which required to be updated annually, comprising:

- School contact details; and
- Establishments providing Wraparound (for primary and infant school applicants).

No changes to policy were required, however, the opportunity was taken to emphasise some existing aspects of policy, procedure and practice to increase clarity, which were detailed in the report.

In conclusion, the provision of more clear and concise information was intended to have a positive impact on parental satisfaction. The clarification of information not previously provided, or only provided on request was intended to increase transparency and openness. The reduction in the amount of paper material sent to parents was an example of the ongoing work within the Pupil Placement Team to reduce administrative work and increase efficiency.

#### Recommendation

To approve the proposed clarified policies and procedures for Primary and Secondary Education.

#### Decision

To approve the terms of the report.

### 11. ACTION TAKEN UNDER TERMS OF STANDING ORDER 31 (URGENT BUSINESS)

- a) Response to the Department of Health Consultation on Next Steps for Nursery Milk – Report by Head of Schools with Education Support.

The Education Executive noted the approval provided for the response to the UK consultation on the “Next Steps for Nursery Milk” submitted to the Department of Health on 11<sup>th</sup> September 2012.

#### Decision

To note the action taken in terms of Standing Order No. 31.

**Private Session**

The Clerk considered that the following business be taken in private (exempt under the relevant paragraphs of Part 1 of Schedule 7A of the Local Government (Scotland) Act 1973).

- b) Youth Music Initiative Year 10 Application – Report by Head of Education (Quality Assurance).

The Education Executive noted the approval provided for the delivery of the Youth Music Initiative (YMI) Year 10 application.

**Decision**

To note the action taken in terms of Standing Order No. 31.