



West Lothian
Council

Education Executive

West Lothian Civic Centre
Howden South Road
LIVINGSTON
EH54 6FF

19 March 2015

A meeting of the **Education Executive** of West Lothian Council will be held within **Council Chambers, West Lothian Civic Centre**, on **Tuesday 24 March 2015** at **10:00 a.m.**

For Chief Executive

BUSINESS

1. Apologies for Absence
2. Order of Business, including notice of urgent business
3. Declarations of Interest - Members should declare any financial and non-financial interests they have in the items of business for consideration at the meeting, identifying the relevant agenda item and the nature of their interest.
4. Confirm Draft Minute of Meeting of The Education Executive held on Tuesday 10 February 2015 (herewith).

Public Items for Decision

5. Traffic Safety In and Around Schools - Report by Head of Schools with Education Support (herewith)
6. Transport To and From Schools - Mainstream - Report by Head of Schools with Education Support (herewith)
7. Consultation on Draft Guidance for Parts 4, 5 and 18 of The Children and Young People (Scotland) Act 2014 - Joint Report by Head of Education (Quality Assurance) & Head of Social Work (herewith)
8. West Lothian Council Education Services: Additional Support Needs Review 2014 - Report by Head of Education (Quality Assurance) (herewith)

DATA LABEL: Public

9. Sportscotland Investment Agreement 2015-19 - Report by Head of Education (Quality Assurance) (herewith)
10. Teacher Numbers - Report by Depute Chief Executive (herewith)

Public Items for Information

11. Council Executive and Education Executive Timetable 2015-2016 (herewith)

NOTE **For further information please contact Elaine Dow on 01506 281594 or email elaine.dow@westlothian.gov.uk**

MINUTE of MEETING of the EDUCATION EXECUTIVE of WEST LoTHIAN COUNCIL held within COUNCIL CHAMBERS, WEST LoTHIAN CIVIC CENTRE, on 10 FEBRUARY 2015.

Present – Councillors Lawrence Fitzpatrick (Chair), David Dodds, Stuart Borrowman, Tony Boyle, Harry Cartmill, Tom Conn, Alexander Davidson, Carl John, Dave King, Danny Logue, John McGinty, Anne McMillan, Andrew Miller, Angela Moohan, George Paul, Jim Walker. Appointed Representatives Elsie Aitken, Eric Lumsden, Lynne McEwan and Myra MacPherson.

Apologies – Councillors Peter Johnston and Frank Toner.

1. OPENING REMARKS BY THE CHAIR

The Chair referred with sadness to the recent passing of Jak Trueman, a 15 year old student at West Calder High School. He also spoke of the passing of Iman Yousuf, a Primary 3 pupil at St John Ogilvie Primary School, Livingston. The Chair expressed sympathy to the family and friends of Jak and Iman and invited the Education Executive to observe one minute's silence in their memory.

Those present at the meeting then joined the Chair in observing a minute's silence.

2. DECLARATIONS OF INTEREST

There were no declarations of interest made.

3. MINUTE

The Education Executive approved the minute of its meeting held on 16 December 2014. The minute was then signed by the Chair.

Matter Arising

Home Education Children and Young People Policy (Minute Page 127)

The Depute Chief Executive reported that, since the December meeting of the Education Executive, officers had met with Mrs Davidson. An adjustment to the wording within the policy had been requested by Mrs Davidson and it was the intention of officers to take the revised policy back to the Education Policy Development and Scrutiny Panel for consideration.

4. PRIMARY SCHOOL ACCOMMODATION - SIMPSON PRIMARY SCHOOL, BATHGATE

The Education Executive considered a report (copies of which had been circulated) by the Head of Schools With Education Support outlining proposals to address accommodation pressure in Simpson Primary

School, Bathgate.

The Education Executive was informed that it was necessary to increase the capacity at Simpson Primary School in the medium term. The current roll was 458 with a design capacity of 462. The size of each year group required 17 teaching spaces, and 16 class bases were currently available. The school had access to the community wing for general purpose activities to compensate for the loss of a general purpose classroom to accommodate the current class organisation. The maximum intake that could be sustained year on year in a two stream primary school was 66. The intakes over the previous three years were well in excess of those that could be sustained at a two-stream primary school.

The Head of Schools with Education Support proposed to increase accommodation in Simpson Primary School by eight additional classrooms for session 2015/16 to deal with medium term demographic pressure.

Officers from Construction, Education, Planning and Finance and Estates services were liaising on options to deliver the additional capacity early in school year 2015/16. It was likely that additional accommodation would be formed within the school through conversion of existing wet changing rooms to provide general purpose spaces to free up classroom accommodation. It was proposed that this be completed by August 2015 to ensure that the projected increase in pupil numbers could be accommodated.

The report provided the following appendices:-

Appendix 1 – Proposed Class Organisation

Appendix 2 – Indicative Site Plan

Finally, the Education Executive was informed that the costs for providing the additional accommodation and internal works had been estimated at approximately £1.85m by Construction Services. Funding for the project was included in the revised capital programme for 2015/16 to 2017/18 being reported to Council.

It was recommended that the Education Executive agree that additional classroom accommodation be provided in Simpson Primary School, Bathgate and note the provision for this in the General Services capital programme report to Council.

Decision

To approve the terms of the report.

5. YOUTH MUSIC INITIATIVE YEAR 13 PROPOSED PROGRAMME

The Education Executive considered a report (copies of which had been circulated) by the Head of Area Services enclosing an application to Creative Scotland for Year 13 funding for the YMI programme for 2015-16.

The Education Executive was informed that the application included 18 projects plus investment in management, promotion and evaluation. West Lothian's allocation of YMI funding was £246,228. The projects, and the outline cost for each project, was outlined in the report.

The Head of Area Services considered that the projects outlined in the YMI application would be extremely beneficial to the young people who would participate, providing opportunities for them to work closely with professional musicians, creating performance opportunities and developing their listening, creative and critical thinking skills, increased self-confidence and self-esteem as well as having an enjoyable experience. The projects would also make a significant contribution to enabling the participants to embrace the principles and capacities of Curriculum for Excellence.

It was recommended that the Education Executive approve the proposal for submission to Creative Scotland.

In response to a question raised, officers undertook to provide Headteachers with information on uptake of each of the projects.

Decision

1. To approve the proposal for submission to Creative Scotland as recommended by the Head of Area Services; and
2. To note that information on the uptake of each of the projects would be provided to Headteachers.

6. SCHOOL LEAVER DESTINATIONS

The Education Executive considered a report (copies of which had been circulated) by the Head of Education (Quality Assurance) providing details of School Leaver Destination Results (SLDR) for 2013/14.

The Education Executive was informed that the SLDR were published annually by Skills Development Scotland, with results of a follow up survey published around six months later. The 2013-14 survey had been carried out during September 2014 and October 2014 and had produced a snap shot of destinations as at 6 November 2014.

Appendix 1 to the report provided SLDR figures for each mainstream secondary school in West Lothian, and Appendix 2 provided Scottish local authority SLDR figures.

Key points in the December 2014 results were as follows:-

- In 2013/14, 93.0% of West Lothian's school leavers progressed into positive destinations, an increase of 1% on the 2012/13 level. This was the highest ever level of positive destinations for West Lothian.
- West Lothian's performance overall was above the Scottish average

of positive destinations for school leavers.

- Over the previous seven years, West Lothian had seen year on year improvements in the numbers of school leavers achieving a positive destination.
- Since 2007/08, the proportion of school leavers entering a positive destination (higher education, further education, training, volunteering or employment) had increased by 12.2%.
- Analysis of individual schools no longer showed a distinct east to west split, with schools in the west of West Lothian achieving lower positive destinations than other schools.
- The percentage of leavers entering higher education was 41.1% which was 2.5% higher than the national average of 38.6%. In comparison to 2012/2013 this was a rise of 3.9% within West Lothian.
- Out of 32 local authorities, West Lothian was in 14th position, an increase of two places on the position in 2012/13.

The Head of Education (Quality Assurance) advised that a full analysis of the Council's positive results had been carried out. It demonstrated that the key strategies which had been put in place over the previous seven years were proving to be effective and successful in targeting key groups of young people in West Lothian, in raising their aspirations for the future and in supporting them to attain positive destinations.

Finally, the Head of Education (Quality Assurance) reported that schools would continue to develop programmes, ensuring that young people would be equipped with the necessary Skills for Learning, Life and Work and would also extend the provision of vocational experiences for young people as part of the 16+ Senior Phase West Lothian Campus.

It was recommended that the Education Executive note the continuing improvement in the proportion of young people achieving a positive destination on leaving school.

Decision

To note the terms of the report.



EDUCATION EXECUTIVE

TRAFFIC SAFETY IN AND AROUND SCHOOLS

REPORT BY HEAD OF SCHOOLS AND EDUCATION SUPPORT

A. PURPOSE OF REPORT

To inform the Education Executive of proposed changes to the Traffic Safety in Schools policy.

B. RECOMMENDATION

To recommend Education Executive approve the revised Traffic Safety in Schools policy.

C. SUMMARY OF IMPLICATIONS

I Council Values	Focusing on our customers' needs; being honest, open and accountable; providing equality of opportunities; making best use of our resources; working in partnership
II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	None
III Implications for Scheme of Delegations to Officers	None
IV Impact on performance and performance Indicators	None
V Relevance to Single Outcome Agreement	None
VI Resources - (Financial, Staffing and Property)	Within existing budget for transport to and from mainstream schools.
VII Consideration at PDSP	In discussion, the PDSP agreed that it would be appropriate to make explicit the option of seeking help with enforcement from Police Scotland in relation to dangerous parking or driving.
VIII Other consultations	Public Transport Unit Legal Services

D. TERMS OF REPORT

Following an incident involving a primary school pupil and a school bus in May 2014, and an investigation report undertaken by the Operational Services Health and Safety officer, it was agreed with the Corporate Health and Safety Manager that the existing policy on supervision of the arrival and departure of transport to and from mainstream schools be reviewed.

The council's policy on school transport supervision is currently contained, in part, in the Traffic Safety in School Policy. This matter is now addressed in the Transport To and From Schools Policy. The consolidation of all policy on this matter in one document is designed to increase clarity for Council staff, parents/carers and other stakeholders.

The opportunity was taken during the review to increase clarity in the wording of the rest of the policy on traffic safety in and around schools.

The draft policy sets out arrangements for school crossing patrols, in line with existing policy and procedure, and Headteachers' responsibility for managing vehicle access to school grounds in order to minimise the risk of accidents and to maximise safety for pupils.

Headteachers must conduct a risk assessment annually of arrangements for vehicle access to school grounds and take appropriate action. It is recognised that Headteachers will have to exercise discretion in relation to the particular layout of their school site and any particular local circumstances.

The policy also advises Headteachers on how to raise concerns regarding road conditions around schools and on road safety education.

In discussion, the PDSP agreed that it would be appropriate to make explicit the option of seeking help with enforcement from Police Scotland in relation to dangerous parking or driving.

E. CONCLUSION

The attached draft policy is intended to provide Council staff and parents/carers with a more clear, and comprehensive, statement of the Council's existing policy and practice.

F. BACKGROUND REFERENCES

None

Appendices/Attachments: Draft Traffic Safety In and Around Schools Policy.

Contact Person: Andrew Sneddon, Customer and Performance Manager
andrew.sneddon@westlothian.gov.uk

James Cameron, Head of Schools with Education Support

Date of meeting: 24 March 2015

Policy: Traffic Safety in and around Schools

Author: Andrew Sneddon
Service: Customer and Performance

Last Updated: March 2015

1. Road Conditions around Schools

- 1.1 Headteachers should raise any concerns regarding traffic safety around schools, including the provision of pedestrian barriers at school approaches, road markings, pedestrian crossings and road signs with the Head of Operational Services.
- 1.2 Headteachers should remind parents of the importance of safe and considerate road use and parking around schools, for example in newsletters. Where unsafe road use and parking occur, Headteachers may report this to Police Scotland and seek enforcement action where appropriate.

2. School Crossing Patrols

- 2.1 School Crossing Patrols are established at locations where, in the opinion of the Transportation Manager, pupils require assistance to cross the road.
- 2.2 Headteachers should raise any requests for the establishment of a School Crossing Patrol, or alteration of the hours of operation of the patrol, with the Transportation Manager.
- 2.3 School Crossing Patrols are not normally established where only nursery school pupils are involved, as it is not expected that pre-school age children will travel to school themselves.
- 2.4 Headteachers should remind parents/carers, for example in School Handbooks that parents/carers have responsibility for their child's safety when travelling from home to school and vice versa, and that School Crossing Patrols are a service to assist them rather than a right.
- 2.5 Headteachers should also remind all pupils at appropriate intervals, for example at assemblies, about safety when travelling from home to school and vice versa, including crossing roads at safe places. Headteachers should seek the support of parents/carers, for example in school newsletters, in reinforcing this message.
- 2.6 Headteachers should inform parents/carers and pupils, for example in School Handbooks and assemblies, that there may be occasions when crossings will not be staffed due to absence, and that pupils will be required to exercise care in crossing by themselves. If Head Teachers become aware of the absence of a School Crossing Patrol, they should inform the School Crossing Patrol Guide Manager. Parents/carers and pupils should be encouraged to report any absences to the Head Teacher. When absences are reported, the School Crossing Patrol Guide Manager will attempt to arrange relief staff.
- 2.6 The School Crossing Patrol Guide Manager must be advised by schools of all occasions when start and finish times are to be changed. School Crossing Patrols may serve pupils from a number of schools, and changes for one could have implications for the others.
- 2.7 The School Crossing Patrol Guide Manager should be advised by schools of any concerns about the way in which a School Crossing Patrol is operating.
- 2.8 Head Teachers are expected to make arrangements for the storage of School Crossing Patrol equipment when it is not in use.

3. Vehicle Access to Schools

- 3.1. Headteachers are responsible for arrangements for managing vehicle access to school grounds in order to minimise the risk of accidents and to maximise safety for pupils.
- 3.2. Headteachers must conduct a risk assessment annually of arrangements for vehicle access to school grounds and take appropriate action.
- 3.3. This policy will form the basis for managing vehicle access in all schools, although it is recognised that Headteachers will have to exercise discretion in relation to the particular layout of their school site and any particular local circumstances.
- 3.4. The setting down and uplifting of pupils by parents/carers from within school ground, car parks and service areas should not be permitted, and all parents/carers reminded of this, for example in schools handbooks and newsletters. Any request from a parent/carer requesting vehicular access on the grounds of a disability may require an Equality Impact Assessment, which will balance the Council's responsibilities under equalities legislation and health and safety legislation.
- 3.5. No vehicles, other than emergency services responding to an emergency situation, will be permitted to enter or leave playgrounds, unless physically segregated access points exist, during the following times:-
 - For the period of 30 minutes before the time pupils arrive at school.
 - at break and lunch times
 - 30 minutes from the end of the school day.

The school gates (where available) should be closed to vehicles during these periods.

- 3.6. Where physically segregated access points exist, these will be out of bounds to pupils, and all pupils and parents/carers reminded of this, for example at assemblies, in school handbooks and school newsletters.
- 3.7. Where physically segregated access points do not exist, areas of vehicular access will be out of bounds to pupils at all times of the school day when vehicles may be moving (i.e. the times not covered in Paragraph 3.5 above), and all pupils and parents/carers reminded of this, for example in assemblies, school handbooks and school newsletters
- 3.8. Where physically segregated access points do not exist, vehicular access should be restricted to one point/gate where possible.
- 3.9. Where physically segregated access points do not exist and groups of children require to cross areas with traffic, supervision should be provided and any traffic stopped.
- 3.10. Notices should be posted at vehicle entrances indicating to commercial vehicles that reversing in playgrounds is not permitted, unless an adult at the rear of the vehicle is assisting the driver.
- 3.11. Staff car-parking will only be permitted in areas where physically segregated access points exist, or in accordance with Paragraph 3.5 above.

4. Road Safety Education

- 4.1 Road Safety education will be provided taking account of the experiences and outcomes of the Health and Wellbeing section of the Curriculum for Excellence, for example "I know and can demonstrate how to travel safely". This should include opportunities to participate in cycling proficiency training and driving instruction.



EDUCATION EXECUTIVE

TRANSPORT TO AND FROM SCHOOLS – MAINSTREAM

REPORT BY HEAD OF SCHOOLS AND EDUCATION SUPPORT

A. PURPOSE OF REPORT

To inform the Education Executive of proposed changes to the Transport To and From Schools – Mainstream policy.

B. RECOMMENDATION

To recommend Education Executive approve the revised Transport To and From Schools – Mainstream policy.

C. SUMMARY OF IMPLICATIONS

I Council Values	Focusing on our customers' needs; being honest, open and accountable; providing equality of opportunities; making best use of our resources; working in partnership
II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	Section 51 of the Education (Scotland) Act 1980, as amended, requires education authorities to make such arrangements as they consider necessary for the provision of transport to and from school.
III Implications for Scheme of Delegations to Officers	None
IV Impact on performance and performance Indicators	None
V Relevance to Single Outcome Agreement	None
VI Resources - (Financial, Staffing and Property)	Within existing budget for transport to and from mainstream schools.
VII Consideration at PDSP	The PDSP requested clarification of the expectation of supervision of the arrival of school transport set out in paragraphs 3.4 and 3.5.

VIII Other consultations

Headteachers, Public Transport Unit, Legal Services, Corporate Health and Safety, West Lothian Parent Council Forum

D. TERMS OF REPORT

Following an incident involving a primary school pupil and a school bus in May 2014, and an investigation report undertaken by the Operational Services Health and Safety officer, it was agreed with the Corporate Health and Safety Manager that the existing policy on supervision of the arrival and departure of transport to and from mainstream schools be reviewed.

The outcome of this review is reflected in sections 3 and 4 of the draft policy attached to this report. The draft policy requires that Headteachers must conduct a risk assessment of arrangements for supervising arrival and departure of pupils on transport to and from school. This will be retained in writing and reviewed annually or whenever there is a significant change in arrangements for transport to and from school. Risk assessments, as required by the draft policy, have been undertaken prior to approval of the policy, in order to satisfy the recommendations made following the incident in May 2014.

The draft policy recognises that Headteachers will have to exercise discretion in relation to the particular layout of their school site and any particular local circumstances. Risk assessments should take account of the individual circumstances and layout of school grounds and reflect good practice in endeavouring to minimise risks to pupils. The level of supervision required will depend on the outcome of the risk assessment.

The draft policy also recognises that there are steps that school staff can take to improve the safety of transport to and from school, in partnership with parent/carers and pupils.

The opportunity was taken during the review to increase clarity in the wording of the policy. The criteria for award of transport set out in paragraph 6.4 of the draft policy reflect the existing criteria. Changes to wording of the specific sections dealing with each of the criteria reflect how existing policy is applied in practice, address gaps in existing policy, and seek to present policy with greater clarity.

Section 9, regarding transport granted for medical reasons, simplifies the section in the existing policy considerably and makes it clear that decisions will be taken on the basis of medical evidence and will have regard to the Council's equality duties.

Section 15, regarding transport of non-entitled pupils (previously referred to as 'grace and favour' transport) makes clear that if there is spare seating capacity on any transport to and from schools, this will normally be offered on a fare paying basis wherever possible.

Sections 19 to 24 set out the extent to which transport will be provided, and the responsibility of that provision in relation to curricular activities, transition events, examinations, college courses, breakfast clubs and after school activities.

The PDSP requested clarification of the expectation of supervision of the arrival of school transport set out in paragraphs 3.4 and 3.5.

E. CONCLUSION

The attached draft policy addresses the outcome of the review into the arrival and departure of school transport. It is also intended to provide parents/carers with a more clear, and comprehensive, statement of the Council's existing policy and practice.

F. BACKGROUND REFERENCES

None

Appendices/Attachments: Draft Transport to and From Schools – Mainstream policy.

Contact Person: Andrew Sneddon, Customer and Performance Manager
andrew.sneddon@westlothian.gov.uk

James Cameron, Head of Schools with Education Support

Date of meeting: 24 March 2015



Education Services

Policy: **Transport to and from Schools— Mainstream and Excursions**
Author:
Service: Andrew Sneddon
Customer and Performance Manager
Last Updated: March 2015

1.0 Policy Background and Statutory Position

- 1.1 Section 51 of the Education (Scotland) Act 1980, as amended, requires education authorities to make such arrangements as they consider necessary for the provision of transport to and from school.
- 1.2 Section 42 (4) of the Education (Scotland) Act 1980 sets a statutory walking distance of 2 miles for any pupil under the age of 8, and three miles for any other pupil.
- 1.3 West Lothian Council has agreed to provide free transport to and from their designated catchment school for all secondary pupils living more than 2 miles from their designated catchment school and for all primary pupils living more than 1.5 miles from their designated catchment school.
- 1.4 If a place cannot be granted at a catchment school, transport to and from the nearest equivalent West Lothian school will be provided as long as the distance from home to school by a suitable walking route is over the qualifying distance (1.5 miles for primary pupils and 2 miles for secondary pupils.)
- 1.5 Where a pupil does not qualify for free transport to and from school, parents/carers are responsible for travel to and from school. In cases where transport to and from school is provided, the parent/carer is responsible for supervising the pupil's journey to and from the bus stop or pick-up point and set down point.
- 1.6 Scottish Executive Education Department Circular 7/2003 states that Education Authorities have a common law duty of care for the safety of pupils under their charge and this duty extends to pupils using transport to and from school.
- 1.7 There is no statutory requirement for education authorities to provide supervisors on school transport.
- 1.8 A separate **Transport to and from School – Additional Support for Learning** policy deals with transport for pupils attending additional support for learning schools and classes. Applications for transport to and from school on behalf of pupils with additional support for learning needs who are integrated into mainstream schools fulltime are dealt with in terms of this Transport to and from Schools- Mainstream policy. Applications for transport to and from school on behalf of pupils with additional support for learning needs who are integrated into mainstream schools on a less than fulltime basis are dealt with in terms of the **Transport to and from School – Additional Support for Learning** policy.

2.0 Seat Belts

- 2.1 Coaches (large buses with a maximum gross weight of more than 7.5 tonnes and with a maximum speed exceeding 60 mph) and minibuses (vehicles designed or adapted to carry more than 8, but not more than 16 seated passengers in addition to the driver) must be fitted with seat belts when carrying three or more children aged three or over but under the age of 16. The Road Vehicles (Construction and Use) Regulations 1986 (as amended) require that a forward facing seat must be provided with a seatbelt in these circumstances. For vehicles first used on or after 1 October 2001, rearward facing seats may also be used subject to these complying with seatbelt requirements. In addition, from 1 October 2001 seat belts have been required in all forward and rearward facing seats of all new minibuses, coaches and buses (apart from those specifically designed for urban use with standing passengers.) This

requirement applies to transport to and from school and all school excursions.

- 2.2 All transport to and from school and transport for school excursions carrying primary school pupils must use vehicles equipped with seat belts.
- 2.3 Transport to and from school and transport for school excursions carrying secondary school pupils need not use vehicles equipped with seat belts, as long as legislative requirements are met.
- 2.4 It is the driver's legal responsibility to ensure that pupils under 14 years of age, travelling in vehicles designed to carry 16 seated passengers in addition to the driver, wear the seat-belts provided. Passengers aged 14 years and over are themselves responsible for doing so. This requirement applies to transport to and from school and all school excursions.
- 2.5 Where a minibus is being driven by a contracted operator, the driver will be responsible for ensuring that legislative requirements are met regarding seatbelts. Where a Council employee is driving a minibus, that employee will be responsible for ensuring that legislative requirements are met regarding seatbelts, and advising and reminding all pupils to use seat-belts provided.
- 2.6 School staff should advise and remind pupils to use seat-belts provided, for example at school assemblies. Parents/carers should be asked to reinforce this message with pupils, for example in school handbooks, websites and newsletters.

3.0 Transport to and from School – Supervision of Arrival and Departure

- 3.1 Headteachers must conduct a risk assessment of arrangements for supervising arrival and departure of pupils on transport to and from school. This will be retained in writing and reviewed annually or whenever there is a significant change in arrangements for transport to and from school.
- 3.2 Consideration of any risk arising from transport will be part of the process of planning any school excursion.
- 3.3 This policy will form the basis for managing supervision of arrival and departure of pupils on transport to and from school, although it is recognised that Headteachers will have to exercise discretion in relation to the particular layout of their school site and any particular local circumstances. Risk assessments should take account of the individual circumstances and layout of school grounds and reflect good practice in endeavouring to minimise risks to pupils. The level of supervision required will depend on the outcome of the risk assessment.
- 3.4 There is a general expectation that departure of transport from school will be supervised, especially where multiple vehicles are present at the same time. All supervision must be achievable within the resources available to the school's management.
- 3.5 There is no general expectation placed on schools that the arrival of transport to school will be supervised, except where required due to the particular layout of their school site and any particular local circumstances following a risk assessment. Playground supervision is in place at all primary schools for 20 minutes before the start of the school day, and such staff may, dependant on the particular layout of the school site, monitor the arrival of pupils from transport to school whilst undertaking their principal task of supervising the playground. All supervision must be achievable within the resources available to the school's management.
- 3.6 Schools must ensure that pupils are released from classes in good time to allow them to board transport from school without unnecessary haste, which can give rise to risk.
- 3.7 Transport timetables specified to contracted operators by the Public Transport Unit after consultation with the school must be adhered to by contract drivers. Any deviation from the agreed time-table should be reported to the Public Transport Unit. Any change to the agreed timetable can only be made with the agreement of the Public Transport Unit.

- 3.8 There is no expectation that a register of pupils will be taken before a bus departs. School staff and bus drivers cannot be expected to know if all pupils who should be travelling are on board.

4.0 Transport to and From School - School Staff Responsibilities

- 4.1 School staff can contribute to safety and efficiency of transport to and from school by:-

- Ensuring that pupils understand the rules for safe travel on transport to and from school, including the consequences of misbehaviour and banned activities such as smoking, vandalism, fighting, moving about the vehicle and tampering with the emergency doors and windows.
- Taking firm action against any pupil reported misbehaving, behaving dangerously or smoking on or around transport to and from school in co-operation with operators and the Public Transport Unit.
- Warning pupils of the danger of distracting the driver's attention on the vehicle.
- Encouraging pupils to stand back from the edge of the kerb when waiting for the bus.
- Ensuring that all pupils and parents are aware of contingency plans for bad weather and other emergency situations which may prevent transport to and from school from running.
- Reminding all pupils and parents/carers, for example at assemblies and in school handbooks, that they should have in place a contingency plan for any occasion that the pupil misses transport to school, or where transport does not arrive.
- Putting in place a contingency plan for situations where a pupil misses transport from school at the end of the school day, and publicising this, for example in school handbooks and at assemblies.
- Advising and reminding pupils to use seat-belts provided, for example at school assemblies. Parents/carers should be asked to reinforce this message with pupils, for example in school handbooks, websites and newsletters.

5.0 Behaviour on Transport to and from School

- 5.1 Operators must report misconduct or disturbance by pupils to the school so that appropriate action may be taken. In serious cases of misconduct or disturbance, the pupil's travel permit may be withdrawn. Schools will take appropriate action, and involve the pupil's parent/carer in seeking assurances regarding future behaviour and a negotiated return to transport. The Public Transport Unit will liaise with the operator in this regard.

6.0 Award of Free Transport to and from School

- 6.1 The Public Transport Unit is responsible for the provision of free transport to and from mainstream schools.
- 6.2 The parents/carers of pupils wishing transport to and from school must make written application to the Public Transport Unit. Application forms and guidance notes are available in each school and from the Public Transport Unit.
- 6.3 The Public Transport Unit will issue permits to pupils whose applications are approved. Operators must only carry pupils who hold permits issued by the Public Transport Unit, and will not carry pupils at the request of Headteachers, parents/carers or any other person.
- 6.4 Free transport to and from school may be awarded on the following grounds:-
- the distance from home to school by a suitable walking route is over the qualifying distance (1.5 miles for primary pupils and 2 miles for secondary pupils.)
 - no suitable walking route from home to school exists
 - medical reasons
 - the parent has requested Gaelic Medium Education or a curricular subject not available in West Lothian
 - the pupil is resident at a temporary address/Women's Refuge
 - a catchment school cannot admit the pupil

- the pupil is in care
- childminding arrangements

6.5 Where free transport is awarded, it is by means of contracts with bus, minibus taxi/private hire car providers. Season tickets on public service routes may be provided where appropriate.

7.0 Award Criteria - Distance

7.1 All pupils living within the catchment area of the school they attend qualify for free transport if their home is more than 2 miles, for secondary pupils, and 1.5 miles, for primary pupils, from the school. The home is defined as that of the parent or legal guardian. The distance is measured as the shortest suitable walking distance from home to school using public footpaths between the house gate (or door where this does not apply) and the nearest school gate.

8.0 Award Criteria - No Suitable Walking Route to School

8.1 Pupils qualify for free transport to and from the catchment school, or the nearest equivalent West Lothian school if a place cannot be granted at a catchment school, if the Council agrees there is no suitable walking route to school. The standard criteria for suitable routes are that they are of adequate width, have an all weather surface, and are street lit. Routes which cross or follow derestricted main roads may not be considered suitable for primary aged pupils.

8.2 The Council will take reasonable steps to ensure the suitability of walking routes to schools, including improving lighting and lighting repairs, and cutting back vegetation.

8.3 Free transport to and from school is not provided on the grounds of personal safety. The Council does not consider any route in West Lothian unsafe for a responsible adult to follow on the grounds of personal safety.

8.4 The Council is committed to safe and healthy travel to school, to improving walking and cycling routes to schools and to road safety education in terms of the Curriculum for Excellence. The Council cannot, however, guarantee the safety of any pupil travelling to or from school.

9.0 Award Criteria - Medical Reasons

9.1 Transport to and from school for medical reasons will normally be granted only to those pupils attending their catchment school.

9.2 A parent requesting free transport to and from school for medical reasons, or requesting special equipment or arrangements for medical reasons, should ask their school to apply to NHS Lothian on their behalf. NHS Lothian will provide a written response to the Council. The Council will follow the recommendations of NHS Lothian in relation to the provision of transport to and from school for medical reasons, and requests for special equipment or arrangements.

9.3 All decisions regarding transport to and from school on medical grounds will be taken with regard to the Council's duties under equalities legislation.

10.0 Award Criteria – Request for Gaelic Medium Education/Curricular Subject Not Available In West Lothian

10.1. West Lothian Council does not have any schools offering Gaelic Medium Education, and will provide transport to a Gaelic medium school that is located in an authority that shares a boundary with West Lothian or in Glasgow. This will be in the form of a bus and/or rail pass. Pupils may have to make more than one change of transport. If public transport to the venue of the chosen subject is not a reasonable option due to travelling times or poor services, the Council will only contribute the equivalent of a public transport fare.

10.2 Where West Lothian Council does not have any schools offering a particular subject or course, the Council may provide transport to a school that is located in an authority that shares a

boundary with West Lothian or in Glasgow. This will be subject to the approval of the Head of Service with responsibility for the school the pupil attends. This will be in the form of a bus and/or rail pass. Pupils may have to make more than one change of transport. If public transport to the venue of the chosen subject is not a reasonable option due to travelling times or poor services, the Council will only contribute the equivalent of a public transport fare.

11.0 Award Criteria – Pupil Resident at Temporary Addresses/Women’s Refuges

- 11.1 The Council recognises that moving school as a result of a temporary change of address may have a detrimental effect on a pupil’s education and for this reason transport to and from school may be provided.
- 11.2 The Council will provide transport to and from school from temporary address/women’s refuges subject to the following:-
- The distance from the temporary address to school by a suitable walking route is over the qualifying distance (1.5 miles for primary pupils and 2 miles for secondary pupils.)
 - Parents/carers have applied to the appropriate housing officer and a referral has been made to the Public Transport Unit from the appropriate officer within Housing Services recommending that transport is provided.
 - Parents/carers have asked Women’s Aid to make a referral to the Public Transport Unit recommending that transport is provided.
- 11.3 When a family who are in receipt of transport to and from school from a temporary address/women’s refuge returns to a permanent home address, transport to and from school will only be provided under the normal qualification criteria.

12.0 Award Criteria - Place Cannot Be Granted At Catchment School

- 12.1 If a place cannot be granted at a catchment school, free transport to and from the nearest equivalent West Lothian school will be provided as long as the distance from home to school by a suitable walking route is over the qualifying distance (1.5 miles for primary pupils and 2 miles for secondary pupils.) If no place exists at any equivalent school within West Lothian, transport to and from an equivalent non-West Lothian school where places are available will be provided, taking account of the Council’s duty to obtain best value.

13.0 Award Criteria - Children in Care

- 13.1 The Council’s Social Policy Service is responsible for transport to and from school for pupils in care.

14.0 Award Criteria - Childcare Arrangements

- 14.1 The Council may agree to provide transport to and from school for pupils being looked after by child-minders on a regular and permanent basis away from their normal home address, subject to the following:-
- The pupil is attending the catchment school for his or her home address, or the nearest equivalent West Lothian school, if a place cannot be granted at a catchment school.
 - The pupil is entitled to free transport to and from school from his or her home address to the catchment school, or the nearest equivalent West Lothian school, if a place cannot be granted at a catchment school.
 - The child-minders address is within the catchment area of the pupil’s catchment school, or the nearest equivalent West Lothian school, if a place cannot be granted at a catchment school, and is more than the qualifying distance from the school.
 - Transport will normally only be provided from one address, and not multiple addresses.

15.0 Transport to and from School – Non-Entitled Pupils

- 15.1 If there is spare seating capacity on any transport to and from schools, this will normally be offered on a fare paying basis.
- 15.2 Where the route is not fare paying, spare capacity may be offered to non-entitled pupils free of charge at the discretion of the Public Transport Unit.
- 15.3 Transport provided for non-entitled pupils may be withdrawn at any time in order to allow the Council to meet its obligations in terms of this policy, or its meet its obligations to achieve best value.

16.0 Changes to School Hours - Transport to and from School Arrangements

- 16.1 The Public Transport Unit must be consulted at least a term in advance on proposal to change school hours as many transport to and from school routes are operated to coincide with adjacent schools' needs or are integrated with public services. It may not be possible to alter school hours if this cannot be done within existing resources.
- 16.2 Head Teachers must not instruct operators to change their route or other arrangements unless it has been approved by the Public Transport Unit, except to prevent a risk to pupils.

17.0 Contract Conditions

- 17.1 Operators must comply with the Council's current Conditions of Contract.
- 17.2 Contracts will be subject to procurement legislation and the Council's Standing Orders.

18.0 Monitoring Of Operator Performance

- 18.1 The Public Transport Unit will assess and monitor the capacity of operators and their performance. All complaints and irregularities are investigated.
- 18.2 Head Teachers will report any problems with transport to and from school, including with time-keeping, the standard of vehicles, or the conduct of drivers, to the Public Transport Unit.
- 18.3 Transport to school should arrive at the school not more than 15 minutes and not less than 5 minutes before the start of the school day. Transport from school should be in position prior to the school dismissal time at the end of the school day. Departure at the end of the school day will be 10 minutes after the official dismissal time or otherwise as previously agreed with school staff.

19.0 Procurement of Transport

- 19.1 Schools should consult the Public Transport Unit in relation to all procurement of transport, in order to achieve best value.

20.0 Curricular Activities - Transport

- 20.1 Education Services retains responsibility for transport arranged to support curricular activities including:-
- sports and swimming activities out-with the school campus
 - Senior Phase Travel or other arrangements for secondary pupils
 - attendance at Scottish Centres or Lowport school camps
 - school excursions

21.0 Transition Events - Transport

- 21.1 The Public Transport Unit will transport P7 pupils to the appropriate catchment secondary school for a maximum of three days to support transition from primary to secondary education. This transport will be provided where possible through existing transport to and from schools where there is existing spare seating capacity.
- 21.2 Schools may request a higher level of service, at their own expense.

22.0 Examinations - Transport

- 22.1 Where an examination falls on a school day, no additional home to school transport will be provided for examinations which start after the normal school start time.
- 22.2 Where an examination falls on a day when transport to and from school would not otherwise be provided (including local holidays and in-service days) the Public Transport unit will provide transport to school to arrive in time for the first examination of that day, and transport from school after the last examination of that day.
- 22.3 Where an examination finishes after the normal departure time for school to home transport, arrangements will be made by the Public Transport Unit to either reimburse journey costs for pupils affected, or to provide transport where it is not feasible for a pupil to travel home independently.
- 22.4 Schools may request a higher level of service, at their own expense.

23.0 West Lothian College - Transport

- 23.1 The Public Transport Unit will meet the costs incurred by West Lothian College in providing bus passes to pupils below school leaving age who attend West Lothian College in arrangement with their school. Funding will cease at the end of the school term in which the pupil reaches school leaving age.

24.0 Breakfast Clubs - Transport

- 24.1 The Public Transport Unit will not provide transport to breakfast clubs unless this can be provided at no additional cost.

25.0 After School Activities - Transport

- 25.1 The Public Transport Unit will not provide transport in connection with after school activities unless this can be provided at no additional cost.

26.0 Hosting and Permanent Exclusion

- 26.1 If a child is placed in a host school in terms of the Council's Hosting Policy, the following procedures should be followed:
- the host school will ascertain whether the parent/carer has the capacity (including financial capacity) to ensure that their child gets to the host school safely and on time.
 - if this is not possible/feasible then transport will require to be made available.
 - this will be organised and approved by the Headteacher of the base school in liaison with the Headteacher of the host school and the Public Transport Unit.
 - for the period of the hosting (not exceeding six weeks), transport will be funded by the Public Transport Unit.
 - If, after the end of the hosting, the pupil is enrolled at the host school then this shall be treated as a placing request and standard criteria for transport to and from school will apply.

- 26.2 Following a permanent exclusion, the Council will provide transport to the alternative West Lothian school to which the pupil is admitted, as long as the distance from home to school by a suitable walking route is over the qualifying distance (1.5 miles for primary pupils and 2 miles for secondary pupils.)



EDUCATION EXECUTIVE

CONSULTATION ON DRAFT GUIDANCE FOR PARTS 4, 5 AND 18 OF THE CHILDREN AND YOUNG PEOPLE (SCOTLAND) ACT 2014

JOINT REPORT BY HEAD OF EDUCATION (QUALITY ASSURANCE) & HEAD OF SOCIAL WORK

A. PURPOSE OF REPORT

To inform the Education Executive of a combined Social Policy and Education response to the Scottish Government consultation on the draft Statutory Guidance for Parts 4, 5 and 18 (Section 96) and related draft orders of the Children and Young People (Scotland) Act 2014.

B. RECOMMENDATION

It is recommended that the consultation response be noted and recommended by the Education Executive as a suitable response.

C. SUMMARY OF IMPLICATIONS

I Council Values	Focusing on our customers' needs being honest, open and accountable providing equality of opportunities developing employees making best use of our resources working in partnership
II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	The consultation relates to the Children and Young People (Scotland) Act 2014 which will be enacted in Autumn 2016. It is relevant to all agencies working with children and young people.
III Implications for Scheme of Delegations to Officers	None
IV Impact on performance and performance Indicators	Contributes to the Health and Wellbeing performance indicators
V Relevance to Single Outcome Agreement	Outcomes 1, 2, 4 & 6
VI Resources - (Financial, Staffing and Property)	None

VII Consideration at PDSP	Yes
VIII Other consultations	Social Policy will also be responding to the concurrent consultation on the Corporate Parent as outlined in The Children and Young People (Scotland) Act 2014.

D. TERMS OF REPORT

The Children and Young People (Scotland) Act 2014 was passed by the Scottish Parliament on 19 February 2014, and received Royal Assent on 27 March 2014.

By facilitating a shift in public services towards early intervention whenever a family, child or young person needs help, the legislation encourages preventative measures, rather than crises responses. Underpinned by the United Nations Convention on the Rights of the Child 1989 (UNCRC), and Getting It Right for Every Child (GIRFEC), the Act also establishes a new legal framework within which services are to work together in support of children, young people and families.

The Act places in statute key elements of GIRFEC. The key elements of GIRFEC which are dealt with in this consultation, are, in summary :

- every child and young person in Scotland is to have access to a Named Person
- a statutory Child's Plan should be prepared for every child or young person who requires one as a result of their wellbeing needs
- a holistic explanation of wellbeing, which is set out in the Act

The current consultation relates to the draft Statutory Guidance on Named Person (Part 4), Child's Plan (Part 5) and Assessment of Wellbeing (Part 18) of the Children and Young People (Scotland) Act 2014. It also relates to the draft Orders on the Named Person and the Child's Plan.

The West Lothian GIRFEC Implementation Group comprises representatives from all relevant professional agencies. This group is working together to ensure that the combined professional responsibilities of the Children and Young People (Scotland) Act 2014 are implemented and embedded in practice. Representatives from this group have produced a combined response to the consultation, attached to this report as an appendix.

The deadline for responses to the Consultation is 1st May 2015. In order to ensure due consideration is given to the response, it will be presented to both Social Policy and Education PDSP meetings on the 12th and the 17th March respectively.

There are to be a number of public engagement events relating to this consultation over the coming months. Representatives from across professional groups within West Lothian will be attending these events to further contribute to the consultation process.

E. CONCLUSION

The West Lothian, multi-agency GIRFEC Implementation Group continues to work to ensure that the legislative and organisational requirements of the Children and Young People (Scotland) Act 2014 will be in place to coincide with the implementation of the

Act in Autumn 2016.

As a result of careful and ongoing planning, the GIRFEC Implementation Group have drafted a response to the Scottish Government consultation on draft statutory guidance which is attached to this report. The response provides professional feedback on the questions posed by the Scottish Government and represents a combined West Lothian response.

It is recommended that the response be noted and passed for submission as the Council's response to the Scottish Government consultation process.

F. BACKGROUND REFERENCES

Consultation on the draft Statutory Guidance for Parts 4, 5 and 18 (Section 96) and related draft orders of the Children and Young People (Scotland) Act 2014

<http://www.scotland.gov.uk/Publications/2015/02/1851>

Scottish Government guidance on Getting it Right for Every Child

<http://www.scotland.gov.uk/Topics/People/Young-People/gettingitright>

Appendices/Attachments:

West Lothian Council draft response to the Consultation on the draft Statutory Guidance for Parts 4, 5 and 18 (Section 96) and related draft orders of the Children and Young People (Scotland) Act 2014.

Contact Person:

Alison Raeburn, ASN Manager, 01506 282634. Alison.raeburn@westlothian.gov.uk

Elaine Cook, Head of Service, Education (Quality Assurance)

Jennifer Scott, Head of Service, Social Policy

Date of meeting: 24 March 2015

Consultation inviting views on Draft Statutory Guidance on Parts 18, Section 96 (Wellbeing) 4 (Named Person), and 5 (Child's Plan) of the Children and Young People (Scotland) Act 2014 and draft Orders made under Parts 4 and 5.

Respondent Information Form (RIF)



Please Note this form **must** be returned with your response to ensure that we handle your response appropriately.

1. Name/Organisation Name

West Lothian Council

Title Mr ☐ Ms ☐ Mrs ☐ Miss ☐ Dr ☐

Please tick as appropriate (if completing electronically, double click on box and select default value as 'checked')

Surname

Forename

2. Postal Address (if organisation, please provide organisation address)

West Lothian Civic Centre

Howden South Road

Livingston

West Lothian

Postcode EH54

Phone

Email

3. Permissions - I am responding as...

Individual

/

Group/Organisation

☐

Please tick as appropriate

☒

(a) Do you agree to your response being made available to the public (in Scottish Government library and/or on the Scottish Government web site)?

Please tick as appropriate

☐ Yes ☐ No

(c) The name and address of your organisation **will be** made available to the public (in the Scottish Government library and/or on the Scottish Government web site).

(b) Where confidentiality is not requested, we will make your responses available to the public on the following basis

Please tick ONE of the following boxes

Yes, make my response, name and address all available ☐

or

Yes, make my response available, but not my name and address ☐

or

Yes, make my response and name available, but not my address ☐

Are you content for your **response** to be made available?

Please tick as appropriate

☒ **Yes** ☐ **No**

(d) We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

Please tick as appropriate

☒ **Yes** ☐ **No**

Consultation questions

General

1) Overall, do you think that the draft guidance gives a clear interpretation of the Act to support organisations' implementation of the duties?

☒ Yes ☐ No

(if responding electronically, please double click on one of the boxes above and select the default value as 'checked')

Please provide details:

Part 18, Section 96 - Wellbeing

2) Do you think the draft guidance on wellbeing provides clarity about what wellbeing means in the context of the Act?

☒ Yes ☐ No

What is helpful and/or what do you think could be clearer?

There is clarity about what wellbeing means. Not, however on how the indicators are to be used to assess wellbeing.

3) Are the explanations of the eight wellbeing indicators helpful? (2.5)

☒ Yes ☐ No

What is helpful and/or what do you think could be clearer?

It is helpful to connect the UN guidance to the SHANARRI indicators here.

4) Are the descriptions and examples of wellbeing concerns sufficiently clear and helpful? (2.7)

☒ Yes ☐ No

What is helpful and/or what do you think could be clearer?

It is helpful to have examples under the SHANARRI headings as well as the general advice about what constitutes a wellbeing concern.

5) Please provide any other general comments about the draft guidance on wellbeing:

The examples relating to the importance of contextual assessment in 2.7.5 are particularly helpful and clear.

The clarity of “support, promote and safeguard” as roles for the Named Person is also helpful.

Part 4 - Named Person

Section 19 – Named Person Service

6) Is the draft guidance clear on the organisational arrangements which are to be put in place by the service provider to support the functions of the Named Person? (4.1.3 - 4.1.4)

☒ Yes ☐ No

What is helpful and/or what do you think could be clearer?

The bullet pointed list is helpful and clear as a mandate for local authorities (education) in outlining their responsibilities in delivering the Named Person Service.

7) The Named Person Order and the draft guidance in support of this relate to training, qualifications, experience and position of who can be a Named Person. (Named Person Order and 4.1.5 – 4.1.17)

Are they sufficient to promote reliability in the quality of the Named Person service while supporting the flexibility to ensure that organisations can provide the service universally and consistently?

☒ Yes ☐ No

Do they provide clarity?

☒ Yes ☐ No

Please give reasons for your answers, including if you think they should be changed:

The information about the qualifications of the Named Person in the guidance (4.1.8) is not the same as that contained in the order. In the guidance it states that the Named Person must be a registered teacher whereas in the Order, there is another category of qualification which does not require the Named Person to be a registered teacher (2.6 (b)).

There is similar lack of clarity for pupils who are “not on a school roll” – in the guidance it suggests that the Named Person for these pupils does not need to be a registered teacher but if they are on a school roll, the Named Person does need to be a registered teacher.

This needs to be clear as there are some schools who employ pupil support managers from social work backgrounds who would meet the criteria in the order (2.6(b) but would not be registered teachers.

8) Is the level of detail provided on the delivery of the Named Person functions within the draft guidance appropriate to guide service providers in the provision of the service? (4.1.19 – 4.1.27)

☒ Yes ☐ No

What is helpful and/or what do you think could be clearer?

The detail is helpful and could easily be adapted into a training programme outline to ensure that all areas are covered. It would be helpful if centrally developed training materials could be provided by Scottish Government that could be locally adapted. Otherwise, all local authorities will be working on developing a training programme for the Named Person which will largely cover the same information. A lot of time and effort could be ameliorated by the provision of a central template for training that could be adapted locally.

9) The draft guidance outlines how arrangements for making the Named Person service available during school holiday periods and other absences should be put in place. Do you agree that this provides sufficient clarity while allowing local flexibility? (4.1.30 – 4.1.32)

☒ Yes ☐ No

What is helpful and/or what do you think could be clearer?

Clarification on “out of hours” would be helpful. (ie out of 9-5 or over and above contracted working days)
Distinction between “urgent” and “non-urgent” would require clarification at local level.
Arrangements will need to be arranged very much at local level depending on the services that are available within Education departments over holiday periods.

Section 20 – Named Person service in relation to pre-school children

10) This section of the draft guidance outlines arrangements for making the Named Person service available for pre-school children. Do you think it provides clarity?

☒ Yes ☐ No

What is helpful and/or what do you think could be clearer?

Perhaps more guidance in this section on transfer of information from one Named Person Service (Health) to Named Person Service (Education) at school entry.

Section 21 – Named Person service in relation to children who are not pre-school children

11) This section of the draft guidance outlines arrangements for making the Named Person service available for children who are not pre-school children. Do you think it provides clarity? (6.1.1 – 6.1.8)

☒ Yes ☐ No

What is helpful and/or what do you think could be clearer?

12) Does the draft guidance make clear arrangements for providing the Named Person service for children who leave school before their 18th birthday? (6.1.9 – 6.1.25)

☒ Yes ☐ No

What is helpful and/or what do you think could be clearer?

Clear that the role of Named Person is required for these pupils and that it will need to be negotiated locally depending on the support services in place within the local authority. Allows for local variation. Is further guidance required for transfer of information at the final stage to adult services required? There is guidance on this at all other key transition points.

13) Does the draft guidance make clear arrangements for providing the Named Person service for children of Gypsy/travellers? (6.1.26 – 6.1.31)

☒ Yes ☐ No

What is helpful and/or what do you think could be clearer?

Clear that the role of Named Person is required for these pupils and that it will need to be negotiated locally depending on the support services in place within the local authority. The planned system will only be as effective as the information provided about the family's living arrangements. It would be helpful to have some guidance on what the service provider should do where the family refuse to engage.

14) Does the draft guidance make clear arrangements for providing the Named Person service for children who are home educated? (6.1.32 – 6.1.39)

☒ Yes ☐ No

What is helpful and/or what do you think could be clearer?

This part of the guidance is helpful for local authorities and re-assuring for families who have chosen to educate their children outwith the system.

15) Does the draft guidance make clear arrangements for providing the Named Person service for those families with more than one Named Person? (6.1.41 – 6.1.43)

☒ Yes ☐ No

What is helpful and/or what do you think could be clearer?

Basically just indicates that effective communication needs to take place and that all professionals undertake their duties to share information with the Named Person. Could still result in families having too many people involved. No flexibility for “multiple Named Person” families. Could be felt by the family to be overkill. Should there be some mechanism for streamlining in these circumstances in order to avoid loss of information as a result of separating the Named Person role across professionals?

Section 24 – Duty to communicate information about the role of the Named Person

16) Does the draft guidance make clear the requirements and expectations in relation to communicating information about the Named Person service and the Named Person?

☒ Yes ☐ No

What is helpful and/or what do you think could be clearer?

Again, template guidance from Scottish Government that could be locally adapted would be beneficial as the key information and messages are the same. The option to adapt templates rather than start from scratch would ensure consistency in approach and also reduce duplication of effort.

Section 25 – Duty to help the Named Person

17) Does the draft guidance make clear the arrangements which should be in place for service providers or relevant authorities to help a Named Person? (9.1.1 – 9.1.8)

☒ Yes ☐ No

What is helpful and/or what do you think could be clearer?

Clear for local authorities / health boards but this will need to be shared widely with all partners at local level in order to be clear about the responsibilities of all to help the Named Person when asked.

Sections 23, 26 and 27 – Information sharing

General

18) Is the draft guidance on these sections clear on requirements in relation to consideration and sharing of relevant and proportionate information when there are wellbeing concerns?

☒ Yes ☐ No

What is helpful and/or what do you think could be clearer?

Significant training will be required across multi-agency groups to ensure everyone understands the parameters related to information sharing.

19) Does the draft guidance make clear the arrangements and processes that authorities will need to put in place to facilitate and support the consideration and sharing of relevant and proportionate information?

☒ Yes ☐ No

What is helpful and/or what do you think could be clearer?

Effective IT solutions continue to be an issue especially across professional groups. It is good to know that there is a Scottish Government working group looking at IT solutions for the future which will support this element of development. 2020 is still a long way off!

20) Does the draft guidance make clear that the sharing of relevant and proportionate information under this Act must meet the requirements of the Data Protection Act 1998 and the European Convention of Human Rights?

☒ Yes ☐ No

What is helpful and/or what do you think could be clearer?

Section 23/Section 26

21) Does the draft guidance make clear the arrangements for managing and sharing information when duties of confidentiality are a consideration? (10.2.14 – 10.2.16 and 10.3.10 – 10.3.13)

☒ Yes ☐ No

What was helpful and/or what do you think could be clearer?

10.3.10-13 – this section is difficult to understand at practitioner level and could benefit from examples to further outline the processes involved.

22) Are the arrangements set out for considering the views of the child clear? (10.3.3 – 10.3.4)

☐ Yes ☒ No

What is helpful and/or what do you think could be clearer?

Gathering Child's views does not come across as the primary purpose of section 10.3.3 but it is mentioned in the initial paragraph.

23) Please provide any other general comments about the draft guidance on the Named Person service, including the information sharing sections:

Draft Named Person Order

See question 7 above; and

24) Please provide any other general comments about the draft order on the Named Person:

The Order is brief but has sufficient clarity to support the implementation of the Named Person Service for local authorities.

Part 5 – Child's Plan

Section 33 - Child's Plan requirement

25) Is the draft guidance clear about the definition and explanation of what constitutes a 'targeted intervention'? (11.2.4. – 11.2.5)

☒ Yes ☐ No

What is helpful and/or what do you think could be clearer?

The examples are helpful. Local dialogue will still be required to be clear about local services but the guidance is clear.

26) Are the arrangements for seeking the views of the child, parents and others during consideration of the need for a Child's Plan set out clearly in the draft guidance? (11.2.7 – 11.2.12)

☒ Yes ☐ No

What is helpful and/or what do you think could be clearer?

This section can be addressed effectively when authorities engage with meaningful planning processes eg. solution focused child's planning meetings where parental and pupil views are included as equal partners. Promotion of solution focused meetings could be helpful as an example here.

Section 34 – Content of a Child's Plan

27) Do you agree that the content of the plan, as set out in the Schedule to the draft Order and described further in the draft guidance is clear and covers the full range of likely circumstances? (11.3.1. – 11.3.9 and draft Child's Plan Order)

☒ Yes ☐ No

What is helpful and/or what do you think could be clearer?

The guidance on local terminology and avoidance of abbreviations is helpful to assist cross authority working.

The Order on the Child's Plan is challenging to access as a practitioner. The Guidance is much more accessible.

Section 35 – Preparation of a Child's Plan

28) Are the arrangements and processes set out in the draft guidance for preparing child's plan clear? (11.4.1 – 11.4.6)

☒ Yes ☐ No

What is helpful and/or what do you think could be clearer?

29) Does the draft guidance give clear support on how the child's plan and the co-ordinated support plan should be integrated? (11.4.7 – 11.4.10)

☒ Yes ☐ No

What is helpful and/or what do you think could be clearer?

While the guidance is clear about how this should happen, there is still too much overlap with planning frameworks. Over time, it would be helpful to consider aligning the legislation to have this level of planning included in the Child's Planning process as one. There should be no need for Co-ordinated Support plans on top of effectively implemented Child's Plans.

Sections 36, 37 and 38 – Responsible authority: general, Responsible authority: special cases and Delivery of a Child's Plan

30) Does the draft guidance make clear the different roles of the responsible, relevant, directing and managing authorities?

☒ Yes ☐ No

What is helpful and/or what do you think could be clearer?

The terminology here is still confusing but is clearly outlined at the start of the whole document. Perhaps a reminder of that or a link to the definitions again at this point would be helpful?

Section 39 – Child's Plan: management

31) Does the draft guidance make clear the processes and arrangements for managing the child's plan? (11.8.1 – 11.8.13)

☐ Yes ☒ No

What is helpful and/or what do you think could be clearer?

There are 3 terms used for "managing" a plan: managing, co-ordinating and maintaining. Whilst these may all be interchangeable, it could be helpful to rationalise the use of these

phrases to one phrase across the board to avoid confusion. Alternatively, if the phrases are deliberately designed for different purposes, this could be clearer to avoid confusion.

There is still some clarity required on the roles of the Named Person and the Lead Professional in relation to the management of the Child's Plan. This should be clearer. That is, does the Named Person maintain responsibility for updating the plan based on information received from the Lead Professional or does the Lead Professional take on the responsibility of updating the plan and ensures that the Named Person is kept informed of changes?

32) Does the draft guidance make clear the arrangements for transferring management of a child's plan? (11.9.1 – 11.9.21)

☒ Yes ☐ No

What is helpful and/or what do you think could be clearer?

11.9.8 – clarity about why this decision would need to be made would be helpful. Should it not just automatically be the responsibility for the school that the child attends?

Section 40 – Assistance in relation to Child's Plan

33) Is the draft guidance helpful in describing the processes and arrangements for providing assistance in relation to functions under this part of the Act? (11.10.1 – 11.10.8)

☒ Yes ☐ No

What is helpful and/or what do you think could be clearer?

11.1.0.3 is unclear and appears to be a refresher of previous guidance on information sharing. A new heading here might be helpful to provide clarity.

34) Please provide any other general comments about the draft Child's Plan guidance:

Draft Child's Plan Order

See question 26 above, and:

Part 1, Article 2 - General

35) Whenever possible we have referenced existing regulations to show the interaction with the new duties. Do you find this helpful?

☒ Yes ☐ No

Please provide any comments on this approach:

Part 3, Article 6 – Preparation and content of a child’s plan

36) In terms of the 2014 Act, the Named Person; and, as far as reasonably practicable, the child and their parents, are to be consulted on the preparation of a child’s plan. The draft Order sets out who else should be consulted in certain circumstances. Under the Act, the responsible authority can also consult with anyone it considers appropriate in any particular case. Do you think any other people should be consulted, as far as reasonably practicable, for the preparation of every plan?

☐ Yes ☒ No

Please provide details, including who and why.

Part 3, Article 7 – Copies of a child’s plan

37) Copies of the child’s plan should be provided to persons specified in the draft order, except in certain circumstances. This is set out in article 7 of the draft Order. Does this article meet the intention to ensure that others are not placed at risk of harm as a consequence of copies of the plan being provided?

☒ Yes ☐ No

If no, please provide details including what you think should be changed:

38) Please provide any other general comments about the draft Child’s Plan Order:

Thank you, please send with your respondent information sheet to:

GIRFECConsultations@scotland.gsi.gov.uk

or

*Alan Davidson
Getting it right for every child
Scottish Government
Victoria Quay
Edinburgh
EH6 6QQ*



EDUCATION EXECUTIVE

WEST LOTHIAN COUNCIL EDUCATION SERVICES: ADDITIONAL SUPPORT NEEDS (ASN) – OUTCOME OF PUBLIC CONSULTATION REVIEW 2014

REPORT BY HEAD OF EDUCATION (QUALITY ASSURANCE)

A. PURPOSE OF REPORT

To report to the Education Executive on the response from the public consultation 'West Lothian Council, Education Services, Additional Support Needs Review 2014'.

B. RECOMMENDATION

It is recommended that the Education Executive:

1. note the outcome of the consultation 'West Lothian Council, Education Services, Additional Support Needs Review 2014';
2. approve implementation of the following proposals which were the subject of public consultation:
 - a) the proposal to establish Connolly School Campus, a new primary school for Additional Support Needs (ASN) located at Connolly House, Blackburn from August 2015 containing 4 primary special classes (for the provision of Social, Emotional and Behavioural Needs (SEBN) education across P1 to P7) under the management of the Principal of the West Lothian Behaviour Support Service;
 - b) the proposal to re-locate the existing 4 Social, Emotional and Behavioural Needs (SEBN) primary special classes (providing education across P1 to P7) from Ogilvie School Campus, Knightsridge, Livingston to Connolly School Campus, Blackburn; this relocation process from Ogilvie School Campus to Connolly School Campus to be completed by August 2015;
 - c) the proposal to establish 3 primary special classes at St Mary's Primary School, Polbeth (for the provision of primary education for children with Autism Spectrum Disorder (ASD) across P1 to P7) under the management of the Head Teacher of St Mary's Primary School, Polbeth; 2 classes commencing from August 2015 and a third class commencing from August 2018;

- d) the proposal to re-locate the existing P1 to P3 pupils from the Autism Spectrum Disorder (ASD) special classes at Ogilvie School Campus, Knightsridge, Livingston to St Mary's Primary School, Polbeth with effect from August 2015; the existing P4 to P6 pupils from the ASD classes at Ogilvie School Campus to complete their primary schooling within Ogilvie School Campus;
3. agree to explore the additional enhancements to the proposals as suggested by Education Scotland, namely, to consider opportunities for shared experiences for the children of Connolly School Campus and Our Lady of Lourdes Primary School facilitated through collaborative planning between both Headteachers and in partnership with parents/carers;
4. approve the relocation of the two classes currently located in Polkemmet Primary School under interim arrangements agreed at the Education Executive in February 2014 to specialist provision at Pinewood School Campus and/or Ogilvie School Campus from August 2015, with transition planning taking place from 25 March 2015, and the decision on which of these provisions the individual pupils will be relocated to be taken in discussion with parent/carers or in response to parental placing requests;
5. to instruct officers to consider the feasibility of breakfast club provision at both Pinewood and Ogilvie School campuses;
6. to instruct officers to consider the formal naming of the new school at Connolly House, and bring a report to a future meeting of the Education Executive.

C. SUMMARY OF IMPLICATIONS

I	Council Values	Focusing on our customers' needs; being honest, open and accountable; providing equality of opportunities; developing employees; making best use of our resources; working in partnership
II	Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	Education (Scotland) Act 1980 Education (Additional Support for Learning) (Scotland) Act 2004 Scottish Schools (Parental Involvement) Act 2006 Standards In Scotland's Schools etc Act (2000) Equality Act 2010 Schools (Consultation) (Scotland) Act 2010 Children and Young People (Scotland) Act 2014 UN Convention on the Rights of the Child (Article12)
III	Implications for Scheme of Delegations to Officers	None
IV	Impact on performance and performance Indicators	The educational benefits resulting from the proposals will impact positively on a range of performance indicators including attainment.

V	Relevance to Single Outcome Agreement	Outcomes 1,2 and 5
VI	Resources - (Financial, Staffing and Property)	<p>A total of £717,000 is included in the approved revenue budget for financial year 2015/16 to 2017/18 for demographics within the special sector. One additional special class would be required in order to effect the proposed transition of the ASD classes from Ogilvie School Campus, Livingston, to St Mary's Primary School, Polbeth for school sessions 2015/16 to 2017/18 and would be accommodated within available special school resources.</p> <p>£2.859 million is included in the approved Capital Programme for works relating to the ASN review and demographic requirements to 2017/18 for development of the special needs school estate. Deployment of this resource will be confirmed on the conclusion of the formal consultation.</p>
VII	Consideration at PDSP	The initial report authorising the consultation was submitted directly to the Education Executive on 14 October 2014. The report on the outcome of the consultation was considered at Education Policy Development and Scrutiny Panel on 17 March 2015.
VIII	Other consultations	In compliance with the Schools (Consultation) (Scotland) Act 2010 Legal Services, Finance, Information Technology (IT), Construction, Planning, Transportation, Human Resources, Social Policy and NHS Lothian, Archdiocese of St Andrews and Edinburgh.

D TERMS OF REPORT

D.1 Background

A strategic review of existing ASN provision was undertaken to consider the most appropriate provision for pupils, to meet their needs and to ensure efficient deployment of resources, thereby making optimal use of provision for the benefit of pupils and their families within West Lothian. Proposals were established as a result of this review and a formal public consultation on the proposals began on 16 October 2014 entitled 'West Lothian Council, Education Services, Additional Support Needs Review 2014'. The consultation period lasted for 39 school days and concluded on 18 December 2014.

Although the proposals contained within the consultation document were connected as part of a strategic review of ASN provision across West Lothian, throughout the consultation period consultees were able to comment on each proposal in its own right, independently of the others.

The proposals were developed to create an equitable, high quality and sustainable provision across West Lothian for pupils with additional support needs, providing the highest quality of learning and teaching experiences that enable children and young people to enjoy their education and develop positive attitudes towards learning.

D.2 Outcome of the Consultation and Response to Education Scotland Comments

The consultation process received feedback from all stakeholders and statutory consultees coming from a variety of sources including public meetings, written submissions, staff, pupils and parent focus groups and feedback from other interested parties. The Schools (Consultation) (Scotland) Act 2010 also requires Education Scotland to consider the educational aspects of a local authority's proposal(s).

Education Services has received Education Scotland's report and reviewed the consultation proposals in light of this report and all other written and oral representations received. In accordance with the legislative requirements, Education Services published a report on the reviewed proposals on 2 March 2015 in both electronic and printed form. This report was available in hard copy at all affected schools and at local public libraries.

Education Scotland suggested an enhancement to the original proposals asking the council to consider opportunities for shared experiences for the children of the proposed Connolly School Campus and Our Lady of Lourdes Primary School facilitated through collaborative planning between both schools and in partnership with parents/carers. In response to this, it is proposed that pupils with additional support needs would be encouraged in a phased and gradual way, as appropriate to the needs of the children, to work in partnership with their neighbouring school community. Through this approach, Our Lady of Lourdes Primary School and the proposed Connolly School Campus may take opportunities to include the children in activities that are appropriate for them, thereby facilitating a genuinely inclusive culture for all. More specifically, the pupils and staff of both schools would have the opportunity to undertake activities such as assemblies, staff development, sport events and other initiatives such as charity events. This would be in line with current cluster collaborative working practices across West Lothian. Opportunities would provide social and educational benefits for pupils from both schools, would support the integration of SEBN pupils within their own local mainstream schools, and increase the likelihood of such integration being successful.

For pupils with ASN, sensitive management of change is crucial. When planning a change of school or location there must be sufficient time to ensure that effective transitional arrangements for pupils are in place. Individualised transition plans will therefore be developed with immediate effect to ensure continuity of high quality education for all pupils to enable transfer to take place by August 2015.

Confirmation has been provided by the Archdiocese of St Andrews and Edinburgh that they are satisfied with the arrangements with the management arrangements with regard to the ASD resource at St Mary's Polbeth. As all specialist provision within West Lothian is non-denominational, the Principal Teacher of the ASD provision would be attached to the three ASD classes and would have no management responsibilities within the mainstream classes of St Mary's Primary School, Polbeth. This Principal Teacher post is part of the ASD resource only.

All adaptations and refurbishment works required at St. Mary's Primary School, Polbeth and Connolly School Campus will be scheduled and project managed to ensure timeous completion for the start of session 2015.

The report on the outcome of the consultation also clarifies the parity of accommodation and resources that will be provided at the Connolly School Campus in relation to current provision at Ogilvie School Campus.

D.3 Interim Arrangements at Polkemmet Primary School for P1 pupils with Severe and Complex Needs

An interim arrangement, agreed in February 2014, accommodates two classes of P1 pupils with severe and complex needs at Polkemmet Primary School, Whitburn. It is proposed to relocate both classes into specialist provision at Pinewood School Campus and/or Ogilvie School Campus from August 2015. The decision on which of these provisions the individual pupils will be relocated to would be taken in discussion with parent/carers or in response to parental placing requests. Transition planning would take place with immediate effect for the transfer of children for August 2015.

D.4 Formal Naming of Connolly School Campus

Although the proposed new special school is referred to as Connolly School Campus, a formal process to name this school will require engagement with stakeholders with immediate effect.

E. CONCLUSION

The consultation process for the four proposals contained within the consultation document 'West Lothian Council, Education Services, Additional Support Needs Review 2014' has been completed in line with statutory requirements. A report on the outcome of the consultation, which includes the response to the Education Scotland report and all other written and oral representations, has been published in line with legislative requirements.

Appendices/Attachments:

Education Executive report 'West Lothian Council Education Services Additional Support Needs Review 2014 - 24 October 2014':

<http://www.westlothian.gov.uk/media/6522/ASN-Review-2014---Report-of-the-Consultation/pdf/report-on-consultation-asn-review-2014.pdf>

Contact Person: Alison Raeburn, Interim ASN Manager, 01506 282634,
Alison.raeburn@westlothian.gov.uk

Elaine Cook, Head of Education (Quality Assurance), 01506 283050.

Date of meeting: 24 March 2015



EDUCATION EXECUTIVE

SPORTSCOTLAND INVESTMENT AGREEMENT 2015-19

REPORT BY HEAD OF EDUCATION (QUALITY ASSURANCE)

A. PURPOSE OF REPORT

To inform the Education Executive on the proposed investment agreement with **sportscotland** for the period 2015-19.

B. RECOMMENDATION

To recommend to the Education Executive approval of the **sportscotland** partnership agreement 2015-19.

C. SUMMARY OF IMPLICATIONS

- | | |
|---|--|
| I Council Values | Being honest, open and accountable

Making best use of our resources

Working in partnership |
| II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment) | None |
| III Implications for Scheme of Delegations to Officers | None |
| IV Impact on performance and performance Indicators | None |
| V Relevance to Single Outcome Agreement | Outcome 2 - We are better educated and have access to increased and better quality learning and employment opportunities

Outcome 6 – We live longer, healthier lives and have reduced health inequalities |
| VI Resources - (Financial, | As per proposed Investment Agreement with |

Staffing and Property)

sportscotland 2015 - 2019:

- £1,771m total contribution from **sportscotland**

Approved recurring resources in the Revenue Budget for 2015-16 of £140,000

VI Consideration at PDSP I

None

VI Other consultations II

Finance and Estates; **sportscotland**

D. TERMS OF REPORT

D.1 Background

sportscotland, the Scottish national agency for sport, provided partnership investment to West Lothian Council for a range of programmes across Education and Area Services during 2011-15.

The current investment period terminates in March 2015 with a new investment structure proposed for 2015-19 to ensure the continuation of Active Schools, PE Support, School Sport Competition, Community Sport Hubs and Positive Coaching Scotland (PCS) programmes.

D.2 Active Schools

Active Schools is a national programme working across each of Scotland's 32 local authorities. In West Lothian a team of 11 FTE Active Schools Coordinators and 1 FTE Manager work in partnership with a wide range of organisations and individuals to provide integrated, high quality opportunities and support relating to physical education, school sport and club sport for all primary, secondary and ASN schools.

The aims of Active Schools are:

- More, and higher quality, opportunities to participate in sport within schools
- Building capacity through the recruitment, retention and development of a network of volunteers
- Motivating and inspiring children and young people to participate in sport

As **sportscotland**'s flagship programme, Active Schools has enjoyed considerable success over the past 10 years and now records in excess of 5 million attendances at extracurricular opportunities annually across Scotland. Within this timeframe in West Lothian, participation in extracurricular sport and activity has doubled and pupil involvement in school sport has increased by 248%. Active Schools also supports a range of programmes including Active Girls, Young Ambassadors, ClubGolf and the School Sport Award. Active Schools are based within the Central Education Service with key areas of work identified within the Education Services Management Plan.

During 2013/14 Active Schools recorded the highest ever figures for volunteer numbers, extracurricular attendance sessions, participants within the ClubGolf programme, schools delivering the ClubGolf programme, delivery of vocational qualifications for secondary pupils, school-club links and Sport and Physical Education CPD customer feedback ratings. In addition, the 7,145 individual pupils recorded as taking part in regular extracurricular physical activity sessions indicates that more West Lothian pupils are active than ever before.

D.3 PE Support

sportscotland, in partnership with Education Scotland, have provided financial support for all local authorities since 2012 to help achieve the Scottish Government's target of at least two hours per week of physical education in primary schools and at least two periods of PE in secondary schools for pupils in S1-S4.

The national aims of this investment are to:

- Maintain 2 hours/ 2 periods of PE in all schools.
- Improve the quality of learning and teaching in PE.

In West Lothian, this funding has enabled the creation of a PE Lead Officer (PELO) position with responsibility for the quantity and quality of PE delivery across all primary, secondary and ASN schools. 98.7% of West Lothian schools are currently achieving the Scottish Government target.

D.4 School Sport Competition

School sport competition is one of the key strands within the Active Schools service provision in West Lothian. A formal structure was established in 2009 with the creation of the School Sport Partnership (SSP). School sport competition has evolved and developed since 2009 and now includes 1 FTE School Sport Competition (SSC) Coordinator and 3 School Sport Development Posts (SSDPs). The SSC model in West Lothian receives additional funding from **sportscotland** on top of the contribution provided for Active Schools.

The table below provides a concise overview of the impact of the SSC model from 2009 to 2014.

Secondary School Competition	08-09	09-10	10-11	11-12	12-13	13-14
Number of competitive opportunities provided	26	36	40	48	32	38
Number of sports and activities on offer	12	12	15	16	12	12
% of all schools attending the competitions	30.04%	48.05%	71.90%	75.17%	76.19%	84.85 %
Total pupil attendances	N/R	1815	3162	4213	3909	4222
Total individual participants	N/R	N/R	N/R	N/R	N/R	2277

Table 2.1: School Sport Competition 2009-14. N/R- Not Recorded

D.5 Community Sport Hubs

The Scottish Government's 2014 Legacy Plan identifies the Community Sport Hub (CSH) project as a key mechanism for supporting sport clubs, working groups and organisations to achieve sustainability and increase provision of sport and physical activity in local communities.

sportscotland has provided investment of £44,000 per annum to West Lothian Council to support the development of CSHs since 2011. **sportscotland** recognises the CSH in Armadale as a national example of good practice.

The table below demonstrates investment impact across clubs and participation, a result of receiving **sportscotland** investment for Armadale CSH.

Armadale CSH	2010/11	2011/12	2012/13	2013/14	2014/15
Total number affiliated clubs	N/R	9	30	31	A/D
Total number active members (adult + youth)	N/R	373	1337	1807	A/D

Table 2.2: Impact Assessment, Armadale Community Sports Hub. N/R – Not Recorded, A/D – Awaiting Data

The key aims of CSHs, as identified by the Scottish Government are:

- Growth in participation
- Engage the local community
- Promote community leadership
- Offer a range of sporting opportunities
- Bring all appropriate (key) partners / groups / people together

Proposed CSHs in West Lothian over the next investment period include:

- Whitburn Academy
- Bathgate Academy Sports Trust
- Linlithgow Academy
- St Margarets RC Academy
- West Calder High School

More information relating to the proposed development of the CSHs can be found in the Community Sport Hub paper submitted to the Culture and Leisure Policy Development and Scrutiny Panel 16 October 2014.

D.6 Positive Coaching Scotland (PCS)

PCS is designed to transform attitudes and behaviours and support those involved in sport to create and maintain a positive sporting environment for all. Through this positive environment, young people are encouraged to stay in sport longer.

During 2014/15 to date, 14 West Lothian community sports clubs have been engaged in PCS via 12 Club Leaders workshop, 4 Double Goal Coach workshops and 1 Parents Workshop. Furthermore, in schools 22 Young Leaders workshops have been delivered in addition to a teacher's workshop for the Basketball Primary League PE specialists. Overall 506 individuals have been engaged in PCS thus far during 2014/15.

The delivery plan for 2015/16 will follow a more qualitative approach and aims to support a minimum of 8 community clubs through the entire PCS process, consisting of Club Leaders, Double Goal Coach and Parents workshops, in addition to further supportive follow-ups. This approach provides a blueprint for clubs to create and maintain strong cultures and identities and to ultimately help themselves moving forward. We aim to develop strong, sustainable clubs and PCS can support this by aiding the recruitment, training, support and retention of coaches, athletes, committee members and other volunteers.

By March 2016, we will have achieved:

- One designated PCS Lead within each targeted Community Sports Club
- A minimum of 8 community sports clubs supported through the ten touch-point process
- A minimum of 8 community sports clubs to be recognised at Celebrating Sport as West Lothian Council PCS endorsed Community Sports Clubs
- One case study per endorsed club

sportscotland have provided funding to support a Sport Development Officer post to lead PCS delivery. The officer will lead a group of tutors in addition to delivering Sports Leaders and Teachers workshops. The officer will also be responsible for follow-ups, ongoing contact/support with community clubs, case study write-ups and monitoring and reporting.

D.7 Proposed Partnership Investment Agreement

Following **sportscotland's** Board meeting in February 2015, an in principle four year investment figure to support the delivery of the partnership agreement 2015-2019 with West Lothian Council was agreed as follows:

	sportscotland				
	2015/16 £'000	2016/17 £'000	2017/18 £'000	2018/19 £'000	Total £'000
Active Schools*	354	354	354	354	1,416
PE Support Programme	51	£0	£0	£0	51
School Sport Competition	26	28	28	29	111
Community Sport Hubs	44	44	44	44	176
PCS	11	6	0	0	17
Total	486	432	426	427	1,771

** To financially resource and support the Active Schools programme with 11 FTE coordinators and 1 FTE manager. Annual planning will be embedded within the Education Management Plan and the School and Community Sport action plan.*

If approved at Executive, West Lothian Council's contribution to the partnership agreement 2015-2019 will be as follows:

	West Lothian Council				
	2015/16	2016/17	2017/18	2018/19*	Total
	£'000	£'000	£'000	£'000	£'000
Active Schools	140	140	140	140	560

** Indicative budget for 2018-19*

E. CONCLUSION

The proposed investment with **sportscotland** covering period 2015 - 19 enables West Lothian Council to maintain and develop existing services. This investment demonstrates significant financial and social return with services working in partnership to achieve a variety of outcomes, detailed within the Education and Area Services Management plans, and contributes towards the key strategic aims of the Council identified in the Corporate Plan and SOA.

F. BACKGROUND REFERENCES

None

Appendices/Attachments: None

Contact Person: Paul Stark, Active Schools Manager, Civic Centre, West Lothian

Tel: 01506 281755 Email: paul.stark@westlothian.gov.uk

Elaine Cook, Head of Education (Quality Assurance)

Date of meeting: 24 March 2015



EDUCATION EXECUTIVE

TEACHER NUMBERS

REPORT BY DEPUTE CHIEF EXECUTIVE

A. PURPOSE OF REPORT

The purpose of this report is to inform the Education Executive of a proposal to allocate the additional teaching resource required to maintain teacher numbers and the Pupil Teacher ratio at 2014/15 levels in financial years 2015/16 to 2017/18.

B. RECOMMENDATION

It is recommended that the Education Executive:

1. note the staffing requirements over the next three years to deliver the Teacher numbers commitment to maintain both teacher numbers and the teacher/pupil ratio at 2014/15 levels; and
2. approve the proposed allocation arrangements detailed in this report.

C. SUMMARY OF IMPLICATIONS

I Council Values	Focusing on our customers' needs; being honest, open and accountable; providing equality of opportunities; developing employees; making best use of our resources; working in partnership
II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	Devolved School Management staffing allocations for teaching staff.
III Implications for Scheme of Delegations to Officers	None
IV Impact on performance and performance Indicators	Scottish Qualifications Authority (SQA) examination results, Standard tests (adaptive – CEM) results, validated self-evaluation and Education Scotland quality indicators are used to measure the performance of schools.
V Relevance to Single Outcome Agreement	Positive Education Scotland inspection reports are used as a key outcome measure in the Single Outcome Agreement (SOA). Adaptive

	(CEM) test results and SQA examination results form indicators within the SOA.
VI Resources - (Financial, Staffing and Property)	Additional recurring resources of £2.28 million within the revenue budget for schools over financial years 2015/16 to 2017/18 to provide 57 FTE teachers.
VII Consideration at PDSP	Report considered at Education PDSP on 17 March 2015. Add paragraph at D5 on monitoring arrangements and reduce section at conclusion to key points.
VIII Other consultations	Finance and Estates

D. TERMS OF REPORT

D.1 Background

West Lothian Council set its financial strategy for the three year period 2015/16 – 2017/18 on 29 January 2015 following extensive public consultation. Education Services were confident that the budget provided sufficient resource to continue to raise attainment given the development of robust collaborative strategies and focussed school support.

On 5 February 2015 the Deputy First Minister of Scotland wrote to the President of COSLA and copied to all local authority leaders setting out the revised offer and commitment with regard to teacher numbers.

The Council Executive agreed on 19 February 2015 that it would confirm its intention to the Scottish Government to deliver the Teacher numbers commitment to maintain both teacher numbers and the teacher/pupil ratio in 2015/16. As outlined in the report, this would require an additional 42 FTE teachers to be employed in 2015/16, at a total cost of £1.68 million. Failure to deliver the Scottish Government commitment would result in £1.604 million of current revenue funding being deducted from the council's 2015/16 Scottish Government grant settlement and would also mean the council would not receive its share of an additional £10 million funding for teacher numbers, estimated to be £382,000.

The net cost to the council of this commitment is dependent on the funding the council will receive for fully funded probationer teachers. The council receives funding for 15 FTE fully funded probationers in the current year. Funding for 2015/16 will be confirmed in May 2015, however initial indications are that the council will receive funding for four FTE. The Scottish Government announcement on teacher numbers is for 2015/16 only, however for planning purposes it is assumed that the commitment will be retained for 2016/17 and 2017/18. On current pupil and teacher number projections, this will require the council to employ an additional 13 FTE teachers in 2016/17 and two FTE teachers in 2017/18, at a total cost of £600,000.

Based on the assumptions set out above, the council faces additional cost pressures over the next three years totalling £2.28 million in relation to the teacher numbers commitment. It is estimated that the council will receive £382,000 from the £10 million teachers funding and £160,000 funding for fully funded probationers, resulting in a net additional budget gap of £1.738 million. This is summarised below:

Additional Cost Pressures 2015/16 to 2017/18	2015/16 £'000	2016/17 £'000	2017/18 £'000	Total £'000
Teacher Number Commitments	1,680	520	80	2,280
Funding				
Share of £10 million for Teacher Numbers	(382)	0	0	(382)
Fully Funded Probationers (4 FTE)	(160)	0	0	(160)
Total Additional Funding	(542)	0	0	(542)
Additional Budget Shortfall	1,138	520	80	1,738

Officers are actively working to identify options to address the budget gap of £1.738 million and will report in due course.

Projections indicate that an additional 57 FTE teachers would be required to deliver the teacher number commitment over the three year period, 42 FTE in 2015/16, 13 FTE in 2016/17 and 2 FTE in 2017/18.

D.2 Proposed allocation of increase in teacher FTE

It is proposed that the additional teaching resources of 57 FTE are allocated towards enhancing nurture within the primary sector and raising attainment within the secondary sector.as follows:

	2015/16	2016/17	2017/18	Total
	FTE	FTE	FTE	FTE
Primary Sector				
Fully Funded Probationers to match 2014/15 levels	13	0	0	13
Nurture	0	13	2	15
Total – Primary	13	13	2	28
Secondary				
Fully Funded Probationers to match 2014/15 levels	2	0	0	2
Attainment	27	0	0	27
Total - Secondary	29	0	0	29
Total FTE	42	13	2	57

It is widely acknowledged that, notwithstanding the provision of funding for additional teachers, there will be challenges in securing sufficient numbers of teachers from a limited national pool and therefore a risk to the council receiving funding from the Scottish Government. It is of critical and urgent importance therefore, to secure permanent contracts for existing high quality probationers and temporary teaching staff in West Lothian.

D.3 Primary Nurture

Education Services first introduced the nurture approach into schools in 2004 with the successful development and implementation of part-time extraction Nurture Groups in some Primary schools. The Educational Psychology Service provided a wide range of evidence to identify the impact of these primary nurture groups with pupils displaying increased confidence, self-esteem and improved behavior. Following on from this success, the council provided time-limited investment funding for a period of two years 2012/13 – 2013/14, for a number of new groups to be established across late primary (P5-7 and early secondary school (S1-2) stages.

It is the view of Education Services, including Headteachers, that the Nurture Approach has been a successful targeted early intervention strategy and that the focus should now be on early stages of primary education and transitions from pre-school. The forthcoming redesign of pre-school education will involve a re-focusing of the role of the teacher in supporting high quality transitions from early learning in nurseries to early years in primary. The additional 28 FTE primary teachers over three years will enable this targeted intervention to be extended across a wider range of schools and provide more dedicated resource in each school. It is the view of Education Services, Headteachers and the Educational Psychology Service, that this approach will produce measurable, successful key outcomes for learners and is preferable to an arbitrary input measure of seeking to maintain a class size ratio of 1:18 in P1-P3.

D.4 Secondary Attainment

West Lothian Council aims to ensure that every young person is able to realise their educational potential. Closing the gap in performance, therefore, between schools and within schools is critical for West Lothian to continue to improve the attainment levels of all young people.

The average tariff score for the lowest attaining S4 pupils in West Lothian has continued to improve over the years. We must, however, endeavour to make a significant and sustainable improvement with strategies in place which will make a material difference in narrowing the gap for our most vulnerable young people.

The established methodology for improving positive destinations involves identifying the young people in vulnerable groups, e.g. looked after children, children with English as an additional language, children with additional needs, children eligible for free school meals etc. A risk matrix was created to map vulnerable groups within schools in order for key worker caseloads to be identified. This allows targeted support for young people regardless of the school attended. In order to address the attainment gap, the same methodology will be used for the analysis of all young people in these groups. This analysis will be shared to enable every secondary school with the necessary data to determine the extent of their attainment gap and the baseline for the measurement of the impact of future interventions and improvements. This forensic and consistent approach will produce measurable outcomes for learners.

Key variables across schools will be identified. These variables include: educational attainment from the primary adaptive testing; young people not achieving National 3 level in English, Mathematics and three other subjects; analysis of the grades of the lowest attaining young people; and availability of appropriate vocational pathways and work placements as part of the curriculum. It is important to understand fully why varying attainment has emerged across schools and between differing groups of pupils.

There needs to be a strategic approach across all schools to develop and implement processes to narrow the gap in performance between the lowest and highest performing schools and the lowest and highest performing pupils within schools. We will continue to scrutinise performance and use the rich data available to underpin continued improvement. This forensic and targeted approach to raising attainment and narrowing the gap in education performance will benefit young people in areas of social deprivation in particular.

D.5 Improvement Proposal

In order to achieve sustained improvement in attainment and skills and to narrow the attainment gap, it is proposed that 29 FTE teachers are allocated to specific secondary schools in 2015/16. The number will be dependent on the numbers of children in vulnerable groups attending that school and the extent of the attainment gap.

This common strategy to narrow the attainment gap will be a priority in all secondary schools' improvement plans. Progress will be closely monitored through the Hubs and Headteacher group. The allocated teachers will implement the identified strategies, working in collaboration with colleagues to achieve consistency across all schools.

Similarly, to raise attainment and narrow the educational performance gap in the primary sector, the deployment of 28FTE teachers over the three year period will be closely supported and monitored to ensure improved educational outcomes for our children.

Arrangements to ensure accurate monitoring of teacher numbers and pupil/teacher ratios are in place to deal with the annual census and will be developed to meet government monitoring requirements.

E. CONCLUSION

In order to deliver the commitment on teacher numbers by maintaining teacher numbers and the pupil/teacher ratio at 2014/15 levels over the next 3 years would require an additional 57 FTE teaching resource. It is proposed that this resource is used to enhance the nurture approach in the primary sector and targeted in secondary schools to narrow the attainment gap.

F. BACKGROUND REFERENCES

Council Executive Report: Teacher Numbers in 2015/16 on 19 February 2015.

Appendices/Attachments: None

Moir Niven, Depute Chief Executive, 01506 281673, moira.niven@westlothian.gov.uk,

Date of meeting: 24 March 2015

COUNCIL EXECUTIVE AND EDUCATION EXECUTIVE TIMETABLE – 2015-2016

Meeting Name	Deadline of Submission of Items for Inclusion on Final Agendas	Date of Meetings
Council Executive	Noon Weds 29 Jul 2015	Tues 4 Aug 2015
Education Executive & Council Executive	Noon Weds 19 Aug	Tues 25 Aug 2015
Education Executive & Council Executive	Noon Weds 9 Sept 2015	Tues 15 Sept 2015
Council Executive	Noon Weds 7 Oct 2015	Tues 13 Oct 2015
Education Executive & Council Executive	Noon Weds 21 Oct 2015	Tues 27 Oct 2015
Council Executive	Noon Weds 11 Nov 2015	Tues 17 Nov 2015
Education Executive & Council Executive	Noon Weds 2 Dec 2015	Tues 8 Dec 2015
Council Executive	Noon Weds 16 Dec 2015	Tues 22 Dec 2015
Education Executive & Council Executive	Noon Weds 13 Jan 2016	Tues 19 Jan 2016
Council Executive	Noon Weds 27 Jan 2016	Tues 2 Feb 2016
Council Executive	Noon Weds 10 Feb 2016	Tues 16 Feb 2016

Meeting	Deadline of Submission of Items for Inclusion on Final Agendas	Date of Meetings
Education Executive & Council Executive	Noon Weds 24 Feb 2016	Tues 1 Mar 2016
Council Executive	Noon Weds 9 Mar 2016	Tues 15 Mar 2016
Council Executive	Noon Weds 23 Mar 2016	Tues 29 Mar 2016
Education Executive & Council Executive	Noon Weds 20 Apr 2016	Tues 26 Apr 2016
Council Executive	Noon Weds 4 May 2016	Tues 10 May 2016
Education Executive & Council Executive	Noon Weds 1 Jun 2016	Tues 7 Jun 2016
Council Executive	Noon Weds 15 Jun 2016	Tues 21 Jun 2016

		<p>All Council Executive Meetings will be held in Council Chambers, Civic Centre</p> <p>Start Times – Education Executive @ 10 a.m. and Council Executive @ 11.00 a.m.</p>
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