

EDUCATION AND CHILDREN'S SERVICES COMMITTEE

ABERDEEN, 2 June 2015. Minute of Meeting of the EDUCATION AND CHILDREN'S SERVICES COMMITTEE. Present:- Councillor Taylor, Convener; Councillor Len Ironside CBE, Vice-Convener; and Councillors Boulton, Cameron, Carle, Cooney, Lesley Dunbar, Greig, Kiddie, Laing, Jean Morrison MBE (as substitute for Councillor Crockett), Noble, Samarai, Jennifer Stewart, Stuart, Thomson, Townson and Young. External Members (to article 13 only):- Ms Angela Bowyer (Parent Representative (Primary Schools and ASN)), Mr Stewart Duncan (Teacher Representative - Primary Schools), Ms Shona Wildi (Parent Representative (Secondary Schools)) and Mrs Irene Wischik (Roman Catholic Religious Representative).

The agenda and reports associated with this minute can be found at:-
<http://committees.aberdeencity.gov.uk/ieListDocuments.aspx?CId=504&MId=3459&Ver=4>

Please note that if any changes are made to this minute at the point of approval, these will be outlined in the subsequent minute and this document will not be retrospectively altered.

DETERMINATION OF EXEMPT ITEMS OF BUSINESS

1. The Convener proposed that items 8.1, 8.2, 8.3, 11.1, 12.1 and 12.2 of today's agenda (articles 11, 12, 13, 20, 21 and 22 of this minute) be considered with the press and public excluded.

Councillor Jennifer Stewart moved as a procedural motion, seconded by Councillor Greig:-

That the Committee consider item 8.1 (Aberdeen International Youth Festival – Business Plan) in public.

On a division, there voted:- for the procedural motion (2) – Councillors Greig and Jennifer Stewart; against the procedural motion (20) – the Convener; the Vice Convener; and Councillors Boulton, Cameron, Carle, Cooney, Lesley Dunbar, Kiddie, Laing, Jean Morrison MBE, Noble, Samarai, Sandy Stuart, Thomson, Townson and Young; and Angela Bowyer, Stewart Duncan, Shona Wildi and Irene Wischik.

The Council resolved:

- (i) to reject the procedural motion; and
- (ii) in terms of Section 50(A)(4) of the Local Government (Scotland) Act 1973, to exclude the press and public from the meeting during consideration of the aforementioned items of business (Articles 11, 12, 13, 20, 21 and 22 of this minute refer) so as to avoid disclosure of exempt information of the classes described in the following paragraphs of Schedule 7(A) of the Act: article 11 (paragraph 6), article 12 (paragraph 4), article 13 (paragraph 4), article 20 (paragraph 1), article 21 (paragraph 8) and article 22 (paragraphs 6 and 8).

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REQUESTS FOR DEPUTATIONS

2. The Convener advised that requests for deputation had been received from:
 1. Mr Irvine-Fortescue on behalf of the Lairhillock School Parent Council in relation to item 7.1 on the agenda
 2. Councillor Isobel Davidson in relation to item 7.1 on the agenda

A copy of the deputation requests and the action sought had been circulated to Members via email prior to the meeting and hard copies were also provided at the meeting.

The Convener explained that following the circulation of deputation requests, Councillor Isobel Davidson had advised that she wished to withdraw her request.

The Committee resolved:

- (i) to hear the deputation by Mr Irvine-Fortescue on behalf of the Lairhillock School Parent Council in relation to item 7.1 on the agenda and that the item be considered following item 4.1 on the agenda; and
- (ii) to note that the request for deputation from Councillor Davidson in relation to item 7.1 had been withdrawn.

MINUTE OF PREVIOUS MEETING OF 11 MARCH 2015

3. The Committee had before it the minute of its previous meeting of 11 March 2015.

The Committee resolved:

to approve the minute as a correct record.

COMMITTEE BUSINESS STATEMENT

4. The Committee had before it a statement of pending and outstanding committee business which had been prepared by the Head of Legal and Democratic Services.

The Committee resolved:

to note the updates provided.

STATUTORY CONSULTATION - REZONING OF SCHOOLS - ECS/15/032

5. (A) With reference to the decision taken at article 2 of this minute, the Committee heard Mr Irvine-Fortescue on behalf of the Lairhillock School Parent

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Council, who expressed the support of the Parent Council in relation to the proposal regarding the zoning of Cults Academy.

Members asked a number of questions of the deputation and of officers, and the Convener thanked Mr Irvine-Fortescue for his contribution.

(B) With reference to article 3 of the minute of the meeting of the former Education, Culture and Sport Committee of 7 February 2013, the Committee had before it a report by the Director of Education and Children's Services which detailed the outcome of the statutory consultation on the proposals to (a)(i) retain the area of the Lairhillock School zone, which was currently within the Cults Academy zone and which was the focus of this consultation exercise, as part of the Cults Academy zone; and (a)(ii) advise Aberdeenshire Council that any new housing developments in their Council area which were currently zoned to Cults Academy, including the Blairs development, would require to be rezoned to an Aberdeenshire Council secondary school following a public consultation; and (b)(i) to create a new school building for Stoneywood School, which would be operational with effect from the start of the 2017/18 academic session in August 2017, or as soon as possible thereafter; (b)(ii) to locate the new Stoneywood School building on ground at the former Bankhead Academy site; and (b)(iii) to rezone ground to the north of the A96 trunk road which was currently within the Brimmond School zone to Stoneywood School, with effect from August 2015.

The report recommended –

that the Committee agree to implement proposals (a)(i), (a)(ii), (b)(i), (b)(ii) and (b)(iii) above and to instruct officers to make the necessary arrangements to ensure a successful implementation by the indicated times.

The Committee resolved:

to approve the recommendations.

2014/15 REVENUE BUDGET MONITORING - ECS/15/030

6. With reference to article 5 of the minute of its previous meeting of 11 March 2015, the Committee had before it a report by the Director of Education and Children's Services and the Head of Finance which advised members of the current year revenue budget to date for the Education and Children's service, and outlined any areas of risk, and management action being taken in this regard.

The report recommended –

that the Committee –

- (a) note the report on the near actual figures on the revenue budget and the information on areas of risk and management action that was contained therein;
- (b) instruct officers to continue to review budget performance and report on service strategies; and

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- (c) approve the ring-fencing of funding for ICT for the new South of the City Secondary School from service underspends.

The Committee resolved:

- (i) to approve recommendations (a) and (b); and
- (ii) approve the ring-fencing of funding for ICT for the new South of the City Secondary School.

EDUCATION AND CHILDREN'S SERVICES PERFORMANCE REPORT - ECS/15/028

7. With reference to article 5 of the minute of its previous meeting of 11 March 2015, the Committee had before it a report by the Director of Education and Children's Services which provided information relating to the performance of the Children's Social Work Service against its agreed indicators. Appended to the report was an update on associated performance measures.

The report recommended –

that the Committee –

- (a) approve the Education and Children's Services Service performance report for the quarterly period to 31 March 2015; and
- (b) note the ongoing work being completed to assimilate and re-aggregate data against particular performance metrics from the former Service structures in respect of the new Directorate's responsibilities.

The Committee resolved:

- (i) to approve the recommendations; and
- (ii) to request the Head of Children's Services to provide a monthly update, by way of email, on performance indicators regarding the percentage of complaints and FOI requests responded to in specified timescales.

PROGRESS REVIEW OF KNOWLEDGE TRANSFER PARTNERSHIP (KTP) AGREEMENT BETWEEN UNIVERSITY OF ABERDEEN AND ABERDEEN CITY COUNCIL - ECS/15/026

8. With reference to article 10 of the minute of the meeting of the former Education, Culture and Sport Committee of 27 March 2013, the Committee had before it a report by the Director of Education and Children's Services which advised of the progress to date of the Knowledge Transfer Partnership (KTP) between the University of Aberdeen and the Council, namely the Data Observatory Project.

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The report recommended –

that the Committee note the progress of the project and that an evaluation of the project and options for future developments would be reported to Committee by March 2016.

The Committee resolved:

to approve the recommendation.

REMOVAL OF NELSON STREET AND KAIMHILL OUTDOOR CENTRE FROM THE EDUCATION AND CHILDREN'S SERVICES ACCOUNT PORTFOLIO- ECS/15/019

9. The Committee had before it a report by the Director of Education and Children's Services which advised on the future need by the Education and Children's Service of the outdoor centre properties at Nelson Street, AB24 5EP and the Kaimhill Outdoor Centre, Ramsay Gardens, AB10 7AE.

The report recommended –

that the Committee –

- (a) note the content of the report;
- (b) agree to declare Nelson Street Playing fields and Kaimhill Outdoor Centre surplus to Education and Children's Services requirements and to confirm its removal from the Education and Children's services account portfolio; and
- (c) agree to remit the property to the Head of Land and Property Assets to decide on its future use.

The Committee resolved:

to approve the recommendations.

FAIRLEY ROAD ADVENTURE PARK - ECS/15/031

10. With reference to article 20 of the minute of the meeting of the former Education, Culture and Sport Committee of 28 March 2014, the Committee had before it a report by the Director of Education and Children's Services which provided an update on the progress of the Fairley Road Adventure Park and sought agreement for Adventure Aberdeen to undertake the final stages of fundraising, planning and building of the Fairley Road Adventure Park in Kingswells.

The report recommended –

that the Committee –

- (a) note the progress made to date in developing the plans for a new adventure park on land at Fairley Road and Kingswells; and
- (b) instruct officers from Adventure Aberdeen to continue fundraising and design work to create the Fairley Road Adventure Park.

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The Committee resolved:

to approve the recommendations.

EXEMPT BUSINESS

In accordance with the decision taken at article 1 of this minute, the following three items of business were considered with the press and public excluded.

DECLARATIONS OF INTEREST

The Vice Convener and Councillors Kiddie, Boulton, Cooney and Thomson declared an interest in the subject matter of the following article of business by virtue of their positions as Board members of Aberdeen International Youth Festival. They did not feel it was necessary to withdraw from the meeting during consideration of this item.

ABERDEEN INTERNATIONAL YOUTH FESTIVAL - BUSINESS PLAN - ECS/15/025

11. The Committee had before it a report by the Director of Education and Children's Services which sought approval for the Aberdeen International Youth Festival's Business Plan 2015/2018.

The report recommended –

that the Committee –

- (a) approve the Aberdeen International Youth Festival Business Plan for 2015-18;
- (b) request that officers provide regular updates in the Committee's information bulletin on the progress of the governance review which was within the business plan; and
- (c) receive a report from officers on the outcome of the governance review following the decision of the Board of Aberdeen International Youth Festival.

The Committee resolved:

to approve the recommendations.

DECLARATION OF INTEREST

Councillor Samarai declared a personal interest in the subject matter of the following item of business by virtue of knowing one of the applicants and withdrew from the meeting during its consideration.

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SPORTS GRANTS - ECS/15/027

12. With reference to article 10 of the minute of its previous meeting of 11 March 2015, the Committee had before it a report by the Director of Education and Children's Services which presented applications for financial assistance from various sporting organisations and individuals.

The report recommended –

that the Committee –

- (a) approve the application through the club development grants programme as detailed in the report;
- (b) approve the applications through the significant sporting events grants programme as detailed in the report;
- (c) approve the applications through the coach and volunteer workforce development grant programme as detailed in the report;
- (d) approve the applications through the talented athlete grants programme as detailed in the report; and
- (e) agree to change the subsidy for a United Kingdom Coaching Certificate Level 2 course from 50% to 30% in line with recent changes to funding from sportscotland.

The Committee resolved:

to approve the recommendations.

CULTURE PROGRAMME AND CULTURAL AWARDS 2015/16 - ECS/15/024

13. The Committee had before it a report by the Director of Education and Children's Services Committee which sought approval (a) to tender for the programming and management of the 2016 Light Festival and (b) for the proposed Cultural Programme for 2015/2016 and related initiatives, as well as the proposed cultural awards.

The report recommended –

that the Committee –

- (a) approve the themes, budget allocations and processes for allocating the 2015/16 programme;
- (b) approve the proposed allocation of cultural awards;
- (c) approve the tender process for the 2016 Light Festival;
- (d) approve the request for monies from the Mary Garden Opera Fund as detailed in the report;
- (e) note the decision of the Chief Executive, the Head of Finance, the Head of Legal and Democratic Services and the Head of Procurement in accordance with Standing Order 1 (6)(b) to exempt a contract for capital costs relating to the procurement of specialised 3D printing equipment for MAKE Aberdeen from the

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- requirement of the Council's Standing Orders to go out to tender from the following Standing Orders: 1(3) and 5;
- (f) note the publication of the Invitation to Tender for the lease and operational contract for MAKE Aberdeen using Delegated Powers; and
 - (g) agree, subject to budget being available, the extension of the Invitation to Tender for MAKE Aberdeen for a further two year period.

The Committee resolved:

- (i) to approve the recommendations; and
- (ii) to request officers to email all members a copy of the evaluation report on the 2015 Light Festival.

At this juncture the external members of the Committee departed.

POLICY AND PROCEDURE FOR MANAGING SUBSTANCE MISUSE INCIDENTS INVOLVING CHILDREN AND YOUNG PEOPLE - ECS/15/023

14. The Committee had before it (1) a report by the Director of Education and Children's Services which sought approval for the revised policy and procedure for Managing Substance Misuse Incidents Involving Children and Young People; and (2) an updated Equalities Human Rights Impact Assessment (EHRIA).

The report recommended –

that the Committee accept the proposal to replace the 2003 policy with the 2015 revision.

The Committee resolved:

- (i) to approve the recommendation; and
- (ii) to note the updated EHRIA and the clarification from officers on its content.

FEES AND ALLOWANCES PAID TO FOSTER CARERS, ADOPTERS AND ASSOCIATED SERVICES - ECS/15/029

15. With reference to article 8 of the minute of the meeting of the former Social Care, Wellbeing and Safety Committee of 25 March 2014, the Committee had before it a report by the Director of Education and Children's Services which sought approval of the various fees and allowances paid to foster carers, adopters, kinship carers and carers who provided supported lodgings, as well as the fees paid to Curators-ad-litem, Reporting Officers and Panel Chairs.

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The report recommended –
that the Committee –

- (a) approve with effect from 1 April 2015 a 1% increase in the level of:
 - Fostering Allowance
 - Payment for Skills fees
 - Adoption Allowance
 - Curator-ad-litem/Reporting Officer fees
 - Supported Lodgings Allowance;
- (b) approve with effect from 1 April 2015 that there be no change to the level of fee charged for:
 - Inter-Country Adoptions
- (c) approve with effect from 1 April 2015 that there be no change to the level of fee charged for:
 - Independent Chairs of Adoption and Permanence / Fostering Panel; and
- (d) approve with effect from 1 April 2015 changes to the level of allowance paid to kinship carers to achieve parity with the allowance paid to foster carers.

The Committee resolved:
to approve the recommendations.

ADULT SERVICES PERFORMANCE REPORT - ECS/SCW/012

16. With reference to article 14 of the minute of its previous meeting of 11 March 2015, the Committee had before it a report by the Chief Officer – Adult Health and Social Care which provided information relating to the performance of the Adult Social Work Service against its agreed indicators. Appended to the report was an update on associated performance measures.

The report recommended –
that the Committee –

- (a) approve the Adult Social Work performance report; and
- (b) note that work was ongoing to develop a new suite of performance indicators, aligned to the outcomes developed for the Integrated Strategic Plan 2014-17;

The Committee resolved:

- (i) to approve the recommendations; and
- (ii) to note that officers would endeavour to provide a more detailed breakdown of the indicator regarding the number of referrals within future performance reports.

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2014/15 REVENUE BUDGET MONITORING - ECS/SCW/017

17. With reference to article 13 of the minute of its previous meeting of 11 March 2015, the Committee had before it a report by the Chief Officer – Adult Health and Social Care and the Head of Finance which advised members of the current year revenue budget to date for Adult Services, and outlined any areas of risk, and management action being taken in this regard.

The report recommended –

that the Committee –

- (a) note the report on the near actual figures on the revenue budget and the information on areas of risk and management action that was contained therein; and
- (b) instruct officers to continue to review budget performance and report on service strategies;

The Committee resolved:

to approve the recommendations.

ROSEHILL REPLACEMENT FACILITY - PROCUREMENT OF CONSTRUCTION WORKS - ECS/SCW/010

18. The Committee had before it a report by the Chief Officer – Adult Health and Social Care which provided an update on progress to replace the Rosehill Day Centre for adults with learning disabilities with a new purpose built centre on the Burnside site, off Mastrick Drive.

The report recommended –

that the Committee –

- (a) note the progress to date with the development of the Rosehill replacement project; and
- (b) approve the total estimated expenditure of £4,341,250 and instruct the Design Team working with officers to publish the Pre-qualification questionnaire and Invitation to Tender on the Public Contracts Scotland website and elsewhere, as appropriate.

The Committee resolved:

to approve the recommendations.

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REVIEW OF SOCIAL WORK NON RESIDENTIAL CHARGING POLICY - ECS/SCW/016

19. With reference to article 5 of the minute of the meeting of the former Social Care, Wellbeing and Safety Committee of 28 August 2014, the Committee had before it a report by the Chief Officer – Adult Health and Social Care which sought final agreement of the proposed changes to the Social Care Non Residential Charging Policy.

The report recommended –
that the Committee –

- (a) agree that the current charging methodology of levying set charges for specific services should be discarded;
- (b) agree that the Council should have one Social Work Non Residential Charging Policy which would apply regardless of how the individual chose to receive their care under Self Directed Support (SDS). This policy was attached in Appendix A;
- (c) agree that the revised policy be called “Contributing to Your Care and Support”;
- (d) agree that the revised policy be based on an individual being expected to make a contribution towards the total cost to the Council of all chargeable care provided, subject to a financial assessment;
- (e) agree that the percentage contribution of the total cost of all chargeable care and support provided was set at 70% for the financial years 2015/16 and 2016/17;
- (f) agree that partner’s income would not be taken into account for the purposes of determining the contribution an individual would pay towards their care and support;
- (g) agree to increase the period for which an individual aged over 65 was entitled to free social care services following discharge from hospital, from 28 days to 42 days in accordance with national guidance;
- (h) agree that a transition period be established, where the Council would calculate the difference between an individual’s current charge and the contribution calculated under the new policy. In the 2015/16 financial year this would be 33% of the difference, rising to 66% in 2016/17 and in 2017/18 the full charge would be payable;
- (i) agree that the new policy would be implemented as part of the programme of roll-out of self-directed support, managed by the SDS Project Manager and overseen by the SDS Programme Board;
- (j) agree that a programme of Financial Assessments for current service users be carried out as part of their assessment of needs and the development of their individual budget under SDS; and
- (k) agree that charges for housing support services in sheltered and very sheltered housing remain separate to this policy.

The Committee resolved:
to approve the recommendations.

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EXEMPT BUSINESS

In accordance with the decision taken at article 1 of this minute, the following three items of business were considered with the press and public excluded.

MINUTE OF MEETING OF SOCIAL WORK COMPLAINTS REVIEW COMMITTEE OF 1 APRIL 2015

20. The Committee had before it the minute of meeting of the Social Work Complaints Review Committee of 1 April 2015, and a foreword by the Director of Education and Children's Services which set out the actions to be taken to respond to the recommendations of the Complaints Review Committee.

The Committee resolved:

- (i) to accept the recommendations; and
- (ii) to otherwise note the Director's comments in the foreword.

RENEWAL OF CONTRACTS FOR CARE AT HOME SERVICES - ECS/SCW/011

21. The Committee had before it a report by the Chief Officer – Adult Health and Social Care which sought approval to exempt the contracts for Care at Home provision for older adults and adults with a physical disability from the requirement of Standing Order 5 of the Council's Standing Orders Relating to Contracts and Procurement (the requirement to go out to competitive tender and to advertise on the Public Contracts Scotland Portal) on the grounds that the exemption was justified by special circumstances (Standing Order 1(6)(a)).

The report recommended –

that the Committee –

- (a) note the information contained in the report;
- (b) approve the contract renewal and variation for a period of up to two years ending in December 2017, with the option to go out to competitive tender for the provision of services during that time. The existing contracts would end on 31 December 2015;
- (c) approve the invoking of the provisions of SO 1(6)(a) of the Standing Orders relating to contracts and procurement thereby waiving the need for a competitive procurement at this time; and
- (d) approve the estimated expenditure from the Adult Social Care budget relating to the contracts for services, as detailed within the report at 3.2.

The Committee resolved:

to approve the recommendations.

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**HOUSING AND PERSONAL CARE (INCLUDING LIFESTYLE SUPPORT) SERVICE -
ECS/SCW/011**

22. With reference to article 22 of the minute of its meeting of 2 December 2014, the Committee had before it a report by the Chief Officer – Adult Health and Social Care which sought consideration of additional payments being made for a service to people who have severe learning disabilities.

The report recommended –
that the Committee –

- (a) approve the additional payments to the current provider as detailed in the report to allow the re-tendering of the service to be completed and the existing contract to be terminated; and
- (b) approve the retendering of a five year contract for the services and approve the total estimated expenditure for the 5-year period as detailed in the report.

The Committee resolved:
to approve the recommendations.

COUNCILLOR ANGELA TAYLOR, Convener.