

EDUCATION OPERATIONAL DELIVERY COMMITTEE

ABERDEEN, 17 January 2019. Minute of Meeting of the EDUCATION OPERATIONAL DELIVERY COMMITTEE. Present:- Councillor Wheeler, Convener; Councillor Lesley Dunbar, Vice-Convener; and Councillors Duncan (as substitute for Councillor Donnelly), Greig, Henrickson, Imrie, Laing (as substitute for Councillor Malik for articles 1 to 3), Macdonald, Catriona Mackenzie, Malik (from article 4), McLellan, Nicoll, Samarai and Jennifer Stewart. External Members:- Mrs Stephanie Brock (Third Religious Representative), Mrs Louise Bruce (Parent Representative - Primary Schools), Mr John Murray (Roman Catholic Religious Representative), Mr Colm O'Riordan (Parent Representative (Secondary Schools)), Mr Mike Paul (Teacher Representative (Secondary Schools)), Miss Pamela Scott (Teacher Representative - Primary Schools) and Reverend Hutton Steel (Church of Scotland Representative).

The agenda and reports associated with this minute can be found [here](#)

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.

DECLARATIONS OF INTEREST

1. There were no declarations of interest.

MINUTE OF PREVIOUS MEETING OF 6 NOVEMBER 2018

2. The Committee had before it the minute of its previous meeting of 6 November 2018 for approval.

The Committee resolved:-

to approve the minute as a correct record.

COMMITTEE BUSINESS PLANNER

3. The Committee had before it the committee business planner as prepared by the Chief Officer – Governance. Members asked a number of questions in respect of items on the planner.

Members were advised that item 6 (School Estate Strategy) would now be reported in September 2019 to allow for further work to be undertaken on the strategy.

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

That this Committee agrees to instruct a report to be brought to this Committee on 14 March 2019 outlining the precise terms of the scope of work that is being carried out in reviewing the school estate, the findings so far of the audit, the aims,

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principles and policies of the review process and the timescale of consultation and decision making.

On a division, there voted:- for the procedural motion (12) – Councillors Greig, Henrickson, Catriona Mackenzie, McLellan, Nicoll and Samarai; and Mrs Stephanie Brock, Mrs Louise Bruce, Mr John Murray, Mr Colm O’Riordan, Miss Pamela Scott and Reverend Hutton Steel; against the procedural motion (7) the Convener; the Vice Convener; and Councillors Duncan, Imrie, Laing and Macdonald; declined to vote (1) – Mr Mike Paul.

The Committee resolved:-

- (i) in respect of item 6 (School Estate Strategy), to note that officers intended to bring the school estate strategy report back to Committee in September 2019;
- (ii) also in respect of item 6, to instruct a report to be brought to this Committee on 14 March 2019 outlining the precise terms of the scope of work that is being carried out in reviewing the school estate, the findings so far of the audit, the aims, principles and policies of the review process and the timescale of consultation and decision making; and
- (iii) to otherwise note the planner.

REQUEST FOR DEPUTATION

4. The Committee had before it a request from Dr Alison Murray to address the Committee in respect of item 9.2 on the agenda (The Inclusion Review and Out of Authority Placements).

Dr Murray advised that she helped to run a parent/carer support group for children with additional support needs, noting that they were grateful to the Council for providing accommodation for the group, and to Lesley Stopani who had previously attended meetings of the group and would be attending the next meeting in order to maintain a link with parents.

Dr Murray noted that the United Nation’s Convention on the Rights of the Child (Article 29) stated that education should be directed to “The development of the child’s personality, talents and physical abilities to their fullest potential”, and those rights had been embedded in Scots Law in the Standards in Scotland’s Schools Act 2000. In addition, she noted that the Act required that such education should be provided in mainstream schools unless it would not be suitable for the ability or aptitude of the child or would cost too much.

Dr Murray advised that the Scottish Government’s draft guidance on the presumption of mainstreaming made it clear that mainstreaming and inclusion were not the same thing. Inclusion was about the importance of children being included no matter what setting they were in, whereas the key features of inclusion were ‘present, participating, achieving and support’. She added that young people spoken to by Education Scotland felt that

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friendship and belonging were importance for inclusion. Dr Murray stated that a recent report presented to the Scottish Government (“Not included, not engaged and not involved”) had found there was growing concern about the education experience of pupils with additional support needs, and in particular, autistic children. Many autistic children were not having their right to an education fulfilled and were missing a significant and concerning amount of school. Dr Murray noted that this included formal exclusion, and added that the support group were pleased to see from the committee report that these were decreasing in Aberdeen. She did however note that children could be excluded from education in other ways, including the extended use of part-time timetables, missing school due to anxiety, or a lack of suitable school placement or support which would mean a child was unable to be in school or refused to attend. Dr Murray mentioned that the support group were aware of approximately 22 children out of school or on a long-term part-time timetable in Aberdeen and suggested there may be others. She stated that part-time timetables should not be used as a way of managing pupils’ additional support needs and should only be used for short periods. Dr Murray added that several of these children were out of school long-term and not receiving any education despite it being a legal requirement. She also noted that exclusion of children from education was occurring through families being called to pick up children early on a regular basis, with some parents advising that they had to carry a phone with them constantly and that they were unable to work due to being called to pick up their child. Dr Murray stated that this was unlawful exclusion and that she felt it was a sign that the child was not being adequately supported in school.

Dr Murray stated that being out of school was an obvious measure of lack of support, however she noted that many others were struggling in mainstream classes with insufficient support or being excluded internally by being taken out of the classroom. She added that such internal exclusion had been incorporate into the new Aberdeen Autism Strategy as “consideration of flexible spaces within the school environment...for instance, the use of sensory friendly spaces where individuals can experience the curriculum”. Dr Murray stated that take this to its extreme, it could mean internal exclusion which took the form of seclusion with a child being shut somewhere alone and not being allowed to leave. She advised that the Children’s and Young People’s Commissioner reported last month that the use of seclusion ran the risk of significant breaches of law and children’s rights, but she noted that Aberdeen City Council were unable to provide any data on its use in Aberdeen. Dr Murray noted that internal exclusion to other spaces might be necessary due to sensory overload in the classroom environment, however many schools in Aberdeen did not have the space to allow creation of ‘escape spaces’. She added that they also did not offer support or space at unstructured times, such as break, which could be particularly challenging for a child.

Dr Murray advised that the support group had been encouraged to hear from Lesley Stopani that she would like a building audit of all city schools for autism friendliness, noting that she had a good understanding of the impact on an inappropriate environment on children with additional support needs, particularly autism. However the support group had been disappointed to note that this had not been included in the Autism Strategy, given the Council’s responsibilities regarding the Equalities Act in ensuring reasonable

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changes were made to the built environment to prevent disabled people from being disadvantaged. Dr Murray added that the 2014 Inclusion Review aimed to ensure that the education service provided a continuum of support provision in Aberdeen, but noted that there was no real grading of support between what was provided in the specialist bases of Mile End and Bucksburn and mainstream.

She advised that the Enable report "Included in the Main" had found that 52% of young people with learning disabilities and/or autism felt that they were not getting the right support in school, with only 49% feeling that they had achieved their fullest potential in school, with a third feeling that they could not take part in work in class. Dr Murray noted that the number of children in Aberdeen with autism was increasing year on year and was up 60% since the publication of the Inclusion Review, with 536 children with diagnosed autism in Aberdeen in 2017. She also noted that social, emotional and behavioural difficulties were linked to deprivation together with much of the resources, disabilities measured against absolute categories (for example, autism or dyslexia) were not.

Dr Murray added that the support group had heard of an increasing number of parents looking beyond local authority schools to get support that they did not find available in mainstream education, with eight families considering out of authority placements and several more at an early stage of enquiring about alternative schools. She advised that there was still a need for specialist resource bases like the previous MICAS bases to ensure that children, who she felt were currently being failed in mainstream schools, could be included, educated and reach their full potential, however there should still be the opportunity in all schools for children to be taught life skills, social understanding and specialist employability skills. Dr Murray noted that children and young people with autism had an emotional age which was a third younger than their chronological age, and therefore certain aspects of the curriculum, including personal and social education, should be taught separately to the mainstream, at a level more appropriate to their needs. She added that the difference in emotional age meant that it could be difficult for these children to form friendships, with 60% of children with learning disabilities feeling lonely in school, and noted that specialist provision enabled them to form friendship groups with similar peers.

Finally, Dr Murray noted that the support group was heartened to see that the committee report had outlined the initiatives in place for looked after children in Aberdeen, and encouraged similar investment in services for children with other additional support needs who were currently in mainstream schools. She added that the group agreed that short-term financial savings had been made in out of authority placements as a result of the Inclusion Review however they felt that the current system led children to fail to be present, participating, achieving and supported which would mean that there would be an increasing number of parents looking to out of authority placements for their child. She added that there should be reconsideration of the introduction of specialist units within mainstream, particularly in academies, for children with additional support needs, especially autistic children. Dr Murray concluded by noting that Article 23 of the UN Convention on the Rights of the Child required that a disabled child received education

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in a manner conducive to the child achieving the fullest possible social integration and individual development but that she did not feel this was happening for many children at the moment. She stated that she was sure the Committee would agree that measures should be taken to ensure that this was achieved for all children in Aberdeen.

Members then asked questions of Dr Murray.

The Committee resolved:-

to thank Dr Murray for her deputation.

LOCHSIDE ACADEMY - ROAD SAFETY UPDATE - OPE/19/039

5. With reference to article 9 of the minute of its meeting of 29 May 2018, the Committee had before it a report by the Director of Resources which provided the Committee with an update in respect of road safety in the vicinity of Lochside Academy.

The report recommended:-

that the Committee note the assurance provided in the report with regard to the road safety arrangements in the vicinity of Lochside Academy.

The Committee resolved:-

- (i) to approve the recommendation;
- (ii) to request that officers provide an update to Members in respect of the works being undertaken to resolve the flooding issue near South Loirston Road;
- (iii) to request that officers circulate a service update in respect of the half day event run by Lochside Academy and Policy Scotland for P7 pupils from the Lochside associated schools group;
- (iv) to instruct the Chief Officer Operations and Protective Services to undertake a survey of children crossing Wellington Road at lunchtime and outwith school hours and to bring a report back to Committee in May 2019 detailing any necessary measures to improve road safety, with the report to include the ongoing work being undertaken by the school in respect of road safety education; and
- (v) to recommend to the Operational Delivery Committee that the following be considered –

That the Operational Delivery Committee –

Notes the progress that has been made by officers with regards to the flooding issues affecting part of South Loirston Road near to Dunlin Road that forms part of the identified safe routes to school for Lochside Academy. Instructs the Chief Officer Strategic Place Planning to bring a report to this committee in the next cycle detailing the outcome of the proposed works and any further remedial action that may be required to alleviate the flooding.

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THE INCLUSION REVIEW AND OUT OF AUTHORITY PLACEMENTS - OPE/19/040

6. With reference to article 17 of the minute of the meeting of the Audit, Risk and Scrutiny Committee of 8 May 2018, the Committee had before it a report by the Chief Operating Officer which provided detail on the changes made as a result of the Inclusion Review to determine the impact on out of authority placements.

The report recommended:-

that the Committee note the actions which had been carried out to date.

The Committee resolved:-

- (i) to approve the recommendation contained in the report; and
- (ii) to request that officers submit separate committee reports to a future meeting of the Committee in respect of (a) the Inclusion Review and (b) Out of Authority Placements.

- **COUNCILLOR JOHN WHEELER, Convener**

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