

EDUCATION OPERATIONAL DELIVERY COMMITTEE

ABERDEEN, 14 June 2022. Minute of Meeting of the EDUCATION OPERATIONAL DELIVERY COMMITTEE. Present:- Councillor Greig, Convener; Councillor Mennie, Vice-Convener; Councillor Delaney, the Depute Provost (as substitute for Councillor Bouse); and Councillors Blake, Brooks, Copland (as substitute for Councillor Hazel Cameron), Davidson, Grant, MacGregor, Malik, McLeod, Radley and van Sweeden. External Members:- Mrs Frances Cardno (Parent Representative - Primary Schools/ASN), Mr Michael Crawford (Parent Representative - Secondary / ASN), Mr John Murray (Roman Catholic Religious Representative), Mr Mike Paul (Teacher Representative - Secondary Schools), Mr Madhav Regmi (Third Religious Representative), Miss Pamela Scott (Teacher Representative - Primary Schools) and Mrs Hilda Smith (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.

WELCOME

1. The Convener welcomed members to the first meeting of the Education Operational Delivery Committee (EODC) since the Statutory Council meeting of 18 May 2022 and noted his thanks to Reverend Shuna Dicks, the former Church of Scotland representative on the Committee, and Mr Rick Sansom, the former parent secondary representative, for their contributions and participation at meetings of EODC during their tenure. He extended a warm welcome to Mrs Hilda Smith, the new Church of Scotland representative, and Mr Mike Crawford, the new parent secondary representative, and stated that he looked forward to working with them both during their time on the Committee.

The Vice Convener extended congratulations to Gilcomstoun School's P1 to P7 nurture group for winning the Autism Acceptance Week poster competition. She advised that Loirston School P6 and P7 also came in second place and Countesswells School had come third. She asked that the Committee extend its congratulations to them and all schools that had participated across the city. She also wished to note the work of Autism Understanding Scotland in taking the initiative forward with schools in such a short space of time.

DECLARATIONS OF INTEREST AND TRANSPARENCY STATEMENTS

2. At this juncture, in the interests of transparency, the Vice Convener advised that she had a connection in relation to item 10.3 (Early Learning and Childcare Delivery Plan 2022-2024) as her daughter attended ELC provision, but she did not consider the connection amounted to an interest which needed to be declared and which would prevent her from participating in the item.

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DEPUTATION REQUEST - ITEM 10.2 SCHOOL ESTATE - A MURRAY

3. The Convener advised that he had accepted Dr Alison Murray's request to speak to the Committee in relation to Item 10.2 (School Estate Plan) and that Dr Murray would be heard prior to consideration of that item.

The Committee resolved:-

to note the decision of the Convener.

MINUTE OF PREVIOUS MEETING OF 26 JANUARY 2022

4. The Committee had before it the minute of its previous meeting of 26 January 2021 for approval.

The Committee resolved:-

to approve the minute as a correct record.

MINUTE OF SPECIAL MEETING OF 31 MARCH 2022

5. The Committee had before it the minute of its special meeting of 31 March 2022 for approval.

The Committee resolved:-

to approve the minute as a correct record.

COMMITTEE BUSINESS PLANNER

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

The Committee resolved:-

- (i) to note that the Chief Officer – Education would arrange for a service update on the performance of the out of school service; and
- (ii) to otherwise note the planner.

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PERFORMANCE MANAGEMENT FRAMEWORK REPORT – EDUCATION OPERATIONS - CUS/22/100

7. With reference to article 8 of its meeting of 25 November 2021, the Committee had before it a report by the Director of Customer which presented an update on the status of key performance measures relating to the Education Operational cluster. The report detailed performance to the end of March 2022 or Quarter 4 2021/22, as appropriate, as well as are appropriate annualised measures for 2021/22 where data was presently available.

The report recommended:-

that the Committee note the report and provide comments and observations on the performance information contained in the report Appendix.

The Committee resolved:-

to note the report.

EDUCATIONAL IMPROVEMENT JOURNEY – 2020-21 ACADEMIC YEAR, KEY PERFORMANCE INDICATOR TRACKING REPORT - CUS/22/110

8. The Committee had before it a report by the Director of Customer which presented the final tracking information for the 2020-21 academic year against the agreed suite of Educational Improvement Journey Key Performance Indicator measures.

Members asked questions in relation to the data.

The report recommended:-

that the Committee note the contents of the report.

The Committee resolved:-

- (i) in relation to the query around the virtual comparator group, to note that the Chief Officer – Education would work with colleagues in Data and Insights to provide further detail on this group via service update; and
- (ii) to otherwise note the report.

FREE SCHOOL MEALS ANNUAL UPDATE - CUS/22/087

9. The Committee had before it a report by the Director of Customer which provided an annual update on the uptake of free school meals for the period 2021/22 and measures undertaken to increase the number of children accessing free school meals.

Members provided comment on the report, noting the work undertaken to establish the food hub.

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The report recommended:-

that the Committee note the increase in registration for free school meals during 2021/22.

The Committee resolved:-

to note the report.

SCHOOL ESTATE PLAN - RES/22/092

10. (A) DEPUTATION – DR ALISON MURRAY

The Committee heard from Dr Alison Murray, who advised that she was the chair of parent/carer support group ‘Autism and Other Conditions Aberdeen’. She explained that she had asked to talk to Committee about the School Estate Plan update and what she considered was its failure to meet or acknowledge the Council’s obligations under the Education (Disability Strategies and Pupils’ Educational Records) (Scotland) Act 2002, and the associated guidance “Planning improvements for disabled pupils’ access to education: guidance for education authorities, independent and grant-aided schools.” She specifically highlighted what she felt was the Council’s failure to fulfil its statutory duty under section 1.(2)(b) of the Act, namely to prepare and implement a strategy for “improving the physical environment of the school, or schools, in relation to which the strategy is prepared for the purpose of increasing the extent to which pupils with a disability are able to take advantage of education and associated services provided or offered by such school or schools.”

Dr Murray stated that in September 2020, the Committee had approved an Accessibility Plan which she considered failed to satisfy this and other statutory duties, and which she added also failed to follow the accompanying Government guidance. She added that she felt that the Council’s current Accessibility Plan omitted the Scottish Government guidance on this matter within its section on Key Legislation and Guidance. Rather than considering, as required by the Act, how to improve the physical environment of schools to enable better access to education and associated services provided, Dr Murray said that the Accessibility Plan simply asked the question “can everyone access the physical environment?” with the answer focusing principally on wheelchair accessibility. She added that she had subsequently heard of schools being misdescribed as ‘fully accessible’ when what was meant was ‘fully wheelchair accessible’ with no consideration having been given to for example, vision or hearing accessibility.

Dr Murray explained that Government guidance made clear that disability included sensory impairments and hidden disabilities such as dyslexia, autism and speech and language impairments, as well as physical impairments. The pupil census data for 2021 reported that Aberdeen City had 443 pupils assessed or declared as having a disability. However, Dr Murray stated that this considerably underestimated the number of disabled pupils: for example, she advised that there were 731 autistic children alone in mainstream schools in Aberdeen City last year.

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Dr Murray noted that the Accessibility Plan stated that “Accessibility will be a key driver in the upcoming review of the School Estate” and the action plan stated that the Council would “involve disabled children, parents, specialists and services in the development of the school estate strategy including nurseries and preschool centres, by June 2021”. She considered that it was at least doubtful whether a strategy to merely draw up another strategy could be said to fulfil the requirement to have a strategy for improving the physical environment, or whether drawing up a School Estate Plan could be said to have implemented such a strategy, without in either case the Council having done anything to meet the needs of disabled pupils in Dr Murray’s opinion. Dr Murray however stated that as the Council had not produced a school estate plan at all, the question was moot as it was self-evident that the Council was failing to meet its obligations.

Dr Murray explained to Members that in terms of what should be included in the accessibility strategy regarding the physical environment, the Government’s guidance stated that improvements to arrangements would include:

- physical access (e.g. installation of ramps, handrails, widened doorways, adapted adjustable furniture, sufficient space for manoeuvring etc.);
- access for pupils with visual impairments (e.g. route finding systems, colour contrasting, adjustable lighting, blinds, tactile paving);
- access for pupils with hearing impairments (e.g. induction loops, sound insulation for walls, floors and ceilings, evacuation procedures); and
- access for pupils with other disabilities (e.g. requirements for space such as through the provision of pupil support bases, quiet rooms, sensory rooms, therapy rooms, way finding systems, lighting).

Dr Murray noted that since the publication of the Accessibility Plan, two new primary schools and many nurseries had been built. She advised that she had visited Milltimber School recently which she noted was a brand new school, and felt that while it was obvious some consideration had been given to accessibility, she had been unable to see a way for a wheelchair user or walker user to access its grass field, nor any obvious consideration given to visual accessibility.

Dr Murray stated that she felt many schools across Aberdeen were operating with unsatisfactory lighting, open plan classrooms, a lack of quiet rooms, or with classroom environments that were overwhelming to autistic children or too noisy for those with hearing impairment. She noted that the School Estate Plan update in front of Committee made no mention of accessibility, nor whether it was included in the review of existing school estate, nor the involvement of disabled pupils, and their families, or consultation with occupational therapists as advised in the Government’s guidance for preparing the Accessibility Strategy. She further noted that neither the Accessibility Plan nor the Education (Disability Strategies and Pupil’s Educational Records) (Scotland) Act 2002 was mentioned within the legal implication section of the report.

Dr Murray concluded by stating that the School Estate Plan Update claimed that no equality assessment was required. Dr Murray considered that the continuing absence of

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a Plan to improve the physical environment of schools to increase the extent to which disabled pupils could take advantage of education and associated services was disadvantaging Aberdeen City's disabled pupils, and stated that she felt this was disability discrimination and a failure of the Council's Public Sector Equality Duty Equality Act 2010. Dr Murray therefore asked Members to implement a plan that met, at the very minimum, the statutory duties set out in the Education (Disability Strategies and Pupil's Educational Records) (Scotland) Act 2002, and in so doing, reduce the disadvantages Aberdeen's disabled children faced.

The Convener thanked Dr Murray for her deputation.

(B) SCHOOL ESTATE PLAN UPDATE – REPORT

The Committee had before it a report by the Director of Resources which provided an update on the development of the School Estate Plan. The report advised that the draft Plan would be organised into three key themes: The Quality Of Our Learning Environments, The Sufficiency and Efficiency Of Our Estate, and Working With And For Local Communities. Through these themes, the draft Plan would set out the priorities and actions which are required to be taken in the short, medium and long term, in order to maintain and develop the school estate.

Members asked a number of questions of officers on the report.

The report recommended:-

that the Committee -

- (a) note that there was unprecedented uncertainty and market fluctuation in relation to construction costs and energy costs, and uncertainties relating to school roll forecasting following changes in patterns of school enrolment had led to challenges in providing an accurate and robust set of recommended actions within the School Estate Plan; and
- (b) instruct the Chief Officer – Corporate Landlord to report back to the next meeting of the Education Operational Delivery Committee with a further detailed update.

The Convener, seconded by the Vice Convener, moved the recommendations contained in the report.

Councillor Malik, seconded by Councillor McLeod, moved as an amendment:-

That Committee:-

- (a) approve the report recommendations; and
- (b) instruct the Chief Officer - Corporate Landlord as part of any School Estate Plan to investigate the availability of land within the Northfield catchment area in order for the Council to be in a position should it wish, to progress with a new state of the art School for this regeneration area.

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On a division, there voted:- for the motion (13) – the Convener; the Vice Convener; Councillor Delaney, the Depute Provost; Councillors Copland, Davidson, MacGregor, Radley and van Sweeden; and Mrs Cardno, Mr Crawford, Mr Murray, Ms Scott and Mrs Smith; for the amendment (5) Councillors Blake, Brooks, Grant, Malik and McLeod; declined to vote (1) – Mr Regmi; absent from the division (1) – Mr Paul.

The Committee resolved:-

to approve the motion and thereby approve the report recommendations.

EARLY LEARNING AND CHILDCARE DELIVERY PLAN 2022-2024 - OPE/22/084

11. The Committee had before it a report by the Chief Operating Officer which sought approval for the new Early Learning and Childcare Delivery Plan 2022-24 in line with the Council's statutory duties to prepare and publish a plan every two years.

Members asked a number of questions of officers in relation to the survey return rate, as well as on the number of facilities in Aberdeen which did not 1140 hours.

The report recommended:-

that the Committee –

- (a) approve the Early Learning and Childcare Delivery Plan 2022-24;
- (b) instruct the Chief Officer – Education to deliver the Early Learning and Childcare Delivery Plan 2022-24 in line with statutory guidance; and
- (c) instruct the Chief Officer – Education to report on the progress and outcomes of the Early Learning and Childcare Delivery Plan 2022-24 in 2 years' time.

The Committee resolved:-

- (i) to note the offer from Aberdeen City Parent Council Forum to work with officers around communication; and
- (ii) to approve the recommendations contained in the report.

INSPECTION REPORTING - OPE/22/089

12. The Committee had before it a report by the Chief Operating Officer which detailed how a number of Aberdeen City schools and Early Learning and Childcare settings had engaged with Her Majesty's Inspectorate of Education (HMIE) and The Care Inspectorate since January 2022.

The report recommended:-

that the Committee –

- (a) note the content of the report; and
- (b) instruct the Chief Officer – Education to continue to support Early Learning and Childcare (ELC) settings and schools to implement continuous improvement in keeping with the Quality Frameworks.

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The Committee resolved:-

to approve the recommendations contained in the report.

EASTER AND SUMMER OF PLAY PROGRAMMES - OPE/22/090

13. The Committee had before it a report by the Chief Operating Officer which detailed a high level evaluation of the Easter of Play programme and sought approval for the general shape of a Summer 2022 programme. The report advised that an Easter of Play programme had been made available to children and young people across Aberdeen City over the school holiday period, with officers from across the organisation pooling resource and expertise to plan the programme in keeping with the approach taken to develop the successful Summer of Play 2021.

The report recommended:-

that the Committee –

- (a) note the high level evaluation of the Easter programme;
- (b) instruct the Chief Officer – Education to deliver the summer 2022 programme in keeping with the updated national guidance as outlined in the Skeleton Plan in Appendix F;
- (c) instruct the Chief Officer – Education to report on the impact of the summer 2022 programme to this Committee before the end of 2022; and
- (d) note the Council's Partnership policy priority to extend holiday programmes for children and young people, and that the Council agreed at its meeting on 18 May 2022 that the new policy statement will be the subject of a report to Council in August 2022 by the Chief Executive.

The Committee resolved:-

to approve the recommendations.

- **COUNCILLOR MARTIN GREIG, Convener**