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SCOTTISH BORDERS COUNCIL **SCRUTINY COMMITTEE**

MINUTES of Meeting of the SCRUTINY COMMITTEE held in COUNCIL CHAMBER, COUNCIL HEADQUARTERS, NEWTOWN ST BOSWELLS on Thursday, 20th August, 2015 at 10.00 am

Present:- Councillors G. Logan (Chairman), W. Archibald, K. Cockburn, A. Cranston, I. Gillespie, S. Mountford, A. J. Nicol, R. Stewart and J. Torrance.
Also Present:- Councillor S Aitchison, J Fullarton (joined the meeting during Item 2).
In Attendance:- Democratic Services Team Leader, Democratic Services Officer (P Bolson).

1. **MINUTE**

There had been circulated copies of the Minute of 11 June 2015.

DECISION

NOTED for signature by the Chairman.

2. **NON SCHOOLING AND HOME SCHOOLING**

- 2.1 With reference to paragraph 6(a) (vi) of the Minute of 26 March 2015, the Chairman welcomed Ms Donna Manson, Service Director Children and Young People and Ms Christian Robertson, Senior Education Officer who were present at the meeting to give a presentation on Non Schooling and Home Schooling. There had been circulated copies of the Scottish Government's Home Education Guidance. Ms Manson explained that the document was issued under Section 14 of the Standards in Schools etc Act 2000 and it formed the basis of Home Schooling policies which had been developed at a local level at SBC. There were circulated at the meeting copies of a document entitled "In our sight: in our mind" and Ms Manson explained that this reflected the approach being taken across the Council area in terms of educating school age children.
- 2.2 Primary school attendance had shown an improvement during the academic year 2014/15, particularly throughout March and April 2015 and the department was continually working to achieve further improvements in the attendance levels. The period leading up to the summer break in June 2015 showed a drop in attendance and Ms Manson explained that this was due, in the main, to family holidays being taken outwith school term time. Members noted that Scottish Borders Council compared favourably at a national level. Statistics showed that attendance in 2012/13 was just above 95% and SBC had been successful in maintaining that position nationally. Statistics demonstrated an increasing trend in unauthorised absences during May and June of the academic years from 2012/13 to 2014/15. Ms Manson confirmed that parents were challenged in relation to any instances of non-attendance and the department was working towards a position where all non-attendance was authorised appropriately.
- 2.3 Secondary school attendance showed a similar pattern, with high attendance in May 2012/13 of almost 96% dropping to below 92% in June of the same year. It was noted that a substantial drop in school attendance during December 2012 could be linked to a serious infection which affected the whole of the Scottish Borders Council area. Ms Manson went on to explain that the attendance figures for May of any year related, in part, to the pupils sitting national examinations whilst the lower attendances in June coincided with an increase in the number of unauthorised absences. On a national level, Ms Manson was pleased to report that Scottish Borders performed well with an attendance level in 2012/13 of just over 95%.

- 2.4 Ms Manson advised Members of the work that was in progress and which had been undertaken previously to improve attendance levels in both primary and secondary schools, noting that the way in which absences were monitored and analysed on a monthly basis had contributed to the high attendance levels across schools. Future actions to be taken forward included more engagement with parents, access for all schools to Home Link, multi-agency involvement and early intervention in the pre-school, early learning and childcare centres. Members were advised that the number of exclusion incidents and resulting exclusions in Primary Schools had decreased during 2014/15 and this decrease was also reflected in the male/female gender divide. The figures for secondary schools also showed a decrease in both the overall number of exclusion incidents and actual exclusions. With regard to the gender breakdown, there had been a decrease in the number of male-related incidents. Female-related incidents and exclusions showed a slight increase during 2014/15. Ms Manson advised that the aim was to achieve a zero exclusion figure across all schools. Members noted that exclusions at secondary school level had dropped from 245 to 150 in 2014/15 and discussion followed in respect of the reasons for this improvement. Ms Manson detailed some of the strategies for further reducing rates including tracking data and trends action planning, the up skilling of staff to deal with issues, sharing improvement strategies across schools and the development of creative support for young people.
- 2.5 Members raised a number of questions and highlighted issues of concern, one of which was the way in which statistics were reported in the media. Ms Manson advised that this was possibly due to the published figures being about two years old whereas the figures available in her report to Members were more up to date. In respect of how future strategies could improve the support offered to pupils with learning difficulties, Ms Manson suggested that this could be achieved by increasing the number of group sessions and reducing whole class lessons for which resources were currently in place. Members were aware of the impact of absences on attendance levels and noted that in some situations, such as the emergency services, parents could be allocated holiday dates which might not fit with school holidays. Ms Manson explained that such situations were dealt with by head teachers within each school. With regard to unauthorised absences, Ms Manson advised that sanctions for persistent unauthorised absences included referral to Family Support Workers, the Children's Reporter but that the first step would always be to try to identify the reasons for such a situation developing. In terms of sanctions which might be imposed on pupils, Ms Manson explained that pupils were made aware of the impact and outcome of unacceptable behaviour and emphasised the advantages of early intervention in such situations. It was acknowledged that a smooth transition from primary to secondary schooling could have a positive effect on the attendance levels for pupils. Further analysis of available information would be required to assess the full impact. Members requested information about the impact of inclusion of all pupils and Ms Manson explained that two meetings had already taken place with Parent Councils to consider this matter. Establishment of a "base" class was given as one example of how inclusion could be progressed within schools. Ms Manson emphasised that exclusion incidents should be addressed prior to reaching the stage where a pupil was the subject of multiple exclusions and it was recognised that schools needed support in dealing with these situations.
- 2.6 Ms Manson went on to provide Members with information about home schooling in the Scottish Borders. There were no national comparator statistics available but within the Scottish Borders, the figures included 32 families who were currently home educating with one on a part time basis only and there were 42 pupils or 0.28% of the total school roll who were being home educated. 50% of those being home educated lived outwith a town or village in the Scottish Borders but there were examples of how these families could be supported in formulating a programme of education for their children. Legislation stipulated the duties and rights of families and the Local Authority when a child/children were being home educated. Families were only bound to respond to enquiries by the Local Authority whilst Local Authorities were only entitled to make formal enquiries. Most of the pupils who had been withdrawn from school were removed during their primary education years and the main reason given was anxiety and/or stress. Ms Robertson

explained that successful early intervention could avoid withdrawal from school by reassuring parents and adapting the way in which teaching was delivered. There were a number of ways in which the Council could prevent disengagement with parents, such as the introduction of a Risk Matrix to identify children early, working to enhance the reputation of schools in the area and promote a wide range of activities and curriculum choices. Ms Manson advised Members that some families had never entered the education system and were therefore "invisible" to the Authority. This could be a cause for concern and it was important to find ways in which to engage with these families.

- 2.7 Discussion followed and officers responded to a number of questions raised. With reference to potential withdrawals following the summer break, Ms Manson advised that sometimes families had been considering this option during the holidays but it could as easily have been a totally unexpected decision. Provision of a sample curriculum was discussed as a "vanguard" for encouraging parents to remain engaged with the Council. Members were advised that only a small number of requests for home schooling were refused and these were normally on the grounds of child protection concerns. Ms Manson agreed that sports and leisure opportunities could be key to continued engagement with families and indicated that partnerships were currently being developed which would form part of the strategic plan within the new People department. Various education options were available to parents and part time home schooling allowed children to access school-based facilities at times which suited their family situation. Members raised concern about the lack of legislative authority given to Councils to monitor home schooling and were advised that parents could refuse to provide any information on the grounds of the Data Protection Act. There was also no evidence available to verify that these children were being home educated as opposed to working outwith the home. A question was asked in relation to the amount of maintenance allowance paid to parents who were home educating their child/children and Ms Manson agreed to investigate and provide this information to Members in due course. Members were advised that each primary school had access to a Home Schooling Link Worker (HSLW) to provide additional support. A different system was in place for secondary schools to access this type of resource available to them. Ms Manson considered this to be a strong and positive position from which to move forward. Members were advised that additional support needs were assessed on an individual basis and could include requirements such as transportation support. Should a pupil with such needs move into a different catchment area, then the assessed support would be provided.
- 2.8 Councillor Aitchison, Executive Member for Education commented on the excellent work Ms Manson and her team had undertaken and acknowledged that the new team of officers was now in place and moving forward to meet further challenges. He detailed some of the work currently in progress and in highlighting the importance of Parent Councils in preventing disengagement by some families, emphasised that this would be best served when the Parent Council represented all families within that school. Councillor Aitchison went on to emphasise the importance of active inclusion within classes and suggested that seclusion could be used as an alternative to the ultimate sanction of exclusion. There was no doubt that there were challenges ahead and Councillor Aitchison was confident that Ms Manson's team was equipped to meet those challenges. He thanked the Scrutiny Committee for inviting Ms Manson and Ms Robertson to attend the meeting and for providing the opportunity to receive feedback from the Members. The Chairman thanked Ms Manson, Ms Robertson and Councillor Aitchison for their presentation and for the answers to Members' questions. Members expressed concern regarding the lack of powers available to the Council to ensure that all children within the area were receiving an appropriate standard of education.

DECISION

- (a) **NOTED the Briefing.**

- * (b) **AGREED TO RECOMMEND that Scottish Borders Council write to the Scottish Government requesting that the 1980 Scotland Education Act be amended to give Local Authorities the power to enforce Section 37 of the Act in order to ensure that children who were being home schooled received a satisfactory education appropriate to their age and aptitude.**

MEMBERS

Councillors Archibald and Gillespie left the meeting during consideration of the following item of business.

3. SCRUTINY REVIEWS - UPDATE ON SUBJECTS INCLUDED IN THE FUTURE SCRUTINY REVIEW PROGRAMME

With reference to paragraph 5 of the Minute of 26 March 2015, there was circulated at the meeting an updated list of subjects which the Scrutiny Committee had been asked to review and which included the source of the request, the stage the process had reached and the date, if identified, of the Scrutiny meeting at which the information would be presented. In addition, Members were also asked to consider further subjects for inclusion on this list for presentation at future meetings of the Committee. When deciding whether subjects would be reviewed by the Scrutiny Committee, Members required a clear indication from the initiator of the request as to which aspects of the subject they wished to be reviewed. This would enable the Committee to determine whether the subject was appropriate for consideration. It was agreed that guidance should be made available to ensure that requests for Reviews contained sufficient information to enable the Committee to make its decision.

DECISION

AGREED:-

- (a) **the proposed list of subjects for review by Scrutiny Committee, as appended to the Minute, and any further actions detailed against particular reviews;**
- (b) **that guidance would be made available to anyone submitting a request for a Scrutiny Review to ensure that the request contained sufficient information to enable the Committee to make its decision.**

The meeting concluded at 12.10 pm

Scrutiny Committee – Review Subjects

The following are those subject areas which have been requested for Scrutiny to consider and the stage they have reached:

| Source | Issue/Description | Stage | Proposed Scrutiny Committee meeting date |
|--------------------------------------|---|---|--|
| Graeme Donald | Religious Observance Policy } }These will be presented together at the } same meeting. | With Service Director Children & Young People | 29 October 2015 |
| Scrutiny Committee | Faith Schools } | With Service Director Children & Young People | 29 October 2015 |
| Scrutiny Committee | Attainment levels in Schools in Deprived Areas | With Service Director Children & Young People | 24 September 2015 |
| Scrutiny Committee | Home Schooling and Non-Schooling | With Service Director Children & Young People | 20 August 2015 |
| Scrutiny Committee | Mainstream Schools and Children with Severe Learning Difficulties | With Service Director Children & Young People | 24 September 2015 |
| Ettrick and Yarrow Community Council | Great Tapestry of Scotland – to scrutinise the whole process through which the decision appears to have been taken by SBC Councillors to site the great tapestry of Scotland in a new-build at Tweedbank. In particular, to scrutinise the extent to which a full option appraisal was undertaken of all possible sites and that the detailed business case was presented for all options prior to any decision being made. | Letter from CC dated 15 June 2015. Will be presented to Petitions and Deputations Committee on 1 October 2015 then considered by Scrutiny Committee. EYCC will be notified. | |
| Ettrick and Yarrow | To review the extent to which the SBC budget for road repairs and | Letter from CC | Date to be agreed. |

| Source | Issue/Description | Stage | Proposed Scrutiny Committee meeting date |
|--|---|--|--|
| Community Council – Allocation of Budgets for Road Maintenance and Repairs | maintenance is sufficient to meet need and the not unreasonable expectation that roads will be maintained in a safe condition. Within this context, to particularly examine how the allocation of budget for <u>rural</u> roads is arrived at and whether more should be allocated. | dated 15 June 2015. Agreed to consider this. | |
| Councillor Turnbull | Fees for taxi licensing – the amount paid to outside bodies in administering taxi licensing and how the fees for a licence in the Borders compare with those of neighbouring authorities. | Information to be collated and forwarded to Cllr Turnbull. <i>Scrutiny review on hold.</i> | |
| Councillor Bhatia | Protection of Private Water Supplies | Request further information from Cllr Bhatia to determine what would be scrutinised. <i>Scrutiny Review on hold.</i> | |
| Lib Dem Group | Implications of the Community Empowerment Act on the Council | Request further information from the Lib Dem Group to determine what would be scrutinised. <i>Scrutiny Review on hold.</i> | |
| Scrutiny Committee | Financing arrangements for the Transport Interchange in Galashiels - to include subsidy arrangements and departure charges. | Agreed to consider this. | To be agreed |
| Scrutiny Committee | Renewable energy – to include arrangements for biomass boilers at high schools. | Likely to be considered by the Executive | |

| Source | Issue/Description | Stage | Proposed Scrutiny Committee meeting date |
|---------------|--------------------------|---|---|
| | | Committee. <i>Scrutiny Review on hold.</i> | |

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