



**MINUTES OF THE MEETING OF THE  
EDUCATION COMMITTEE**

**TUESDAY 23 NOVEMBER 2021  
VIA VIDEO CONFERENCE FACILITIES**

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**Committee Members Present:**

Councillor F Dugdale (Convener)  
Councillor S Akhtar  
Councillor J Findlay  
Councillor A Forrest  
Councillor N Gilbert  
Miss G Gillan, EIS  
Councillor J Goodfellow  
Councillor J Henderson  
Councillor F O'Donnell  
Rev G Sheridan  
Councillor J Williamson

**Council Officials Present:**

Ms L Brown, Executive Director of Education and Children's Services  
Ms N McDowell, Head of Education  
Dr L Binnie, Principal Educational Psychologist  
Ms J Boyle, Education Support Officer – Inclusion and Wellbeing  
Mr N Craik-Collins, Education Service Manager  
Ms K Haspolat, Quality Improvement Officer  
Ms J Holland, Senior Solicitor  
Ms P Homer, Lead Officer, Early Years and Childcare  
Mr R Parker, Service Manager – Education (Strategy and Operations)  
Mr N Trussler, Quality Improvement Officer  
Ms G Whitford, Quality Improvement Officer  
Ms J Allen, Communications Adviser  
Ms R Crichton, Committees Officer

**Head Teachers Present:**

Ms S Cook, Knox Academy  
Ms S Morgan, Pencaitland Primary

**Others Present:**

Councillor N Hampshire

**Clerk:**

Ms J Totney, Team Manager – Democratic and Licensing

**Apologies:**

Councillor C Hoy  
Councillor S Kempson  
Ms E Malcolm

**Declarations of Interest:**

None

Prior to the commencement of business, the Clerk advised that the meeting was being held remotely in accordance with the Scottish Government's guidance on physical distancing; that the meeting would be recorded and live streamed; and that it would be made available via the Council's website as a webcast, in order to allow public access to the democratic process in East Lothian. She stated that the Council is the data controller under the Data Protection Act 2018; that data collected as part of the recording would be retained in accordance with the Council's policy on record retention; and that the webcast of the meeting would be publicly available for up to six months from the date of the meeting.

The Clerk recorded attendance of committee members by roll call.

Councillor Dugdale, Convener, welcomed everyone to the meeting, stating that this was the first meeting of the Education committee without Councillor Innes and referred to all the wonderful tributes that had been received in relation to his life, work and achievements, following his death. She added that the Education committee had greatly benefitted from his wisdom and guidance and the care and ambition he had shown for the children and young people in East Lothian.

Councillor Dugdale warmly welcomed Councillor O' Donnell to her first meeting as a member of the Education committee; extended the welcome to Ms Nicola McDowell on this her first meeting of the Education committee as Head of Education; and acknowledged that two head teachers were present at the meeting.

**1. MINUTES OF THE MEETING OF THE EDUCATION COMMITTEE ON 8 JUNE 2021 FOR APPROVAL**

The minutes of the Education Committee meeting held on 8 June 2021 were approved.

**2. UPDATE ON THE ONGOING IMPACT OF COVID-19 ON SCHOOLS AND THE WIDER EDUCATION SERVICE DURIGN SESSION 202/21**

A report was submitted by the Executive Director for Education and Children's Services providing an update on the impact of COVID-19 on schools and the wider Education Service, along with an update on the lessons learned including areas which the service and schools plan to build on and areas where further support will be required as a result of any negative impacts of COVID-19.

Nicola McDowell, Head of Education, explained that the report provides updates subsequent to the last Education committee meeting in June 2021 and provides an overview to date. She highlighted the key points which included the continuation of previous mitigations such as the wearing of face masks; that the return to school had been a generally positive experience for most learners; exams would go ahead in 2022 if it is safe to do so; referred to the rigorous oversight work by the Education Recovery Group, which will remain in place until all mitigations are removed; spoke about the impact of lost learning and the need to focus on recovering the pre-pandemic attainment levels; and referred to the additional Scottish Government funding that had been allocated to support lost learning and attainment. Ms McDowell stressed that it remains essential to work with communities and families to build on nurture and recovery and to identify where further support is required.

Responding to questions from Councillors Gilbert and Findlay, Ms McDowell outlined the arrangements that would be in place across the whole school estate in respect of classroom ventilation during the imminent colder weather, and explained that there are ongoing discussions with Facilities Management colleagues around the prioritisation of cleaning and janitorial services for schools, which continues to be an issue. Ms McDowell confirmed that contingency plans are in place to ensure that schools and early learning settings can remain open.

Councillor Forrest asked about the support for the learners who had reported anxiety on returning to school. Dr Lynne Binnie, Principal Educational Psychologist, reported on the significant work that has taken place to facilitate children returning to school and listed the extensive range of partners who are providing support for mental health issues and bereavement loss. She advised members about the single point of contact for many services and informed them of a new early intervention multi agency service. She stated that there are excellent relationships with NHS colleagues and that the use of funding to work with external agencies is maximised.

Answering additional questions from Councillor Williamson about ventilation and heating in classrooms during the winter, Ms S Morgan, Head Teacher – Pencaitland Primary, explained that there is a bank of pre-loved school uniforms that can be accessed by families who require additional clothing.

Councillor Akhtar asked for further information regarding the Scottish Government funding to support the recovery of lost learning and attainment. Ms McDowell explained the staffing approach to support this, adding that permanent staff are being recruited into the raising attainment team and would be allocated to schools as required, based on robust local data. She committed to updating members at the next meeting of the Education committee once the recruitment campaign had been completed.

In relation to a question from Councillor Henderson about the intended resumption of exams in 2022, Mr Nick Trussler, Quality Improvement Officer, explained that if there is further disruption to learning and teaching this session, it is still anticipated that exams would go ahead, but with supports which could include advance notice of exam topics. He added that if there are any changes to public health, such as restrictions on the numbers of people who could gather together, which resulted in exams being cancelled, then it would be for teachers to determine learners' exam grades without the need for any additional assessments. He acknowledged Councillor Henderson's comments that many pupils have had no experience yet of sitting formal exams. Ms S Cook, Head Teacher, Knox Academy, reported that the upcoming prelims would be conducted under formal exam procedures.

Councillors Williamson, Akhtar and Forrest commented on the excellent leadership from the Education Service, expressed thanks to everyone involved in caring for children at school in such difficult circumstances, acknowledged the engagement with trade unions and the resilience from children, parents, head teachers and all who are supporting the education of children and young people at this difficult time.

Councillor Dugdale, Convener, expressed her huge thanks to every member of staff in schools for supporting children and young people to get back to school at a time when the pandemic continues to impact schools and the Education Service. She commented the huge efforts to respond to the pandemic and to address the impacts of lost learning while keeping the focus on children's wellbeing.

## Decision

The Education Committee agreed to note:

- i. the considerable work continuing to be undertaken by the Education Service and school staff in responding to the COVID-19 pandemic in session 2021-2022.
- ii. the lessons learned including positive developments that the Education Service plans to build on and areas where further support is required.

### **3. EDUCATION SERVICE PROGRESS REPORT AND IMPROVEMENT PLAN 2021/2022**

A report was submitted by the Executive Director for Education and Children's Services seeking approval of the Education Service Progress Report and Improvement Plan on key improvement priorities achieved for session 2020/21 and informing members of the identification of key improvement priorities planned for session 2021/22.

Ms McDowell presented the report and advised that the Scottish Government have asked all Education Authorities to prioritise their areas for improvement. Prior to questions from members she highlighted the key points in relation to successes; employability; leadership; finance and resources; and key challenges and opportunities. She added that the Education Service would continue to implement key national policies including the Scottish Government's commitment to raise attainment for those children and young people who face barriers to their learning due to the impact of poverty and disadvantage. She commented that the Education Service remains ambitious for continued improvement for children and young people and would therefore continue to implement the required actions and steps to take forward the four priority areas set out in the National Improvement Framework.

Responding to a question from Councillor O'Donnell about school-based counselling in partnership with the NHS, and waiting times for these services, Dr Binnie informed members that a lot of work is taking place in East Lothian to support young people's mental health and wellbeing. She explained the governance arrangements that are in place to support this which include the Children's Strategic Partnerships and a multi-agency steering group. She outlined future plans to take forward working with CHAMS; stated that East Lothian Council has been recognised nationally for its work on children's mental health and wellbeing; and that the Council had been selected to take part in a neurodiversity pathways pilot. Dr Binnie advised that while children are waiting on support from CHAMS, many wrap-around services are accessible to them such as mental health youth workers and third sector providers,

Councillor Forrest's questions about work placements and support for parents were answered by Neil Craik-Collins, Education Service Manager, and Ms McDowell. Mr Craik-Collins advised that placements relating to apprenticeships and where they are critical to transitioning, have been prioritised. He reported that 12 foundation apprentices had become fully qualified during the pandemic. Ms McDowell assured the committee that help for staff and parents is very high on the agenda and that head teachers and HR colleagues had been engaged regarding ideas for support and creating strategies.

Gael Gillan, EIS, commented on reports from schools that some children's behaviour had deteriorated during the pandemic and asked if the Education Service has looked

at the links between attainment and the disruption to all learners as a result of this behaviour. Ms McDowell informed the committee that engagement in the classroom had been looked at; the Education Service is aware of issues caused by the pandemic; that there had been positive engagement with the trade unions and head teachers; and that other groups of staff would also be consulted to establish where the pressure points are. She stressed that, nonetheless, the focus in schools remains on recovery and nurture to support children's resilience and readiness to learn.

With regard to the Building Resilience Programme that is referred to in the committee papers, Councillor Akhtar sought feedback about the programme. She also referred to the recent Council Poverty Plan and asked for information on any interactions there had been with multi agency partners to tackle issues. Ms McDowell advised that the Building Resilience Programme is used in most schools. Ms Morgan spoke about her experience of using the programme and the range of skills that it equips learners with. She reiterated that nurture is still the priority before accessing learning. Ms McDowell commented on the Poverty Plan, stating that the main priority is to close the poverty attainment gap. She added that all head teachers have had a session to identify the gaps in their own schools; that support is available from the Attainment Adviser regarding national best practice; and listed the range of supports and interventions that are available to support closing the poverty gap.

Councillor Dugdale, Convener, indicated that there has been an increase in the number of children with additional support needs and asked what is in place to meet these needs. Dr Binnie advised that the approaches are largely the same for all children but that the support is more personalised, individualised and more frequent.

Councillor Akhtar expressed her thanks to all who had contributed to the report and commented that she would like the positive work to be highlighted in other ways, such as with the Scottish Government. Councillor Forrest added his thanks for this excellent paper.

Councillor Dugdale concluded the debate by adding her sincere thanks. She commented that despite the pandemic the focus continued to be on standards and improvements; the role of nurture remained a priority; the work to support care-experienced children was very much welcomed; and acknowledged the excellent partnership working between Education and Children's Services and other areas.

## **Decision**

Following a roll call vote, the Education Committee unanimously agreed to:

- i. note the overall positive progress made by the Education Service in delivery of the Council's Plan and the priorities within the National Improvement Framework.
- ii. note the ongoing impact of the COVID-19 pandemic on the progress of the 2020/21 priorities and the steps being taken to secure continuous improvement in session 2021/22.
- iii. approve the Progress Report and Improvement Plan attached to the report as appendix 1.
- iv. note that this Progress Report and Improvement Plan will be submitted to the Scottish Government in line with the Local Authority's statutory duty pending Committee approval.

#### **4. POLICY: INCLUDED ENGAGED & INVOLVED - A POSITIVE APPROACH TO PROMOTING SCHOOL ATTENDANCE**

A report was submitted by the Executive Director for Education and Children's Services seeking approval of the draft attendance policy entitled 'Included, Engaged and Involved: A Positive Approach to Promoting School Attendance', attached as appendix 1 to the report.

Dr Binnie summarised the purpose of the report advising that new and updated policy guidance and updated attendance procedures had been issued to schools to promote attendance. She explained that there had been internal and external consultation and that the feedback would be incorporated into the policy; reported that the updated policy builds on existing good practice, promotes nurture and will ensure consistency; and indicated that children's attendance at school is a multi-faceted issue.

Councillor Findlay asked if there was an update on home and flexible schooling. Dr Binnie advised that this had started at the beginning of the autumn term and that eight children had registered for home schooling which is an increase over the pre-pandemic figures. She added that it is the intention to obtain children's and young people's views on home education.

Councillor Williamson asked if schools had a responsibility to support missed learning for pupils who were being flexibly schooled, and enquired as to how teachers dealt with this if flexibly schooled children returned to class. Ms Brown advised that this was supported on an individual basis and that Councillor Williamson's question highlighted some of the difficulties when agreeing to flexible schooling. She acknowledged that it can be a challenging situation for class teachers.

Councillor Henderson enquired about the fit with the European Convention on Human Rights legislation to which Ms Holland, Senior Solicitor, advised that this is already incorporated into Scots Law and the Human Rights Act legislation.

Replying to Councillor Forrest's question about support for families, Ms Brown advised that a new early intervention support team had been created, adding that under the Attendance Policy, there is an automatic referral to that team when attendance drops to a certain level.

In response to Councillor Dugdale's question about the types of issues affecting school attendance, Ms Brown reported that these can include bullying, struggles with learning, personal issues, and the fact that some learners are young carers. She added that the supports which are put in place are based on the primary reason for non-attendance.

Councillor Akhtar commented on the effort that had gone into producing the report and the massive amount of engagement there had been to support young people.

Councillor Dugdale, Convener, closed the debate by adding her thanks for this very important paper, commenting that it was pleasing to see that the approach involved the whole school community, given that some young people can experience a loss of connection as a result of absence.

## Decision

Following a roll call vote, the Education Committee unanimously agreed to:

- i. approve the Draft Attendance Policy: “Included, Engaged & Involved: A Positive Approach to Promoting School Attendance”, as attached at appendix 1.
- ii. note specifically the guiding principles, legislative context, and procedures for recording and managing school attendance.

### **5. UPDATE ON EXPANSION OF EARLY LEARNING AND CHILDCARE TO 1140 HOURS**

A report was submitted by the Executive Director for Education and Children’s Services updating the committee on the implementation of 1140 hours of Early Learning and Childcare in East Lothian.

Ms Pauline Homer, Lead Officer – Early Years and Childcare, presented the report. She informed members about the updated position since the last Education committee meeting in June 2021 and confirmed that the Education Service has fully implemented 1140 hours across the county in a way that is compliant with all Scottish Government guidance regarding Covid-19, and reported that some parents had taken advantage of the facilities at Letham Primary during the summer and October breaks. She advised that there is a career structure and pathway in place for staff working in this part of the service, adding that there had recently been the creation of early level support roles; that greater induction and mentoring would be introduced; and that the leadership course had been very successful. Ms Homer commented on East Lothian Council’s role as guarantor of quality, stressing that quality assurance and improvement continue to be a key focus, and informed members that feedback would be sought from parents and carers in February 2022 as part of a review ahead of the 2022/23 session. Ms Homer concluded her presentation by advising that the role of the Improvement Board had come to a natural end and thanked all Board members for their time and commitment, and reiterated that 1140 hours has been fully implemented in East Lothian for all two, three, and four year olds.

Answering questions from Councillor Findlay, Ms Homer advised that feedback on both the 38 week and 48 week models had been very positive and that further information on parents’ and carers’ preferences would be available after the formal feedback consultation. She commented that the 1140 hours provision includes blended models and that as there are no catchment areas for nursery schools, parents can choose the nursery and model of their choice. Ms Homer also advised that there had been occasions where parents had not been able to get their first choice of nursery and she expected that would be raised through the consultation; reported that the number of staff leaving the service due to changes in work patterns had been no more than in a normal year; stated that there is no requirement for nursery teachers to be qualified teachers, and that parents had been aware of this some time ago; and that at the moment there are no qualified teachers in East Lothian Council nurseries. Regarding learning and child care, she advised that it is a national standard and Scottish Government guidance that learning and child care are regarded as one area. However, she undertook to review this approach for the forthcoming consultation.

In response to Councillor Gilbert, Ms Homer advised that slightly more 48 week settings have been chosen than 38 week settings and agreed to email the exact figures to committee members.

Ms McDowell informed the committee that there are nursery teachers in the central team who provide support to individual settings as required.

Councillor Dugdale sought more information on the career opportunities available to staff following the introduction of the new roles. Ms Homer outlined the importance of the introduction of the support worker role; advised that the opportunity to apply to be appointed to the start level role provides qualifications and training which lead to the next level role of early years practitioner; and explained that the career structure includes senior early years practitioners and centre managers in each cluster.

Councillor Akhtar commended the Education Service for the huge agenda that had been planned and delivered by the team over recent years.

Councillor Dugdale concluded the debate by adding her massive thanks and stating that parents and carers have been very welcoming of the developments within the Education Service, adding that it was very pleasing to learn of the progress regarding staff opportunities.

### **Decision**

The Education Committee agreed to note:

- i. the Education Service has now fully implemented the expansion of early learning and childcare to 1140 hours and that COVID-19 restrictions and mitigations continue to impact on the flexibility.
- ii. the way in which provision over the traditional summer break in 5 local authority nurseries was managed and received by parents and the increased opportunities made available to staff through enhanced training opportunities leading to career development and progression.
- iii. the plans to review the implementation of the policy and to seek feedback from parents, carers and staff. Note the very successful cross-service collaboration which supported the implementation of the policy.

## **6. SCOTTISH GOVERNMENT CONSULTATION ON EDUCATION REFORM**

A report was submitted by the Executive Director for Education and Children's Services providing an update on the Scottish Government consultation on Education Reform and seeking approval to submit the draft response, as attached as appendix 1 to the report, on behalf of East Lothian Council.

Ms Brown presented her report and set out the background to the Scottish Government's decision that the Scottish Qualification Authority (SQA) would be replaced and that the functions of Education Scotland would be reviewed with the removal of the Inspectorate from its remit and the establishment of a separate curriculum and assessment body and inspectorate. She advised that an independent advisor to the Scottish Government on the replacement of the SQA and the reform of Education Scotland had been appointed; informed members that there is currently a consultation on this reform which ends on 26 November that all local authorities are being encouraged to respond to; and outlined the main areas contained in the consultation. She referred to the response that has been drafted for East Lothian Council, explaining that this incorporated the views of a short life working group, the



wider education community, and trade unions. She placed on record her thanks to everyone involved in producing the response. Ms Brown highlighted some of the response content including a lack of clarity on the expectations on practitioners in using the Experiences and Outcomes within the curriculum areas, the complexity of the range of advice, guidance and documentation that have been produced by Scottish Government and Education Scotland over the years; the need for a stronger national focus on transitions; and the need for a national approach to the range of qualifications on offer. She reported that the consultation also focuses on Roles and Responsibilities and that the Council's response highlights what would be of most benefit to school staff and learners together with the possible risks associated with this type of reform. She asked committee members to note that within the consultation there is some mention of the Regional Improvement Collaboratives and the role of Education Scotland in providing direct support to school staff. She pointed out that the Council's response highlights that there is a need for any national school support to be delivered alongside the local authority by staff who can provide support that impacts positively on learners and manages teachers' workload.

Responding to questions from Councillor Goodfellow, Ms Brown explained that the Council's response in relation to the SQA reflects the views of education practitioners regarding their frustrations with lack of timely information and communication during the Covid pandemic; outlined the range of staff who are included in the term practitioners; and commented on working relationships between the Council and the SQA.

Councillor Akhtar commented positively on the reference to the Regional Improvement Collaboratives. Ms Brown stated that the new organisation needs to link in with local authorities given the statutory obligation to avoid duplication and complexity; stressed the need for collaboration from national agencies; and indicated that despite the Scottish Government's statement that there would be formal exams, it would be preferable to have a blend of teacher assessments and a final exam at the end of the course.

Responding to Councillor Henderson, Ms Brown provided background information to the response in relation to identifying the main factors that support a broader range of SQA qualifications being included in the curriculum in secondary schools, stressing that any reform of qualifications needs to align with current jobs and trades.

Councillor Dugdale asked for information regarding any issues with transitions. Ms Brown advised that staff work hard to support children who are transitioning, and while it can present challenges for both learners and teachers, there is a high level of pastoral support for learners, particularly for the transition to secondary school where the structure is very different from the primary school environment. She added that although there is excellent practice in East Lothian, the working group felt that there was room for enhancement by way of more national focus and guidance for practitioners.

Councillor Akhtar thanked the working group for their work on the consultation response and stated that there is the need for the new organisation to focus on learners; place importance on additional support needs; trust and rely on the professional judgement of teachers; and acknowledge that local authorities have accountability for schools and education.

Councillor Dugdale, closed the debate by commenting on the importance of education being statutorily provided by local government. She fully supported the draft consultation response and stressed that the local authority has to be a major party in providing education at a local level. She added her thanks to those who had produced

the consultation response.

**Decision**

Following a roll call vote the Education Committee unanimously agreed to:

- i. note the scope and remit of the consultation on Education Reform being carried out by Professor Kenneth Muir, on behalf of the Scottish Government; and
- ii. approve the content of the draft response at appendix 1 which would be submitted to the Scottish Government by 26 November 2021.

**Sederunt:** Councillor Gilbert left the meeting

**7. SCHOOL SESSION DATES - 2022/23, 2023/24 and 2024/25**

A report was submitted by the Executive Director for Education and Children’s Services seek Education Committee’s approval for School Session dates for the three school years, 2022/23, 2023/24 and 2024/25.

Richard Parker, Service Manager – Education (Strategy and Operations) presented the report, advising that the school session dates for the next three years had been aligned, where possible, to those of neighbouring local authorities. He explained the consultation process that had taken place and reported that a significant majority of respondents had supported the proposed dates and the alignment with the City of Edinburgh Council dates.

Councillor Williamson welcomed the alignment of dates with neighbouring authorities and hoped this would continue to be the case beyond 2025.

**Decision**

Following a roll call vote, the Education Committee unanimously agreed to:

- i. approve the school session dates for the three years 2022/23, 2023/24 and 2024/25 as outlined in appendix 1.
- ii. authorise the Head of Education to notify Scottish Government, Head Teachers, Teachers' Associations, Heads of Establishments and Parent Councils and approve delegated authority to the Head of Education, in consultation with the Council Leader and Convener of the Education Committee, to make any further changes if required to the session dates during the year.

Signed .....

Councillor Fiona Dugdale  
Convener of the Education Committee