



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

**TUESDAY 21 MARCH 2023  
VIA VIDEO CONFERENCING FACILITIES**

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**Committee Members Present:**

Councillor F Dugdale – Convener  
Councillor L Allan  
Councillor L Bruce  
Councillor N Gilbert  
Councillor N Hampshire  
Councillor C McFarlane  
Councillor B Ritchie  
Councillor T Trotter  
Councillor C Yorkston – Depute Convener  
Ms G Gillan (EIS)  
Rev G Sheridan (External Rep)

**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  
Mr N Craik-Collins - Education Service Manager  
Mr R Parker - Service Manager – Education (Strategy and Operations)  
Ms B Skirrow - Principal Officer (Education Service)  
Ms J Allen - Communications Adviser  
Ms J Boyle – Quality Improvement Officer (Equity)  
Ms A Cameron – Service Manager – Early Years and Childcare  
Ms A Hood – Team Manager (Education & Employability)  
Ms J Tait – Head of Children's Services  
Ms R Crichton, Committees Officer  
Ms L Byrne – Group Service Manager, Children's Wellbeing  
Mr N Trussler – Quality Improvement Officer, Education  
Mr C Grilli – Service Manager, Governance  
Ms F Brown – Principal Officer, Education  
Mr D Reid – Education Support Officer, Digital Learning

**Head Teachers Present:**

Gill Gardner – Head Teacher, East Linton Primary School

**Clerk:**

Ms M Scott, Committee Officer  
Ms R Crichton, Committee Officer

**Other Elected Members present:**

Councillor A Forrest  
Councillor C Cassini

**Apologies:**

Councillor L Menzies  
Mr R Lesso

**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 extended a welcome to the Head Teachers who were present at the meeting.

**1. MINUTES OF THE MEETING OF THE EDUCATION COMMITTEE ON 22 NOVEMBER 2022 FOR APPROVAL**

The minutes of the Education Committee meeting of 22 November 2022 were approved.

**2. EDUCATION SCOTLAND INSPECTION REPORT FOR EAST LINTON PRIMARY SCHOOL & NURSERY CLASS**

A report was submitted by the Executive Director, Education and Children's Services to report to Committee on the outcomes of the Education Scotland inspection of East Linton Primary School and Nursery Class.

Nicola McDowell, Head of Education explained the report provided details of the inspection carried out at East Linton Primary School and Nursery Class and at the end of the inspection process the outcomes were published in a letter to parents and carers outlining the key strengths and areas for improvement. Ms McDowell added that the letter provided a statement of the confidence inspectors had in the school's capacity to continue to improve the quality of its work which meant inspectors would not be returning to East Linton Primary School. Ms McDowell stated that a summary of key inspection findings could be found within the report and that it would be intended staff use this when progressing their school improvement plan. Ms McDowell noted East Linton secured grade 4s for all of the quality indicators inspected within the school and the nursery class. Ms McDowell highlighted the key strengths found during the inspection and outlined the areas for improvement. She added that Ms Haspolat, the school's Quality Improvement Officer would continue to work closely with the Head Teacher of East Linton and the staff to provide professional advice and support. Ms McDowell expressed her delight that the hard work of the Head Teacher, her staff and the children of East Linton Primary School had been recognised within the report.

Councillor Yorkston asked how schools were chosen for an inspection and how it was decided which type of inspection would be carried out. He also asked how detailed the involvement and support from the Quality Improvement Officer would be. Ms McDowell explained there were three kinds of inspections schools could be involved in and being chosen for an inspection was largely based on the length of time since the previous inspection but also if the school had been chosen to be part of the National Improvement Framework sample that Education Scotland takes each year for their evaluation of quality indicators. Ms McDowell explained Education Scotland also take factors such as the location and size of schools into consideration so they can create a representative sample each year. Gill Gardner, Head Teacher at East Linton Primary School added the school worked very closely with their Quality Improvement Officer meeting on a regular basis throughout the year to look at attainment data, the progress the children were making and quality assuring school improvement plans. Ms Gardner stated East Linton was in a school team group with Pencaitland, Yester and Gullane Primary Schools and QIOs provided self-evaluation tasks so they were able to validate work other schools were doing.

Answering questions from Councillor McIntosh, Ms McDowell explained the development of writing was in the current improvement plan and a lot of work was going into the development of writing across East Lothian. Nick Trussler, Quality Improvement Officer for Education added writing attainment appeared to be lower than other areas which impacted overall literacy in pupils. It was also identified a particular focus was required at the end of Primary 4 so East Lothian have engaged with the Children and Young People's Improvement Collaborative and Education Scotland to work on the National Writing Improvement Programme. Mr Trussler added there are plans to engage with a third cohort of schools next session due to the significant improvements it had made.

Alison Cameron, Service Manager – Early Years and Childcare reported she would be working with David Reid, Education Support Officer – Digital Learning and his team around digital technologies in the earliest years to ensure it can support learning. Ms Cameron added they want to look at technology as a tool for learning and it is high on the agenda to look at new early learning and childcare settings to think of creative ways to use digital technology with our children. Ms Cameron stated she would bring this topic back at a later date to present how they were taking this forward. Councillor McIntosh stated she was specifically interested in where the report said there would be the possibility of a platform for communication with parents using digital technology and asked if this was also on the agenda. Ms Cameron explained at this point that had not been discussed but would take it forward as a possibility for the future.

Councillor Forrest asked if the film produced by the school would be available to share to other schools to show can be done with technology. Ms Gardner stated film making had become part of sustainable learning within East Linton and the Primary 7s learned to film, edit and produce their own end of school film which has been shared on Edu Hub the last couple of years. Ms Gardner said she was hopeful this would now be a part of the curriculum rationale which helped make East Linton unique.

Councillor Trotter asked how to move up from "good" to "very good" as he felt reading the report it was full of things that presented as "very good". Ms McDowell explained that the quality indicators within the How Good Is Our School framework show level 5 illustrations which is what "very good" would look like. Ms McDowell said schools were encouraged to look at the level 5 illustrations to see where they were at the moment and what changes could take them to the next level and she was confident that would be what Ms Gardner was doing for East Linton.

Councillors Yorkston, McIntosh and Trotter all congratulated Ms Gardner and her staff on such a positive report.

Councillor Hampshire stated the report was excellent and congratulated the work done by the Head Teacher and her staff through the challenging few years we have had and to still get such a positive report was a huge achievement. Councillor Hampshire added he was confident the staff within East Linton would provide the best education possible for the children in the area they support.

Councillor Dugdale echoed the comments from other Members and thanked Ms McDowell for bringing the report to Committee. Councillor Dugdale added it was great to see children experiencing a warm and positive ethos to play and learn and to see them sustaining good levels of progress across a whole range of areas. Councillor Dugdale gave her sincere thanks to Ms Gardner and her staff who had worked so hard and achieved a really positive inspection.

### **Decision**

The Committee agreed to:

- (i) Note the content of the Education Scotland letter
- (ii) Note the content of the Summary of Inspection Findings for the Primary School and Nursery Class
- (iii) Note the content of the Summary of Inspection Findings for the Nursery Class
- (iv) Note that Education Scotland are confident that the school has the capacity to continue to improve and so will make no more visits in connection with this inspection
- (v) Congratulate the Head Teacher and staff on a positive inspection and on the key strengths identified by the Inspection Team.

### **3. UPDATE TO THE SCHEME OF DEVOLVED SCHOOL MANAGEMENT**

A report was submitted by the Executive Director, Education and Children's Services to advise the Committee of the findings of two short life working groups arising from changes to the Devolved School Management (DSM) national guidance, effective from 1 April 2022 and as reported to Education Committee on 21 June 2022.

Richard Parker, Service Manager – Education (Strategy and Operations) explained the report provided updates subsequent to the report submitted to Education Committee in June 2022. Mr Parker noted as part of the review of our guidance it was agreed that two strands of the revised DSM scheme were identified as requiring a "deeper dive" by two focussed short life working groups to make recommendations in relation to management structures and ASN funding allocations. The working group on Primary School Management structures identified and modelled 12 potential changed approaches and the working group looking at the ASN allocation identified the current model of ASN funding allocation no longer reflected current needs. It was agreed the funding model should be changed to reflect a measure of children and young people with ASN in each school. He added the national guidance which had clearly defined categories of ASN was found to be the most appropriate to use in the new funding model. The group agreed annual moderation would be required within the new model to ensure consistency and equity across schools and Mr Parker made Members aware the new model may lead to a change in allocation of funding and consequently may impact on staffing compliments in some schools. The impact of this would need to be considered and consulted upon with Head Teachers and other stakeholders before an implementation plan is proposed.

The implementation plan would be brought back to the Education Committee during 2023/24 academic year.

Councillor McIntosh asked what about the current way funding was allocated was seen as not fit for purpose and what the impact would be for young people with the changes that are being proposed. Dr Lynne Binnie, Principal Educational Psychologist reported the changes being made were to the way financial resources were allocated to schools therefore the impact to children and young people may be felt through staffing and resources available to them in order to meet their needs. Dr Binnie explained how the current funding model worked and that it was unanimously agreed that was an outdated way to allocate and instead the percentage of children with ASN would be the key criterion. Answering a further question from Councillor McIntosh, Dr Binnie explained her team is at the early stages of creating an implementation plan to see where there would be a shift in resource allocation. Councillor Hampshire asked if officers had looked at best practice across Scotland and local authorities where changes had been made that have made improvements. Mr Parker stated benchmarking had been done across other local authorities but at the time a lot of them were also addressing the outcomes of their revised guidance and looking at models. Mr Parker added it was very mixed how other local authorities structured their schools and ran their DSN schemes but there were links with other authorities and officers would continue to work with them with regard to the structures and to identify best practice in other authorities we could learn from and adopt.

In response to a question from Councillor Yorkston, Dr Binnie explained they had not yet modelled the potential changes and that would be the next phase of this work. She added the ASN working group was made up of Head Teachers from different locations in East Lothian and there had been a unanimous agreement that the funding model should be based on percentage of children with ASN within the school which meant some would benefit from that and some would receive less funding than the current model. Dr Binnie stated officers would need to think carefully how implementation was done and it may need to be phased over a number of years. Mr Parker added there was not a standard model across the country and each authority determined its own model so the approaches noted within the report were decided from discussions at the working group.

Councillor Ritchie asked how officers would ensure the funding would follow the children and not the other way around ending up with specific schools having more children with ASN. Dr Binnie stated the model used supported all children with ASN and explained the totality of funding in East Lothian was made up of 2 parts, predictable needs funding and exceptional needs funding which was allocated to individual children and young people. Dr Binnie added the predictable needs funding would not only be based on the percentage of children and young people with ASN but also on school role which ensured there would be fair funding to schools in terms of their size. Dr Binnie stated all East Lothian schools were equipped to support children and young people with their needs which should be met within their catchment school. Dr Binnie stated predictable funding enabled this, then schools could also apply for exceptional needs funding for individual children who had more severe and complex needs.

Councillor Trotter asked how confident officers were that there wouldn't be any financial implications. Dr Binnie explained there would be financial implications for some schools as some would receive a larger pot than they were currently receiving and some would receive less but as yet officers had not done the modelling to determine how big those amounts would be or which schools would win or lose from the change in the funding model. Dr Binnie noted there had been a unanimous

agreement that the current model of resource allocation wasn't the best way to allocate to schools and officers would need to take forward sensitively. Councillor Trotter said the report stated there would be no financial implications and felt until there was a final paper on this that statement should have been left off. Ms McDowell explained that the totality of the budget would not change but the dissemination of resources would be different to what they were at the moment.

In response to a question from Councillor Dugdale, Dr Binnie explained they would need to look at a process of moderation as children who suffer loss or bereavement for example and need additional support for that time would be deemed as having ASN.

Ms Gillan stated EIS were involved in the DSM working group meeting and it was heartening to see the union, management and Head Teachers were in agreement all the way which showed how much changes were needed.

Councillor Dugdale thanked Mr Parker for his report and was pleased to see the new model to help to ensure funding for children and young people with ASN was focussed on and related to the number of children and young people with ASN and looked forward to further reports being presented to committee about this implantation.

#### **Decision**

The Committee agreed to note:

- (i) The findings of the Primary management structures working group which had agreed that no substantial changes to the financial methodology of the DSM scheme in respect of management structures in Primary Schools be adopted from April 2023. This would be kept under review pending the impact of any recommendations by the Additional Support Needs (ASN) working group should there be any significant change to the funding to schools.
- (ii) The findings of the ASN working group which agreed to the principle of changing the methodology used to determine the allocation of predictable needs funding to reflect roll and ASN percentage measures. The mechanism to implement this change in methodology would require a moderated process and a workforce plan to manage the staff resources. It is therefore not recommended to implement this from April 2023, but to work towards a change for April 2024.

#### **4. RESERVING PLACES IN SCHOOLS FOR CATCHMENT PUPILS WHO MOVE INTO THE CATCHMENT DURING THE ACADEMIC YEAR 2023/24**

A report was submitted by the Executive Director, Education and Children's Services to obtain Committee approval for reserving places for incoming catchment pupils at the schools detailed in 2.1 for session 2023/24.

Fiona Brown, Principal Officer – Education outlined the key points and purpose of the report and explained the factors that were taken into account when determining the number of places.

In response to a question from Councillor Gilbert, Ms Brown explained that there would be no need for a Blindwells class this year as the number of pupils within the Blindwells catchment area is low because most of the children at this time already attend schools within the area and have chosen to remain there. The number of

children who require to be hosted at the moment can be accommodated within classes at Cockenzie Primary School. Councillor Gilbert stated he was aware of 8 new primary one starts from Blindwells in Cockenzie this year and if this was to expand further would it effect the 2 reserved Primary 1 places in Cockenzie Primary School. Ms Brown explained the spaces would not be effected as they can only be reserved for families moving into the catchment area, if you are being hosted you are not allocated a reserved place as you are a Blindwells pupil. Ms Brown added that the number of Primary 1 pupils was actually less than 8 as some families had made a placing request to other schools and or decided to defer entry to Primary 1, the expected number is actually siting at 4 or 5 for August 2023 and this would be monitored throughout the year.

In response to a question from Councillor Hampshire, Ms Brown stated updates were given to the property department from developers and they review the impact on projections for August 2023. Next review of the projected role will be done in November 2023 when a full review would be taken. Updates were also given from Housing with any affordable housing released and the families being allocated them so the education department can pre-empt the number of places needed.

Councillor Trotter asked why there were no reserved places for Humble and Saltoun Primary School. Ms Brown explained it was not a requirement to hold places in reserve at either of these schools as they received very few placing requests and was not deemed necessary. Ms Brown added she was confident they would be able to place pupils within these schools without having any reserved places. Answering a follow up question from Councillor Trotter, Ms Brown stated projections are done for Saltoun and Humble the same way they are for any other primary school.

In response to a question from Councillor Forrest, Ms Brown explained the number of reserved places had been reduced at Pinkie Primary School due to the migration and house building and it was felt 3 reserved places were enough and in most places there were more than 3 spaces available if they were required. Ms Brown explained the number of reserved places at Stoneyhill were for families moving into the Stoneyhill catchment area and not families who move into the Craighall area and spaces cannot be held for them as they are pupils of Craighall being hosted within Stoneyhill. Ms Brown explained she works closely with the Head Teacher at Stoneyhill to ensure there is capacity for the Craighall pupils at the appropriate points.

Councillor Yorkston asked why there were no reserved places in Preston Tower for pupils between P2 and P6 or in Aberlady Primary School for pupils between P3 and P7. He also asked why the reserved number of places for Knox Academy and North Berwick High School were higher than other secondary schools when they were not the largest on the list. Ms Brown explained that the numbers presented for Preston Tower and Aberlady were due to the number of places available at different stages and it wasn't felt necessary to hold places in reserve as officers are confident children moving into the area would be appointed to their catchment school. Ms Brown added that very few placing requests are received for Aberlady and Preston Tower after primary one. Ms Brown explained the numbers for Knox Academy and North Berwick were higher due to their being more placing requests outside the catchment area for them and the fact they always fill up to the capacity that is available.

Councillor Dugdale thanked Ms Brown and her team for the report due to the rigorous challenge and growing population in the area.

### **Decision**

The Committee agreed to:

- (i) hold in reserve places for incoming catchment pupils for session 2023/24 in the named 36 Primary Schools
- (ii) hold in reserve the maximum number of places in S1 and S2 and number of reserved places in S1 and S2 for the 7 named Secondary Schools
- (iii) hold in reserve the maximum number of places in S1 and S2 and number of reserved places in S3 and S4 for the 7 named Secondary schools
- (iv) delegate any changes to the number of places held in reserve to the Head of Education in consultation with the Education Convener, should the number of pupils requiring a place at the school significantly increase or decrease.

## **5. ROLL CAPPING IN EAST LOTHIAN SECONDARY SCHOOLS – SESSIONS 2023/24**

A report was submitted by the Executive Director, Education and Children's Services to ask the Committee to approve the S1-S4 intake levels for East Lothian secondary schools for Session 2023/24.

Fiona Brown, Principal Officer – Education summarised her report updating that North Berwick High School S4 cap be increased from 180 to 200 for 2023/23.

In response to a question from Councillor Hampshire, Ms Brown explained it was not unusual to get so many children moving into S4 but that it had been an unusual year at North Berwick High School with many parents getting in touch over the last month or so but there is a robust system in place to ensure children are living within the catchment area.

Councillor Yorkston asked if the number of pupils attending each subject was set at 20 for practical classes and 30 for others or if they could be tweaked if more pupils wished to take this subject. Ms Brown explained classrooms were only furnished for 30 pupils but the teacher's terms and conditions says a maximum of 33. Ms Brown added there had been no issues with maximum numbers within schools but if there was we would discuss with the Head Teacher.

Councillor Hampshire thanked the staff who were dealing with this as it is a huge challenge to keep up with the growth in East Lothian.

Councillor Dugdale thanked Ms Brown for her report as it is really important for everyone to understand the process.

### **Decision**

The Committee agreed to:

- (i) a maximum intake level in S1-S4 for session 2023/24 in the 7 named Secondary Schools
- (ii) delegate any changes to the maximum intake level in S1 – S4 to the Head of Education in consultation with the Education Convener, should the number of pupils requiring a place at the school significantly increase or decrease.

## **6. EAST LOTHIAN COUNCIL DIGITAL LEARNING & TEACHING STRATEGY**

A report was submitted by the Executive Director, Education and Children's Services to inform the Committee of the production of a Digital Learning and Teaching



Strategy 2023 alongside the Action Plan that will formalise approaches to driving forward digital learning and teaching within and across our schools.

Richard Parker, Service Manager – Education (Strategy and Operations) stated the Digital Learning and Teaching Strategy was based on four key priorities; Digital Literacy of Staff, Improving Infrastructure, Digital Learning and Teaching and Digital Distance Learning. Mr Parker gave a detailed overview of his report highlighting the five key sections of the strategy document; Rationale for Change, Current Position, Digital Strategy Overview, Key Strategy Actions and Links to Online Resources and Documentation. Mr Parker explained three working groups would be established in line with the strategy; the Oversight Group, the Digital Development Group and the East Lothian Digital Community. It is planned for these groups to be established in the first half of 2023.

Councillor McFarlane asked if there was a robust system for repairs and maintenance of digital devices in schools. Mr Reid explained that all windows devices, Chromebooks and Chrome tablets that were used by teachers were part of the refresh programme which ensured devices within schools were consistently refreshed in line with software and hardware updates to ensure they were efficient and effective. Mr Reid explained there was also an IT service desk to allow schools to report any damages, breakages or issues directly to East Lothian Council which was then filtered down to ICT officer who would contact the school to deal with the issue.

In response to a question from Councillor Yorkston, Mr Reid explained the Digital Strategy would be put to Head Teachers for consideration for their school improvement plans and one of the main bits of feedback received was Head Teachers wanted to increase autonomy of staff with regards to their own professional development.

Answering questions from Councillor McIntosh, Mr Reid explained officers would be looking at the subscription model they used across East Lothian and looking at the safety implications of all options. As well as that the development in the infrastructure team to look at the filtering primarily with Google and how we can make that as safe as possible. Mr Reid stated this would be an ongoing project that was just at the start of development so hopefully more updates would be available in future. Councillor McIntosh stated she was more concerned about the privacy of the user and what information could be taken from their habits and then used somewhere else. Mr Reid confirmed these concerns would also covered in the project the infrastructure team were doing.

Councillor McIntosh asked if there was scope for distance learning so people all over Scotland, including our own learners would be able to catch up on lost learning. Mr Reid explained there were two national platforms, esgoil and West OS. West OS has now been developed into being a distant learning platform and a classroom tool. Mr Reid added that all pupils within East Lothian have access to these tools and part of the digital strategy will be to encourage schools to make even more use of these. Mr Trussler explained secondary schools were exploring the digital provision of courses such as Advanced Highers as these can be difficult to staff due to the number of pupils doing them. Mr Trussler stated other local authorities across Scotland are currently exploring how to use different methods used to try and provide a wider option of Advanced Highers in schools on a shared basis across our secondaries. Councillor McIntosh explained she was keen to see how this could be of benefit to people who have now left school and were looking to get back into Education. Neil Craik-Collins, Education Service Manager stated from an East Lothian Works perspective they have supported winter leaver programmes and interventions such as the Aspire programme in S2 in two pilot schools looking at early intervention to support learners in a transition

to college and into courses. Mr Craik-Collins stated colleges were doing literacy and numeracy boosters as well as tutor programmes. Post school ,upon immediately leaving school there is the academy model which has been developed by the team looking at different industries such as retail and hospitality.

In response to a question from Councillor Hampshire, Mr Reid explained the CLN network within schools allowed personal devices to be connected and the infrastructure team are currently looking to redevelop the Wi-Fi access in schools. This is currently being piloted in North Berwick and then would be rolled out to all schools so the likelihood is the access for personal devices is going to become more accessible than it is now.

Councillor Dugdale asked if we were any closer on delivering the Scottish Government promise to deliver 1:1 devices for all learners. Mr Parker stated there had been no further information from the Scottish Government of funding at this stage.

Councillor Hampshire commented that everyone is aware of the financial difficulty the Council is in and we need to be careful when we go out to purchase new technology If pupils are able to provide technology themselves and wish to use that then is there a justification for buying it for every pupil if they don't need it. Cllr Hampshire expressed a wish to make sure the system within schools is strong enough so anyone bringing in their own technology can access the full suite of information they need to deliver the course they are doing and if that can happen we will have more resource to help the children who are struggling to purchase any digital technology themselves.

Councillor Dugdale thanked Mr Parker for his report and for all the other staff who have commented and given answers. Digital development is ever progressing and it is vital education is at the forefront of this and embracing opportunities to be ambitious and improve children and young people's learning.

#### END OF AGENDA ITEMS

Councillor Dugdale thanked Richard Parker for all his hard work at East Lothian Council over the past 26 years and wished him well in his retirement. Councillor Dugdale also thanked Judith Tait who was leaving her role as the Head of Children's Services and said it had been a pleasure to work with her.

#### **Decision**

The Committee agreed to:

- (i) Note the work undertaken to date to produce a Digital Learning and Teaching Strategy
- (ii) Approve the Digital Learning and Teaching Strategy and the associated Action Plan

Signed .....

Councillor Fiona Dugdale  
Convener of the Education Committee

DRAFT



**REPORT TO:** Education Committee

**MEETING DATE:** 20 June 2023

**BY:** Executive Director, Education and Children's Services

**SUBJECT:** Education Scotland Inspection of Law Primary School and Nursery Class

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## **1 PURPOSE**

1.1 To report to Committee on the outcomes of the Education Scotland inspection of Law Primary School and Nursery Class.

## **2 RECOMMENDATIONS**

2.1 The Committee is asked to:-

- (i) Note the content of the Education Scotland letter (Appendix 1).
- (ii) Note the content of the Summary of Inspection Findings for the Primary School (SIF) (Appendix 2).
- (iii) Note the content of the Summary of Inspection Findings for the Nursery Class (SIF) (Appendix 3).
- (iv) Note that Education Scotland are confident that the school has the capacity to continue to improve and so will make no more visits in connection with this inspection.
- (v) Congratulate the Acting Head Teacher and staff on a positive inspection and on the key strengths identified by the Inspection Team.

## **3 BACKGROUND**

### **3.1 Inspection model**

The inspection team used the How Good Is Our School 4? (HGIOS4?) quality indicators for primary inspections and How Good Is Our Early Learning and Childcare? (HGIOELC?) for inspections of Nursery and

Early Years provisions to evaluate the quality of provision at Law Primary School and Nursery Class.

- 3.2 Inspectors use the following selected quality indicators (QIs) to report on the outcomes of their three day short inspection model using a six-point scale ranging from excellent to unsatisfactory:

HGIOS?4:

2.3 Learning, Teaching and Assessment

3.2 Raising Attainment and Achievement

HGIOELC?:

2.3 Learning, Teaching and Assessment

3.2 Securing Children's Progress

- 3.3 At the end of the inspection process, the outcomes are published in a short letter to parents and carers outlining the key strengths and areas for improvement. This letter provides a statement of the confidence the inspectors have in the school's capacity to improve the quality of its own work. This is published along with the summary of inspection findings (SIF). The SIF is a professional report and summarises the findings from all the evidence gathered during the inspection. This document is intended to be used by staff in progressing school improvement.

#### 3.4 **National Improvement Framework**

As part of the Education (Scotland) Act 2016, the reporting procedures for the National Improvement Framework (NIF) have been placed on a statutory footing. The evaluations of QIs 2.3 and 3.2 feed directly into the evidence base for the NIF in order to demonstrate progress with the NIF priorities and drivers for improvement. This progress is reported annually by the Scottish Government.

#### 3.5 **Inspection Findings**

Law Primary School and Nursery Class was inspected in February 2023. A letter to parents and carers summarising the key findings was published on 2 May 2023. The quality indicators were evaluated as follows:

Sector	Quality Assurance	Quality Indicator	Grade
Primary 1-7	HGIOS? 4	2.3 Learning, teaching and assessment	Satisfactory
		3.2 Raising attainment and achievement	Satisfactory
Early Learning and Childcare	HGIOELC?	2.3 Learning, teaching and assessment	Good
		3.2 Securing children's progress	Good

### 3.6 Key Strengths

- The staff team and children enjoy positive, kind and caring relationships. Children are keen to learn and achieve.
- At the primary stages, children's attainment in listening, talking and reading, and in numeracy and mathematics is good. Children in the nursery are also making good progress in these areas, as well as in health and wellbeing. They are articulate and confident.
- Staff teams, senior leaders and the early year's team work well together to clarify the school's successes and priorities for further improvement. They are embracing approaches to improve learning and teaching through professional learning. At the primary stages, staff's observing of each other's practice, and receiving feedback, is improving children's experiences.

### 3.7 Areas for Improvement

- Senior leaders and the staff team should build further on strengths in learning and teaching. They should ensure that children have higher expectations of what they can achieve. Teachers should set suitably challenging learning activities. Staff should provide more opportunities for children to learn independently, be creative and develop digital skills.
- Senior leaders and staff should continue to develop approaches to planning children's learning in the nursery. This should include developing practitioners' skills in observing children's learning and checking their progress.
- Senior leaders and school staff team should ensure a more strategic approach to raising further children's attainment, progress and success in learning. Teachers need to raise children's attainment in writing. They should support children to recognise and develop skills through their achievements in and out of school.

3.8 The school's Quality Improvement Officer, Mr Nick Trussler works closely with the Acting Head Teacher and staff to provide professional advice and support and challenge.

#### **4 POLICY IMPLICATIONS**

4.1 None

#### **5 EQUALITIES IMPACT ASSESSMENT**

5.1 The subject of this report does not affect the wellbeing of the community or have a significant impact on equality, the environment or economy.

#### **6 RESOURCE IMPLICATIONS**

6.1 Financial - None

6.2 Personnel - None

6.3 Other - None

#### **7 BACKGROUND PAPERS**

7.1 Education Scotland report on Law Primary School and Nursery Class Report (Appendix 1) and Summary of Findings Primary School and Nursery Class (Appendix 2), Summary of Findings Nursery Class (Appendix 3).

<b>AUTHOR'S NAME</b>	Nick Trussler
<b>DESIGNATION</b>	Quality Improvement Officer
<b>CONTACT INFO</b>	Email: <a href="mailto:ntrussler@eastlothian.gov.uk">ntrussler@eastlothian.gov.uk</a>
<b>DATE</b>	16 May 2023



2 May 2023

Dear Parent/Carer

In February 2023, a team of inspectors from Education Scotland visited Law Primary School and Nursery. During our visit, we talked to parents/carers and children and worked closely with the headteacher and staff.

The inspection team found the following strengths in the school's work.

- The staff team and children enjoy positive, kind and caring relationships. Children are keen to learn and achieve.
- At the primary stages, children's attainment in listening, talking and reading, and in numeracy and mathematics is good. Children in the nursery are also making good progress in these areas, as well as in health and wellbeing. They are articulate and confident.
- Staff teams, senior leaders and the early years team work well together to clarify the school's successes and priorities for further improvement. They are embracing approaches to improve learning and teaching through professional learning. At the primary stages, staff's observing of each other's practice, and receiving feedback, is improving children's experiences.

The following areas for improvement were identified and discussed with the headteacher and a representative from East Lothian Council.

- Senior leaders and the staff team should build further on strengths in learning and teaching. They should ensure that children have higher expectations of what they can achieve. Teachers should set suitably challenging learning activities. Staff should provide more opportunities for children to learn independently, be creative and develop digital skills.
- Senior leaders and staff should continue to develop approaches to planning children's learning in the nursery. This should include developing practitioners' skills in observing children's learning and checking their progress.
- Senior leaders and school staff team should ensure a more strategic approach to raising further children's attainment, progress and success in learning. Teachers need to raise children's attainment in writing. They should support children to recognise and develop skills through their achievements in and out of school.

We gathered evidence to enable us to evaluate the school's work using quality indicators from [How good is our school? \(4<sup>th</sup> edition\)](#) and [How good is our early learning and childcare?](#) Quality indicators help schools, local authorities and inspectors to judge what is working well and what needs to be improved. Following the inspection of each school, the Scottish Government gathers details of our evaluations to keep track of how well Scottish schools are doing.

## Here are Education Scotland's evaluations for Law Primary School and Nursery

Quality indicators for the primary school	Evaluation
<b>Learning, teaching and assessment</b>	<b>satisfactory</b>
<b>Raising attainment and achievement</b>	<b>satisfactory</b>
Descriptions of the evaluations are available from: <a href="#">How good is our school? (4<sup>th</sup> edition), Appendix 3: The six-point scale</a>	

Quality indicators for the nursery class	Evaluation
<b>Learning, teaching and assessment</b>	<b>good</b>
<b>Securing children's progress</b>	<b>good</b>
Descriptions of the evaluations are available from: <a href="#">How good is our early learning and childcare? Appendix 1: The six-point scale</a>	

A more detailed document called Summarised Inspection Findings (SIF) will be available on the Education Scotland website at:

<https://education.gov.scot/education-scotland/inspection-reports/reports-page//?id=3374>

### What happens next?

We are confident that the school has the capacity to continue to improve and so we will make no more visits in connection with this inspection. East Lothian Council will inform parents/carers about the school's progress as part of its arrangements for reporting on the quality of its schools.

Joan C. Esson  
HM Inspector

# Summarised inspection findings

Law Primary School

East Lothian Council

2 May 2023

## Key contextual information

Law Primary School serves the town of North Berwick and the surrounding area. The senior leadership team comprises an acting headteacher and three deputy headteachers. The substantive headteacher is seconded to lead another school in the education authority. Currently, one of the deputy headteachers is on a temporary contract, with another post vacant since December 2022. There are two principal teachers who, with senior leaders, form an extended management team. A support for learning specialist has a strategic remit for additional support needs.

Law Primary School Nursery is in a nearby campus. A deputy headteacher has responsibility for the ELC, as part of the early level of Curriculum for Excellence (CfE). She shares her time between both the ELC and the primary. Currently a new building is being erected for the ELC adjacent to the primary school. It is due to open in 2023.

The school roll in September 2021 was 673. The current school roll from ELC to P7 is 787 pupils. Half of the school's roll resides in Scottish Index of Multiple Deprivation (SIMD) eight, with about a third in SIMD 10. Attendance is in line with the national average. In 2020/21, there were no cases of exclusion.

The school report that they had significant challenges managing staff absences during the pandemic. Further, they report that the potential impact from having additional national funding for teachers was used to cover for absences related to the pandemic. Senior leaders were focusing on keeping children in school and limiting the time spent at home. Staff established online learning resources, which they continue to use.

### 2.3 Learning, teaching and assessment

**satisfactory**

This indicator focuses on ensuring high-quality learning experiences for all children and young people. It highlights the importance of highly-skilled staff who work with children, young people and others to ensure learning is motivating and meaningful. Effective use of assessment by staff and learners ensures children and young people maximise their successes and achievements. The themes are:

- learning and engagement
- quality of teaching
- effective use of assessment
- planning, tracking and monitoring

- Almost all children enjoy positive, kind and caring relationships with staff. They are keen to learn and achieve. Most children are clear about the purpose of learning and how to be successful. The majority of children are increasing the range of contexts in which they learn. Children are motivated by learning in the local community. In P4 to P7, children on the pupil council make decisions about their school. Children in P7 enjoy leadership opportunities as house captains, junior road safety officers and 'digi ninjas'. In all such situations, children apply their learning in a more independent way. Children in P6 and P7 are buddies to the younger children. This develops children's responsibilities for care, support and their right to play. Children are increasing their focus on rights-based approaches. Children across all stages need more planned opportunities to develop skills for learning, life and work through a wider range of situations.

- In almost all classes, teachers' explanations and instructions are clear. Children's learning is clarified by teachers sharing the purpose of learning and how to be successful. A few teachers need to make further use of the identified purpose of learning to give children more ongoing advice on their strengths, next steps and progress. This should build on the best examples of written and verbal feedback already used by staff. Staff should support children to talk about their progress more regularly. Teachers ask questions to check children's understanding. In a few lessons, teachers make effective use of questions to extend children's thinking on their learning. This helps children to be more active in their learning. In a majority of cases, children enjoy working with their peers to discuss their learning. Children respond to interactive approaches with enthusiasm, confidence and in articulate language. These opportunities should be more frequent, and build further on working with others through group activities. This would enable children to identify and evaluate the skills they are developing.
- Overall, the quality of teaching across the school is improving. Children learn with their designated teacher, as well as with visiting specialists of art, languages, music and physical education. In the majority of lessons, a better balance is yet to be achieved between teacher direction and children leading their learning. In most lessons, teaching is directed towards the whole class rather than to reflect the range of learners' needs. In a few lessons, learning is modelled well using an 'I do, we do, you do' approach. A majority of teachers should provide more opportunities for children to experience differentiation, responsibilities and choices within learning. They should ensure that they set a range of levels of tasks and activities, while maintaining a brisk pace of learning. Children should have higher expectations of what they can achieve. More children should have a greater role in planning personalised and meaningful experiences to increase challenge, creativity and problem-solving skills.
- Most children who require additional assistance with their learning receive a beneficial range of support, including by using technology. This includes working with staff on a one-to-one basis to help them make better progress. Staff should ensure that the impact of this additional support is measured and reviewed regularly to check that children are making the most effective progress. Staff should continue to ensure that the timing of additional support is closely planned to coincide with daily timetables in each class.
- In the majority of classes, teachers make effective use of digital tools to engage and stimulate learners. Children now require further opportunities to use digital technology to enhance their experiences and digital literacy skills. This should include opportunities to choose how they use technology to present and demonstrate their learning.
- Teachers are successfully refreshing their approaches to teaching spelling, reading and writing. They should be more explicit in how they teach listening and talking skills. Teachers are having a renewed focus on play in the early stages of the school. Children have spaces in which they play freely. Staff would benefit from engaging further with the national guidance, 'Realising the Ambition: Being Me' to improve play approaches. The school benefits from extensive outdoor areas in which children can learn and play. Teachers are increasing their use of outdoor learning. Children's outdoor learning should be more progressive, with clarity on how skills, creativity, curiosity and independence are developed.
- Senior leaders have introduced a teaching toolkit based on national policy and evidence-based research. This is developing teachers' and a few children's shared understanding of what constitutes high-quality teaching. Teachers value how the teaching toolkit connects professional learning, observation of practice and feedback. There is increasing consistency in how teachers structure lessons. Children in the pupil council have had a role in designing this toolkit and evaluating its impact thus far. Most children across stages require more opportunities such as this to show how their views are considered.

- Teachers use a range of assessment approaches well. These include ongoing and summative assessments. To a limited extent, standardised assessments are used to measure children's progress and attainment in literacy and numeracy. Each child has an assessment folder. This collates important information on progress in numeracy, spelling, reading and writing over time as children move through the school. Teachers should continue to develop high-quality, ongoing assessment. This should be planned, integrated, use technology and be based on a range of stimuli that supports children in making progress.
- Teachers are becoming more confident and accurate in evaluating children's progress and attainment. They work collaboratively within and between stages to engage in professional discussion on a range of evidence for each child's level of attainment. Teachers should develop further their understanding of national attainment standards by collaborating with colleagues from other schools. They will then be able to determine better how well children are learning and progressing across the curriculum.
- Across the school, staff create a useful annual overview of key learning, with termly and weekly planning. Staff use a range of progression pathways to deliver the curriculum. Teachers' planning does not indicate how learning is adjusted to meet the needs of all learners. Staff, supported by senior leaders, should increase their use of progression pathways for all areas of the curriculum. This will assist in ensuring that children experience appropriate pace and challenge across the school. Teachers should also make more use of the principles of curriculum design.
- Senior leaders and staff are developing systems to carefully check the progress of groups of learners. This includes those who are most affected by disadvantage. Staff participate in termly attainment meetings with senior leaders, for which they receive written feedback. As planned, senior leaders should develop robust systems that give a clearer overview of children's progress as they move through the school. Staff would then be better enabled to identify any trends and patterns in children's attainment. Children should have more opportunities to talk about their learning, the knowledge they are acquiring, their progress and skills.

## 2.1 Safeguarding and child protection

- The school submitted self-evaluation information related to child protection and safeguarding. Inspectors discussed this information with relevant staff and, where appropriate, children. In addition, inspectors examined a sample of safeguarding documentation. Areas for development have been agreed with the school and the education authority.

This indicator focuses on the school's success in achieving the best possible outcomes for all learners. Success is measured in attainment across all areas of the curriculum and through the school's ability to demonstrate learners' achievements in relation to skills and attributes. Continuous improvement or sustained high standards over time is a key feature of this indicator. The themes are:

- attainment in literacy and numeracy
- attainment over time
- overall quality of learners' achievement
- equity for all learners

### **Attainment in literacy and numeracy**

- Children's attainment in listening, talking, reading and in numeracy and mathematics is good. Attainment in writing is satisfactory. Most children are making satisfactory progress from prior levels of attainment. There is potential for children to make better progress and achieve more. Most children who require support with their learning, or have identified additional learning needs, are making good progress with their individual learning targets.

### **Attainment in literacy and English**

- Overall, the majority of children are achieving expected CfE levels in literacy and English.

### **Listening and Talking**

- At the early level, most children are learning how to take turns and respond appropriately during discussions. They can listen attentively and initiate a conversation. At first level, the majority of children answer literal questions to show understanding. Towards the end of first level, children would benefit from working in groups more frequently to develop confidence and skills in active listening. At second level, most children interact well and build on each other's ideas. They are articulate and assured when justifying their opinions.

### **Reading**

- At early level, most children are beginning to use their knowledge of sounds and blends to read common words and simple texts. At first level, most children are becoming more confident in reading unfamiliar texts. They recognise features of fiction and non-fiction texts. Children would benefit from developing greater expression when reading, as well as realising the effect of punctuation. At second level, most children read with fluency and expression. They use appropriate pace and tone. Children respond well to literal, inferential and evaluative questioning. They identify appropriate reading comprehension strategies. At first and second levels, most children love reading. They identify several favourite authors and explain readily the reasons for their preferred genre. Children make very good use of the class and school well-stocked libraries.

### **Writing**

- At early level, most children can write a complete sentence with increasing independence. At first level, most children plan and create texts for a range of purposes. At second level, most children create texts for different purposes and audiences. They use an increasing range of punctuation with accuracy. Children use paragraphs well to separate ideas. At second level, children review their writing regularly for accuracy and to ensure its purpose is met. Children's writing would be improved through a brisker pace of learning that covers a broader range of genres. At first and second levels, most children are beginning to increase



their skills in producing extended pieces of writing. Across the school, a few children would benefit from a focus on presentation and handwriting.

## **Numeracy and mathematics**

- Attainment in numeracy and mathematics is good.

### **Number, money and measure**

- At early level, most children can add and subtract mentally within 10. Most children are confident in number and in their use of coins in real-life contexts. At first level, almost all children use a range of strategies to solve addition, subtraction and multiplication problems. They are confident in adding money to one pound and can calculate change totalling simple amounts. They can read and recognise both analogue and digital times. A few children need support when estimating and calculating area. Children at first level need to develop further their skills in mental agility and times tables. At second level, almost all children are secure in rounding and using decimal fractions to two decimal places. They can apply this skill to solve money and measurement problems with confidence. Children can convert simple fractions into decimals and percentages.

### **Shape, position and movement**

- At the early level, children can use positional terms, such as in front of, behind and under with confidence. They can identify simple two-dimensional shapes. At first level, children can identify right angles within a shape. They can recognise symmetry in two-dimensional shapes, pictures and designs. At second level, children can identify acute, obtuse and straight angles. They apply this knowledge to calculate missing angles. They can identify properties of three-dimensional objects confidently.

### **Information handling**

- At the early level, children create block graphs and sort items into categories. Children at the first and second levels can gather, collate and interpret information using bar and line graphs, tally marks and pie charts. Children should continue to develop their skills in using a range of ways to collect and present information, including through further use of digital technology. At second level, children understand the ideas of uncertainty and chance. They use this to make reasoned predictions.

### **Attainment over time**

- Children's attainment in aspects of literacy and numeracy was declining before the COVID-19 pandemic. Senior leaders have since identified gaps in attainment because of the pandemic. This includes children's attainment in writing at the first level. Senior leaders should develop a strategic and robust overview of individual and groups of children's progress as they move through CfE levels. This should include an increased use of what children should achieve annually, with regular analysis of progress towards this. As part of a planned approach, senior leaders need to extend checking of progress across all curricular areas. There is a detailed authority system to checking attainment. However, different attainment data has been shared through school and authority reports.

### **Overall quality of learners' achievements**

- Children's achievements within and outwith school are celebrated. Staff have established a successful system to encourage parents to share regularly their children's achievements from home. Children are proud of their achievements and look forward to celebrating these at assemblies. Senior leaders should develop a strategic overview of children's participation in achievements, and their resulting progressive skills and capacities. This will help them identify children who are missing out and confirm their participation.

## Equity for all learners

- Senior leaders and staff understand the impact of the pandemic. They are aware of the impact of increased hardships and financial pressures on children and families' wellbeing. Senior leaders have developed strong partnerships with organisations to support children and families. This includes, for example, youth work organisations.
- Senior leaders use additional Pupil Equity Funding (PEF) effectively, for example, in providing additional professional learning to improve the quality of learning and teaching. Parents support the school well by raising funds to defray costs for children. Staff also provide dedicated support for individuals and groups of children to assist in reducing the attainment gap for those facing disadvantage. Senior leaders should continue to review and monitor the impact of additional support on raising attainment and closing identified gaps.

## Other relevant evidence

- The school should move swiftly to filling the vacancies in the senior leadership team. This would give an opportunity to look at extended management team remits and ensure that strategic themes are given appropriate priority.
- Parents participate in the school through the Parent Council, parent and teacher association and a good range of improvement groups. Parents have three consultations with teachers throughout the year. Parents' involvement impacts positively on areas like reducing barriers to dyslexia. Parents require more information on the school's approach to homework.
- In 2022, the school met the target of providing at least 120 minutes of physical education to all pupils. Teachers should continue to prioritise the quality of this provision.
- The school has two well-stocked libraries catering for different age groups and interests. Collections are updated regularly to reflect the needs and interests of children. Parents and pupil volunteers take responsibility for the libraries. Every class has a weekly visit to the library, where children explore a variety of texts and develop a love of reading.
- French is taught from P1 through introducing vocabulary, songs, games and in daily routines. There are missed opportunities for integrating French into more of the everyday functions of the school. Children from P5 are introduced to a second additional language. These are German for P5, Mandarin for P6 and Spanish for P7. Teachers and staff from the associated secondary school teach these languages. Children in P4 learn about Scots and perform for parents in an event at the school. Children receive specialist tuition in three musical instruments.
- The education authority submitted self-evaluation information relating to compliance with the revised Nutritional Regulations 2020 and key duties, as required by The Schools (Health Promotion and Nutrition) (Scotland) Act 2007. The Health and Nutrition Inspector (HNI) discussed this information with relevant staff. The HNI also examined documentation relating to the effectiveness of whole school health promotion duties as far as they relate to food and nutrition. Areas for development have been agreed with the school and the school meals provider.

## Explanation of terms of quantity

The following standard Education Scotland terms of quantity are used in this report:

All	100%
Almost all	91%-99%
Most	75%-90%
Majority	50%-74%
Minority/less than half	15%-49%
A few	less than 15%

Other quantitative terms used in this report are to be understood as in common English usage.

# Summarised inspection findings

Law Primary School Nursery

East Lothian Council

2 May 2023

## Key contextual information

Law Primary School Nursery is situated on the Law Primary School community centre campus. The nursery consists of three playrooms, a separate building for snacks and lunches and an outdoor area.

The depute head from Law Primary School has responsibility for overseeing the nursery. She is supported by a nursery manager, who also manages two nearby settings. There are two senior practitioners and 17 practitioners in the nursery. They work a variety of shift patterns. The nursery is registered to provide early learning and childcare for 90 children aged three to starting school. They currently have staff to provide places for 72 children at any one time. There are 140 children on the roll. Children attend five full days per fortnight. The pattern is Monday, Tuesday and alternate Fridays or Wednesday, Thursday and alternate Fridays, full days from 8.15 a.m. until 5.45 p.m. 48 weeks each year. A breakfast club is being piloted from 7.15 a.m. for children who moved to the nursery recently from a nearby setting. The practitioner team has been affected over the last few years with periods of absence and vacancies still to be filled.

### 2.3 Learning, teaching and assessment

good

This indicator focuses on ensuring high quality learning experience for young children. It highlights the importance of a very good understanding of child development and early learning pedagogy. Effective use is made of observation to inform future learning and identify the progress made. Children are involved in planning for their own learning. Together these ensure children's successes and achievements are maximised. The themes are:

- learning and engagement
- quality of interactions
- effective use of assessment
- planning, tracking and monitoring

- Practitioners have a strong commitment to children's rights and encourage children to make choices about their play. Most children are interested and enthusiastic as they explore the range of developmentally appropriate experiences in the playroom. Children have a high level of freedom and engage well with the opportunities on offer. They are happy and settled in the playroom. A few children show a good level of confidence and are starting to lead their own learning. Children are excited about the move to the new nursery and have a high level of involvement. They participate enthusiastically in planning for the move and make suggestions about the playroom layout. Most children play in small groups, or by themselves. A few are starting to make important friendships. A few children are tired towards the end of the day and are struggling with transitions in the playroom. They would benefit from taking part in more relaxing experiences in a calm environment.
- Children are known well by most practitioners. These practitioners show a good understanding of child development, with caring and nurturing relationships. Most practitioners use questioning and commentary well to support children in thinking about their learning and talking about their experiences. Most practitioners interact sensitively with children. They listen attentively to children, being responsive to their needs and interests. Children use digital devices to play interesting number games to complement their learning. Outdoors, children have free flow access to the spacious play area, which has a variety of surfaces and interesting spaces. Practitioners should develop further the use of the outdoors. This will help to provide

greater challenge and increased opportunities for children to develop further their creativity, resilience and independence.

- Practitioners observe children and record information about their learning in individual 'learning stories'. A few practitioners document children's learning clearly. Children enjoy looking at their 'learning stories' and take pride in sharing them with friends. However, the quality and frequency of observations is inconsistent. Senior leaders should continue to support practitioners to develop the quality of their observations. They should provide clear guidance for practitioners to ensure greater consistency in the quality of practice across the setting. Practitioners should continue to increase parental involvement in contributing to children's 'learning stories' to provide a fuller picture of children's learning. Senior leaders recognise the need to continue to use the information about children to plan their next significant steps in learning. They should continue with their plans to support practitioners to take this forward.
- Practitioners plan over different timescales across areas of learning. They are starting to capture children's voices in the planning as they use floorbooks. They should continue to develop consistency in this approach to ensure appropriate depth and challenge for all children. There is a tracking system in place, however this is not used consistently by all practitioners. This should be developed as a priority to help identify gaps in children's learning and support all practitioners to plan more effectively.

## 2.1 Safeguarding and child protection

- The school submitted self-evaluation information related to child protection and safeguarding. Inspectors discussed this information with relevant staff and, where appropriate, children. In addition, inspectors examined a sample of safeguarding documentation. At the time of the inspection, there were no identified areas for development.



This indicator relates to the development and learning of babies, toddlers and young children. It requires clear understanding of early learning and development and pedagogy. It reflects the integrated way young children learn and the importance of experiences and development happening on an individual basis within a supportive, nurturing and stimulating environment. High quality early learning and childcare contributes significantly to enhancing children's progress and achievement as they grow and learn. It can benefit all children by closing the attainment gap and ensuring equity for all. It is about the holistic nature of development and learning ensuring these foundations are secure in order to achieve future attainment success. The themes are:

- progress in communication, early language, mathematics, and health and wellbeing
  - children's progress over time
  - overall quality of children's achievement
  - ensuring equity for all children
- 
- Most children make good progress in communication and early language. They engage readily in conversation, using a wide range of vocabulary. Children listen well in small group activities. The majority of children choose to look at books independently. Most enjoy listening to stories. A few children enjoy creating their own books that record their imaginative stories. They are beginning to form letters, for example from their name. A few children enjoy the challenge of copying words and show a keen interest in early writing. They are developing a good awareness of letter sounds and are beginning to recognise words that rhyme. Across early literacy, practitioners should support children to develop and apply their skills, including outdoors.
  - In numeracy and mathematics, most children are making good progress. Children learn about shape and pattern through their play. They recognise familiar numerals, and the majority can order them correctly. Most children count within 10 and a minority are confident working with numbers beyond 20. Children are developing an awareness of time as they explore clocks and calendars in play contexts. A recent focus on measurement is supporting most children to explore length, capacity and weight. They enjoy a range of challenging tasks to apply their developing mathematical understanding.
  - Practitioners have a strong focus on health and wellbeing. This results in children making good progress. Almost all children develop a range of physical skills well as they run, balance, jump and climb outdoors. They could be developing skills further through more challenging experiences. Most children understand the importance of keeping themselves safe, for example as they cut and peel fruit and vegetables for snack. Through routines, most children persevere and are developing independence. Children are ready to take on increased responsibilities, for example managing their own risk and play spaces.
  - Children are making good progress across the curriculum and over time. Practitioners support children who have barriers to their learning well. As a result, children are making the progress of which they are capable. Learning stories and tracking information do not yet consistently show the progress children make in their learning as a result of their nursery experiences. As practitioners continue to develop skills in observing children's learning, a more accurate picture of progress should emerge.

- Children enjoy being responsible, including caring for the nursery stick insects and wild birds in the garden. Links with the local community, for example North Berwick in Bloom, provide opportunities for children to compete in horticultural competitions. Practitioners should continue to encourage parents to share children's achievements from home and other settings children attend. This will help them track and build on children's existing skills.
- Practitioners have created an inclusive ethos. They value and respect children and families. They know families and their context well. Practitioners use this knowledge to provide valuable support to children and families experiencing challenges and potential barriers to progress. They should now make full use of all information and data available to promote and ensure equity for all. This should help them make informed decisions about strategies that will support all children to make the best progress.

## Explanation of terms of quantity

The following standard Education Scotland terms of quantity are used in this report:

All	100%
Almost all	91%-99%
Most	75%-90%
Majority	50%-74%
Minority/less than half	15%-49%
A few	less than 15%

Other quantitative terms used in this report are to be understood as in common English usage.



**REPORT TO:** Council Committee for Education

**MEETING DATE:** 20 June 2023

**BY:** Executive Director, Education and Children's Services

**SUBJECT:** Raising Attainment in the Broad General Education

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3

## 1 PURPOSE

- 1.1 To report to the Committee on the improvement measures implemented by the Education Service's Quality Improvement Team to provide support and challenge to East Lothian schools in improving levels of pupil attainment in the Broad General Education and closing the poverty related attainment gap.

## 2 RECOMMENDATIONS

- 2.1 The Committee is asked to:-

- (i) Note the improvement in Achievement of a Curriculum for Excellence Level (ACEL) in Literacy and Numeracy at key learner stages for June 2022 when compared to post-pandemic ACEL data for June 2021.
- (ii) Commend the use of Progress and Achievement data by schools and the Education Team to track and monitor continued improvements in the rate of learner progress in Literacy and Numeracy, and thereby inform ongoing improvements for learners across East Lothian schools.
- (iii) Acknowledge the impact of additional resources and interventions used by schools to address data informed learner attainment gaps in Literacy and Numeracy at school, Associated School Group and local authority level.

## 3 BACKGROUND

### Attainment in Literacy and Numeracy in East Lothian Schools

- 3.1 Pupil progress towards achievement of a Curriculum for Excellence (CfE) level in Literacy and Numeracy is based on the professional judgement of teachers.

Professional judgement of a pupil's progress is based on a broad range of assessment evidence for a pupil and evaluated against the standard

contained within the national Curriculum Benchmarks documents for Literacy and Numeracy.

### **Achievement of a Curriculum for Excellence Level: Data Over Time**

- 3.1.1 From Table A below, pre-pandemic levels of attainment for both P1-4-7 and P1-4-7-S3 measures were consistent for both 2017-18 and 2018-19 for Literacy and Numeracy.
- 3.1.2 When compared with post-pandemic levels of attainment, the 2020-21 data evidenced a reduction in attainment levels for P1-4-7. It should be noted that no S3 data was collected nationally for June 2021.
- 3.1.3 East Lothian schools identified many COVID-related reasons affecting their pupils' wellbeing and learning, including two periods of school closures during this time. In response, the local authority and schools invested in planned interventions to address pandemic related gaps in pupil learning in 2020-21 and 2021-22. The 'Recovery and Reconnect' focus taken by schools is reflected in the ACEL attainment data for 2021-22, indicating an improvement in pupil attainment levels compared to 2020-21.

**Table A: Achievement of Curriculum for Excellence Level (ACEL)**

	Primary 1- 4- 7 Combined		Primary 1-4-7 and S3 Combined	
	Literacy	Numeracy	Literacy	Numeracy
2017-18	70.9%	76.3%	74.4%	79.3%
2018-19	69.9%	76.9%	73.2%	79.8%
2019-20	<i>No data collected due to COVID school closures</i>			
2020-21	60.7%	68.8%	No S3 data collected	No S3 data collected
2021-22	62.8%	72.4%	68.8%	76.2%

- 3.1.4 Data for Achievement of Curriculum for Excellence Level (ACEL) June 2022 indicates that East Lothian learners achieved in line with national averages or below (see Table B).
- S3 attainment levels for Third Level were above national average in Reading, Writing, Listening and Talking, and Literacy overall. Attainment in Numeracy was in line with the national average measure.
  - S3 attainment levels for Fourth Level were above national average in Reading, Writing, and Literacy. The equivalent measure was in line with the national average for Listening and Talking, and Numeracy.
- 3.1.5 Although the combined attainment measures for P1-P4-P7 in June 2022 were below national average across Literacy and Numeracy, there were improvements compared to the June 2021 measures. When comparing East Lothian attainment data with national data for June 2022 it can be noted that:

- For Primary 1 data there was a 2 percentage point gap in Literacy and a 3 percentage point gap in Numeracy when compared to national averages.
- For Primary 4 data there was an 8 percentage point gap in Literacy and a 4 percentage point gap in Numeracy when compared to national averages.
- For Primary 7 data there was an 8% point gap in Literacy and a 4 percentage point gap in Numeracy when compared to national averages.

3.1.6 It should be noted that the calculation of Literacy levels across East Lothian schools is based on the number of pupils who have attained the appropriate level across all Literacy organisers (Reading, Writing, and Listening and Talking). In response to the 8 percentage point Literacy gap (compared to national averages) at Primary 4 and Primary 7 stages, further interrogation of attainment data at Associated School Group level and individual school level identified:

- For Primary 4 data there was a 9 percentage point gap at Writing attainment levels compared to 4 percentage point gap at Reading and at Listening and Talking when compared to national averages.
- For Primary 7 data there was a 10 percentage point gap at Writing attainment levels compared to 8 percentage point gap at Reading and 7 percentage point gap at Listening and Talking when compared to national averages.

3.1.7 Therefore, in response to the identified attainment gaps at Writing, and in order to raise overall Literacy attainment further, most schools have had a focus on developing and improving the Writing experience of learners, particularly at the P2-4 stages (CfE First Level) and P5-7 stages (CfE Second Level). Further details of universal and targeted supports in this area are explained below in section 3.6 of this report.

**Table B - Achievement of Curriculum for Excellence Level (ACEL) June 2022 by Stage and Subject Area (East Lothian Schools compared to National Average)**

	Reading		Writing		Listening and Talking		Literacy		Numeracy	
	ELC	Nat.	ELC	Nat.	ELC	Nat.	ELC	Nat.	ELC	Nat.
P1	80%	79%	74%	77%	89%	86%	72%	74%	81%	84%
P4	72%	76%	63%	70%	81%	85%	59%	67%	71%	75%
P7	71%	79%	63%	73%	79%	86%	58%	71%	65%	76%
P1-4-7 Combined	74%	78%	67%	73%	83%	85%	63%	71%	72%	78%
S3 – Third Level	90%	88%	89%	87%	90%	89%	87%	86%	88%	89%
Fourth Level	58%	54%	56%	52%	55%	55%	51%	48%	59%	59%

## **Projections for ACEL attainment across East Lothian schools for June 2023**

- 3.2 Throughout each school session schools engage in moderation activities, individually and collectively, to assure the validity of assessment evidence and the professional judgement of teachers.
- 3.2.1 Through ongoing tracking of Progress and Achievement data by schools and the central team, it is expected that ACEL at P1-P4-P7-S3 levels for June 2023 will show continued improvement compared to the previous post-pandemic years.

### **Progress and Achievement Tracking Data**

- 3.3 At key points during the year, schools will track the professional judgement of a pupil's progress to ensure appropriate pace of progress continues to be made based on the needs of individual learners. A pupil's progress is tracked within a CfE level (beginning to make progress; some progress; good progress; very good progress; and achievement of the level). This pupil progress is recorded within 'Progress and Achievement', part of the SEEMiS information system used by schools.
- 3.3.1 The pupil attainment data held within Progress and Achievement is used by the Quality Improvement Team to monitor the rate of progress made by pupils within and towards achievement of a CfE level on an individual school basis, collectively as an Associated School Group, and strategically as a local authority. Quality Improvement Officers also use this data to provide support and challenge to schools to ensure that attainment gaps are identified and addressed effectively during a school session.

### **How schools use the tracking and monitoring of attainment data to better inform the quality of learning and teaching**

- 3.4 The expectation is that schools use attainment data regularly to monitor the rate of progress of individual pupils and plan and implement appropriate interventions to better meet the needs of pupils, where this is required. This may focus on a whole class, a particular group of learners or specific individual learners.
- 3.4.1 At key points during the academic session, Quality Improvement Officers quality assure this data with schools to evaluate the impact of planned interventions used by the school to improve the rate of pupil progress through a Literacy or Numeracy level. Discussions focus on the impact of different approaches used by class teachers to better meet the needs of pupils at a universal level in the classroom, or intervention programmes used by the school to target specific learning needs of individual pupils.

### **How are schools addressing the poverty related attainment gap?**

- 3.5 Consistent with Strategic Equity Funding conditions, East Lothian schools have stretch aims to close the poverty related attainment gap. These aims relate to attainment in literacy and numeracy, leavers' qualifications, school exclusions, attendance and the use of part-time timetables. To support individual schools measure their progress towards stretch aims, they



receive a monthly tracking and monitoring update with data collated by the central Information and Research team. The Quality Improvement Officer for Equity has an overview of all schools' data and is able to use this to direct support and challenge to individual schools.

- 3.5.1 The Strategic Equity Fund has created the new post of Principal Teacher of Equity in each secondary school. The Principal Teachers have a strategic overview of attainment data in their school with a particular emphasis on tracking, monitoring and providing early support and intervention for young people impacted by poverty who are 'off track' with their learning. The Principal Teachers of Equity are supported by the Quality Improvement Officer for Equity to evidence impact towards the achievement of stretch aims. Together with the Quality Improvement Officer for Equity, the Principal Teachers of Equity have formed a collegiate network to share good practice across schools and collectively take forward strategic priorities for session 23/24.
- 3.5.2 In four primary schools, identified on the basis of children impacted by poverty, the post of School and Family Support Worker for Equity has been created through the Strategic Equity Fund. The Family Support Workers provide in-school support with learning to identify children who are impacted by poverty and wider 'wrap around' support to their families. These posts are employed on a 52 week basis to provide valuable holiday support to children and their families and to mitigate the impact that the transition to and from holidays periods can have. Like the Principal Teachers of Equity, the Family Support Workers are supported by the Quality Improvement Officer for Equity and work collegiately to share best practice.
- 3.5.3 To support individual schools maximise the impact of their Pupil Equity Funding (PEF), new guidance has been developed to ensure a robust approach to Pupil Equity Funding planning and evaluation. The guidance also encourages the alignment of PEF supports and interventions with the Strategic Equity Funding stretch aims.

### **How do the quality improvement team use attainment data with schools to improve outcomes for pupils**

#### **3.6 Associated Schools Groups (ASGs)**

East Lothian Schools are organised into one of six ASGs centred on Dunbar, North Berwick, Haddington, Tranent, Prestonpans and Musselburgh. Each ASG has a secondary school and local feeder primary schools.

- 3.6.1 The Quality Improvement Team uses attainment data in November and May of each year with Associated School Groups (Dunbar, Haddington, North Berwick, Tranent, Prestonpans and Musselburgh clusters). Interrogation and evaluation of the attainment data has empowered schools to collectively identify where local attainment gaps exist, and has informed decisions regarding the deployment of additional local resources to address these gaps, for example, locality Attainment Teachers.

3.6.2 Head Teachers use attainment data from Progress and Achievement to monitor progress towards closing identified attainment gaps throughout a school session, and to inform the effective strategic use of local resources in doing so.

### **Focused School Team Groups (STGs)**

3.7 Depending on the sector, each school is allocated a place in either a primary or secondary School Team Group (STG). The purpose of the STG is to provide peer support and challenge on the Leadership of Change, Teaching, Learning and Assessment, and Curriculum.

3.7.1 Schools share their attainment tracking, based on current Progress and Achievement data as part of these activities to validate their ongoing self-evaluation evidence to their STG. STG partners will provide suggestions and guidance on continued improvement to the host school, focusing on the quality of learner attainment and achievement, as part of these activities.

### **Quality Improvement Team support and challenge to schools**

3.8 Link Quality Improvement Officers (QIOs) visit each school regularly during a school session to support and challenge the ongoing self-evaluation of a school's improvement journey.

3.8.1 Attainment data for Literacy and Numeracy, along with other sources of information, support a school's evaluation of improvement and impact upon learners during a school session. This provides opportunities for improvement change, where necessary, to be amended during a school session to ensure meaningful positive impact upon outcomes for learners.

3.8.2 QIOs and school leaders use the data to monitor pupils' rate of progress through a CfE level for all stages. This focuses on specific classes, groups or individual learners and the impact of additional support or intervention strategies that have been introduced to address the rate of progress for these pupils.

### **School Reviews**

3.9 The Quality Improvement Team have led a number of reviews across both secondary and primary schools this session 2023-24. The purpose of the review is to provide additional capacity and support to school leaders to evaluate the quality of leadership and management, learning provision, and successes and achievements of learners in their school.

3.9.1 School review teams use a range of self-evaluation evidence provided by the school, along with learning visits to classes, focus groups with learners, parents and carers, and school staff to support this process. The purpose of these activities is to evaluate and validate the school's self-evaluation of improvement and the impact upon learners' attainment and achievement.

3.9.2 As part of this process, review teams provide additional suggestions and guidance for continued improvement, based on their findings, to the school to support continued improvement in the quality of teaching and learning, and learner attainment and achievement. The most common areas that have been identified from school reviews this session have focused on the

further development of classroom approaches to active learning, differentiation to better meet the needs of all learners, and the use of formative assessment to better inform all learners of their progress.

### **How have schools been supported to reduce identified attainment gaps in Literacy and Numeracy?**

#### **3.10 Pedagogy Team**

3.10.1 The Pedagogy Team, consisting of five Principal Teachers, was established in March 2022 to support recovery and to build capacity in schools in order to help raise attainment. The team provides support at a universal level to all schools through professional learning, as well as strategic Numeracy and Literacy developments and more targeted support working collaboratively with focus schools.

3.10.2 Focus schools are prioritised through a range of data including information within School Improvement Plans (SIPs) and Standards and Quality reports (SQRs), the school attainment profile, Scottish Index of Multiple Deprivation (SIMD), Free Meal Entitlement (FME), evaluation visits by Quality Improvement Officers (QIOs), information from school reviews or inspections by His Majesty's Inspectorate of Education (HMIE). Schools also request support from the Pedagogy Team on a universal and targeted basis.

3.10.3 During session 22/23, the Pedagogy Team has worked with 11 focus schools from Early Learning and Childcare, Primary and Secondary sectors. The support was planned in collaboration with the individual schools in response to identified needs. This included professional learning, curriculum development, team teaching, collaborative planning, assessment and moderation, shared quality assurance and research based interventions.

3.10.4 The impact of the collaborative work on outcomes for learners and staff professional learning is evidenced through baseline and follow-up measures undertaken by the team. In literacy, there are improvements in learner engagement and pupil confidence which has improved the quality and the quantity of writing. This is leading to improved attainment at first and second level. In numeracy, the focus on improvements in pedagogy is leading to improved planning, use of manipulatives, further differentiation and formative assessment. This is leading to improved learner experiences and increased expectations for progression in numeracy.

#### **National Writing Improvement Programme**

3.11 Two cohorts of East Lothian primary schools have engaged with the National Writing Improvement Programme during 2022-23. The programme is provided in collaboration with the Children and Young People's Improvement Collaborative from the Scottish Government and focuses on raising pupil attainment in First Level Writing at the Primary 4 level.

- 3.11.1 The programme is research based and has been successful in other local authorities in previous years. The Quality Improvement Team, supported by the authority's Education Scotland Attainment Advisor, identified nine primary schools to participate based on their post-pandemic attainment data for Writing at the Primary 4 stage.
- 3.11.2 The Quality Improvement Team supported this programme, along with two local authority programme leads, and provided in-person and virtual training to teachers from the cohort primary schools. The training was based on a support programme for class teachers in the use of quality improvement methodology in the delivery of 'Writing Bundle' principles when teaching writing to Primary 4 pupils.
- 3.11.3 Frequent tracking of the impact of the intervention upon the quality of pupils' writing has evidenced significant improvements in the rate of pupil progress towards achievement of First Level in Writing for most targeted pupils.

### **Quality Assurance of First Level Writing - Working Group**

- 3.12 Link QIOs for schools and NWIP Authority Leads have collaborated with Education Scotland to support the quality assurance of Primary 4 Writing across four schools in East Lothian. The purpose of the project is to investigate possible contributory factors to overall Writing attainment levels, and therefore overall Literacy attainment levels, of lower SIMD Primary 4 pupils.
- 3.12.1 This work is currently ongoing, but early indications suggest that there is scope for future improvements in moderation practices, used in and across schools, to further enhance the validity and reliability of teacher professional judgement of pupil attainment levels. This in turn will lead to further improvements in data accuracy for the purposes of tracking the rate of pupil progress and confirmation of achievement of a CfE level at the Primary 4 stage.

## **4 POLICY IMPLICATIONS**

- 4.1 None

## **5 INTEGRATED IMPACT ASSESSMENT**

- 5.1 The subject of this report does not affect the wellbeing of the community or have a significant impact on equality, the environment or economy.

## **6 RESOURCE IMPLICATIONS**

- 6.1 Financial – None
- 6.2 Personnel - None
- 6.3 Other - None

## 7 BACKGROUND PAPERS

### 7.1 None

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**REPORT TO:** Education Committee

**MEETING DATE:** 20 June 2023

**BY:** Executive Director – Education & Children’s Services

**SUBJECT:** Positive School Leaver Destinations 2021/22

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**1 PURPOSE**

1.1 To update the Committee on the current School Leaver Destination Return report (SLDR) and Participation Measure, including an overview of the interventions implemented to sustain and improve East Lothian Council (ELC) positive destinations.

**2 RECOMMENDATIONS**

2.1 The Committee is asked to note the significant proactive work currently underway to support improved outcomes for learners leading to positive destinations.

**3 BACKGROUND**

3.1 A glossary has been created to explain the acronyms contained within this committee report (Appendix 1).

3.2 Improvement in employability skills and sustained, positive school leaver destinations for all young people is one of the key priorities in the National Improvement Framework for Scottish Education.

3.3 The initial destination of school leavers’ data (SLDR) (Appendix 2) is used by schools and Education Authorities across Scotland to monitor progress in improving the proportion of school leavers into positive and sustained destinations.

3.4 The data for initial post school destinations (SLDR) referred to in this report is taken from the February 2023 release of the senior phase benchmarking tool, Insight and forms one of the four National Benchmarking measures. The data provides information on the outcomes for young people as recorded in October 2022, approximately three to ten months after leaving school.

- 3.5 The data on initial post-school destinations for 2021/22 was reported nationally and published by the Scottish Government on 28th February 2023: [Summary Statistics for Attainment and Initial Leaver Destinations, No. 5: 2023 Edition - gov.scot \(www.gov.scot\)](#)
- 3.6 This report compares East Lothian initial school leaver destinations (SLDR) with the Virtual Comparator and the National Establishment (i.e. national average). Figures are provided in most cases for both the national average and the Virtual Comparator, however, the Virtual Comparator is seen as the key benchmark for helping schools and authorities understand their strengths and areas for improvement. The Virtual Comparator takes the characteristics of each pupil in East Lothian and matches them to 10 similar pupils from schools in other local authorities across Scotland.
- 3.7 This report will explore how the Education Authority has performed over the three-year period since 2019/20 to 2021/22, in relation to the national average and the Virtual Comparator. The main highlights for East Lothian in 2021/22 are provided below -

#### **Summary of Results for East Lothian 2021-2022:**

- Our initial Positive Destinations Report (SLDR), for the 2021/22 cohort was 95.6% against a national picture of 95.7%. An analysis of the recent statistics shows that one percent fewer young people moved directly into training and around eight percent fewer young people moved directly into Higher Education (this is in line with the national context and Skills Development Scotland (SDS) attribute this to the rise in the cost of living). There was an increase of seven percent young people leaving school and moving directly into employment.
- Staff within East Lothian Works (ELW), in partnership with colleagues within SDS have followed up with all leavers from the 2021/22 cohort. The service is currently awaiting the follow up SLDR statistics. These relate to sustained destinations six months beyond leaving school. All young people have been offered a range of support from ELW in order to help them identify an appropriate onward positive destination.
- Our current 16-19 year old Annual Participation Measure (APM), the statistic which records positive destinations three years beyond the school leaving date) is currently 93.3% (2022), an increase of 0.8% (92.5%) on 2021-22 statistic. East Lothian remains above the national average, which was 92.4%. This national statistic was the highest ever recorded APM result. These statistics were reported by SDS in the Annual APM report published August 2022.
- East Lothian remains consistently above the national average for Participation across all age ranges;
  - Age 16: ELC 99.5% National 99.3%;
  - Age 17: ELC 96.9% National 95.7%;
  - Age 18: ELC 91.3% National 89.8%;
  - Age 19: 84.3% National 84.2%.



- 3.8 All Secondary Schools now operate a 'Common School Day' and timetable structure. Schools are exploring how we can better utilise collaborative opportunities to widen the regional curriculum offer and provide best value for East Lothian Council. ELW will track and monitor progress towards the key targets that are outlined in the Corporate Parenting Plan. Our aspiration is to develop a curriculum that ensures **all** learners have the opportunity to achieve their potential; through clear, coherent, flexible and progressive 2-18 learning pathways and opportunities. Literacy and numeracy, health and wellbeing sit at the heart of this vision, in terms of accessibility.
- 3.9 Further planned engagement with Education Scotland around the development of the 2-18 Curriculum and a refresh of how we implement Curriculum for Excellence, is an overarching Education priority for session 2023-24. By the end of year, every school will have a refreshed curriculum rationale. This will enable schools to broaden their collaborative and wider partnership opportunities and enable them to facilitate inter-school collaboration and sharing of resources and ensure learner pathways are appropriate and lead to more positive outcomes. Digital connectivity will also be utilised to enhance these learning opportunities. The Education Service continues to collaborate with Education Scotland (ES), the South East Improvement Collaborative (SEIC) the Association of Directors of Education Scotland (ADES), as well as other key partners, to update schools on the latest national developments and priorities relating to curriculum development and the phase 3 review of Qualifications and Assessment, led by Professor Louise Hayward. The interim report was published on 3<sup>rd</sup> March 2023 [Independent Review of Qualifications and Assessment in Scotland: interim report - gov.scot \(www.gov.scot\)](https://www.gov.scot/resources/documents/2023/03/Independent_Review_of_Qualifications_and_Assessment_in_Scotland_interim_report.pdf)
- 3.10 The Education Service continues to support a wide range of Further Education and Training opportunities through the School to College Partnership with Edinburgh College. In academic session 22/23, we commenced with the first year of the East Lothian Aspire Pilot Programme. This is a school-led, integrated intervention programme that aims to support vulnerable young people and families in East Lothian, to improve Educational engagement, attainment, attendance and positive destinations. The programme was approved by Education Scotland as a test of change. 24 pupils (12 from Ross High School and 12 from Preston Lodge) attended Edinburgh College for one full day a week (Monday), for the academic session; to engage with a programme of interdisciplinary, project based learning, across all Edinburgh College campuses. Learning experiences were aligned to regional labour market intelligence (LMI), highlighting where the jobs and opportunities will be for these young people, in the future. All pupils engaged in this programme experienced their full curriculum entitlements, across a broad general education (BGE), through a strength based approach, which brings further education, schools and communities together in partnership. There is an intense focus on developing skills for learning, life and work. Plans to progress this cohort to a successful tertiary transition, in partnership with Edinburgh

College and schools, have been agreed. This programme was shortlisted as a finalist for a Herald Higher Education Award 2023.

- 3.11 The Education Service, through East Lothian Works, offers a portfolio of work based Level 6 Foundation Apprenticeships (FA's), in partnership with businesses across Edinburgh, East and Midlothian. These work based pathways, are equivalent to two Higher level qualifications. Internal ELC course, are currently offered in the following vocations - Business Skills, Accountancy, Scientific Technologies, IT Software (new from academic session 2023), and Social Services Children and Young People. Pupil numbers continue to increase across all frameworks. 95 East Lothian pupils enrolled on a Foundation Apprenticeship in 2022, a significant increase on the 51 starts in 2021. In 2023, a former Musselburgh Grammar FA Business student was shortlisted for the FA Student of the year, in March 2023. This student has since gone on to secure employment as an 'Intellectual Capital Assistant' within a global investment management company and remains an ELC FA Ambassador.
- The ELC Foundation Apprenticeship in Scientific Technologies is delivered in partnership with regional businesses and Higher Education. The programme is a very attractive option for students interested in pursuing a wide range of Science careers. This work-based qualification unlocks a diverse range of pathways, either through the traditional University study route, or via a Modern Apprenticeship. In 2021-22, 14 students achieved the Science Technologies qualification and in 2022-23, 34 students are on track to pass. Notably, last year, one of our students gained a modern apprenticeship within the University of Edinburgh's School of Chemistry. Another 3 students have applied for science-based employment at Charles River Laboratories. Employers continue to reap the benefits of engaging with our Science framework and we are delighted to announce a new partnerships with MiAlgae, The Institute of Genetics and Cancer, Scottish Water and the Queens Medical Research Institute Centre, for 2023-24. In addition our centrally supported schools science programme has been expanded to offer an uplift to the National Progression Award (NPA) 6 in Chemistry, which is the equivalent to a Higher on the SCQF framework, in all 6 secondary schools. In 2021-22, 68 pupils achieved both the Higher SQA Chemistry and the additional NPA L6 award. In academic session 2022-23, this number increased to 132 pupils receiving the equivalent of a double SQA Higher qualification.
- 3.12 ELW successfully devised and implemented the ELC 'Workforce for the Future Strategy', utilising external funding from the Scottish Government's Young Person's Guarantee grant (YPG), to further confirm East Lothian Council's commitment to developing the highest quality of employability support, work-based learning and workforce development. This work supported the Council and East Lothian businesses throughout COVID-19. A range of Employer Recruitment Incentives have also been awarded. Since the end of 2021 £550,000 has been committed to support Council departments to offer 10 Modern Apprenticeships (MAs), as well as a further 16 Graduate Internships.

### **ELW has also allocated funding through:**

- LACER ERI (Employer Recruitment Incentive) £123,000, creating 38 opportunities.
  - YPG (Young Persons Guarantee) £610,000, creating 65 opportunities.
  - LTU (Long Term Unemployed) £40,000, creating 4 opportunities.
  - UKSPF ERI (Employer Recruitment Incentive) £58,000 to date in 2023, creating 13 further opportunities (funding in place until March 24)
- 3.13 The Parental Employability Support Fund (PESF) provided the opportunity for targeted funding to support parents seeking employment and individuals who were experiencing in-work poverty. ELW created 37 x 6 month Paid Work Experience placements for classroom assistants, across all ELC schools. 12 candidates were successful in gaining employment contracts in their host schools. 8 candidates are now working on the supply list. 3 remaining candidates have applied to college and university for courses in Early Learning & Childcare. These courses commenced in August 2023.
- 3.14 During 2022/23 the Income Maximisation service received 54 new PESF referrals and in total assisted 91 clients, resulting in a significant financial gain for clients who were already in work and for those on statutory benefits. These gains included the new Scottish Child Payment, Council Tax reduction and Adult Disability Payment (ADP). The cumulative gain amounted to £173,478.95. As well as the financial benefits, clients were also helped to access the Community Windpower Fund (CWPF) utilising Advice Direct Scotland (ADS) grants. In comparison to the overall figures for 2021, the income maximisation results for every statistical measure increased, with a 10% increase in new referrals, 39% increase in benefit/in work calculations and an over 400% increase in financial gains.
- 3.15 'Employability+', is a new employability programme for pupils with Additional Support Needs (ASN). The programme has expanded since the initial pilot project in 21-22, with 17 young people participating, and in 22-23, increasing to 40 pupils. The employability programme runs over 12-20 weeks and focuses on developing employability skills and confidence. This is a certificated programme and results in a Personal Development Award, employer engagement experiences which is coordinated through East Lothian's Developing Scotland's Young Workforce Coordinators.
- 3.16 The East Lothian Works School Team successfully supported 145 pupils to access a variety of programmes, including Construction, Rural Skills, Boxing, Customer Service, Business and Marketing, Girls Allowed in partnership with Dunbar Fashion School. In 2022-23, 250 young people engaged with these course and the offer has been expanded and will include Construction, Rural Skills, World of Sport, Uniform Services, Boxing, Girls Allowed and Customer Services: Principles and Practices.

Senior phase courses include certification, either through an appropriate SQA qualification, or using the SQA Personal Development Award.

- 3.17 In partnership with Edinburgh College, ELW co-ordinates the 'School to College Partnership (SCP)' programme. These opportunities take place on a Tuesday and Thursday afternoons and are available to all East Lothian pupils within the senior phase. In Academic session 2021-22, 150 East Lothian pupils successfully gained a qualification, ranging from SCQF Levels 3-7, in a range of industry skills, from Hair and Beauty, to Hospitality and Professional Cookery, Engineering, Media and Sound Production, Sport and Leisure, Social Sciences and Automotive. Statistics evidence that many of these pupils make a successful tertiary transition to a positive post school destination, which underpins our positive regional performance in this measure.
  - 3.18 Winter and summer leaver programmes have been developed, utilising the No One Left Behind (NOLB) Scottish Government funding (6 months prior to leaving school). These group programmes are delivered in all East Lothian secondary schools, and support towards a positive destination is offered to young people who have intimated that they are intending to leave school. These programmes support pupils to achieve a positive destination. To complement this work, we have used NOLB funding, through a small grants process to strengthen our offer for young people leaving school. In 2022-23 we partnered with The Bridges Project, Street League, Enable and Access to Industry. Due to successful collaboration, we have expanded our partnership work to include Barnardos.
  - 3.19 Construction continues to be a regional priority growth and demand sector across the South East of Scotland in response to SDS labour market analysis. ELW have a successful partnership with The Ridge (Dunbar) to deliver certificated Construction & Rural Skills training. Construction Crafts Level 4, is available to all pupils in BGE. Students attend from S3 and can progress to Level 5 in S4-S6. In 2021-22, 24 pupils enrolled and completed the BGE curriculum alongside 12 pupils from the senior phase. In academic session 2022-23, 27 pupils from BGE and 16 pupils from Senior Phase have been accepted onto these courses.
  - 3.20 In addition to the provision detailed above, The Ridge also delivers an SCQF Level 4 in Rural Skills to senior phase pupils. In academic session 2021-22, 7 pupils completed this qualification. We have the same number enrolled in academic session 22-23.
- The Regional Agricultural Skills Academy is due to open at the Wallyford Learning Campus in June 2023. Our capacity to deliver Construction and Rural Skills, in the North of the County, will be greatly expanded in August 2023, with the completion of the Wallyford Learning Campus STEAM centre. ELW are in the process of negotiating strong partnership agreements with a range of industry partners; including British Engineering Services Association (BESA), Edinburgh College (EC) and The Scottish Rural College (SRUC). This training facility is a regional resource and

designed to be an economic attractor for the Building Services, Housing, Construction and Infrastructure businesses, as plans are being developed to deliver a range of school level pathways and Modern Apprenticeship training from this facility. In 2022-23, ELW successfully co-ordinated a pilot Regional Construction Skills Academy, in partnership with Edinburgh College, on site at Wallyford Learning Campus. 6 pupils successfully gained a full National Progression Award (NPA) Level 4 qualification. This provision will transition and expand, at scale, into the Wallyford STEAM Centre in August. Plans have been agreed with Edinburgh College for a further transition pilot project to enable school leavers to gain a National Certificate, Level 5, in Construction.

**Next Steps**

3.21 East Lothian Works is launching a new programme for parents, funded through Multiply (UK Shared Prosperity Fund), which is aimed at improving the functional numeracy skills of adults. The programme will engage with parents to improve their confidence and skills to support their children’s numeracy learning. In the longer term, this improved engagement should positively impact on young people’s learning and route through school into a positive destination

**4 POLICY IMPLICATIONS**

4.1 There are no direct policy implications associated with this report.

**5 INTEGRATED IMPACT ASSESSMENT**

5.1 The subject of this report does not affect the wellbeing of the community or have a significant impact on equality, the environment or economy.

**6 RESOURCE IMPLICATIONS**

6.1 Financial – All post school activity is reliant upon external grant funding and therefore parameters of activity are dictated by strict grant conditions. External funding fluctuates on an annual basis.

6.2 Personnel - Is reliant upon maintenance of existing budget allocations; both core and external.

6.3 Other - none

**7 BACKGROUND PAPERS**

Appendix 1 – Glossary

Appendix 2 – School Leaver Destinations 21/22

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## Appendix 1

### Glossary:

**School Leaver Destination Return (SLDR)** - Data relating to school leavers (S4-S6) and their initial destination upon leaving school.

**Skills Development Scotland (SDS)** – Is the national skills agency for Scotland, supporting people and businesses of Scotland to develop and apply their skills.

**South East Improvement Collaborative (SEIC)** – Is a collaboration between Edinburgh City Council, East Lothian, Fife, Midlothian and Scottish Borders to improve schools, early learning settings and other services for children and young people.

**Education Scotland** – Is a Scottish Government executive agency responsible for supporting quality and improvement in Scottish Education.

**Association of Directors of Education Scotland (ADES)** – Is an independent professional network for leaders and managers in education and children’s services, who inform and influence Education policy in Scotland.

**Curriculum for Excellence (CFE)** – Developed over the course of several years to improve and transform Scotland’s Education systems, by a more flexible and coherent curriculum from 3-18 years.

**Broad General Education (BGE)** – Begins in early learning and childcare until the end of S3 (the third year of secondary school).

**STEAM** – Science, Technology, Engineering, Arts and Maths

**Foundation Apprenticeship (FA)** - Foundation Apprenticeships at SCQF Level 6 provide work-based learning opportunities for learners in their senior phase of secondary education (S4 – S6). The delivery of the qualification is a mixture of classroom and work based learning with employer and forms part of the pupil’s timetable alongside their other qualifications such as National 5 and Highers.

**No One Left Behind (NOLB)** – Is Scottish Government’s Employability Strategy to transform employment support in Scotland.

**Young Person’s Guarantee (YPG)** – Grant funding provided by Scottish Government to ensure that all young people aged 16-24 upon leaving school had the offer of a positive destination.

**Modern Apprenticeships (MA’s)** - Is a job which lets people earn a wage and gain an industry-recognised qualification.

**Parental Employability Support Fund (PESF)** – forming part of the NOLB strategy, this fund is collaboratively managed by Scottish and Local Government, providing dedicated support for low-income families. Taking a holistic Key Worker

approach parents are supported to upskill and/or re-train, increasing family income, lifting themselves and their families out of poverty. For 2023/24 this activity will form part of the Child Poverty employability funding for local authorities.

**Advice Direct Scotland (ADS)** – Scotland’s largest digital advice agency. Provides a range of support including home heating and energy advice.

**Adult Disability Payment (ADP)** - Is a new payment from Social Security Scotland to help with the extra cost of living with a disability or health condition for new claimants who are working age, replacing Personal Independence Payment and the Disability Living Allowance.

**Community Windpower Energy Fund (CWPF)** – Is a partnership between Community Windpower and Advice Direct Scotland delivering a £1m fund to people in East Lothian affected by the cost-of-living crisis.



## Appendix 2

### School Leaver Destinations 2021/22

	%Employed	% Further Education	% Higher Education	% Not known	% Personal Skills Development	% Training	% Unemployed not seeking	% Unemployed seeking	% Voluntary Work	% Total Positive Destinations
Dunbar Grammar School	36.63	15.7	40.7		1.16		3.49	2.33		94.19
Virtual Comparator for Dunbar Grammar School	26.86	20.29	47.33	0.41	0.35	1.8	0.87	1.69	0.41	97.03
Knox Academy	34.46	20.27	39.19	0.68	0.68	2.03	0.68	1.35	0.68	97.3
Virtual Comparator for Knox Academy	26.35	27.03	39.73	0.2	0.54	2.43	1.42	1.96	0.34	96.42
Musselburgh Grammar School	37.76	21.94	32.14		1.02	1.02	2.55	3.57		93.88
Virtual Comparator for Musselburgh Grammar School	26.28	29.69	34.8	0.31	0.56	3.93	1.89	2.04	0.51	95.77
North Berwick High School	29.31	10.92	52.87			1.72	0.57	4.02	0.57	95.4
Virtual Comparator for North Berwick High School	21.61	15.8	57.7	0.46	0.34	0.92	0.98	1.49	0.69	97.07
Preston Lodge High School	40.98	21.86	31.69		0.55	3.28	0.55	1.09		98.36
Virtual Comparator for Preston Lodge High School	26.34	26.94	34.32	0.38	0.93	4.97	1.42	3.88	0.82	94.32
Ross High School	32.75	27.95	30.57		2.18	1.75	0.44	4.37		95.2
Virtual Comparator for Ross High School	26.68	29.08	33.89	0.61	0.74	3.58	2.14	2.58	0.7	94.67



**REPORT TO:** Education Committee

**MEETING DATE:** 20 June 2023

**BY:** Executive Director, Education and Children's Services

**SUBJECT:** Policy: Included Engaged & Involved: Child Protection and Safeguarding

---

## **1 PURPOSE**

- 1.1 To seek Committee's approval of the draft Child Protection and Safeguarding policy: 'Included Engaged and Involved: Child Protection and Safeguarding' (Appendix 1).

## **2 RECOMMENDATIONS**

- 2.1 The Committee is asked to:
- i. Approve the draft Child Protection and Safeguarding policy: 'Included Engaged and Involved: Child Protection and Safeguarding' (Appendix 1).
  - ii. Note specifically the key legislative, guiding principles and staff roles and responsibilities for managing Child Protection concerns and Safeguarding within Education Establishments.

## **3 BACKGROUND**

- 3.1 Child Protection is the responsibility of all staff. Education staff have a unique opportunity to support and interact with children and young people in ways that are both affirming and inspiring and to ensure that they are safeguarded and protected. Procedures and guidance cannot in themselves protect children. Child protection is a complex system requiring the interaction of services, the public, children and families. For the system to work effectively, it is essential that everyone understands the contribution they can make and how those contributions work together to provide the best outcomes for children and young people.
- 3.2 The purpose of this new policy is to assist all staff and associated colleagues to adhere to their legislative duties, apply their skills

collectively and effectively to develop a shared understanding of their common objective – to support and protect children and young people, particularly those who are most vulnerable. It also serves as guidance for staff on key issues in Child Protection and safeguarding. The approach set out depends on leadership, culture and ethos that recognises that whilst there are specific responsibilities associated with specific professional roles, everyone has a role in making sure children are safe from harm.

- 3.4 Consultation thus far has included internal Education and Children's Services colleagues and third sector partners. Wider public consultation via East Lothian Council's Consultation Hub will be complete by 16 June 2023. Officers will reflect this feedback in finalising the policy.
- 3.5 This policy is designed to ensure a consistent approach across East Lothian schools, in line with the suite of existing Included, Engaged & Involved policies, previously agreed by Education Committee.
- 3.6 The updated policy will be introduced and implemented within all East Lothian Education settings throughout session 2023/2024. All partner agencies and colleagues will be informed of the policy and invited to attend awareness raising and engagement sessions.

#### **MONITORING AND REVIEW**

- 3.7 East Lothian Council's Inclusion & Wellbeing Service will monitor and review the implementation of this updated policy.

#### **4 POLICY IMPLICATIONS**

- 4.1 This policy takes account of the duties set down in the National Child Protection guidelines (2021), the Children and Young People (Scotland) Act 2014 and the UNCRC
- 4.2 This policy is designed to ensure a consistent approach across East Lothian schools.
- 4.3 The implementation of this policy will ensure the local authority complies with National legislation.

#### **5 INTEGRATED IMPACT ASSESSMENT**

- 5.1 The subject of this report has been through the Integrated Impact Assessment process and no negative impacts identified.

#### **6 RESOURCE IMPLICATIONS**

- 6.1 Financial - None

6.2 Personnel - None

6.3 Other - None

## 7 BACKGROUND PAPERS

7.1 Draft Policy: 'Included Engaged and Involved: Child Protection and Safeguarding' (Appendix 1).

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<b>DATE</b>	19 May 2023

## Appendix 1

# Included, Engaged & Involved: Child Protection and Safeguarding

DRAFT POLICY: April 2023



## Preface

Versions of this guidance can be supplied in Braille, large print, audiotape or your own language. Please phone the Public Information Officer on 01620 827199.

## Disclaimer

The Council cannot be held responsible for the safety, data policies, procedures or contents of any external websites.

## Definition of Parent

Throughout this policy the term parent(s) will be used to apply to anyone with parental responsibility, those providing a foster or residential placement, or the local authority where full parental responsibility rests with them as corporate parents. In the case of care experienced children and young people and those in kinship care, this is also taken to mean 'carer'.

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# 1. Introduction

East Lothian Council is committed to ensuring that all children and young people have the right to be cared for and protected from harm and abuse; they have the right to grow up in a safe environment in which their rights are respected and their needs met. This commitment is consistent with every child and young person's right to feel safe and to be listened to, as stated in the UN Convention on the Rights of the Child (UNCRC, 1989).

All staff have a crucial role to play in shaping the lives of children and young people. They have unique opportunities to interact with them in ways that are both affirming and inspiring and to ensure that they are safeguarded and protected. Procedures and guidance cannot in themselves protect children. Child protection is a complex system requiring the interaction of services, the public, children and families. For the system to work effectively, it is essential that everyone understands the contribution they can make and how those contributions work together to provide the best outcomes for children and young people.

This policy is intended to assist all staff and associated colleagues to adhere to their legislative duties, apply their skills collectively and effectively to develop a shared understanding of their common objective – to support and protect children and young people, particularly those who are most vulnerable. It also serves as guidance for staff on key issues in child protection and safeguarding. The approach set out depends on leadership, culture and ethos that recognises that whilst there are specific responsibilities associated with specific professional roles, everyone has a role in making sure children are safe from harm.

This policy should be read in conjunction with:

- National Guidance for Child Protection in Scotland (2021)
- Inter-agency Child Protection Procedures Edinburgh and the Lothians (2015) [Inter-agency Child Protection Procedures - Edinburgh the Lothians Oct 2015.pdf \(emppc.org.uk\)](#)
- The National Framework for Child Protection Learning and Development (2012)
- National GIRFEC policy statement (2022) [Getting it right for every child \(GIRFEC\): policy statement - gov.scot \(www.gov.scot\)](#)

## Key Legislation

The legislative and policy landscape includes, but is not limited to, the following:

- *The National Child Protection Guidelines* (2021) provides a national framework for agencies and practitioners at a local level to agree processes for working together to safeguard and promote child wellbeing. Within this guidance the definition of child protection has been expanded to

make it clear that it is part of a continuum of services to safeguard, support and maintain the wellbeing of children. This includes services focused on prevention and early intervention.

- The *Children and Young People Act (2014)* has wide reaching powers to promote the Scottish Government's aims to encourage effective and targeted services for children and families as well as the promotion of children's rights. Through the National Practice Model, the Act promotes cross-boundary models of service delivery to make best use of expertise and resources in an integrated way to support and intervene to promote the wellbeing of children and young people. The wellbeing indicators (safe, healthy, achieving, nurtured, active, respected, responsible and included) ensures that a holistic approach is taken to ensure the wellbeing of all children and young people.
- *United Nations Convention on the Rights of the Child (1989)* recognises the paramount importance attached to safeguarding and protecting children. **Article 19** (protection from violence, abuse, neglect) states that Governments must do all they can to ensure that children are protected from all forms of violence, abuse, neglect and bad treatment by their parents or anyone else who looks after them.

## Principles for Child Protection and Safeguarding

The following principles should be in place regarding Child Protection and safeguarding:

- Consideration of a child or young person's wellbeing should be based on a holistic assessment of the eight wellbeing indicators within the context of their family and their unique world and circumstances.
- Child Protection is everyone's responsibility. All children have rights to protection from abuse, alongside rights to participation, non-discrimination, survival, recovery, parental support, and support for healthy development.
- All professionals should make sure their approach is child centred. This means they should consider at all times what is in the best interests of the child or young person. This involves not only listening to their words but also their experience, needs, wishes and feelings. It involves listening to non-verbal communication and physical and behavioural responses to their care and environment.
- Inter-agency communication, information sharing and partnership working is essential to ensure best outcomes for children. Education staff will work collaboratively with other services to promote the wellbeing and protection of children and young people and protect them from harm. This includes providing a coordinated approach of early intervention when additional needs of children are identified and contributing to inter-agency plans to provide support to children subject to Child Protection Plans.

## 2. Child Protection

Child Protection involves protecting children or young people from harm and/or the risk of harm from abuse or neglect.

Child Protection processes involved the consideration, assessment and planning of required action, together with the actions themselves, where there are concerns that a child may be at risk of harm. Child Protection processes fall at the urgent end of a continuum of services which include prevention and early intervention. Child Protection procedures are initiated when police, social work or health professionals determine that a child may have been abused or may be at risk of immediate and significant harm.

The National Guidance for Child Protection in Scotland (2021) describes 'harm' in this context as the ill treatment or the impairment of the health or development of the child, including, for example, impairment suffered as a result of seeing or hearing the ill treatment of another. 'Development' can mean physical, intellectual, emotional, social or behavioural development. 'Health' can mean physical or mental health. Forming a view on the significance of harm involves information gathering, putting a concern in context, and analysis of the facts and circumstances.

Child Protection involves:

- immediate action to prevent significant harm to a child;
- inter-agency investigation about the occurrence or probability of abuse or neglect, or of a criminal offence against a child;
- assessment and action to address the interaction of behaviour, relationships and conditions that may, in combination, cause or accelerate risks;
- a focus within assessment, planning and actions to the voice of the child and recognising their experience, needs and feelings;
- collaboration between agencies and persistent efforts to work in partnership with parents in planning and action to prevent harm or reduce risk of harm;
- recognition and support for the strengths, relationships and skills within the child and their world in order to form a plan that reduces risk and builds resilience.

Child Protection in East Lothian is co-ordinated by the East and Midlothian Public Protection Committee. This committee has a range of representatives including Police Scotland, health, social work, and education.

### Child Protection Procedures

East Lothian Council staff should, at all times, comply with the Inter-agency Child Protection Procedures Edinburgh and the Lothian's (2015) [Inter-agency Child Protection Procedures - Edinburgh the Lothians Oct 2015.pdf \(emppc.org.uk\)](https://emppc.org.uk/inter-agency-child-protection-procedures-edinburgh-the-lothians-oct-2015.pdf)

Child Protection concerns should be recorded on the Child Protection concerns form found here [GIRFEC in East Lothian - Child Protection \(google.com\)](https://www.girfec.org.uk/in-east-lothian-child-protection)

#### Key Points:

- Child Protection referrals should never be delayed;
- if a child or young person makes a disclosure of a Child Protection concern, the Child Protection processes should be initiated as soon as possible;
- if a child or young person discloses or a member of staff becomes aware of a Child Protection concern, this should be shared immediately with the Designated Member of Staff or their line manager;
- parents or carers should be contacted unless doing so would present a risk to the child or young person;
- staff must note the details on the Child Protection concern form, reassure the child or young person and explain that the information needs to be shared with the appropriate member of staff, do not promise confidentiality;
- the Designated Member of Staff (DMS) will ensure that they have gathered all the information required and make the referral to the duty team in Children's Services;
- if the Designated Member of Staff is not available or, you are not a member of school staff, you should contact:

-Duty Social Work (Mon-Thurs 9-5pm; Fri 9-4pm) - 01875 824309

-Emergency Social Work (after hours, weekends, public holidays) - 0800 731 6969.

## Information Sharing

Sharing relevant information at the right time is an essential part of promoting, supporting and safeguarding the wellbeing of children and young people, including protecting them from neglect or physical, mental or emotional harm.

If there are concerns that a child or young person may be at risk of significant harm then existing Child Protection processes should always be followed. In these situations information can be shared without consent to allow protection for children and young people.

National Guidance regarding information sharing (2022) is available to support practitioners to understand the lawful, fair and proportionate information sharing requirements which complies with all relevant legal requirements. This guidance aims to clarify the circumstances in which information can be shared with another agency, the considerations that need to be taken into account to ensure sharing information with another agency is appropriate, and the importance of involving children, young people and families in the decision to share information with another agency [getting-right-child-practice-guidance-4-information-sharing-2022.pdf \(www.gov.scot\)](https://www.gov.scot/publications/getting-right-child-practice-guidance-4-information-sharing-2022/pdf/pages/default.aspx)

All staff should have completed the General Data Protection Regulation (GDPR) Learn Pro Module as part of their induction and refresh this learning every 2 years.

### Why and When Should You Share Information

- You should share information when you are worried about a child or young person's wellbeing or a possible child protection issue;

- If you feel a child or young person is at risk of harm you should go ahead immediately (and without consent) to share information as necessary and proportionate. You should record the reasons why you have done as soon as possible afterwards;
- If the child or young person is in full agreement, where appropriate, and their parent / carer is too, you can share information.

### **What to Share**

- Information which is necessary, proportionate, lawful and relevant;
- Information which relates to your concern, nothing superfluous;
- The information sharing must be necessary for the specific purpose;
- The information that is shared must be the minimum necessary to achieve that purpose.

### **Who to Share With**

- Share with others on a 'need to know' basis;
- Verify the identity of the person before sharing any information with them.

### **How to Share**

- Select a method of communication which is most appropriate with the situation;
- Securely and in line with East Lothian's GDPR guidance.

A record of what information has been shared, with whom and for what purpose should be in place to ensure compliance with Data Protection legislation.

## **3. Recording Information**

Decision-making depends on having sufficient, succinct, accurate and accessible records. A distinction should always be made between facts, hearsay and opinion. Recording information should focus on the children and young person at the centre identifying any impact on them and should be recorded as soon as possible after the event noting any actions taken.

### **Child Protection Files**

A Child Protection file should be opened when a referral to one of the core agency proceeds to Inter-Agency Referral Discussion (IRD) or to Case Conference. The Child Protection file remains with the pupil throughout their time at school even if the pupil is subsequently removed from the Child Protection Register. This is recognition of the potential lasting impact that being placed on the Child Protection Register can have.

Child Protection Files should be paper based and kept separate from a Pupil's Progress Record (PPR), clearly labelled on the front as 'Confidential - Child Protection'.

The Child Protection File should include:

- the child's name and any other name the child has been, or is known by;

- the child's date of birth;
- the pupil's Scottish Candidate Number (SCN);
- records of any disclosures;
- Child Protection concern forms;
- Child Protection planning meetings and minutes;
- Children's panel reports and correspondence including the decisions of Children's Hearings.

It is the responsibility of the Designated Member of Staff for Child Protection (DMS) to ensure that all children and young people currently or previously on the Child Protection Register have a Child Protection File.

Access should be restricted to key staff in order to meet the needs of the individual child or young person.

Where a pupil changes school, the DMS must ensure that the Child Protection File is transferred as soon as possible. Best practice would be for the DMS to meet with their equivalent in the receiving school to hand over the file. If this is not possible, the file should be transferred separately from the PPR, sent tracked and confirmation of receipt should be obtained.

[GIRFEC in East Lothian - Child Protection \(google.com\)](#) holds both Child Protection and Wellbeing Concern Forms, where staff can also access further support and information.

Child Protection files are required to be retained by East Lothian Council for 35 years.

Please note that all records are legal documents and can be used in court as evidence or in relation to professional conduct. All records should be compatible with GDPR.

## Pastoral Notes/Chronologies

All East Lothian schools use Latest Pastoral Notes (part of SEEMiS Click & Go) to record relevant pastoral information and note significant events for all children and young people from the point of entry to school. They should be used to signpost to other sources of information such as a Child Protection File.

Pastoral Notes must be written using neutral and objective language and should record facts, sources of information and clear outcomes. The information contained within Pastoral Notes, latest significant events, will form the basis of a single agency chronology if one is required.

All staff have a duty to ensure Pastoral Notes are up to date, accurate and record key events in order to support our safeguarding duties and professional standard for registration, in keeping children safe.

A significant event in a child's life should be considered for events that are both positive and negative which reveal patterns of behaviour and their impact on a child or young person's life. Entries should be detailed enough to provide emerging patterns of risk, concerns and protective factors. Information should be succinct and organised in a way to make sense to the reader, whilst recording decisions made and the rationale for the decision. Analysis of significant events over time e.g. a chronology may highlight gaps in information that require further clarification, exploration and assessment moving forward.

More detailed guidance and training materials relating to Pastoral Notes and chronologies can be accessed via the GIRFEC site [GIRFEC in East Lothian \(google.com\)](http://www.girfec.org.uk).

## 4. Staff Roles & Responsibilities

All staff working in education establishments have a key role in the support and protection of children and young people.

All East Lothian Council staff must be aware of and must follow, the Lothian Inter-agency Child Protection Procedures (2015).

In addition, all employees are expected to promote and adhere to all professional codes of practice that is relevant to their professional role for example:

- the General Teaching Council Scotland Code of Professionalism and Conduct [Professional Standards and Professional Learning - The General Teaching Council for Scotland \(gtcs.org.uk\)](http://www.gtcs.org.uk)
- the Scottish Social Service Council Code of Practice <http://www.sssc.uk.com/>
- the Health Care Professional Council Code of Conduct [Standards of conduct, performance and ethics | \(hcpc-uk.org\)](http://www.hcpc-uk.org)

The National Framework for Child Protection Learning and Development (2012) identifies three workforce groups, each of which requires different competences, knowledge and skills, based on the nature and extent of their contact (direct or indirect) with children, young people and other family members (and their consequent roles in relation to Child Protection). This policy outlines the responsibilities and training requirements for each group.

These groups are:

- i. General Contact Workforce
- ii. Specific Contact Workforce
- iii. Intensive Contact Workforce

The examples given for each workforce group should not be seen to be definitive, nor exhaustive, but only to give a general indication of the types of roles that might be covered. Staff should seek guidance from their line manager if they are unsure which workforce is relevant to their post.

It is the responsibility of Service Managers of each workforce group to consider the training needs of their staff and to highlight the processes for Child Protection and Safeguarding. It is essential that all visiting staff to schools understand the importance of safe working practices and Child Protection procedures.

It is the responsibility of Service Managers and Heads of Establishment to ensure that staff with whom they have line management responsibility have their mandatory Child Protection training up-to-date.



## General Contact Workforce

General Contact Workforce are those who, as part of their job, are likely to come into contact with children, young people and other family members. The frequency of the contact will vary, but these workers will not usually be involved in any in-depth personal work with them. However, these workers need to have the confidence and awareness to recognise when a child or young person may be in need of protection, and how to respond.

The general contact workforce include:

- Janitorial Staff
- Catering Staff
- Office Staff
- School Crossing Patrol Workers
- Maintenance Workforce
- Cleaning Staff/Facilities Management Staff
- School Transport Officers

The General Contact Workforce have the following responsibilities:

- have an understanding of the Inter-agency Child Protection Procedures Edinburgh and the Lothian's (2015) and know how to take immediate, appropriate action if required;
- complete the mandatory Public Protection, PREVENT and Child Protection 1 Learn Pro modules within a maximum of 4-weeks of commencing employment with East Lothian Council;
- complete the Child Protection 1 Learn Pro module thereafter every 2 years;
- be offered access to Child Protection training in August each year, as identified linked to their role, professional development needs or context of the school;
- be able to identify the Designated Member of Staff (DMS) for the educational establishment they are working;
- recognise concerns about children and young people and identify possible risks and signs of child abuse and neglect;
- effectively communicate / recognise, respond, record and report, any Child Protection or wellbeing concerns.

## Specific Contact Workforce

Specific Contact Workforce are those who carry out direct work with children, young people or other family members; form more in-depth relationships with them; and / or provide specific services to them. These workers may carry out regular work with a child, young person or adult (although this will not always be the case). Contact may take place in the home or another setting (e.g. an office, school, community facility etc.). It may involve one to one work, or work in a group. These workers may be asked to contribute to the risk assessment and risk management process and may be involved in providing ongoing support to some children, young people and other family members. These workers require the competences, knowledge and skills associated with the general contact workforce, and some additional competences, knowledge and skills to reflect the nature of their involvement with children, young people and their families.

The specific contact workforce include:

- Named Education Contact
- Teachers
- Additional Support Needs Auxiliaries
- Support Staff
- Youth Workers
- Educational Psychologists
- Instrumental Instructors
- Outdoor Education Staff
- Early Learning and Childcare Staff
- Active Schools Staff and Development Officers
- Behaviour Support Staff
- Quality Improvement Officers
- Education Support Officers
- East Lothian Works Staff And Partners

The Specific Contact Workforce have the following responsibilities:

- have an understanding of the Inter-agency Child Protection Procedures Edinburgh and the Lothian's (2015) and know how to take immediate, appropriate action if required;
- complete the mandatory Public Protection, PREVENT and Child Protection 1 Learn Pro modules within a maximum of 4-weeks of commencing employment with East Lothian Council;
- complete the Child Protection 1 & PREVENT Learn Pro modules thereafter every 2 years;
- complete chronology and pastoral notes training and refresh as required;
- be able to identify the Designated Member of Staff (DMS) for the educational establishment they are working;
- recognise concerns about children and young people and identify possible risks and signs of child abuse and neglect;
- effectively communicate / recognise, respond, record and report, any Child Protection or wellbeing concerns;
- to understand their roles and responsibilities and be able to take appropriate action in relation to interagency procedures;
- provide informed advice and support to others about Child Protection issues;
- attend an annual Child Protection update (in addition to the Learn Pro module) to develop understanding and awareness of different forms of abuse, contextual Safeguarding and emerging themes and risks relevant to Child Protection, Safeguarding and wellbeing.

## Intensive Contact Workforce

Intensive Contact Workforce are those who have specific designated responsibility for Child Protection as part of their role; and / or those who will be involved in undertaking Child Protection investigations or working with complex cases (e.g. providing particular forms of support relating directly to Child Protection).

The intensive contact workforce include:

- Designated Members Of Staff
- Lead Professionals
- Early Learning And Child Care Managers

The Intensive Contact Workforce have the following responsibilities:

- have an understanding of the Inter-agency Child Protection Procedures Edinburgh and the Lothian's (2015) and know how to take immediate, appropriate action if required;
- complete the mandatory Public Protection, PREVENT and Child Protection 1 Learn Pro modules within a maximum of 4-weeks of commencing employment with East Lothian Council;
- complete the Child Protection 1 & PREVENT Learn Pro modules thereafter every 2 years;
- complete "Child Protection Risk Assessment and Processes" (Level 2) and refresh this every 3 years, or in line with change of policy or changing needs of the service. This training is essential prior to becoming DMS;
- undertake additional training to support knowledge and understanding of current Child Protection and Safeguarding trends, in order to support staff and children and young people
- be able to identify all staff who have completed "Child Protection Risk Assessment and Processes" (Level 2) and could deputise for DMS for the educational establishment they are working;
- recognise concerns about children and young people and identify possible risks and signs of child abuse and neglect;
- effectively communicate / recognise, respond, record and report, any Child Protection or wellbeing concerns;
- to understand their roles and responsibilities and be able to take appropriate action in relation to interagency procedures;
- provide informed advice and support to others about Child Protection issues;
- attend an annual Child Protection update (in addition to the Learn Pro module) to develop understanding and awareness of different forms of abuse, contextual safeguarding and emerging themes and risks relevant to Child Protection, Safeguarding and wellbeing;
- deliver additional annual training to their school community to ensure compliance of our duties and responsibilities for Child Protection and Safeguarding;
- ensure that appropriate emergency action is taken to protect a child or young person
- initiate and participate in a Child Protection enquiry with other relevant workers, including an initial / inter-agency referral discussion;
- provide informed advice and support to others about Child Protection issues;
- engage, communicate, observe and work effectively with children, young people and their families and with children, young people and their families in specific circumstances (e.g. affected by substance misuse, domestic abuse and other factors identified above);
- ensure that all wellbeing concerns are recorded according to East Lothian Council policy and initiate child planning meetings to address issues of well-being, if a Child Protection multi agency response is not required;
- understand their roles and responsibilities in regards to East Lothian Council whistleblowing policy.

## Named Education Contact

Every child or young person attending an East Lothian educational establishment has a Named Education Contact. From birth to beginning primary education, the named person for all children is usually their Health Visitor or Family Nurse. Health Visitors responsibilities include the Named Person role and function.

A Named Education Contact will be allocated at entry to an educational establishment. For some children this will be from age two. For primary school aged children the named education contact will be a member of the school Senior Leadership Team (SLT): either a Depute Head Teacher or Head Teacher. For young people in secondary schools this will be either their Guidance Teacher or Depute Head Teacher.

The Named Education Contact acts as a point of contact for children, young people, families, school staff and other agencies who have wellbeing or safeguarding concerns about a child or young person. They also promote, support and safeguard the wellbeing of children and young people.

The Named Educational Contact will promote effective communication with partner agencies, as appropriate and proportionate, in order to promote children and young people's protection, safeguarding, well-being and safety.

## Head Teachers

The Head Teacher for each school is ultimately responsible for ensuring Child Protection and Safeguarding policy and procedures are in place.

Role and Responsibilities of the Head Teacher:

- appoint a DMS and ensure this is displayed prominently throughout the school for all stakeholders and visitors to access when within the school community;
- ensure that, where possible more than one member of the Senior Leadership Team has completed "Child Protection Risk Assessment and Processes" (Level 2) training in order to cover in absence of DMS;
- ensure DMS staff and Child Protection procedures are shared with all visiting staff, partner agencies and visitors to the school;
- review with all staff the authority's policies and procedures on Child Protection, Safeguarding, care and welfare;
- ensure training for all staff on Child Protection is given appropriate priority;
- ensure staff understand their roles and responsibilities within East Lothian Council; Whistleblowing Policy, including the process should their concerns be in relation to the DMS or Senior Leadership Team;
- ensure recruitment and induction procedures give due regard to Child Protection;
- ensure all adults working within schools understand the schools processes and their responsibilities for Child Protection and Safeguarding;
- ensure that appropriate emergency action is taken to protect a child or young person;
- ensure support and debriefing for staff involved in Child Protection cases;

- ensure that children and young people know how to access support when concerned about themselves or another young people, and feel able to make a complaint against school practice and procedures;
- ensure staff understand their roles and responsibilities within East Lothian Council [Management Arrangement for lone working | East Lothian Intranet](#);
- ensure that the curriculum effectively promotes safeguarding and wellbeing across all stages, is accessible and appropriately differentiated for pupils with ASN;
- maintain an overview of any information, as well as contributing to an appropriate chronology received by DMS, decisions on recording and referral, liaison with core agencies during investigation, proceedings and actions planning to support our children;
- ensure that contact with partner agencies and other services used by the school reflect appropriate consideration of care and welfare and Child Protection;
- ensure that as an essential part of the Professional Review and Development process, Child Protection and other mandatory modules are discussed and the date of the training is current and recorded;
- ensure staff understand and use appropriate record keeping in line with Records Keeping and Information Storage for Child Protection and well-being concerns;
- ensure parents and carers understand how we record and store information;
- the establishment handbook should contain clear information for parents on the role of education staff in reporting Child Protection concerns;
- East Lothian Council Child Protection and Safeguarding Checklist (Appendix 4) should be completed by new staff, students and newly qualified teachers;
- complete an annual self- evaluation for 2.1, as well as scorecard summary, demonstrating staff have adhered to their contractual obligations and return as an appendix to the School Improvement Plan.

## Designated Member of Staff for Child Protection

Every school will have at least one Child Protection Lead Co-ordinator who is given the title Designated Member of Staff for Child Protection (DMS).

The DMS will be the first point of contact for all staff, families and partners for Child Protection matters and there should be clear understanding for delegation of this role if the Designated Member of Staff is unavailable.

Role and Responsibilities of the DMS:

- ensure the name, contact details and photo(s) of the DMS is clearly displayed throughout the educational establishment;
- ensure arrangements for making a wellbeing or Child Protection concern are well publicised and understood by staff, pupils, families and partners;
- ensure all staff, pupils, families and partners are aware of their responsibilities in relation to Child Protection and Safeguarding;

- put in place a robust induction process in terms of Child Protection and Safeguarding for new staff, students, volunteers and 3<sup>rd</sup> sector partners to the school (see Appendix 4);
- be the first point of contact for staff who have a Child Protection concern;
- follow Child Protection Inter-agency Child Protection Procedures for Edinburgh and the Lothian's, procedures without delay and ensure they are available as a matter of priority to the Inter-agency Referral Discussion (IRD) process in case further information is needed to clarify the decision making process of the IRD;
- ensure that appropriate emergency action is taken to protect a child or young person;
- liaise with core agency staff to support investigations, court proceedings, Child Protection planning meeting, core groups, supervision requirements and case reviews;
- ensure appropriate support to pupils and parents affected by Child Protection
- put in place support for staff affected by a Child Protection concern;
- contribute to appropriate assessment, including the assessment of risk of harm, and assessment of children and young people affected by specific issues or in specific circumstances;
- contribute to a Child Protection Learning Review if required;
- contribute to the development and delivery of an Interim Safety Plan (ISP) as appropriate and to a child's Child Protection Plan and attend relevant meetings;
- undertake appropriate action in conjunction with the Head of Education when there are concerns or allegations of a Child Protection nature made against a member of staff;
- arrange and deliver a Child Protection and Safeguarding update to all staff during the August in-service day to ensure all staff understand their roles and responsibilities as outlined in this policy and are confident in carrying out their responsibilities for Child Protection and Safeguarding;
- ensure appropriate record keeping in line with Record Keeping and Information Storage Policy
- ensure that there are appropriate systems in place to provide an overview of the number and nature of cause for concerns raised, initial referral discussions, Children Protection Planning Meetings and Child Protection Registrations (CPR);
- review school procedures on a regular basis to ensure compliance with national legislation and local authority policies and guidance.

## Volunteers and Partners

It is important that volunteers and partners who are in contact with children have the confidence and awareness to recognise when a child or young person may be in need of protection and how to respond appropriately.

On entering an educational establishment, Office Staff must:

- ensure all visitors are asked to sign in and out of the building, as well as ensuring they are allocated a visitor's badge
- highlight the Child Protection poster outlining DMS details
- share any Health and Safety information such as arrangements for fire evacuations and fire alarms

Volunteers should be supervised at all times whilst working with children.

If volunteers are working in schools on a regular basis a PVG must be in place advance of this work commencing.

Accompanying adults who volunteer to participate in offsite visits are deemed as carrying out regulated work (Chapter 2 of the Disclosure Scotland guidance) and are required to have PVG in place prior to the excursion.

## Supply Staff

Supply Staff will complete Child Protection 1 Learn Pro module and provide a copy of their certificate to the Education Principal Officer Staffing prior to being added to the supply list.

Supply Staff have a responsibility to ensure they seek opportunities to attend the annual August specific workforce training, which is taking place across East Lothian schools and Early Learning and Child Care settings.

Supply Staff should ensure when arriving at any school they locate and read the Child Protection poster providing details of the establishments DMS.

## 5. Code of Conduct for Staff

East Lothian Council expects all employees to maintain official and professional conduct of the highest standard such that public confidence in their integrity is sustained. Council employees are required to comply with the Code of Conduct policy (2020) [Code of Conduct Policy Final 060420 \(1\).pdf](#) in the performance of their duties to ensure that these principles are upheld and that the public can have confidence that actions and decisions by council employees have been taken on merit in the best interests of the council and of the public.

Staff are responsible for their own actions and behaviour and should avoid any conduct which would lead any reasonable person to question their motivation and intentions. Staff must avoid inappropriate contact or relationships, maintaining appropriate professional boundaries at all times. Staff professional expectations and code of code is describe within their continued registration within the relevant professional body.

Where there is a legitimate need to hold contact details for children and young people, these details should be stored and used appropriately and solely for legitimate professional purposes.

It is never appropriate to hold children and young people's mobile phone numbers and/or e-mail addresses on personal devices.

Where a private tutoring arrangement exists, this must be declared in line with the secondary employment provisions outlined in the East Lothian Council Code of Conduct (2020).

## Child Protection Allegations against Staff

Child Protection allegations against staff must be taken seriously. Allegations may be made against members of staff currently involved with children, but may also be made against staff who are no longer involved in the provision of services. In all circumstances, the matter must be treated seriously and the response must be prompt. All allegations against staff must be dealt with transparently, but with considerable sensitivity to the management of information.

Advice should be sought from HR if there are concerns around contractors, escorts or other staff who may be indirectly employed by East Lothian Council.

Child Protection allegations towards children and young people by staff should be reported to the DMS immediately who will follow the procedures as per [Inter-agency Child Protection Procedures - Edinburgh the Lothians Oct 2015.pdf \(emppc.org.uk\)](#).

- It is essential that the DMS gathers the relevant information in relation to the allegation, using the same open questioning used for children and young people, asking for more detail where possible. As per the Interagency Procedures, the allegation must be reported to one of the core agencies immediately. Where appropriate, DMS will liaise with the HT and the Head of Education.
- In all instances, the Head Teacher or DMS should prioritise the protection of the child or young person by taking immediate steps to remove contact between the staff member and the child/young person.
- If the allegation concerns the DMS, the staff member whom the allegation has been disclosed to, should gather the relevant information and report directly to one of the core agencies immediately.
- The staff member subject of the allegation will not be interviewed concerning the matter prior to a decision being made at inter-agency referral discussion, as to whether the matter warrants a Child Protection investigation.
- In all circumstance of staff allegations, the police investigation and inter-agency referral discussion must be concluded before an Education investigation may be undertaken.
- Further advice should be sought from HR regarding decisions to suspend the member of staff pending the IRD and internal investigation.

## Whistleblowing

If any employee is seen to behave inappropriately with a child or young person it is important that it is not ignored. If there is a concern about the immediate safety of a child or young person then Child Protection procedures should be followed. Staff must report any concerns to their Line Manager or the DMS in school immediately. They then should notify and seek immediate support from the Head of Education or a member of the Education Service Management team.

Staff are able to report concerns about colleagues in good faith and without fear of repercussion via the Council Whistleblowing Policy although this should not delay an immediate action that maybe require.



The policy provides clear instructions on how matters can be dealt with thoroughly, discreetly and in a confidential way [Whistleblowing Policy | East Lothian Intranet](#).

If the allegation concerns the DMS, the staff member should gather the relevant information and report directly to one of the core agencies immediately.

East Lothian Council is committed to good practice and high standards and will be supportive of any staff who raise a genuine concern. The Council recognises that the decision to raise a concern can be a difficult one to make and will protect an employee who raises a genuine concern if they honestly and reasonably believe that what they are reporting is true and they believe that their disclosure is in the public interest.

## 6. Safeguarding

Safeguarding is a much wider concept than Child Protection and promotes preventative action to improve the wellbeing of every child and young person.

Safeguarding in the widest sense aims to support the development of a pupil's knowledge, skills and resilience to keep safe and protect themselves. Children and young people need to develop an understanding of the world so that they can respond to a range of issues and potential risky situations arising throughout their lives. As such, safeguarding permeates many features of the education experience including leadership, values, vision and the curriculum.

Establishments with effective safeguarding practices will:

- ensure that the holistic wellbeing of all children and young people is integral to everything that they do;
- develop and implement safeguarding practices with clear responsibilities and expectations for all staff;
- ensure their curriculum promotes safeguarding and wellbeing at all stages within the context of the school;
- ensure that the Relationship and Sexual Health and Parenting programme is central to the Health and Wellbeing curriculum;
- ensure that all pupils access their entitlement to a Health and Wellbeing curriculum, including those on an alternative education pathway (e.g. school-college partnership);
- ensure that the Relationship and Sexual Health and Parenting programme is differentiated and adapted for pupils with additional support needs especially those with more complex needs and disabilities;
- focus on developing positive relationships and a whole school ethos where children and young people, families and community partners feel included, respected, safe and secure;
- implement the *"Respect for All: A Positive Approach to Prevent Bullying"* policy including recording procedures;
- ensure equality and diversity by listening to, respecting and responding to children and young people;

- ensure effective communication with partners, in order to ensure collegiate responsibility for, the health and wellbeing of children and young people;
- ensure all staff understand their collective responsibility for all children and young people's mental, social and emotional wellbeing, as outlined in Health and Wellbeing, Responsibility of All;
- promote pupil voice and participation to develop pupil pathways to seek support for their own and peer wellbeing;
- ensure the safety and welfare of children and young people is considered through self-evaluation processes;
- equip learners with the knowledge, skills and ability to think for themselves and endeavour to keep themselves safe;
- inform learners where and how they can access relevant support;
- create a supportive ethos in which children and young people feel able to make a complaint and be confident their views will be listened to and acted on;
- promote learning about different faiths and cultures.

## 7. Factors to Consider in Safeguarding

There are a number of factors staff should take into consideration when considering the safeguarding of children and young people which are outlined below and detailed further within National Guidance for Child Protection in Scotland (2021)

### Child Sexual Exploitation (CSE)

Child Sexual Exploitation is a form of child sexual abuse in which a person(s), of any age takes advantage of a power imbalance to force or entice a child into engaging in sexual activity in return for something received by the child and/or those perpetrating or facilitating the abuse. As with other forms of child sexual abuse, the presence of perceived consent does not undermine the abusive nature of the act.

Child Sexual Exploitation can occur through the use of technology and without the child's immediate recognition. The sexual exploitation of children and young people is an often hidden form of child sexual abuse, with distinctive elements of exploitation and exchange. This may take place within an apparently consensual relationship.

In all cases, those exploiting the child or young person have power over them by virtue of their age, gender, intellect, physical strength and/or economic or other resources. Violence, coercion and intimidation are often common features, with involvement in exploitative relationships being characterised in the main by the child/young person's limited availability of choice resulting from their social, economic and/or emotional vulnerability.

Staff should consider:

- age

- gender
- power imbalance
- Additional Support Needs
- vulnerabilities- social, economic and emotional
- was there coercion and/ or manipulation
- access to or promise of material possessions and other entities (food, alcohol gifts etc.)
- if the child/young person going missing for periods of time or been reported to be missing
- if the child/young person is accessing and using substances and / or alcohol

## Child Criminal Exploitation (CCE)

Child Criminal Exploitation occurs where an individual or group takes advantage of an imbalance of power to coerce, control, manipulate or deceive a child into any criminal activity, in exchange for something the victim needs or wants, for the financial or other advantage of the perpetrator or facilitator, or through violence or the threat of violence.

Child Criminal Exploitation can be within our communities but can also be a factor within families. The victim may have been criminally exploited, even if the activity appears consensual.

Child Criminal Exploitation does not always involve physical contact – it can also occur through the use of technology.

Staff should consider:

- Has the child or young person attendance changed?
- Has the child or young person friendship group changed?
- Have they come to the attention of the police?
- Have their behaviours and presentation changed?
- Are they using alcohol or drugs?
- Have they become more violent?
- Do they have unexplained injuries?
- Are there other vulnerabilities to consider?
- Do they have access to more funds?
- Have they gone missing or been reported missing?

## Children with Additional Support Needs

Children and young people with a broad range of physical, emotional, developmental, learning, communication and healthcare may be additionally vulnerable to abuse and neglect. Children with Additional Support Needs are 3 to 4 times more likely to be abused than non-disabled children. Disclosing abuse can be more difficult for children and young people who have a wide range of communication styles, and this can be more problematic if a perpetrator is also in a trusted role.

Protecting disabled children and young people is a shared responsibility for all involved, requiring close collaboration between Education and Health as well as specialist practitioners, those leading Child Protection investigation, and parents or carers and advocacy services, as relevant in each situation. Their dependency on parents, carers and service providers for practical assistance in daily living, including intimate personal care, increases their risk of exposure to abusive behaviour.

Staff should:

- consider the impact of any disability for a child or young person within Child Protection processes;
- ensure staff understand pupil's communication needs in terms of needing support or protection from harm;
- understand the family context and note any significant changes;
- ensure staff are aware of each child and young person's physical needs;
- ensure staff feel confident and are curious in exploring Child Protection, Safeguarding and wellbeing concerns;
- ensure effective recording of any changes in presentation;
- provide access to specific assistance and communication support where requires to allow pupils to share their experience and participate. Some children have profound difficulties in communicating their experience and require special consideration to ensure attunement to their experience, and attention to ensure their wellbeing and safety;
- ensure the Child's Plan is a holistic assessment of their needs and that triggers and any self-harm/ injury as identified at a Child Planning Meeting or from a health colleagues are recorded;
- keep effective accurate and up to date chronologies, using latest significant events within Pastoral Notes;
- ensure all children and young people have access to sex education and personal and social development, as appropriate to their needs.

Staff should consider:

- changes in the child or young person's behaviour or reactions;
- changes in the child or young person's health and intimate care need;
- changes in the child or young person's emotional needs e.g. increase in crisis? Withdrawn?
- if there is a pattern emerging regarding concerns;
- signs of neglect over time;
- if the child or young person is socially isolated;
- if there an unexplained injury or a pattern of explained injuries;
- additional stressors at home.

In cases where a child or young person has complex communication needs, staff must not assume that an investigation cannot take place without a disclosure.

## Domestic Abuse

When thinking about the consequences of domestic abuse, it is important to consider the mental, emotional, physical, social and financial impact on the individual and the family.

Staff must ensure where there is knowledge or suspicion of domestic abuse that:

- they deal with every situation sensitively and confidentially;
- they take account of all circumstances when dealing with domestic abuse and violence;
- all staff understand that any change in behaviour could be linked to domestic abuse and consider the psychological and developmental effects on the child or young person, who may be experiencing conflicting emotions;
- they take into account arrangements for parental consultations, child planning meetings or school events, considering risk, stressors and potential triggers;
- make alternative arrangements where possible to ensure parental rights are upheld but arrangements are in the best interests of the safety of the family;
- ensure staff understand all types of domestic abuse and the impact this has on children and young people, even if not directly witnessed by them;
- support all staff to consider their choice and use of language when dealing with children, young people and wider family to provide the support they need;
- take advice from the Council's legal team, other agencies and partners in light of a subject access request to ensure the safety of the family;
- contribute and implement safety planning, including risk assessments for the children, young people;
- consider domestic abuse as part of a holistic assessment taking into consideration police reports and the impact on the family, in particular if the perpetrator remains part of the family home;
- be mindful of challenging circumstances of the survivor that may impact on their ability to participate fully and maintain positive relationships within the school environment.

## Online Safety and Technology

Technology is becoming increasingly intertwined in the everyday lives of children and young people, with less distinction being made between the online and offline worlds (*National Action Plan on Internet Safety for Children and Young People, 2017*). This brings a distinct set of challenges with regards to Child Protection and safety of children and young people.

Schools should ensure they follow RSHP and access other appropriate resources, in order to ensure internet safety is both a spiral curriculum and responsive to the need of all their children and young people.

The curriculum should include discussion about the strategies to deal with the following topics:

- exposure to obscene, violent or distressing material;
- bullying, coercion or intimidation through email and online bullying (cyberbullying);

- identity theft and abuse of personal information;
- pro-eating disorder, self-harm or suicide sites;
- internet enabled sexual offending, including grooming, possession and exchange of indecent abusive images and non- consensual sharing of images (*this can be referred to as technology assisted harmful or problematic behaviour*);
- exploitation such as radicalisation, sexual or criminal.

School must ensure:

- every child and young person has an age appropriate and evolving understanding of the opportunities and risk which exist in the online world;
- there is a coherent and progressive and differentiated curriculum, appropriate to age and stage of development that revisits key messages from 3- 18 teaching about online behaviour and relationships;
- children and young people have the skills, knowledge to identify the variety of risks within social and digital media and know how and where to seek support;
- they support children and young people develop strategies in keeping themselves safe, emotional, physically sexually and criminally;
- children and young people know how to access support and know how to report bullying or abuse;
- children and young people understand the legal, moral and emotional consequences of online bullying, coercion or intimidation;
- they help children and young people understand the implications and potential criminality of displaying bullying behaviour and/or images via social media or electronic communication;
- they provide training and support to children and young people on what to do if they experience bullying behaviour online;
- children and young people understand taking, possessing, distribution or sharing sexualised and indecent images of any person under the age of 18 is a criminal offence;
- all children and young people know how to take precautions that can be taken to ensure digital safety;
- children and young people can identify risk associated with the internet in terms of child sexual exploitation.

## 8. Safeguarding in and beyond the Health and Wellbeing Curriculum

All staff have a collective responsibility for all children and young people’s mental, social, emotional and physical wellbeing as outlined in Health and Wellbeing Responsibility of All.

Safeguarding should be embedded and evident within a school’s Health and Wellbeing Curriculum. The curriculum should supports learners’ knowledge, skills and resilience to keep themselves safe, protect

themselves and develop an understanding of the world so they can develop suitable responses to a range of issues and potentially risky situations that may arise in their lives.

The Health and Wellbeing Curriculum includes the following organisers:

- Mental, emotional, social and physical wellbeing
  - Prejudice, bullying and discrimination
  - Positive relationships
  - Mental wellbeing and coping skills ( mental health)
- Planning for choices and changes
  - Informed choices
- Physical Education, physical activity and sport
- Food and Health
- Substance Misuse
- Relationships, Sexual Health and Parenthood
  - Consent, privacy, different types of abuse ( including Violence against Women and Girls) and safety
  - Positive relationship
  - Online safety and technology assisted harmful sexual behaviour
  - Sexual health

All schools in East Lothian must follow the Relationships, Sexual Health and Parenthood (RHSP) Curriculum as the core Personal and Social Education and the Health & Wellbeing Curriculum [Home - RSHP](#)

Schools must ensure:

- all pupils access their entitlement to a Health and Wellbeing curriculum, including those on an alternative education pathway (e.g. school-college partnership);
- all staff understand their collective responsibility for all children and young people mental, social and emotional wellbeing as outlined in Health and Wellbeing Responsibility of All;
- ensure that the Relationship and Sexual Health and Parenting (RSHP) programme is central to the Health and Well-being & PSE curriculum from Early through to senior phase inclusively;
- ensure RHSP is differentiated and adapted for pupils with additional support needs especially those with more complex needs and disabilities;
- ensure their curriculum promotes safeguarding and wellbeing for all stages within the context of the school;
- promote pupil voice and participation to develop pupil pathways to seek support for their own and peer well-being.

Secondary schools must ensure:

- that safeguarding topics are mapped out across different subject areas to ensure safeguarding is the responsibility of all;
- that HWB/ PSE and guidance teachers are not solely responsible for delivering a series of lessons but that linking online safety , child exploitation, grooming and radicalisation to IT , as well as

exploring interdisciplinary learning for this e.g. RME, history , modern studies reflects the risks and safeguarding measures in appropriate and varied contexts.

The Scottish Catholic Education Service advice that RSHP can be used to support the delivery of HWB lessons in denominational schools, noting it can be a useful tool to help teachers plan and deliver RSHP lessons in line with Curriculum for Excellence, within the wider context of Church teaching and the culture and ethos of individual schools.

## Under Age Sexual Activity

Healthy relationships and consent have been developed as part of supporting positive relationships and sexual wellbeing in young people. Relationships should be mutually respectful, consensual, positive, healthy and enjoyable.

The law continues to make clear that society does not encourage sexual intercourse in young people under 16 years of age. It does not follow that every case has Child Protection concerns and it is important to ensure that a proportionate response is made and that only appropriate cases are brought to the attention of social work and the police.

Even if there are no Child Protection concerns, the young person may still have worries or be in need of support in relation to their sexual development and relationships, which will require to be addressed either on a single agency or multiagency basis.

Schools must support the development of a positive culture around relationships and sexual health in which young people are supported to build healthy, respectful, consensual and enjoyable relationships.

Any young person under the age of 13 years who is engaged in sexual activity will automatically be considered within a Child Protection Inter-Agency Referral Discussion. Schools must report this immediately to one of the core agencies, discretion and professional judgement will be used to identify the most appropriate agency.

Schools must ensure that:

- a proportionate response is made and that only appropriate cases are brought to the attention of social work and the police;
- they ask open questions and listen to the views and rights of the young person;
- reflect back to the young person what they have said to check their understanding;
- seek feedback from young people in your area on the terms they use to describe sexual activity and use if appropriate;
- establish consent, in order to establish if this was a mutual process or if other factors need to be considered (verbal, non- verbal, coercion, power imbalance, capability etc.);
- they offer access to and signpost to appropriate information, advice and services e.g. health support and other agencies;
- they work with the young person to share the information with their parents and guardians;
- they support the young person in reporting.

Child Protection measures must be instigated if:



- the young child, is or believed to be, sexually active and is 12 or under;
- the older child is 13 or over but sexual activity took place when they were 12 or under;
- information suggests the any older child has been forced or enticed to take part in sexual activities (sexual abuse including Child Sexual Exploitation).

In these particular cases, DMS or trusted adult need to establish as much information of possibly, taking cognisance of:

- ages of the parties involved
- any ASN, power imbalance or vulnerabilities
- consent, coercion or aggression
- any substance misuse

It is vital that advice is sought and the DMS support the young person to speak to their parents, whilst respect the rights of the child within UNCRC. As within the guidance from the IRD process, the young person over 13 will need to give consent to take part in a joint interview in order for this to progress.

It is vital that any immediate medical or emotional needs are met and that a range of supports are shared with the young person both in school and from other services.

## Harmful Sexual Behaviour (HSB)

Whilst sexualised behaviour can be a natural healthy part of growing up, some children and young people may develop inappropriate and problematic habits, or display sexually harmful behaviour. Other children may be victims of harmful sexual behaviour.

There is a range of common and healthy sexual behaviours at ages from early years to young adulthood. When a child or young person behaves in ways considered to be outside this range, their behaviour may be called 'harmful' because it is harmful to themselves or others.

Distinguishing between appropriate non-abusive behaviour and inappropriate or abusive behaviour can be a complex task that requires practitioners to have an understanding of what is healthy and informed consent and what is abusive or coercive behaviour

In the first instance, for the safeguarding and protection of the child or young person, schools must consider:

- the safety of the child;
- the child's age and detail of the sexual activity;
- patterns of behaviour or sexual activity whilst acknowledging the young person's rights and confidentiality;
- the categories within the continuum (Normal, inappropriate, problematic, abusive, violent) as outlined in [Beyond Referrals: Levers for addressing harmful sexual behaviour in schools](https://www.education.gov.scot/nr/rdonlyres/30000000-0000-4000-9000-000000000000/1/1/Beyond-Referrals-Levers-for-addressing-harmful-sexual-behaviour-in-schools.pdf) ([education.gov.scot](https://www.education.gov.scot))

- whether a multi- agency discussion is required via the Child Sexual Exploitation framework [EMPPC - Inter-agency Guidance on Child Sexual Exploitation - 23-03-16 v1.pdf](#)

To support good practice, schools should:

- consider whole staff training in terms of awareness and understanding of healthy sexual relationships and the continuum of sexual behaviours ranging for normal, experimental and expected behaviours that occur at different stages in childhood;
- increase staff awareness and understanding of inappropriate or problematic harmful behaviours;
- ensure any concerns are recorded on pastoral notes, monitored and analysed at individual and whole school level to establish patterns or escalation of behaviours;
- seek further advice from other agencies to support staff, young people and if appropriate their families;
- support children and young people in keeping themselves safe, including safety planning see [Helping education settings identify and respond to concerns - CSA Centre](#);
- signpost children, young people and their families to support from health services and other agencies;
- create a safe environment to ensure our Safeguarding curriculum is explicitly taught in respect of Child Sexual Exploitation, grooming, pornography and sexual abuse.

## Vulnerable Young Person Protocol (VYPP)

In most cases Child Protection or Safeguarding issues will be recorded and addressed within the Child's Planning framework or other statutory measures (e.g. compulsory supervision measures). However, in a small number cases where this level of planning is not managing the risk of harm to themselves or others the Vulnerable Young Person Protocol (VYPP) should be instigated.

VYPP is intended to give guidance and a structured framework around the multi-agency assessment, planning and decision making for a small group of young people under the age of 21 to reduce risk of significant harm to themselves or others.

The VYPP is intended to complement the existing Child Protection procedures. It aims to reduce the risk of harm to the young person or others, undertake a multi-agency risk assessment and produce a Vulnerable Young Person Plan (that may include Care and Risk Management (CARM) planning).

Referral criteria and the VYPP process can be found here [EMPPC - Inter-agency Vulnerable Young Persons Protocol - 2-08-18 v2.2.pdf](#)

Anyone who is concerned about the high risk behaviours of a young person should contact Duty Social Work.

## 9. Safeguarding Procedures

There are a number of key procedures that school must have in place to ensure the Safeguarding of children and young people.

## Attendance

The importance of promoting good attendance at school is highlighted by concerns about the safety and wellbeing of children who are not at school. Child Protection is of paramount importance and absence from school may indicate a child is at risk.

Schools must:

- have clear and consistently applied measures for following up on unexplained absence and staff understand absence from school is a potential safeguarding risk and understand their role and responsibility in keeping learners safe;
- ensure that they follow “*A Positive Approach to Promoting School Attendance*” policy. The policy outlines timescales and expectations around Child Planning meetings and referrals to Children services or the Children’s Reporter (SCRA).

*This section should also be read in conjunction with the sections below: Children Missing from Education and Children missing during the school day*

- Ensure correct SEEMiS codes are recorded as accurately as possible. It is important where there are school refusers, and/or alternative arrangements for young people that during the CPM process it is agreed that regular contact by the Named Educational Contact will take place and that each time contact or attempted contact is made, this is recorded within pastoral notes. It is important to note any reasons or decisions for any subsequent actions as a result of this safeguarding process.
- Consider referrals to other agencies to support the safety and wellbeing of children and young people, as well as accessing interventions to support families.

## Child Concern Reports (Vulnerable People Database)

If a Police Scotland Officer attends an incident where children or young people are present and they may be affected by the behaviour of adults or, have committed an offence they record and produce a Police Concern Form, named a VPD. If appropriate and in line with legal frameworks, Police Scotland will share the VPD with other agencies including Education staff.

Schools must:

- ensure VPDs are stored securely on the server as per VPD guidance issued to schools & the Record Keeping and Information Storage guidance;
- in cases of Youth Offending, ensure they respond to the request for information as this will influence the multi- agency discussion and disposal decision.

Youth offending cases are taken forward to the multi-agency Early and Effective Intervention Group (EEI) who have a role to:

- consider the wellbeing needs of each referred child or young person;
- provide a multi-agency forum to discuss and agree suitable supports and interventions;
- to promote a rights respecting, strengths based and inclusive approach;

- balance the need for care and protection with risk and public safety;
- promote early intervention to improve outcomes for children, young people and families.

## Children Missing from Education

Details regarding Children Missing from Education can be found in section 3.8 of “*A Positive Approach to Promoting School Attendance*” policy [East Lothian EduHub - Local Policies \(google.com\)](#)

Key points:

- In all cases when a child or young person’s absence is unexplained and there are associated Child Protection concerns, schools must initiate Child Protection procedures without delay.
- If a child or young person with significant health needs and whom requires daily medication (except medication for ADHD or Melatonin) is missing for more than 6 hours, schools must initiate Child Protection procedures without delay and report to Police Scotland.
- Schools should use the SEEMiS group call function and contact the emergency contacts on the first two days of an unexplained absence to ascertain the reason for it. On the third day, if no contact has been made with the child or young person’s parent, the school should report the child missing to the social work contact centre by 11am on 01875 824 309.
- Based on the Named Education Contact’s knowledge of the child or young person and their family circumstances, within 4 weeks of the child or young person’s last day at school, a referral to Children Missing from Education Service should be made to [cme.scotland@gov.uk](mailto:cme.scotland@gov.uk).

## School Exclusion

Details regarding the policy and procedures of school exclusion can be found in “*Preventing and Managing School Exclusions*” policy (2023) [East Lothian EduHub - Local Policies \(google.com\)](#)

With regards to safeguarding specific consideration must be given when considering the exclusion of a child or young person who is on a Compulsory Supervision Order, on the Child Protection Register or for whom there are current or previous Child Protection concerns.

Staff must discuss any potential decision to exclude with the DMS and the designated Social Worker and Lead Professional (if different) to allow for a full consideration of individual circumstances to take place. This must be done before the decision to exclude is made. It is good practice to inform the Education Support Officer for Care Experienced Children and Young People of the decision to exclude.

## Fire Safety and First Aid

Safe schools are needed to protect children, young people, staff and the wider school community from unnecessary harm. Clear consideration and planning for possibilities of harm are key in ensuring a greater sense of safety. Training and having clear planning around fire evacuation can significantly reduce the risk of harm or damage. First aid is a vital tool that helps ensure that whenever an accident

occurs, it is immediately dealt with. The goal of first aid is to quickly respond to an accident and make sure that there are minimal injuries.

The head teacher must ensure they follow and adhere to the detail within ELC Health and Safety policy, in particular in relation to:

- Health and safety prevention
- emergency and planned evacuation procedures
- recording and reporting:
- relevant training requirements
- first aid requirements

The head of establishment must have procedures in place to ensure that:

- all visitors sign in and out of the building and receive a visitors badge
- all visitors know the fire evacuation procedures and are aware of any planned testing that may take place during their visit
- all staff understand their roles and responsibilities in keeping children, young people and themselves safe

## Intimate Personal Care

Children and young people who need intimate personal care are entitled to high quality care and support tailored towards their particular needs and choices.

Schools must ensure that:

- they seek written permission from parents to provide intimate personal care and retain this information within individual pupil records;
- every child or young person who requires regular intimate personal care have a detailed care plan in place;
- where intimate personal care is required and a plan is not in place, they contact the parent to make them aware that their child has been supported in this way and discuss whether an ongoing care plan should be considered;
- for all intimate personal care, whether a care plan is in place or not records are kept;
- Any issues or concerns arise during the care process, are reported to a senior member of staff immediately.

## Mental Health, Self-Harm and Suicide

Children and young people can experience a range of mental health issues that impact on the ability to keep them safe.

Schools should:

- prominently display and make reference to the mental health posters providing advice and details of how to access the Mental Health Information Point across the school so that children, young people and families know how to access support independently;
- record and note Wellbeing Concerns and share these as required with parents and partners agencies ;
- engage in the Child Planning Process and seek requests for support from other agencies as appropriate;
- seek support from the Mental Health Youth Worker linked to their school if they have concerns for a child or young person who is self-harming or is talking about suicide.

If the child or young person requires immediate support, there are a number of options:

- call 999 in an emergency
- contact parents and ask them to seek immediate support from their GP
- contact CAMHS for a Professional Consultation 12:30-13:30 daily on 07580 788090

Schools should seek support in accessing training, resources and advice regarding self-harm and suicide via the Mental Health and Wellbeing Team.

## Missing During School Day

Recording of attendance should take place at least twice a day to enable the school to note attendance and absence for each morning and afternoon session.

Some secondary schools have opted for attendance monitoring to take place in every lesson. This can provide useful management information, helping schools to monitor and manage absences effectively.

Schools must ensure that:

- attendance and absence are recorded;
- information is used to inform immediate follow-up action which involves contacting the parents via Group Call in the first instance and their emergency contacts;
- if a child goes missing during a school day, daily absence protocol is followed in the first instance;
- if a child leaves school and staff fear they are at risk and cannot establish their whereabouts within a reasonable time frame, schools must contact the police;
- they consider the need for a risk assessment, a Child Planning Meeting and/or a Positive Support Plan if their absence likely to become a pattern of behaviour;
- they consider and assess individual vulnerabilities alongside additional risk factors such as Bullying, Care Experienced, LGBT, mental health, Child Sexual Exploitation, Child Criminal Exploitation when completing the risk assessment or as part of the Child Planning Meeting in understanding why a pupil is missing during the school day.

## Off Site Visits

Off site visits should be planned in accordance with the Scottish Framework for safe Practice in Off-site Visits. This Framework provides details regarding remote supervision, ratios, dynamic risk assessment, PVG checks and additional advice regarding Safeguarding. Further information can be found here [East Lothian EduHub - Residential Visits \(google.com\)](#)

In line with the Scottish Framework for Safe Practice in Off-site Visits, the Head of Establishment alongside the visit leader should ensure:

- appropriate Child Protection procedures are in place and appropriate risk assessments, including first aid arrangements, have been completed and proportionate safety measures are in place;
- accompanying adults who volunteer to accompany offsite visits are deemed as carrying out regulated work (Chapter 2 of the Disclosure Scotland guidance) and are required to have PVG in place prior to the excursion;
- parents will be issued with 2 forms to complete prior to an educational excursion in order for schools to ensure they have access to all information in order to undertake our extended Safeguarding duties away from home - this information must be GDPR compliant in terms of securely storing this information;
- Administration of Medication Guidance and associated paperwork must be adhered to, which would include any contingency planning needed for emergency arrangements.

With regards to residential excursions, the Local authority will have in place terms and conditions explaining the responsibilities and obligations as part of the contract.

## Photographs and Videos of Children and Young People

Schools must ensure permission is sought to ensure the safety and protection of all children and young people. This can be a vital part of keeping safe, particularly where non-disclosure of address or adoption is part of the context of the family.

Schools must ensure that:

- East Lothian consent form is issued to all parents of children under 12 years of age for written permission to use photos or video recordings of their child for the purpose of sharing, supporting and promoting their learning activities;
- when a child reaches age 12 or over they will be asked to sign their own consent form;
- the consent is renewed every 2 years.

## Recording Bullying

The recording and monitoring of bullying or alleged incidents within an educational establishment is essential and can provide valuable information on the scope and scale of the issue. This process is vital to be able to guide improvements in policy and practice, and inform anti-bullying interventions.

All schools must ensure that:

- they use SEEMiS Click & Go - *Recording and Monitoring Bullying Incidents in Schools*, to record all incidents of pupil-to-pupil and pupil-to-adult incidents of bullying;
- they use SPHERA to record all incidents of adult-to-adult and adult-to-pupil;
- they record all alleged incidents which should be investigated and concluded, even if unfounded;
- they consider patterns of behaviour and if further intervention is required either for the perpetrator or victim through wellbeing assessment process, risk assessment, Positive Support Plan.

Further information can be found in our policy 'Respect for All – A Positive Approach to Preventing Bullying' (2022).

## Storage and Procedures for Medicine in Schools

School staff have a legal duty to care for pupils, which means that they have an obligation to exercise a level of care towards an individual as is reasonable in all the circumstances, to avoid injury to that individual. This includes addressing healthcare needs. *The Handbook of Procedures for the Management of Pupils with Healthcare Needs in Educational Establishments* (December 2019) details the roles and responsibilities for staff with regards to healthcare needs.

Schools need to ensure:

- all medications are stored appropriately
- appropriate consent is sought and associated paperwork completed by parents and stored securely
- staff have access to relevant training and are able to refresh when needed to meet the needs of all children and young people
- the appropriate Health Plan is completed, reviewed and shared with appropriate staff

This guidance and accompanying appendices is updated regularly in conjunction with NHS Lothian. Therefore, schools should refer to the 'Guidance and Policies' section of *EduHub* to ensure they are using the most up-to-date information

## 10. Safeguarding of Staff

It is important to be aware that staff can be vulnerable to allegations therefore imperative that all staff understand safe working practices for themselves when working in a school environment with children and young people.

Staff must at all times:

- be responsible for their own actions and behaviour and should avoid any conduct which could lead any reasonable person to question their motivation and intentions;
- work in an open and transparent way;
- be proactive in assessing risk and raising any concerns with their line manager;



- discuss and take advice promptly about any incident which may give rise to concern;
- record incidents of concern;
- undertake relevant training and ensure mandatory e-learning is up to date;
- be aware of East Lothian Council's policy and procedures.

If any allegation is made against a member of staff it is important for a quick and effective investigation is completed to protect the health and wellbeing of the employee as well as the child or young person.

## Lone working / 1-1 working

Safety measures must be taken to reduce the risks to staff who engage in lone working or 1:1 working with children and young people to ensure they are able to undertake their duties safely.

It is the responsibility of Service Managers and Heads of Establishment to ensure:

- appropriate risk assessments are carried out taking into account the different levels of risk depending on circumstances, activities and environment of staff;
- that there is ongoing communication regarding changes that may affect the risk assessment or the mitigations needed to allow lone working or 1:1 working to be maintained safely;
- that they share information regarding the child or young person e.g. individual risk assessments, positive support plans or any changes to their circumstances such as youth offending that may require the risk assessment or lone working practices to be adapted.

It is the responsibility of the individual employee to:

- raise any concerns or any changes to their working practices or environment;
- to read and seek information that supports risk assessment planning for themselves and/or the children and young people they work with;
- highlight and discuss any changes to the young person circumstances, if proportionate and in line with GDPR and confidentiality.

## 11. PREVENT

Protecting children from the risk of radicalisation should be seen as part of wider safeguarding duties and is similar in nature to protecting children from other harms.

Staff should have a clear understanding of how the holding of views which endorse extremism can lead to safeguarding issues for the wellbeing of the individual young person.

Schools should be:

- proactive in tackling causes and have an early intervention and supportive approach;
- employ informal approaches and teaching moments should be proactive, as well as reactive, in addressing current trends or issues;
- provide a safe space for learners to explore, discuss and debate the range of social and political issues in our rapidly changing world;

- develop young people's skills to be able to engage as active citizens in a democratic society, developing critical thinking skills so that they become resilient to and equipped to challenge divisive viewpoints and hate speech;
- embed core themes of PREVENT within the curriculum: Social Studies, Health and Wellbeing, and Religious and Moral Education have particular roles to play in helping children and young people develop their understanding of the world by learning about other people, cultures, beliefs, attitudes and values;
- use learning and teaching methodologies that support collaborative learning and critical thinking, help to create supportive learning environments, and to address controversial issues effectively;
- challenge misinformed views and perceptions amongst learners and challenging commonly held myths, for example regarding particular communities, requires skilled practitioners who use techniques that open up discussion;
- model to learners how diverse views can be heard, analysed and challenged in a way which values dignity, freedom of speech, and freedom from harm.

It is the responsibility of Service Managers and Heads of Establishments to ensure that:

- all staff have completed the PREVENT learn pro module mandatory training as part of their PRD process and this is refresh this every 2 years or as directed by a change to policy or procedures;
- all staff have a good understanding of their duty with regard to PREVENT, and are aware of available programmes to deal with any individual who is vulnerable to being drawn into terrorism;
- staff are able to identify signs and vulnerabilities of children and young people who may be targeted ( e.g. socially isolated, changes in behaviour and beliefs, accessing content on line) to radicalisation, and know what to do when they are identified;
- all staff know how to access PREVENT national referral form found here [GIRFEC in East Lothian - Child Protection \(google.com\)](#) and communicate any concerns to their DMS;
- any concerns regarding individual children and young people are shared with PREVENT Single Point of Contact (SPOC).

## 12. Self- Evaluation

A key means of affirming we are meeting our duties and emphasising the importance of Child Protection and Safeguarding is through strong approaches to self-evaluation, in particular a clear focus on evaluation against Quality Indicator 2.1 of How Good Is Our School 4/How Good Is Our Early Learning and Childcare.

Q.I 2.1 will be a key feature of any planned school review processes to quality assure and support.

East Lothian's Establishment Safeguarding Checklist should be completed on an annual basis by all establishments and should be reviewed alongside the School Improvement Planning process. Schools should populate the template with information related to their own school context and improvement priorities, including identification of their Designated Senior Manager for Child Protection.

Child Protection Learn Pro scorecard information should be included as part of this annual return.

## Appendix 1 Local and National Policy and Guidance

### **National Child Protection Guidelines**

[Supporting documents - National guidance for child protection in Scotland 2021 - gov.scot \(www.gov.scot\)](http://www.gov.scot/Supporting%20documents%20-%20National%20guidance%20for%20child%20protection%20in%20Scotland%202021)

### **Edinburgh and the Lothian's Child Protection Inter-agency Procedures**

[http://emppc.org.uk/file/Child\\_Protection/Inter-agency\\_Child\\_Protection\\_Procedures\\_-\\_Edinburgh\\_the\\_Lothians\\_Oct\\_2015.pdf](http://emppc.org.uk/file/Child_Protection/Inter-agency_Child_Protection_Procedures_-_Edinburgh_the_Lothians_Oct_2015.pdf)

[Introduction - Protecting Scotland's children and young people: it is still everyone's job - gov.scot \(www.gov.scot\)](http://www.gov.scot/Introduction%20-%20Protecting%20Scotland's%20children%20and%20young%20people%3A%20it%20is%20still%20everyone's%20job)

### **Public Protection in East Lothian and Midlothian – Supporting Safe Communities.**

Range of links to information including:

- Children & families affected by parental problem alcohol and drug use [capsm-guidelines \(edinburgh.gov.uk\)](http://edinburgh.gov.uk/capsm-guidelines)
  - Under age sexual activity [ELBEG - Under-age sexual activity inter-agency guidance - 2011.pdf \(emppc.org.uk\)](http://emppc.org.uk/ELBEG_-_Under-age_sexual_activity_inter-agency_guidance_-_2011.pdf)
  - Guidance on Child Sexual Exploitation [EMPPC - Inter-agency Guidance on Child Sexual Exploitation - 23-03-16 v1.pdf](http://emppc.org.uk/EMPPC_-_Inter-agency_Guidance_on_Child_Sexual_Exploitation_-_23-03-16_v1.pdf)
  - [Protecting Scotland's Children and young people; Its is still Everyone's job](http://www.gov.scot/Protecting%20Scotland's%20Children%20and%20young%20people%3A%20Its%20is%20still%20Everyone's%20job)
1. [EMPPC - Inter-agency Vulnerable Young Persons Protocol - 2-08-18 v2.2.pdf](http://emppc.org.uk/EMPPC_-_Inter-agency_Vulnerable_Young_Persons_Protocol_-_2-08-18_v2.2.pdf)

### **The SSSC code of Practice- Support the Safeguarding of children**

<http://learn.sssc.uk.com/nos/units/CCLD/CCLD2/SCDCCLD0202.pdf>

### **Education Scotland, How Good is Our Early Learning and Child Care**

[https://education.gov.scot/improvement/Documents/Frameworks\\_SelfEvaluation/FRWK1\\_NIHeditSelf-evaluationHGIELC/HGIOELC020316Revised.pdf](https://education.gov.scot/improvement/Documents/Frameworks_SelfEvaluation/FRWK1_NIHeditSelf-evaluationHGIELC/HGIOELC020316Revised.pdf)

### **Education Scotland, How Good is Our School, Q.I. 2.1**

[https://education.gov.scot/improvement/Documents/Frameworks\\_SelfEvaluation/FRWK2\\_NIHeditHGIOS/FRWK2\\_HGIOS4.pdf](https://education.gov.scot/improvement/Documents/Frameworks_SelfEvaluation/FRWK2_NIHeditHGIOS/FRWK2_HGIOS4.pdf)

**Children & Young People (Scotland) Act 2014/Getting It Right for Every Child**

<http://www.gov.scot/Topics/People/Young-People/gettingitright>

**United Nations Rights of Persons with Disabilities**

<https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities/convention-on-the-rights-of-persons-with-disabilities-2.html>

**Advice on Female Genital Mutilation**

[Edinburgh and Lothians Inter-agency FGM procedures - 21-06-17.pdf \(emppc.org.uk\)](#)

**Parents and Schools Working Together**

[https://www.eastlothian.gov.uk/downloads/file/23219/parental\\_engagement\\_strategy\\_-\\_full\\_document](https://www.eastlothian.gov.uk/downloads/file/23219/parental_engagement_strategy_-_full_document)

**General Teaching Council Scotland (GTCS) Code of Professionalism for Teachers**

[standard-for-full-registration.pdf \(gtcs.org.uk\)](#)

**Scottish Social Services Council (SSSC) Code of Practice for social service workforce (including early years' workforce)**

<http://www.sssc.uk.com/>

**East Lothian Child Planning Framework Guidelines - available on East Lothian server - Education Exchange**

**Respect for All – Anti-bullying Policy – available on East Lothian server - Education Exchange**

Health and Social Care Standards (2017) [Foreword - Health and Social Care Standards: my support, my life - gov.scot \(www.gov.scot\)](#)

## Appendix 2 Useful East Lothian Contact Numbers

Social Work Duty Officer	01875 824309 (Mon – Thurs 9-5; Fri 9-4)
Out of hours Social Work	0800 731 6969
Public Protection Office	0131 653 5150
Police Scotland Child Protection	0131 561 6126
NHS Child Protection	0131 446 4123
Education (John Muir House)	01620 827827

## Appendix 3 Establishment Safeguarding Checklist

Checklist adapted from HGISELC and HGIOS 4, 2.1 Safeguarding and Protection. This is available separately in Word format for establishments to download and complete.

	<b>Features of Good Practice (from <i>How Good is Our School 4, 2.1</i>)</b>	<b>Yes</b>	<b>No</b>	<b>In progress</b>	<b>How do we know? What impact does this have?</b>
1	Senior leaders responsible for Safeguarding are clear about the expectations of role, and provide good support and direction to staff				
2	Arrangements are in place to ensure that all staff (including volunteers and partners) are aware of their responsibilities in relation to child protection and equality policies and procedures				
3	Staff are kept up to date with Safeguarding practice including e.g. e-safety, extremism, child sexual exploitation and female genital mutilation				
4	Our leadership is good in ensuring everyone is current in their knowledge and can apply it if necessary				
5	As a school, Safeguarding is a key thread in our self-evaluation				
6	Our Safeguarding arrangements are regularly reviewed and updated as part of our self-evaluation processes				
7	Approaches to child protection and Safeguarding are known and understood by all across the school community				
8	We have systems to record, monitor concerns raised, initial referral discussions, child protection planning meetings and child protection registrations				
9	We are effective in the recording and planning processes in delivering positive outcomes for children and young people where there are child protection or Safeguarding concerns				
10	All child protection records are stored safely and securely (as per East Lothian Guidance) ensuring sensitive				

	information is only accessible to relevant staff				
11	Children and young people feel able to make a complaint against school practice and procedures, and are confident their views will be taken seriously and acted upon				
12	Our curriculum effectively promotes Safeguarding and wellbeing, taking account of the context of our school				
13	All staff take account of the views and experiences of children and young people particularly where decisions are to be made that may impact on life choices				
14	Our school promotes an ethos and culture of positive engagement and participation with its pupils and parents				
15	Our children and young people are well protected following a Safeguarding or child protection concern				
16	We act on incidents related to equalities to prevent future occurrences				

## Appendix 4: Child Protection and Safeguarding Quick Checks

### All visitors, students or volunteers to school

- √ I was asked to sign in
- √ I was given a visitors badge
- √ I am aware of the fire procedures
- √ I have found the Child Protection Poster and know who the Designated member of staff is
- √ I know that if I have concerns about a child's wellbeing, or a child is considered to be at risk of significant harm, relevant information **must** always be shared without delay
- √ I know which question to ask
- √ I know how to record a disclosure
- √ I know who to pass my concerns onto
- √ I know who to speak to if the disclosure affects me

### New member of staff

- √ I have signed acceptable user IT policy
- √ I have my log in in order to access Learnpro and have ensured my account is accurate
- √ I have completed my mandatory modules, starting with Child Protection
- √ I know my role in terms of ELC whistle blowing policy
- √ I have been made aware of any risk assessment and positive support plans that are relevant
- √ I have discussed and am aware of safe working practices related to my role





**REPORT TO:** Education Committee

**MEETING DATE:** 20 June 2023

**BY:** Executive Director for Education and Children's Service

**SUBJECT:** Scottish Government Consultation on Learning Hours

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**1 PURPOSE**

- 1.1 To seek Committee approval of the East Lothian Council response to a Scottish Government consultation on prescribing learning hours in statute for primary and secondary schools.

**2 RECOMMENDATIONS**

- 2.1 The Committee is asked to:-
- i. Note the Education Service position that the minimum learning hours for pupils in Scotland should not be set in statute.
  - ii. Note the response (Appendix 1) to the consultation questions and approve the submission to the Scottish Government.
  - iii. Note the deadline for submission is 13 June 2023. A request for an extension to the deadline to 20 June 2023 has been granted to allow Education Committee the opportunity to review and approve the submission. The final response will be submitted if and when members of Education Committee approve it.

**3 BACKGROUND**

- 3.1 The Scottish Government launched a public consultation on 21 March 2023 via the Citizen Space.
- 3.2 The consultation sets out Ministers' proposal to set in law the minimum number of learning hours provided in public and grant aided schools, and invites views on this proposal and its implementation.

- 3.3 East Lothian primary schools currently operate a 22.5h week (855h annually) for P1 & P2 pupils and a 25h week (950h annually) for P3-P7 pupils. Therefore the school day for P1 & P2 pupils would be impacted. In the main, the shorter P1 & P2 day is achieved by a longer lunch break and earlier finish, though actual times are variable across schools.
- 3.4 East Lothian secondary schools operate the prescribed minimum of 27.5h per week, therefore would experience no impact from the proposal.
- 3.5 The Education Service principal concerns are:-
- (i) There is no evidence that 25h is optimal or more beneficial than 22.5h for P1 and P2 pupils, with the key focus being on the quality of learning and teaching, not the quantity.
  - (ii) Extending the day for P1 and P2 pupils makes a long day for pupils, particularly in the first six months of P1.
  - (iii) Affordability of extending teaching hours from 22.5h to 25h for P1 & P2 pupils equates to 11.11FTE of additional teachers, the current cost of which equates to £713K per annum.
  - (iv) Recruitment of staff for a few part-time hours across all primary settings could be challenging particularly in smaller/rural schools with one or two P1 and or P2 classes.
  - (v) Possible impact on transportation capacity and costs.
- 3.6 The consultation suggests that 25h in primary and 27.5h in secondary are traditional and adopted by most local authorities. Discussions with colleagues in ADES and COSLA suggest there are many local variations within local authorities and the current delivery model is well above the Organisation for Economic Co-operation and Development (OECD) average, as detailed in the consultation document under Evidence.
- 3.7 The definition of learning hours in the consultation is ambiguous.
- 3.8 If placed in statute, a significant package of support from the Scottish Government and a reasonable implementation period would be required.
- 3.9 The Education Service believes that local authorities should be trusted and empowered to design and deliver the education service flexibly according to the local context.

#### **4 POLICY IMPLICATIONS**

- 4.1 It will be necessary to consult on any change to the length of the school day with parent/carers and other stakeholders if the minimum learning hours is set in statute.

## 5 INTEGRATED IMPACT ASSESSMENT

- 5.1 The subject of this report does not affect the wellbeing of the community or have a significant impact on equality, the environment or economy.

## 6 RESOURCE IMPLICATIONS

- 6.1 Financial – it is estimated that if placed in statute, this change would incur a cost of £713K at current pay rates.
- 6.2 Personnel – if placed in statute and teaching staff only are required to deliver the 25h in P1 and P2, it would represent a recruitment of 11.11FTE.
- 6.3 Other – organisation of school transportation; facilities management contracts; and wrap around provisions may be affected.

## 7 BACKGROUND PAPERS

- 7.1 Draft response to the consultation questions – Appendix 1
- 7.2 Link to the Scottish Government Consultation Hub – Citizen Space.

<https://www.gov.scot/publications/prescribing-minimum-annual-number-learning-hours-consultation/pages/12/>

<b>AUTHOR'S NAME</b>	Bev Skirrow
<b>DESIGNATION</b>	Principal Officer, Education Business Unit
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<b>DATE</b>	30 May 2023

## APPENDIX 1

### DRAFT EAST LoTHIAN COUNCIL RESPONSE

DEADLINE 13 JUNE 2023 (EXTENSION REQUESTED TO 20 JUNE 2023)

#### Consultation Questions & Answers

##### 1. Should the Scottish Government set in law the minimum learning hours pupils in Scotland should receive?

*No, it should not be set in statute. Local authorities require flexibility and should be trusted to respond to the needs of their own local context. Local authorities should have the flexibility to focus on the quality of the learning and teaching delivered without a limit on the number of hours this should take.*

##### 2. Do you agree that the minimum annual learning hours should be 950 hours for primary schools?

*No, this should not be set in statute. The consultation paper does not clearly set out the evidence for 950 hours being optimum for improving outcomes for learners and our local authority hours are well above the OECD average. Length of time is only one factor, while other factors such as quality teaching and learning experiences are also significant.*

*It is our opinion that 25 hours a week, in P1 particularly, is a long day for many children especially in the first half of the academic year. There is no evidence that our shorter 22.5h a week for P1 and P2 is detrimental to outcomes for East Lothian learners.*

##### 3. Do you agree that the minimum annual learning hours should be 1045 hours for secondary schools?

*No, it should not be set in statute.*

##### 4. Do you agree with the suggested definition of learning hours set out at paragraph 2.1 below?

**What do we mean by learning hours?**

**2.1 Learning hours are the period of teaching that learners receive within the school day. In most cases, they do not include lunch and other break times or extra-curricular activities or provision such as breakfast clubs that may take place around the core school day. It has been accepted practice for at least the last 40 years that around 25 hours per week (or 950 hours per academic year) of teaching time is made available in most local authority run primary schools; and 27.5 hours per week (or 1045 hours per academic year) in most local authority run secondary schools.**

*The definition is too ambiguous. It is not accepted practice that 25 hours primary / 27.5 hours secondary per week is made available in most local authorities. There are too many local variations to qualify this statement.*

##### 5. Apart from the exemptions outlined in this paper are there any other circumstances where a variation to the number of learning hours provided may be needed?

*We assume strikes etc. are covered in 6.1 under "matters out with authority control..."*

*We would be concerned around the learning hours defined for:*

- *our specialist provisions (not special schools), attached to mainstream schools*
- *schools with large rural catchments where adequate transportation can be problematic and pupils travel significant distances each day*
- *study leave*
- *school trips longer than the school day*
- *impact on wraparound services to recruit and retain staff and offer sufficient local services to meet the needs of families*

**6. Are there any further views you wish to share regarding this proposal?**

*As a local authority with a model of 22.5h for P1 and P2 pupils currently, we will be required to recruit an additional teaching staff resource of 11.11FTE to implement this change which may be a recruitment challenge for a small semi-rural authority. Clarification of the definition of “teaching” within the learning hours would be helpful, so we can identify if learning through play models etc., supported by support staff roles would be permitted.*

*The funding pressure of £713K for 11.11FTE teaching staff cannot be met from current budget allocations. The education budget is under considerable pressure through other policy decisions, i.e. protecting teacher and support staff numbers placing a focus on input rather than outcomes for local authorities.*

*There are financial impacts on longer heating, school transport arrangements; contractual implications for support staff and cleaning and janitorial staff; and impacts on letting arrangements.*

*If placed in statute, local authorities will need a significant lead in time to plan for implementation.*



**REPORT TO:** Education Committee

**MEETING DATE:** 20 June 2023

**BY:** Executive Director, Education & Children's Services

**SUBJECT:** Head Teacher Appointments

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7

**1 PURPOSE**

- 1.1 To inform the Committee of the Head Teacher appointments made by the Appointments Sub-Committee.

**2 RECOMMENDATIONS**

- 2.1 The Committee is asked to note the following Head Teacher appointments.

**3 BACKGROUND**

- 3.1 The following Head Teacher appointments are intimated: -

School	Appointee	Commencement Date	Previous Post and School
Dunbar Primary School	Jacqui MacKinnon	14 August 2023	Head Teacher Law Primary School
Wallyford Primary School	Zena Diggle	Date to be confirmed	Head Teacher Lawfield Primary School and Early Learning Centre, Midlothian
Whitecraig Primary School	Viv Short	14 August 2023	Acting Head Teacher Whitecraig Primary School

**4 POLICY IMPLICATIONS**

- 4.1 None

**5 INTEGRATED IMPACT ASSESSMENT**

5.1 The subject of this report does not affect the wellbeing of the community or have a significant impact on equality, the environment or economy.

## 6. RESOURCE IMPLICATIONS

6.1 Financial – None

6.2 Personnel – None

6.3 Other - None

## 7. BACKGROUND PAPERS

7.1 None

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