



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

**TUESDAY 20 JUNE 2023, 10:30am  
VIA VIDEO CONFERENCE FACILITIES**

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**Committee Members Present:**

Councillor Bennett  
Councillor Bruce  
Councillor Findlay  
Councillor Gilbert  
Councillor Hampshire  
Councillor McFarlane  
Councillor McIntosh  
Councillor Menzies  
Councillor Yorkston - 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 – Service Manager, Inclusion and Wellbeing  
Mr N Craik-Collins - Education Service Manager  
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 L Byrne – Head of Children's Services, Children's Wellbeing  
Mr N Trussler – Quality Improvement Officer, Education  
Ms K Haspolat – Quality Improvement Officer, Education  
Ms A Hood – Team Manager, Education & Employability

**Teachers Present:**

Ms S Penman – Head Teacher, Law Primary School  
Ms K Vines – Principal Teacher (Equity)  
Ms L Blair – Head Teacher, Sanderson's Wynd Primary School  
Ms J Hannan – Head Teacher, Musselburgh Grammar School  
Ms M Bertram – Principal Teacher (Pedagogy)  
Ms L Davies – Head Teacher, St Martins Primary School

**Clerk:**

Ms M Scott, Committee Officer

**Other Elected Members present:**

Councillor A Forrest

**Apologies:**

Councillor F Dugdale  
Councillor B Ritchie  
Councillor T Trotter

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

Councillor Yorkston noted the sad passing of John Mclean who worked within Pinkie St Peter's Primary School and sent his condolences to his family and the community of Pinkie St Peters Primary School. Further condolences were sent to Councillor Dugdale on the passing of her father.

Councillor Yorkston congratulated Dr Lynne Binnie on her promotion and upcoming move to Edinburgh Council and wished her all the best for the future as this would be her last attendance at the Education Committee.

**1. MINUTES OF THE MEETING OF THE EDUCATION COMMITTEE ON 21 MARCH 2023**

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

**2. EDUCATION SCOTLAND INSPECTION OF LAW PRIMARY SCHOOL AND 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 Law Primary School and Nursery Class.

Mr Nick Trussler, Quality Improvement Officer for Education noted 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.

At the end of the inspection process, the outcomes were published in a short letter to parents and carers outlining the key strengths and areas for improvement. The letter provided a statement of the confidence the inspectors have in the school's capacity

to improve the quality of its own work which meant inspectors would not return to Law Primary School as a result of the inspection.

Mr Trussler stated the summary of inspection findings could be found within the report and this professional document is intended to be used by staff in progressing school improvement. Law Primary School secured gradings of 3 or satisfactory for both quality indicators inspected in the school, and in the nursery class both related quality indicators were graded as 4 or good. Mr Trussler highlighted the key strengths and areas for improvement found during the inspection.

Mr Trussler confirmed he would continue to work closely with the Head Teacher and staff to provide professional advice and support and challenge in the areas for improvement. He assured Members that the Education Service is confident in the plans for continued improved that are in place for the next session in the primary school and nursery classes. He added that the service recognised professional relationships across the school were strong and would facilitate capacity for improvement in the future. Mr Trussler was delighted that the hard work of all involved had been recognised.

Councillor Findlay asked what extra resources would be given to Law Primary School in order to improve the current situation and when open vacancies within the school would be filled. Mr Trussler stated that although the grading of satisfactory was given the feedback from Education Scotland was they were extremely positive about the planned development for improvement within the school and the capacity the school has to fulfil those improvements in the future. He added that feedback from Education Scotland was that they wholeheartedly supported the school's own self-evaluation for its current position and that capacity was present within the school in order to fulfil the planned improvement. In terms of the Education Service, Law Primary had been selected to take part in the National Writing Improvement Programme which will help the school to develop approaches to leader improvement within writing. Mr Trussler confirmed the Senior Leadership Team vacancies had now been filled and from the session starting in August the Senior Leadership Team would be operating at full capacity. Councillor Findlay asked if any extra resources would be directed towards Law Primary. Mr Trussler stated he would look at what additional resources would be needed but Education Scotland identified the capacity for improvement did currently lie within the school and the abilities and resources within the school would fulfil those improvements going forward but he would continue to support the school with this too.

In response to a question from Councillor Bruce, Mr Trussler explained follow-up inspections were dependent on the school but return visits would be completed if the school did not have the capacity to fulfil improvements or were graded as being unsatisfactory.

Councillor Hampshire asked if there was assessment done by inspectors regarding the impact on children from COVID in terms of effects to their learning or was it not considered as part of the inspection. Mr Trussler confirmed the inspectors did pick up on aspects of awareness of the pandemic upon the learning and the teaching that been able to happen during the period of school closure and the impact that had. Sally Penman, Acting Head Teacher at Law Primary School reported the inspectors were interested in the impact of COVID and recognised we had put various things in place to counter the gaps created by the pandemic. Extra interventions, particularly in writing over the last few years and was pleased to say attainment figures show an improvement in literacy and numeracy. She added that staff have also refreshed their approach to the teaching of spelling and reading and improvements have been recognised. Ms Penman stated the inspectors felt the things that have been put in

place within the school were going to show improvements in the longer term and there is significant focus on increasing the teacher's capacity in terms of teaching and learning.

Councillor Findlay asked if there had been any feedback from parents after receiving the letter with the results of the inspection. Ms Penman reported parents had been supported the approach the school were taking for further improvements.

Councillor Findlay asked for a copy of the last inspection report completed at Law Primary but was told as this completed under How Good Is Our School? 3 it was not possible so there is no way to compare the school's position since the last inspection. Councillor Findlay felt it wasn't acceptable there was no way to track progress between reports.

Councillor McFarlane praised the Acting Head Teacher and staff on a positive inspection and said she was sure the planned improvements would make the school even better in the future.

Councillor Hampshire stated he was disappointed that Law Primary School did not get good for all areas and when looking at the areas for improvement, reflected that children from the school are a feeder to North Berwick Secondary School which is one of the best performing secondary schools in Scotland and he had no doubt the learning and teaching taking place within Law Primary would make sure every child tries to achieve their highest potential. He reflected that parents in North Berwick are very strong on the achievement of their children and put a lot of pressure on the school to ensure their child is achieving as high as they can but they sometimes feel this should be even higher. Councillor Hampshire said he felt the teachers within Law Primary School were doing a great job within that school and he was sure the department would ensure any improvements that could be within the school would be done. He hoped in the future the school would be graded good for all areas.

Councillor Yorkston echoed the comments of Councillor McFarlane and highlighted that all inspections will come up with areas for improvement and is the challenge of the school to ensure any areas for improvement were worked on.

### **Decision**

The Committee agreed 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. RAISING ATTAINMENT IN THE BROAD GENERAL EDUCATION**

A report was submitted by the Executive Director for Education and Children's Service 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.

Ms Nicola McDowell, Head of Education reported a comprehensive briefing was delivered to Members last Thursday to give more details of the progress made and the interventions in place and a further briefing will be made to a future committee on Senior Phase Performance and our progress towards meeting our stretch aims.

Ms McDowell spoke to her report and drew Members attention to the key points which included; the pre and post-pandemic levels of attainment for both P1, 4 and 7, the response to COVID related school closures and planned interventions to address pandemic related gaps in pupil learning, how 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, the introduction of the Strategic Equity Fund which will assist East Lothian to close the poverty related attainment gap, how the Quality Improvement Team support and challenge to schools and how the establishment of the Pedagogy Team and how they support recovery and to build capacity in schools in order to help raise attainment. In addition she reported in order to support schools with the gap in writing attainment East Lothian have engaged two cohorts of primary schools with the National Writing Improvement Programme.

Ms McDowell concluded by stating as a team they were constantly updating and evaluating their priorities and she hoped it was evident to Members that we have a very clear focus on raising attainment and achievement for all through excellence and equity.

In response to questions from Councillor Yorkston, Ms McDowell explained it was very important to make sure teacher judgements were robust and based on all the right evidence and they were moderated. Mr Trussler stated in terms of professional judgement there were similar challenges across all three contexts although the approaches used to address these may vary. He highlighted the main challenges faced when forming a professional judgement of a learner's progress and explained the different approaches to moderation within schools.

Councillor Bruce asked what we haven't been doing or have been doing wrong within East Lothian to cause us to fall behind the national average. Ms McDowell stated she shared the same concern about our performance in writing and we are taking a close look at why our attainment isn't where it should be at certain stages, especially within writing. She added that it was important we had all the correct interventions in place to take us forward with this. Ms McDowell added it was important we recognised where we are and that we have the right interventions in place to move us forward. Over the last year our schools had writing training from a national training provider but we are now also involved in the National Writing Programme and the Pedagogy Team are also supporting the teaching of writing so they are delivering professional learning to teachers in our schools whose attainment levels show they require support with that. Mel Bertram from the Pedagogy Team gave an update on the interventions taken which have been successful within East Lothian which included implementing the National Writing Improvement Programme and working with staff to better their understanding of professional learning. Ms Bertram gave an update of work completed in an East Lothian school with second level pupils to increase their understanding of writing and one pupil quoted "before I started doing this I used to dread writing, you would have found me in the corridor instead of in my classroom" which showed through this work pupils were much more engaged and over 90% of the children involved in the survey said they were aware of their improvements. Ms

Bertram stated the team had also worked with schools to help with numeracy and had a really positive experience within Macmerry Primary School.

In a follow up question Councillor Yorkston asked for timescales. Ms McDowell explained all schools had their own targets they would be looking to achieve in all attainment areas which are being tracked monthly and yearly so we would be expecting to see very regular improvements. She added that schools were being challenged if these improvements were not good enough and the reasons why. Mr Trussler confirmed the current National Writing Improvement Programme projections were very positive when compared to last year. He confirmed the programme would continue next school session with a new two cohorts of schools.

Councillor Hampshire stated as well as the impact of COVID and children living in poverty we also have the cost of living crisis which is causing both parents in a household to have to work longer hours which will have an impact on children. He asked if we were doing any recognition of that situation. Ms McDowell stated we remained very mindful of the challenges families are experiencing and equity work was ongoing at the moment that is supporting us to address that as well as working with colleagues across the Council on supporting with poverty, not just within the most deprived areas but also experiencing in-work poverty. Ms McDowell explained the Council had been looking at the cost of the school day to make sure our families don't have to spend money for their children to get good experiences at school. This includes looking at the cost of school trips. Jennifer Boyle, Quality Improvement Officer for Equity stated the Strategic Equity Fund was money given to local authorities with the specific aim of closing the poverty related attainment gap. She noted that we were not just looking at children living in the most deprived data zones and were also looking at children impacted by care experience, by additional support needs and in work poverty. Ms Boyle confirmed through that fund four Family Support Workers had been employed to work with schools that had the highest number of families living in poverty and are able to offer support all year round, including during the school holidays. Lynsey Blair, Head Teacher at Sanderson's Wynd Primary School confirmed her school had been allocated a Family Support Worker and explained each month they are sent an equity data tracker which gives a snapshot of where learners are attainment wise, which children receive free school meals, children who are care experienced and children with additional support needs. She explained they are able to use their Family Support Worker in a bespoke way and gave an example of them helping families getting their children into school in the mornings by collecting them from home and bringing them to school. Ms Blair explained the work of the FSW is solution focused and they put strategies in place to support families as well as looking at barriers and helping to break these down by ensuring families are getting benefits they are entitled to and that they can are getting access to supports they require. She added they will also support wellbeing, learning and take intervention groups.

In response to a question from Councillor McFarlane, Ms McDowell stated the Pedagogy Team provide support to schools but also provides professional learning opportunities for those appointed into the team as it gives class teachers a career boost to act up as Principle Teachers in a promoted post. Ms McDowell confirmed it was a competitive interview process and then staff were selected due to them being excellent class teachers who are now supporting other class room teachers to improve their practice. She added that they will be in post for a year with further opportunities to be reappointed or for them to be able to go into Principal Teacher posts of their own.

Councillor McIntosh asked how we are learning from other local authorities or giving our staff the chance to do professional development in partnership with other local authorities. Ms McDowell advised other local authorities had been delighted to learn from us and Ms Boyle had presented at several conferences on the work of the Principal Teachers of Equity and the use we have made of our strategic equity fund and several local authorities have wanted to meet with her to discuss this further. She added that we do need to look outwards to see what other local authorities are doing too to continue to learn. Ms Boyle explained that we could also learn from looking inward as a Council in terms of our tracking and monitoring procedures and tackling in school attendance.

In response to a second question from Councillor McIntosh, Ms McDowell stated we do not believe longer hours in primary 1 and 2 would have a significant impact on children's progress and confirmed we have a wide range of class sizes within East Lothian and it could be said that children in very small classes do not get as good as an experience due to not having more peers to learn from or people to challenge them. She added that research showed it was the quality of learning and teaching that made the difference in the classroom and that is what we were working hard to achieve.

Councillor McIntosh asked how we are striking the balance in schools to ensure our workforce and pupils are not getting caught up in seeing themselves as statistics. Ms McDowell agreed the importance of not stressing out our children and young people but said research showed by children knowing their next steps in their learning it helped them to make more progress as they love to achieve. She added this is looked at as a three way process between the child, their parent or carer and the teacher to make sure everyone is clear on what the next steps are for that child.

Councillor Yorkston asked Ms Vines in her role as Principal Teacher for Equity what her role has been and what benefits she had experienced whilst in the role. Katie Vines, PT Equity explained since starting the role in February this year the biggest area of progress she had seen was ensuring all children left school with five qualifications as it is more likely they will move onto a positive destination if they secure these. She added that this year they are currently on target for all quintile one pupils to achieve this which is a massive achievement. Ms Vines felt she had really connected with the children in this role and they know there is someone looking out for them and noted she has a data tracking system in place for 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> year pupils that was allowing her to target interventions a lot earlier particularly with regards to literacy and numeracy.

Councillor Hampshire commented that we are in the top quarter share of our budget in Scotland so we give as much as we can afford from our Council budget to Education here in East Lothian and the fact that we get the third lowest level of grant funding from the Scottish Government means that is as much as we can afford to give. He added that if we received the same level of grant funding as other local authorities we would be able to put a lot more money into Education.

Councillor Menzies responded to Councillor Hampshire's comment by saying it was not the Scottish Government who set our budget it was COSLA through the floor system which is not doing East Lothian a justice at the minute and this needed to be looked at. She added she would like to praise the whole Education team as within her ward she has had parents raise real concerns in regards to school and the turnaround within a very short time has been amazing due to the hard work of the teachers and staff within our schools. Councillor Menzies said she had full

confidence all the children and staff within East Lothian schools will bounce back after a horrible time over COVID far sooner than any of us imagined.

Councillor Hampshire welcomed Councillor Menzies' praise of the staff within the Council but wanted to clarify on the funding. He explained the pot that COSLA has available to spread across the local authorities in Scotland comes from the Scottish Government and is not big enough and our share of that is the third lowest in Scotland. Councillor Hampshire added the tables which show much we spend per pupil within schools was not always accurate to look across all local authorities as others add lots of other things in as if it was the education budget which we don't.

### **Decision**

The Committee agreed 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.

### **4. POSITIVE SCHOOL LEAVER DESTINATIONS 2021/22**

A report was submitted by the Executive Director – Education & Children's Services 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.

Mr Neil Craik-Collins, Education Service Manager spoke to his report and drew Members' attention to how East Lothian had performed during the three year period from 2019-2022 in relation to the national average and the Virtual Comparator. Mr Craik-Collins gave a summary of the results for East Lothian from 2021-2022 and highlighted our initial positive destinations report for 2021/22 cohort was 95.6% which was in line with the national average, that all young people had been offered a range of support from East Lothian Works in order to help them identify an appropriate onward positive destination and there had been an 0.8% increase in the 16-19 year old annual participation measure which meant East Lothian remains above the national average in this area. He also summarised the education plans to review curriculum pathways and qualifications from 2-18 plus in partnership with a range of stakeholders and organisations. Mr Craik-Collins also highlighted a range of partnership interventions and achievements including the Aspire Pilot Programme, Foundation Apprenticeships and implementation of the East Lothian Workforce for the Future Strategy.

Mr Craik-Collins gave a breakdown of the funding East Lothian Works has received and noted these incentives positively touched the lives of 120 people. He also highlighted notable achievements which included 37 work experience placements within East Lothian schools which resulted in 23 positive transitions to work, Income Maximisation service assisted 91 clients with a cumulative gain of £173,478 and a new Employability+ programme to support pupils with additional support needs.



Councillor Bruce asked for further information on how virtual comparators were pulled together and managed. He also asked if it was possible to get the figures within this section of the report in figures instead of percentages. Mr Craik-Collins explained the virtual comparators were put together using a range of information drawn together such as free school meals to make a direct comparison between pupils within an actual school and the statistical data across a number of different schools. He agreed to send Councillor Bruce the data in figures instead of percentages after the meeting. In a follow up question Councillor Bruce asked if the figures we had by school could be broken down by demographic background. Mr Craik-Collins stated that pupils within school were choosing to go directly into employment as a result of the cost of living crisis and explained he was working closely with Jennifer Boyle on looking closer into the data to break down specific cohorts and quintiles.

In response to another question from Councillor Bruce, Mr Craik-Collins stated the Curriculum Deputes Group were looking at the learning from COVID and how we use those common structures to reduce travel and increase digital learning and how we can further enhance use of the structure moving forward.

Councillor Bruce asked what discussions we have had with Edinburgh College around their budget situation and if we were confident we would be able to continue our programmes with them. Mr Craik-Collins confirmed negotiations took place earlier this year and Edinburgh College remain committed to the funding and the ideas behind the Aspire Programme.

Councillor Forrest asked if there had been additional enquiries made about the construction and food and hospitality skills that would be needed and is that being used to its best advantage. Mr Craik-Collins explained the Head Teacher Curriculum Development Team were looking at the 2-18 frameworks and pathways within each of those sectors and confirmed there were already a number of courses in engineering and construction as well as Foundation Apprenticeships available. He added we had a range of industry partners and we continue to engage with them to understand what skills they need in the workforce and that will then be fed in to the Wallyford Learning Campus. Mr Craik-Collins stated we have a pilot project in partnership with Archerfield and we have plans to develop the Foundation Apprenticeship within hospitality but the aim is to help pupils build transferable skills instead of preparing them for specific jobs.

In response to a question from Councillor McIntosh, Mr Craik-Collins explained the Council had been engaging with a range of people in terms of how funding could be utilised going forward as well as the funding for modern apprenticeships. He anticipated we would look for senior phased qualifications that are work based and don't involve an exam but still have the esteem of academic qualifications which is what the Foundation Apprenticeships currently do for East Lothian. Mr Craik-Collins added that 67 pupils within Preston Lodge High School were taking place in a pilot project to engage in a one year Foundation Apprenticeship which will give them a double Higher by the end of the year plus industry experience which will lead to raised levels of attainment.

Councillor Hampshire asked if officers had the percentage of young people who were finding employment within East Lothian or if most were having to travel out with to find work. Mr Craik-Collins and Alison Hood, Team Manager for Education and Employability were happy to provide these figures after the meeting as they did not have them to hand.

Councillor Yorkston asked what relationships had been developed with companies and when do we approach them to try and build up these relationships to provide opportunities for our young people. Mr Craik-Collins confirmed officers had already been in touch with these companies for a number of years and had been working with the British Engineering Services Association throughout the design of the Wallyford Steam Centre and a range of large construction companies and we are convening industry sector groups including businesses co-designing qualifications with the college and education. He added that the voice of young people would also be included in terms of what they want to get from curriculum qualifications.

Councillor Yorkston thanked Mr Craik-Collins for his report and Ms Hood for her contribution.

### **Decision**

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

## **5. POLICY: INCLUDED, ENGAGED & INVOLVED: CHILD PROTECTION & SAFEGUARDING**

A report was submitted by the Executive Director for Education and Children's Services to seek the Committees approval of the draft Child Protection and Safeguarding policy.

Dr Lynne Binnie, Service Manager for Inclusion and Wellbeing spoke to her report and highlighted this was a new policy that combined different pieces of guidance that had been issued to staff over the past few years and takes into account the new national policy on Child Protection and the new Lothian procedures for Child Protection. She stated consultation had already taken place with a wide range of partners and a wider public consultation had also been completed. Dr Binnie explained the policy was designed to ensure a consistent approach across all East Lothian schools and is in line with other policies previously agreed at Education Committee. This updated policy, if agreed today would be implemented within all East Lothian education settings throughout session 23/24.

Councillor Bruce asked what effect the drop in school attendance has had in us undertaking our role of protecting and safeguarding children. Dr Binnie agreed that having eyes on children and building relationships with them are a key aspects of child protection and safeguarding. She explained that last year the Education Committee approved an updated attendance policy which outlined procedures to help staff support positive attendance and also reporting non-attendance which has been very successful in helping our schools engage with children and families post pandemic and to also monitor the attendance of children and young people. Dr Binnie noted that this policy linked in with the work Ms Boyle is doing on our Strategic Equity approach in East Lothian. Dr Binnie was confident East Lothian has robust procedures in place for to continue to support attendance. Replying to a follow up question from Councillor Bruce, Dr Binnie explained we have a large number of children who will be supported through the Child's Planning framework and for some attendance will be one of the concerns that the this framework will allow for agencies to come together to plan how best to meet the child's needs, put supports in place and review that on an ongoing basis. She added this is an established staged intervention model in East Lothian schools and is supported by class teachers, guidance teachers and deputy heads and she is confident we have the capacity to work with the framework to support the needs of our children and young people.

Councillor Bruce asked for clarification on a section within the new policy. Dr Binnie explained that in Scotland we have a Health and Wellbeing curriculum and our denominational and nondenominational schools having different approaches to taking this forward and are set on exceptions that have been made in regards to denominational schools which means the curriculum and the teaching and learning within certain aspects of that are taught differently. Ms McDowell confirmed that our denominational schools deliver a programme called Gods Loving Plan which puts a different slant on some of the aspects of health and wellbeing that are delivered through the curriculum particularly in terms of parenthood, sexual health and relationships and she was happy to send Councillor Bruce further information on this if he would like. Councillor Bruce stated that the policy reads that every pupil should have access to the health and wellbeing curriculum and he would be concerned if pupils were receiving different curriculums on such an important area based on which school they are attending. Ms McDowell reassured Councillor Bruce that every child within East Lothian schools were being delivered their entitlements.

Councillor McIntosh asked if any record keeping would be included in information a child was allowed to access about themselves at a later date and given that was there any training to ensure that anyone entertaining information was trauma informed and sensitive to how the young person might feel about that if they access it later on in life. Dr Binnie confirmed young people and parents can submit free public access request information that we hold and we have recently updated our guidance and we work with schools very closely in regards with how they record information. Dr Binnie added that we use trauma informed language and we are mindful information should be written in a way that children and young people may access in the future.

Councillor McFarlane congratulated Dr Binnie on a detailed report which will assist all staff to ensure that a consistent approach is applied throughout East Lothian.

### **Decision**

A roll call vote was taken for:

- (i) Approve the draft Child Protection and Safeguarding policy: 'Included Engaged and Involved: Child Protection and Safeguarding'

This was approved unanimously by Committee Members.

The Committee agreed to note:

- (ii) Specifically the key legislative, guiding principles and staff roles and responsibilities for managing Child Protection concerns and Safeguarding within Education Establishments.

## **6. SCOTTISH GOVERNMENT CONSULTATION ON LEARNING HOURS**

A report was submitted by the Executive Director, Education and Children's Services 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.

Ms Nicola McDowell reported the Scottish Government launched a public consultation on the 21<sup>st</sup> March 2023 via the Citizen Space which set out Ministers' proposals to set in law the minimum number of learning hours provided in public and grant aided schools and invited views on this proposal and its implementation. Ms McDowell noted that East Lothian primary schools currently operate on a 22.5 hour week for P1 and P2 pupils and a 25 hour week for P3-P7 pupils therefore the school day for young pupils would be impacted. She added that East Lothian secondary

schools already operated at the prescribed minimum of 27.5 hours so there would be no impact to them. Ms McDowell outlined the concerns of this proposal from the Education Service which included there was no evidence that 25 hours was optimal or more beneficial than 22.5 hours for P1 and P2 children with the key focus being on the quality of learning and teaching, not the quantity. Ms McDowell made Members aware there were many variations across other local authorities and the definition of learning hours remained ambiguous and the Education Service had reflected in its response that local authorities should be trusted and empowered to design and deliver the service flexibly.

Councillor Yorkston asked if this was to proceed would it be for 2024/25. Ms McDowell confirmed that was correct and this had been reflected in the response to the Scottish Government that local authorities would require a longer period to introduce the change.

In response to several questions from Councillor Bruce, Ms McDowell stated there was no proof that 25 hours increased educational attainment but we do have proof that quality learning and teaching is what supports us to raise attainment. Ms McDowell noted that from contact with other local authorities she is aware they are not using those additional 2.5 hours per week for children to be with the teacher but some time is taken up through periods of play and not learning and teaching. She stated we would be seeking to assure through this consultation and through our response is that East Lothian deliver 22.5 hours quality learning and teaching with a teacher. Ms McDowell explained if hours increased to 25 per week then the teachers of those classes would be entitled to 150 minutes per week of non-class contact time so we would only need teachers to cover those which could be difficult to recruit.

Councillor Gilbert asked how many hours per week nursery children attended. Ms McDowell explained nursery children were entitled to up to 1140 hours per year however that is not all structured learning time so it works different to a primary school hours. Alison Cameron, Service Manager for Early Years and Childcare explained across a 38 week provision 30 hours of early learning and child care was provided per week and across a 48 week setting it was 23 hours over a 2 week period. Ms McDowell confirmed nursery pupils would spend more hours within the building but all of their time would not be doing structured learning but instead their time would include snack, lunch and other things so you couldn't compare like for like with a primary school setting.

In response to a second question from Councillor Gilbert, Ms McDowell stated there was not a definitive list of local authorities who are or are not providing structured 25 hours learning and teaching for P1 and P2 pupils. Bev Skirrow, Principal Officer for Education confirmed that 5 other local authorities do a similar model to East Lothian's hours but there are many variations and no definitive list due to how learning and teaching is perceived in each school. She also confirmed that the majority of schools in Scotland provided 25 hours in school time for P1 and P2 children.

Councillor Yorkston asked if any work was being done to make comparisons more appropriate. Ms Skirrow confirmed we are seeking clarification in our response to the Scottish Government on this consultation is the ambiguity around the terminology.

Councillor Menzies agreed clarification was definitely needed however she had concerns about working families and asked what provisions could we offer them for their children to have longer time at school to allow them to work. Ms McDowell explained in many schools P1 and 2 children do not finish earlier but instead have longer breaks during the school day. She added we try to reach out to communities

to encourage more after school provision so although this would not be managed by our school, the school buildings could facilitate this and this is something that offices will continue to do.

Councillor McIntosh said that younger children finishing at the same time as older pupils was not the case at all schools so she shared the same concerns as Councillor Menzies about the amount of hours parents are able to work. She was happy to support the consultation as she felt it was something we should have the power to decide ourselves but a wider conversation should be had after the decision is made.

Councillor Hampshire stated the education of the children in East Lothian should be a decision for the professional officers and Councillors as we know what is best for the people in East Lothian and we are elected to represent them. He added that East Lothian schools do really well in our performance across Scotland. Councillor Hampshire agreed there were issues around child care and if there are ways we could encourage the schools who finish earlier to tie up their finishing times for all pupils but this is something that can be taken up by officers.

### **Decision**

The Committee agreed 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.

## **7. HEAD TEACHER APPOINTMENTS**

A report was submitted by the Executive Director for Education and Children's Services to inform the Committee of the Head Teacher appointments made by the Appointments Sub-Committee.

Ms Nicola McDowell reported that Jacqui Mackinnon had been selected as the preferred candidate for Head Teacher of Dunbar Primary School and Viv Short had been selected as the preferred candidate for Whitecraig Primary School with both of these posts commencing on the 14<sup>th</sup> August. Ms McDowell added that Zena Diggle was the preferred candidate for Head Teacher of Wallyford Primary School and the commencement date for this was still to be confirmed. Ms McDowell confirmed that since the report was submitted Stephen McBride had been selected as the preferred candidate for the post of Head Teacher at Elphinstone Primary School.

Ms McDowell wished all the preferred candidates the best of luck in their new posts.

### **Decision**

The Committee agreed to note the Head Teacher appointments.

Signed

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Councillor Colin Yorkston  
Convener of the Education Committee