

Minute

Education, Leisure and Housing Committee

Wednesday, 6 September 2023, 09:30.

Council Chamber, Council Offices, School Place, Kirkwall.



Present

Councillors Gwenda M Shearer, Jean E Stevenson, Graham A Bevan, Alexander G Cowie, Steven B Heddle, James R Moar, John A R Scott, James W Stockan, Ivan A Taylor and Heather N Woodbridge.

Religious Representative:

Reverend Fraser Macnaughton.

Present via remote link (Microsoft Teams)

Councillor Stephen G Clackson.

Religious Representative:

Marie Locke.

Clerk

- Sandra Craigie, Committees Officer.

In Attendance

- James Wylie, Corporate Director for Education, Leisure and Housing.
- Peter Diamond, Head of Education.
- Frances Troup, Head of Community Learning, Leisure and Housing.
- Steve Arnold, Service Manager (Support for Learning and Inclusion).
- David Brown, Service Manager (Resources) (for Items 1 to 16).
- Garry Burton, Service Manager (Leisure and Culture) (for Items 1 to 16).
- Catherine Diamond, Service Manager (Early Learning and Childcare) (for Items 1 to 8).
- Morag Miller, Service Manager (Primary Education) (for Items 1 to 8).
- Lesley Mulraine, Service Manager (Housing, Homelessness and Schoolcare Accommodation) (for Items 1 to 16).
- Jane Partridge, Service Manager (Secondary and Tertiary Education) (for Items 1 to 8).
- Pat Robinson, Service Manager (Accounting).
- Kerry Spence, Service Manager (Community Learning, Development and Employability) (for Items 1 to 9).
- Emma Billington, Head Teacher, Papdale Primary School (for Items 1 to 8).
- Nigel Fyffe, Team Manager (Maintenance and Heritage) (for Items 1 to 15).
- Vikki Kerr, Team Manager (Libraries and Archives) (for Items 10 to 15).
- Georgette Herd, Solicitor.

In Attendance via remote link (Microsoft Teams)

- Claire Kemp, Assistant Principal, UHI Orkney (for Items 1 to 3).
- Jane Downes, Director for UHI Archaeology Institute, UHI Orkney (for Items 2 and 3).
- Paul Clark, ORCA Senior Projects Manager, UHI Orkney (for Items 1 to 3).
- Avril Litts, Finance Manager, UHI Orkney (for Items 1 to 3).
- Rona Humphreys, Acting Head Teacher, Eday Community School (for Items 1 to 4).

Observing

- Kirsty Groundwater, Team Manager (Communications) (for Items 1 to 10).

Apologies

- Councillor Rachael A King.
- Reverend Susan Kirkbride, Religious Representative.
- Jo Hill, Teacher Representative.
- Mary Maley, Teacher Representative.

Declaration of Interest

- Councillor Heather N Woodbridge – Item 15.

Chair

- Councillor Gwenda M Shearer.

1. Disclosure of Exempt Information

The Committee noted the proposal that the public be excluded from the meeting for consideration of Item 16, as the business to be discussed involved the potential disclosure of exempt information of the classes described in the relevant paragraphs of Part 1 of Schedule 7A of the Local Government (Scotland) Act 1973 as amended.

2. Revenue Expenditure Outturn

After consideration of a report by the Head of Finance, copies of which had been circulated, and after hearing a report from the Service Manager (Accounting), the Committee:

Noted:

2.1. The revenue expenditure outturn statement in respect of service areas for which the Education, Leisure and Housing was responsible, for financial year 2022/23, attached as Annex 1 to the report by the Head of Finance, indicating the following:

- A net General Fund overspend of £1,180,600.
- A net non-General Fund overspend of £792,300.

2.2. The revenue financial detail by service area statement in respect of service areas for which the Education, Leisure and Housing Committee was responsible, for financial year 2022/23, attached as Annex 2 to the report by the Head of Finance.

The Committee scrutinised:

2.3. The explanations given and actions proposed in respect of significant budget variances, as outlined in the Budget Action Plan, attached as Annex 3 to the report by the Head of Finance, and obtained assurance that appropriate action was taken with regard to significant budget variances.

3. Revenue Expenditure Monitoring

After consideration of a report by the Head of Finance, copies of which had been circulated, and after hearing a report from the Service Manager (Accounting), the Committee:

Noted:

3.1. The revenue financial summary statement in respect of service areas for which the Education, Leisure and Housing Committee was responsible, for the period 1 April to 30 June 2023, attached as Annex 1 to the report by the Head of Finance, indicating a budget underspend position of £208,100.

3.2. The revenue financial detail by service area statement in respect of service areas for which the Education, Leisure and Housing Committee was responsible, for the period 1 April to 30 June 2023, attached as Annex 2 to the report by the Head of Finance.

The Committee scrutinised:

3.3. The explanations given and actions proposed in respect of significant budget variances, as outlined in the Budget Action Plan, attached as Annex 3 to the report by the Head of Finance, and obtained assurance that action was being taken with regard to significant budget variances.

4. Education Scotland – Follow Up Inspection

Eday Community School and Nursery Class

After consideration of a report by the Corporate Director for Education, Leisure and Housing, copies of which had been circulated, and after hearing a report from the Service Manager (Primary Education), the Committee:

Noted:

4.1. That, in May 2023, a team of inspectors from Education Scotland undertook a follow up visit to Eday Primary School and Nursery Class.

4.2. The positive feedback on progress made by the school since the original inspection in September 2019, as detailed in the letter from Education Scotland, attached as Appendix 1 to the report by the Corporate Director for Education, Leisure and Housing.

4.3. That, as a result of the inspection visit on 16 and 17 May 2023, HM Inspectors were confident in the school's capacity to continue to improve and as such would make no more visits to Eday Primary School and Nursery Class in connection with the original inspection in September 2019.

The Committee scrutinised:

4.4. The inspection letter in respect of Eday Primary School and Nursery Class, attached as Appendix 1 to the report by the Corporate Director for Education, Leisure and Housing, issued by Education Scotland on 27 June 2023, together with next steps outlined in section 5 of the report by the Corporate Director for Education, Leisure and Housing, and obtained assurance.

5. Education Scotland – Inspection of Papdale Primary School

After consideration of a report by the Corporate Director for Education, Leisure and Housing, copies of which had been circulated, and after hearing a report from the Service Manager (Primary Education), the Committee:

Noted:

5.1. That, in May 2023, a team of inspectors from Education Scotland visited Papdale Primary School, being the first full inspection of any school in Orkney since before the COVID-19 pandemic.

5.2. That, during a full model inspection, four key quality indicators from How Good is Our School were used in a standard inspection, with the evaluations of those quality indicators for Papdale Primary School as follows:

- Leadership of Change – satisfactory.
- Learning, Teaching and Assessment – good.
- Ensuring Wellbeing, Equality and Inclusion – satisfactory.
- Raising Attainment and Achievement – good.

5.3. That, as a result of the positive inspection visit, HM Inspectors were confident in the school's capacity to continue to improve and as such they would make no more visits to Papdale Primary School in connection with this inspection.

The Committee scrutinised:

5.4. The inspection letter in respect of Papdale Primary School, attached as Appendix 1 to the report by the Corporate Director for Education, Leisure and Housing, issued by Education Scotland on 27 June 2023, together with next steps outlined in section 5 of the report by the Corporate Director for Education, Leisure and Housing, and obtained assurance.

6. Education Scotland – Inspection of Papdale Nursery

After consideration of a report by the Corporate Director for Education, Leisure and Housing, copies of which had been circulated, and after hearing a report from the Service Manager (Early Learning and Childcare), the Committee:

Noted:

6.1. That, in May 2023, a team of inspectors from Education Scotland visited Papdale Nursery.

6.2. That four key quality indicators from How Good is Our Early Learning and Childcare were used in a standard inspection, with the evaluations of those quality indicators for Papdale Nursery as follows:

- 1.3 Leadership of Change – Good.
- 2.3 Learning, Teaching and Assessment - Good.
- 3.1 Ensuring Wellbeing, Equality and Inclusion - Good.
- 3.2 Securing Children’s Progress - Good.

The Committee scrutinised:

6.3. The inspection report for Papdale Nursery, attached as Appendix 1 to the report by the Corporate Director for Education, Leisure and Housing, issued by Education Scotland, together with next steps outlined in section 5 of the report by the Corporate Director for Education, Leisure and Housing, and obtained assurance.

7. Care Inspectorate – Willow Tree Nursery

After consideration of a report by the Corporate Director for Education, Leisure and Housing, copies of which had been circulated, and after hearing a report from the Service Manager (Early Learning and Childcare), the Committee:

Noted:

7.1. That, on 27 and 28 April 2023, the Care Inspectorate undertook an inspection of Willow Tree Nursery.

7.2. That four key quality indicators from the Care Inspectorate Quality Framework were used in the inspection, with the evaluations for Willow Tree Nursery as follows:

- How good is our care, play and learning? Adequate.
- How good is our setting? Good.
- How good is our leadership? Adequate.
- How good is our staff team? Adequate.

The Committee scrutinised:

7.3. The inspection report for Willow Tree Nursery, attached as Appendix 1 to the report by the Corporate Director for Education, Leisure and Housing, together with next steps outlined in section 5 of the report by the Corporate Director for Education, Leisure and Housing, and obtained assurance.

8. Care Inspectorate – St Andrews Nursery

After consideration of a report by the Corporate Director for Education, Leisure and Housing, copies of which had been circulated, and after hearing a report from the Service Manager (Early Learning and Childcare), the Committee:

Noted:

8.1. That, on 24 and 25 April 2023, the Care Inspectorate undertook an inspection of St Andrews Nursery.

8.2. That four key quality indicators from the Care Inspectorate Quality Framework were used in the inspection, with the evaluations for St Andrews Nursery as follows:

- How good is our care, play and learning? – Very Good.
- How good is our setting? – Very Good.
- How good is our leadership? – Very Good.
- How good is our staff team? – Very Good.

The Committee scrutinised:

8.3. The inspection report for St Andrews Nursery, attached at Appendix 1 to the report by the Corporate Director for Education, Leisure and Housing, together with next steps outlined in section 5 of the report by the Corporate Director for Education, Leisure and Housing, and obtained assurance.

9. Orkney Community Learning and Development

Partners Plan 2021 to 2024 – Update

After consideration of a report by the Corporate Director for Education, Leisure and Housing, together with an Equality Impact Assessment and an Island Communities Impact Assessment, copies of which had been circulated, and after hearing a report from the Service Manager (Community Learning, Development and Employability), the Committee:

Noted:

9.1. The statutory requirement placed on local authorities by the Community Learning and Development (Scotland) Regulations 2013 to publish a Community Learning and Development (CLD) plan every three years, describing how it will co-ordinate and secure adequate and efficient CLD provision with other sector partners.

9.2. That, on 5 October 2021, the Council adopted the Community Learning and Development Plan for Orkney 2021 to 2024, in so far as it related to the Council.

9.3. That, in line with governance arrangements for the Strategic Community Learning Group, the Community Learning and Development Plan was reviewed and updated annually to ensure it remained effective and relevant to evolving needs.

The Committee scrutinised:

9.4. The annual review of the Orkney Community Learning and Development Partners Plan 2021 to 2024, attached as Appendix 1 to the report by the Corporate Director for Education, Leisure and Housing, and obtained assurance that effective progress was being made.

The Committee resolved to **recommend to the Council:**

9.5. That the revised Orkney Community Learning and Development Partners Plan 2021 to 2024, attached as Appendix 1 to this Minute, which had been updated by partners of the Orkney Strategic Community Learning Group, be approved, in so far as it related to the Council.

Marie Locke and Reverend Fraser Macnaughton, religious representatives, left the meeting at this point.

10. Housing Revenue Account

Revenue Repairs and Maintenance Programmes – Expenditure Outturn

After consideration of a report by the Head of Finance, copies of which had been circulated, and after hearing a report from the Head of Community Learning, Leisure and Housing, the Committee:

Noted:

10.1. The summary position of expenditure incurred against the approved revenue repairs and maintenance programme in respect of the Housing Revenue Account for financial year 2022/23, as detailed in section 4.2 of the report by the Head of Finance, indicating an overspend of £176,000 against an approved budget totalling £1,548,500.

The Committee scrutinised:

10.2. The explanations given in respect of significant budget variances, as detailed in Appendix 1 to the report by the Head of Finance, and obtained assurance with regard to progress made with delivery of the approved revenue repairs and maintenance programme for 2022/23 in respect of the Housing Revenue Account.

11. Housing Revenue Account

Revenue Repairs and Maintenance Programmes – Expenditure Monitoring

After consideration of a report by Head of Finance, copies of which had been circulated, and after hearing a report from the Head of Community Learning, Leisure and Housing, the Committee:

Noted:

11.1. The summary position of expenditure incurred, as at 30 June 2023, against the approved revenue repairs and maintenance programme in respect of the Housing Revenue Account, as detailed in section 4.2 of the report by the Head of Finance.

The Committee scrutinised:

11.2. The explanations given in respect of significant budget variances, as detailed in Appendix 1 of the report by the Head of Finance, and obtained assurance with regard to progress being made with delivery of the approved revenue repairs and maintenance programme for 2023/24 in respect of the Housing Revenue Account.

12. Housing Service – Annual Assurance Statement

After consideration of a report by the Corporate Director for Education, Leisure and Housing, copies of which had been circulated, and after hearing a report from the Head of Community Learning, Leisure and Housing, the Committee:

Noted:

12.1. The requirement to submit an Annual Assurance Statement to the Scottish Housing Regulator by 31 October.

12.2. That the Scottish Housing Regulator had enhanced its requirements in respect of assurance in relation to equalities, as well as tenant and resident safety, for Assurance Statements to be submitted by 31 October 2023.

The Committee resolved to **recommend to the Council:**

12.3. That the Annual Assurance Statement, together with supporting Annexes, attached as Appendix 2 to this Minute, be approved for submission to the Scottish Housing Regulator.

Reverend Fraser Macnaughton, religious representative, rejoined the meeting during discussion of this item.

13. Policy on Dampness

After consideration of a report by the Corporate Director for Education, Leisure and Housing, together with an Equality Impact Assessment and an Island Communities Impact Assessment, copies of which had been circulated, and after hearing a report from the Head of Community Learning, Leisure and Housing, the Committee:

Noted:

13.1. That each year, the Council received an average of 27 requests for service from its tenants as a result of issues with damp and mould.

13.2. That a Dampness Policy, including Dealing with Mould, had been developed in line with guidance produced by the Chartered Institute of Housing, the Association of Local Authority Chief Housing Officers and the Housing Ombudsman, to ensure that the Council's delivery of housing services was appropriately robust in dealing with damp and mould.

The Committee resolved to **recommend to the Council:**

13.3. That the Dampness Policy, including Dealing with Mould, attached as Appendix 3 to this Minute, be approved.

14. Orkney Archive Digital Preservation Policy and Strategy

After consideration of a report by the Corporate Director for Education, Leisure and Housing, together with an Equality Impact Assessment, copies of which had been circulated, and after hearing a report from the Team Manager (Libraries and Archives), the Committee:

Noted:

14.1. That Digital Preservation was a key area which the Archive Service must focus upon with the advent of more electronic content being created by the Council as well as private bodies and individuals.

14.2. That digital records selected for permanent retention needed to be preserved so that they could be accessed in future years, which required different methods compared to physical archival collections traditionally held.

14.3. That evidence of how the Archive Service was properly managing digital collections was a requirement for Archive Accreditation, an industry standard that Orkney Archive first achieved in 2017.

14.4. That the Archive Service would be looking to retain its accredited status when it began the standard re-application process in August 2023.

The Committee resolved to **recommend to the Council:**

14.5. That the Orkney Archive Digital Preservation Policy, together with the Digital Preservation Strategy 2023-2025, attached as Appendices 4 and 5 respectively to this Minute, be approved.

15. Island and Rural Housing Fund – COVID-19 Funding

Councillor Heather N Woodbridge declared an interest in this item, her connection being that she was a Director and Co-Chair of The North Ronaldsay Trust, but concluded that her interest did not preclude her involvement in the discussion.

After consideration of a report by the Corporate Director for Education, Leisure and Housing, together with an Equality Impact Assessment and an Island Communities Impact Assessment, copies of which had been circulated, and after hearing a report from the Service Manager (Resources), the Committee:

Noted:

15.1. That, on 21 December 2021, when considering the allocation of one-off funding towards a series of projects considered to provide excellent recovery prospects from the COVID-19 pandemic, the Policy and Resources Committee recommended the allocation of funding to a series of recovery projects, which included a one-off allocation of £500,000 towards an Island and Rural Housing Fund.

15.2. That, as part of the budget setting process for 2023/24, following a review of all General Fund reserves and previous commitments for funding, the £500,000 allocation towards the Island and Rural Housing Fund was subsequently reduced to £400,000.

15.3. That the Council's Island and Rural Housing Fund would be utilised to bridge any shortfall in financing, allowing isles housing projects, which would otherwise not be financially viable, to proceed, following successful applications by development trusts to the Scottish Government's Rural and Islands Housing Fund and/or the Scottish Land Fund.

15.4. That, due to time pressures associated with the projects, the Chief Executive exercised emergency powers in awarding funding to the undernoted organisations, met from the Council's Island and Rural Housing Fund:

- Stronsay Development Trust – £37,126 towards the renovation of Beechwood, Stronsay.
- Papay Development Trust – £41,000 towards the purchase of Fairview, Papa Westray.
- Eday Partnership – £100,000 towards the development of two properties at Blett, Eday.

The Committee resolved to **recommend to the Council:**

15.5. That powers be delegated to the Corporate Director for Education, Leisure and Housing, in the consultation with the Chair and Vice Chair of the Education, Leisure and Housing Committee, to determine applications for funding from the Council's Island and Rural Housing Fund.

15.6. That powers be delegated to the Corporate Director for Education Leisure and Housing, in consultation with the Head of Finance and the Head of Legal and Governance, to conclude Agreements, on the Council's standard terms and conditions, with recipients of funding from the Council's Island and Rural Housing Fund.

16. Support for Learning

On the motion of Councillor Gwenda M Shearer, seconded by Councillor Jean E Stevenson, the Committee resolved that the public be excluded from the meeting for this item on the grounds that it involved the disclosure of exempt information as defined in paragraphs 1 and 11 of Part 1 of Schedule 7A of the Local Government (Scotland) Act 1973 as amended.

After consideration of a report by the Corporate Director for Education, Leisure and Housing, together with an Equality Impact Assessment, copies of which had been circulated, and after hearing a report from the Service Manager (Support for Learning and Inclusion), the Committee:

Resolved to **recommend to the Council** that consideration of the provision of Support for Learning be deferred.

The above constitutes the summary of the Minute in terms of the Local Government (Scotland) Act 1973 section 50C(2) as amended by the Local Government (Access to Information) Act 1985.

Reverend Fraser Macnaughton left the meeting during discussion of this item.

17. Conclusion of Meeting

At 13:32 the Chair declared the meeting concluded.

Signed: Gwenda M Shearer.