

**ANGUS COUNCIL – THURSDAY 16 JULY 2020**

**RECOVERY AND RESILIENCE – EDUCATION CURRENT AND INDICATIVE COSTS**

**REPORT BY KELLY McINTOSH, DIRECTOR OF EDUCATION AND LIFELONG LEARNING**

**ABSTRACT**

This report provides Council with information on the current and future financial and logistical implications for Education and Lifelong Learning arising from the on-going response to, and the planned recovery from, Covid-19 and requests funding as required to cover such implications as well as noting and approval of other related matters.

**1. RECOMMENDATIONS**

It is recommended that Council: -

- (i) Notes that Angus Council will claim a grant of up to £227,000 from Scottish Government for continued provision of free school meals during the summer holiday period.
- (ii) Notes the acceptance of, and proposals to spend, a grant of up to £441,541 capital funding and £75,982 revenue funding from the Connecting Scotland Fund to tackle digital exclusion amongst children and young people.
- (iii) Authorises an amendment to the purpose of the £926,000 funding approved by Special Arrangements Committee of 23 June 2020, so as to extend the temporary contracts for teachers and support staff as outlined in section 4.4, and approves additional funding of £1.374m to cover additional costs, should this be required, as more fully detailed in section 4.4 below.
- (iv) Authorises additional funding of up to £870,000 until October 2020 to meet potential additional costs arising from the provision of school transport under current physical distancing measures, as outlined in section 4.5.
- (v) Approves the variation of existing contracts with school transport providers as detailed in section 4.5 of this report to ensure that any additional arrangements for transport with physical distancing measures can be provided from the start of term in August 2020.
- (vi) Notes the offer of temporary parental contracts for transport, as set out in the Council's Home to School Transport Policy, if required, the cost of which will fall within the £870,000 outlined at (iv) above.
- (vii) Authorises the temporary re-prioritisation of access to places on school transport until October 2020 as outlined in section 4.5.
- (viii) Notes the repurposing of Education and Lifelong Learning budgets to fund up to £70,000 for the provision of personal protective equipment (PPE) and essential hygiene and safety items in accordance with public health guidance, including hand sanitiser, required to re-open schools in August 2020.
- (ix) Notes a potential increase in costs arising from the provision of cleaning, facilities management and catering services to school during the COVID 19 pandemic.
- (x) Approves the proposed carry forward of £200,000 to fund four one year fixed term Social Worker posts, to increase capacity within the Education Service and Children, Families and Justice Service to respond timeously to a projected increase in child protection and/or other emerging concerns once children and young people return to education in school, as outlined in section 4.7

## 2 ALIGNMENT TO THE ANGUS LOCAL OUTCOMES IMPROVEMENT PLAN/CORPORATE PLAN

This report contributes to the following local outcomes contained within the **Angus Local Outcomes Improvement Plan** and **Locality Plans**:

- The best start in life for children;
- Improved physical, mental and emotional health and wellbeing;
- More opportunities for people to achieve success.

The **Tayside Plan** for children young people and families 2017-20

- Reduce inequalities and disadvantage;
- Protect the most vulnerable from harm;
- Take the right action to prevent needs arising in the first place;
- Provide the right support to meet needs at the earliest appropriate time;
- Deliver individualised, proportionate and whole family-based support;
- Provide services which are experienced as integrated and consistent;
- Involve children, young people and parents in the design of services;
- Develop holistic services for children, parents and communities;
- Improve outcomes.

### 3. BACKGROUND

3.1 Angus Council closed all schools as of 24 March 2020 following a statement from Scottish Government. This instruction was given in light of the public health risks created by the COVID-19 pandemic.

3.2 In August 2020, assuming infection rates indicate that it is safe to do so, and on the instruction of Scottish Government, all Angus schools will re-open full-time. The previous plan for a model of part-time attendance is now considered as a 'contingency'. However, a definitive instruction to re-open full-time may not be provided until 30 July 2020. It is important to emphasise too that, at any time throughout the 2020-21 session, schools may be asked to move to a model of part-time attendance or temporary closure due to increased rates of infection.

3.3 Education and Lifelong Learning staff continue to work closely with colleagues across other services to ensure that we can respond to Scottish Government instruction.

3.4 Angus Council, as the Education Authority for the Angus area, has a number of statutory duties as regards education. These duties include: -

- i. Securing that there is made for their area adequate and efficient provision of school education,
- ii. To provide primary and secondary school provision for not less than 190 days a year,
- iii. To provide or secure the provision of free school meals to certain pupils,
- iv. To make adequate and efficient provision of additional support for pupils with additional support needs,
- v. To secure that the mandatory amount (specified by the Scottish Ministers) of early learning and childcare is made available for each eligible pre-school child belonging to its area.

The Coronavirus Act 2020 provides the following in relation to schools and education:-

- a. A requirement on the operators of educational establishments to have regard to any advice relating to the incidence or transmission of coronavirus from the Chief Medical Officer of the Scottish Administration or such other person as may be designated by the Scottish Ministers.
- b. The Scottish Ministers have the power to give directions in relation to access to educational establishments being restricted for a specified period (an "Educational Closure Direction").

- c. An Educational Closure Direction can relieve the operator of an educational establishment from the failure to comply with a legal obligation to the extent that the failure would be attributable to the Direction (such as the duties referred to in (i) to (v) above).
- d. An Educational Closure Direction may require the taking of actions in general terms, or require the taking of particular actions, that the Scottish Ministers consider reasonable and make such other provision as the Scottish Ministers consider appropriate.
- e. The Scottish Ministers have the power to give directions in relation to the continuing operation of an educational establishment for a specified period (an “Educational Continuity Direction”).
- f. An Educational Continuity Direction can relieve the operator of an educational establishment from the failure to comply with a legal obligation to the extent that the failure would be attributable to the Direction (such as the duties referred to in (i) to (v) above).
- g. An Educational Continuity Direction can impose a wide range of requirements in relation to, for example, opening times for schools, the attendance at educational establishments of specified groups of people, prohibiting or restricting access to an educational establishment, requiring measures to ensure safe standards of hygiene and other measures to protect health be put in place and require the alteration of term dates, holiday dates or examination dates.
- h. An Educational Continuity Direction has effect until the end of the period specified in the direction or until revoked by the Scottish Ministers. If the Direction relieves a failure to comply with a legal requirement then it must be reviewed every 21 days.<sup>5</sup>

Three Educational Continuity Directions have been made by the Scottish Ministers. It is anticipated that these Directions will continue to be issued setting out what is expected of the operators of educational establishments up to 11 August 2020 when it is anticipated that schools will re-open. The third [Direction](#) is valid until 22 July 2020 and replaces previous directions. This Direction includes the following provisions:-

1. Requires all education authorities to plan for and prepare for children to resume attendance at schools (except nursery schools and nursery classes) under management of the education authority at the earliest time it is safe to do so, having regard to relevant guidance issued by the Scottish Ministers. In doing so, education authorities should prioritise support for children and young people at key transitions points (for example, those due to start P1 or S1 in August 2020).
2. Requires all education authorities to plan for and prepare for the resumption of the provision of early learning and childcare and out of school care in educational establishments under their management no sooner than 15 July, having regard to relevant guidance issued by the Scottish Ministers.
3. Allows continued access (subject to relevant advice and guidance relating to public health and workplace safety) for teachers and staff (and others who are authorised by the education authority, such as contractors) to educational establishments for the purpose of planning and preparing (including alterations to premises) for the purpose of: (a) learning and teaching to pupils on school premises and, if required, remotely from August 2020; (b) early learning and childcare; and (c) out of school care.
4. Requires the education authority to support in-home learning by pupils who normally attend schools under the management of the education authority during term time, in accordance with appropriate local arrangements, subject to the conditions in paragraph 5 below.
5. Requires education authorities to provide education and childcare, pursuant to appropriate local arrangements, for children of keyworkers, including NHS and social care staff (having regard to relevant guidance issued by the Scottish Ministers) and vulnerable children, including those eligible for free school meals, those with complex additional support needs, and at-risk children and young people (having regard to relevant guidance issued by the Scottish Ministers).

6. Require the education authority to restrict access to all educational establishments under their management (with the exception of any further education institution), except in so far as access to such establishments may be required for or in connection with any purpose previously referred to or the following activities: (a) support for children and young people's transitions including for children due to start P1 or S1 in August 2020, which may include attendance at a school (except a nursery school or nursery class); (b) the provision of early learning and childcare which is delivered fully outdoors having regard to the relevant guidance issued by the Scottish Ministers; (c) the provision of early learning and childcare and out of school care from 15 July 2020, subject to confirmation that such provision may resume being given by the Scottish Ministers no later than 9 July 2020; (d) activities relating to providing pupil estimates and grade rankings to the Scottish Qualifications Authority, including accessing pupil achievement evidence; and (e) maintenance of buildings and facilities as considered appropriate by the education authority, or any use of buildings and facilities for, or in relation to, other aspects of the local authority's response to coronavirus.
7. Requires the education authority, where unable to secure the continued provision of free school meals to eligible pupils, to secure the provision of such reasonable alternatives (for example, other food or drink, or vouchers or cash) as it may determine.
8. The education authority must have regard to the objective of preventing the transmission of coronavirus and the continuity of education when carrying out the functions detailed within the Direction.
9. The Direction allows for a failure to comply with a duty or time limit under the following provisions is to be disregarded to the extent of the failure would be attributable to this Direction: (a) provision of free school lunches (section 53(2) of the Education (Scotland) Act 1980) subject to the requirement noted at point 7 above; (b) provision of additional support needs (section 4(1) of the Education (Additional Support for Learning) Scotland Act 2004); (c) any time limit prescribed in or under the 2004 Act with the exception of time limits imposed under the 2005 Regulations; and (d) duty to secure provision of early learning and childcare (section 47(1) of the Children and Young People (Scotland) Act 2014).
10. The Direction allows for a failure to comply with the duty of parents to provide education for their children (section 30(1) of the 1980 Act) insofar as that duty is discharged by causing the child to attend a public school, is to be disregarded to the extent the failure would be attributable to this Direction.

Scottish Ministers have also issued guidance in connection with the Third Educational Continuity Direction, of particular note within this guidance are the following matters:-

- i. For the purposes of managing COVID-19, and providing there is evidence of transmission being controlled, the intended start date of the new school year across Education Authorities is standardised to 11 August 2020.
- ii. Free school meals will continue to be provided to those who are eligible during the summer holidays.

#### **4. SCHOOL SESSION 2020-21**

##### **4.1 Return to School in August 2020**

Scottish Government have stated that all schools will return full-time in August 2020, if it is safe to do so. Advice is that a move to our contingency of part-time attendance or a return to school closure(s) is dependent upon the rate of transmission of the virus nationally or at a local level, or in response to the test, trace and isolate protocol.

On Wednesday 24 June 2020, Angus Council submitted the Education Local Phasing Delivery Plan (LPDP), Appendix 1, to HMIE for assessment. A copy of this plan has also been shared

with Trade Union representatives. The LPDP outlines our model of part-time attendance and associated guidance. Initial feedback on our plans has been received.

Due to the fluid nature of guidance and advice we are currently planning for a return to full-time but also for the possibility of our contingency model of part-time attendance. We are advised that the detail of a return to full-time will be available by 30 July 2020. This will include updated guidance on a range of matters, including hygiene, health and safety and transport.

#### **4.2 Free School Meal (FSM) entitlement including the use of funding for Holiday Food and Fun**

In setting the budget in February 2020, Angus Council agreed a sum of £180,000 was to be provided through the Change Programme for 'holiday food and fun' and other work to address child poverty for the financial year 2020-21.

On 01 July 2020, confirmation was received that the Council would be eligible to claim up to £227,000 for the provision of free school meals throughout the 2020 summer holiday. The projected cost of free school meals for the summer period is in the region of £175,000. This initial assessment indicates there is sufficient funding within the grant to cover the full cost over the summer.

The Special Arrangements Committee of 23 June 2020 authorised, if required, the use of the holiday food and fun monies to contribute to the cost of free school meals during the summer holiday ([Report 179/20](#) refers). There is now no requirement to use the holiday food and fun money for the provision of free school meals.

#### **4.3 Digital Inclusion**

On 06 July 2020 Angus Council accepted an offer of grant funding for the purchase of digital devices and connectivity to tackle digital exclusion for children and young people. The council is eligible to claim up to £441,541 of capital funding and £75,982 of revenue funding.

The purpose of this funding is to equip children and young people experiencing digital exclusion with access to digital devices and internet connectivity to ensure they can continue to connect with schools, teachers and learning. Costs may be claimed for:

- The purchase of additional devices or connectivity solutions to support blended learning;
- The set up and distribution of additional devices or connectivity solutions;
- Other innovative expenditure which does not meet the above criteria but otherwise would have a clear positive effect on digital inclusion for children and young people.

The council is required to submit proposals for use of the funding by Friday 17 July 2020.

We propose to purchase Chromebooks and Vodafone MiFi portable internet connections. A proportion of the funding will be utilised for innovation, including the establishment of a digital learning team for Angus. This resource will supplement the proposed use of Tayside Regional Improvement Collaborative funding as agreed at Special Arrangements Committee on 23 June 2020 ([Report 179/20](#)). refers.

#### **4.4 Staffing**

Special Arrangements Committee of 23 June 2020 authorised additional funding of £0.926m, from the £4.0m General Fund Contingency balance, for the recruitment of up to 40 temporary teachers and the equivalent of 21 school support staff for the period August-December 2020 ([Report 179/20](#) refers).

On the same date, the Depute First Minister announced the aim of full-time education for all children in August 2020 stating that “we will need all possible education resources at our disposal over the next year to compensate for the loss of learning pupils have faced”.

£100m in Scottish Government funding was announced “to help support the return to school and help children recover any lost ground”.

The Deputy First Minister announced “the objective of ensuring that every probationer teacher who has reached the standard for full registration is able to secure a teaching post for the next school year”.

At the time of writing, Angus Council has not yet received confirmation of the funding allocation, whether it is to be ‘ring-fenced’ in any way or whether there are any other conditions attached to this funding. It is estimated that Angus Council could receive an allocation in the order of £2m over 2 years.

As at 6 July 2020, 32 teachers who completed their first year in 2019-20 have accepted a temporary contract covering August-December 2020. Work continues to recruit 10 temporary school and pupil support staff and to increase the hours of 50 staff with existing contracts.

Approval is sought to amend the purpose of the £0.926m funding approved by Special Arrangements Committee of 23 June 2020 to extend the duration of the temporary contracts of up to 40 temporary teachers and the equivalent of 21 school support staff to one school year, rather than only for the period of August – December 2020.

This will facilitate the provision of cover for staff who continue to ‘shield’, cover any other increased staff absence due to COVID-19 and provide targeted support for individuals and small groups in an effort to close the attainment gap. Whilst this is an alteration of a decision made within the last six months, there has been a material change in circumstances arising from the Deputy First Minister’s announcement of 23 June 2020.

The cost of recruiting 40 teachers on a temporary basis for one school year is £2m. This is based on an average salary using the mid-point of the teacher’s salary scale.

The cost of recruiting 10 full-time school and pupil support assistants on a one year temporary contract and increasing the hours of those already employed by Angus Council to the equivalent of 21 support staff is £300,000.

The total cost of recruitment for one year is therefore £2.3m. The differential between this and the £0.926m authorised at the Special Arrangements Committee of 23 June 2020 is £1.374m. It is anticipated that Angus Council will be able to off-set the £1.374m million costs from its allocated proportion of the new £100m Scottish Government funding. However, until such time as the amount and any conditions attached to that funding are known, this represents a financial risk for the Council.

#### **4.5 School Transport**

The duty to provide school transport is set out in the Education (Scotland) Act 1980, Section 51 (1):

“An education authority... shall make such arrangements as they consider necessary for the provision of any of the following facilities in respect of pupils attending schools or other educational establishments:-

- (a) for their conveyance without charge for the whole or part of the journey between their homes and the schools or other educational establishments which they are attending;
- (b) for making bicycles or other suitable means of transport available to the pupils, or to their parents for the use of the pupils, upon such terms and conditions as may be arranged, or for paying money allowances in lieu thereof;

- (c) for paying the whole or any part, as the authority think fit, of their reasonable travelling expenses, and any such arrangement may in respect of any pupil make provision for more than one of the facilities specified in the foregoing paragraphs of this subsection”.

Information available at 09 July 2020, announced in the First Minister's review of COVID-19 restrictions, was that physical distancing on transport may be reduced to 1 metre and was likely to be permitted on school transport at the start of term in August 2020. This report outlines the projected additional costs based on 1 metre. However, a further update bringing physical distancing on school transport in line with the guidance on physical distancing in schools is anticipated.

At the time of writing 1,985 children are entitled to free home-to-school transport in session 2020/21. Applications are still being received for transport so this number will continue to increase. Under the expected physical distancing guidelines, we will not have capacity to transport all of those who are entitled to free home-to-school transport due the limitations of the number of buses/drivers/operators in the region.

The Transport Team have been modelling the provision of transport with 1 metre physical distancing in place. This modelling includes utilising existing contract vehicles to undertake additional journeys. We have also approached all our existing contracted operators regarding the potential use of extra vehicles.

Approval is sought to vary our existing contracts with operators to include the provision of these additional services. The legal basis for this is Regulation 72 of the Public Contract (Scotland) Regulations 2015. Reg 72(1) (c) and (f) may both apply: -

*“72.(1) A contract and framework agreement may be modified without a new procurement procedure—*

*(c) where all of the following conditions are fulfilled—*

*(i) the need for modification has been brought about by circumstances which a diligent contracting authority could not have foreseen;*

*(ii) the modification does not alter the overall nature of the contract or framework;*

*(iii) any increase in price does not exceed 50 % of the initial contract value or framework agreement;*

*(f) where paragraph (5) applies.”*

Paragraph (5) states: - *“This paragraph applies where the value of the modification is below both of the following values— (a) the relevant threshold mentioned in regulation 5 (thresholds); and (b) 10 % of the initial contract value for service and supply contracts or frameworks and 15% of the initial contract value for works contracts or frameworks, provided that the modification does not alter the overall nature of the contract or framework agreement.”*

It is anticipated that the additional expenditure for the period August to October 2020 will be below 10% of the initial contract value. The initial contract value (based on 3+1+1 years) for the cluster which will very likely have the greatest additional expenditure is £2,034,159. The estimated additional expenditure for this Cluster for Term 1 (from Aug to Oct) is around £190,000. This is well below the 50% additional expenditure permitted by Reg 72(1)(c) and, at 9.3%, is also below the 10% additional expenditure permitted by Reg 72(1)(f).

The proposal is to award the additional work only to existing contractors who were originally appointed following a tender process. Furthermore, it is being done equally and all existing contractors are getting a fair opportunity to take on extra work.

On some of our routes, taking this approach will enable all children for those routes to be transported. Some children may arrive at school earlier, or later, than they usually would. There will be significant increased costs associated with these transport arrangements. It should also be noted that there is an element of uncertainty associated with using additional vehicles as operators may require to repurpose vehicles at short notice due to resumption of public bus services.

Unfortunately, other routes have no spare vehicles available or the practicalities make additional journeys very difficult without impacting time spent in school. To reduce the demand on these routes it is proposed to offer temporary contracts to parents/carers who are able to transport their children themselves, in accordance with the Council's Home to Transport Policy (Report 219/18). If after making these offers we still do not have sufficient capacity, Elected Members are asked to agree a temporary re-prioritisation for access to places as follows:

1. Eligibility to free school meals (not universal P1-3);
2. No alternative form of transport;
3. Sibling groups;
4. On the basis of furthest distance from the school.

Additional Support Needs transport will continue to be provided based on the assessment of need.

The picture for school transport is fluid and it is hoped that the additional measures being put in place will only be required in the short term. The following table provides a projection of the estimated costs that will be incurred. The projected costs have been calculated by completing a detailed costing for one school and applying this to all other routes pro-rata. The requirements for transport vary across schools.

The following table provides an illustration of the daily increase in costs for one school:

<b>Contract</b>	<b>Pupils</b>	<b>Usual Capacity</b>	<b>Vehicle Capacity 1m</b>	<b>Vehicles Required</b>
A	74	83	34	3
B	63	70	34	2
C	34	53	24	2
D	50	70	34	2
E	42	70	34	2
F	35	53	24	2
G	37	70	34	2
<b>Daily Cost</b>		£1,438		£3,601

Taking a worst-case scenario that physical distancing requirements are not relaxed, noting that arrangements must commence before any more details are forthcoming, the estimated additional cost for school transport provision and parental contracts from August to October 2020 is in the order of £870,000.

To allow officers to put the transport arrangements in place Members are asked to make budget provision for additional expenditure of up to £870,000 to meet the costs arising from 1 metre physical distancing on school transport and parental contracts until October 2020. Whilst it is anticipated that the further changes can be made between now and October 2020 to reduce these costs an Information Report will be brought as costings and physical distancing requirements are known, potentially to the August 2020 cycle of meetings.

Some children, who are not entitled to free transport, travel on our services as fare paying passengers. If physical distancing remains in place, it is unlikely that there will be capacity on buses for these pupils.

We will also be unable to offer any 'privilege places' on our transport contracts. Privilege places are offered on request to pupils who do not qualify for free transport on distance grounds or are



not attending their catchment school. These places are offered when there are vacant seats on a vehicle and no additional expense is incurred. Our existing home-to-school transport policy notes that privilege places may be withdrawn at any time, however it should be recognised that this may cause difficulty to families who ordinarily access the service this way. There is an associated reputational risk to the council albeit, we consider it not unreasonable in the circumstances to ask parents and carers to accept the challenges of these circumstances.

As noted, transport planning for August 2020 now needs to be put in place based on 1 metre distancing. Although we recognise the potential for distancing rules to change again during the summer holiday, it may prove difficult to make changes to routes before the start of term. This is to enable routes to be designed, procurement to be completed and due to the need to notify families in advance about the arrangements for August 2020. We anticipate it will take several weeks to revert from a 1 metre distancing service to a 'usual' transport schedule i.e. no physical distancing required, as routes will again need to be redesigned to suit the new pupils and changes of school that occur every August as well as giving adequate notice to parents of changes.

#### **4.6 Safety and Hygiene Measures**

Whether or not schools return in August on a full-time basis, as long as coronavirus presents a risk to the population, there will be a requirement for enhanced cleaning and other hygiene and safety measures.

Some costs have been incurred since school closure. These are related to the opening of schools to key staff to allow the completion of tasks which could not be done at home, opening of schools in June to allow preparation for August and necessary transition meetings to occur, and the provision of critical childcare. As this time we are not in a position to quantify these costs.

Additional costs are anticipated arising from the provision of items including hand sanitisers, signage and personal protective equipment (PPE). The initial cost of provision to enable the safe return to school in August is estimated to be in the region of £70,000. There may be a need for additional expenditure throughout the school year depending upon the amount of resource used in school.

It is proposed to repurpose existing Education and Lifelong Learning budgets to meet the cost of this. The decision to use budgets in this way may create future difficulties for the service to meet other unexpected costs arising during the school year, for example building maintenance issues.

Finally, we anticipate a continued requirement for enhanced cleaning services in line with guidance from Health Protection Scotland. The projected costs of delivering this level of service are not yet available and will be subject to a further report in September, Elected Members are asked to note the potential for increased costs.

#### **4.7 Support for children, young people and families**

The evidence from other countries shows that lockdown easing results in an increase in child protection referrals. This is to be expected as children become more visible to services, their families and communities. The combination of schools returning and a gradual resumption of health services is likely to result in an upturn in the volume of referrals to children's social work services. Given the difficulties that some children will have experienced in lockdown, some such referrals are likely to be more complex in nature and take greater time (and therefore resource) to respond to. Others will simply require additional support that can be accessed more easily once a wider range of services resume.

Due to their frontline contact with a large number of children, school-based staff are disproportionately likely to observe changes in children's presentation or circumstances that may merit exploration of supports. Children may also take the opportunity of returning to school to share, with friends or trusted adults, instances of abuse or neglect they have experienced. Some parents/carers may also reach out to the school for support with difficulties that have

emerged during the lockdown period and in relation to which, they may not have sought support. Due to the concertina effect of a majority of families having had limited access to the full range of services since March 2020, steps need to be taken to ensure that the local response system has increased capacity to safely manage and support such an upturn.

This will require additional capacity to support consultation and collaboration between key school staff and social work colleagues in order to identify the best support routes for individual children, young people and families. The additional resource of four Social Workers will provide one additional Social Worker per 'double cluster' of schools.

## **5 FINANCIAL IMPLICATIONS**

- 5.1 Scottish Government Grant will cover the additional cost for the provision of free school meals during the summer holiday period.
- 5.2 Scottish Government Grant (Connecting Scotland) will cover all additional costs associated with ensuring digital access for all children and young people.
- 5.3 The estimated total cost of extending contracts for teachers and support staff to one year is £2.3m. After allowing for the £0.926m previously approved by Council, this leaves a £1.374m issue to be addressed.
- 5.4 We anticipate up to £870,000 of additional expenditure for school transport for the period August - October 2020 that requires to be addressed. This is based on estimated costing of providing additional transport and parental contracts where available to maximise the number of pupils who can be transported in accordance with bus capacity and 1 metre physical distancing requirements.
- 5.5 Education and Lifelong Learning budgets will be repurposed to the value of £70,000 to allow all necessary hygiene and PPE resources to be in place for the re-opening of schools. A continued need for schools to operate in accordance within current, or in accordance with any new safety and hygiene requirements, may necessitate a budget uplift/ result in a budget pressure. This will be subject of a further report to members if necessary.
- 5.6 Costs associated with enhanced cleaning in schools have yet to be identified and thus the impact onto the Education and Lifelong Learning budget or additional funding requiring to be provided. This will be subject of a further report to members if necessary.
- 5.7 The £200,000 required to recruit four Social Workers is a 100% carry forward request from the 2019/20 corporate underspend.
- 5.8 In summary, the estimated additional costs arising from this report requiring a funding decision are:-
  - Teacher / support staff temporary contracts: £1.374m;
  - School transport: £870,000;
  - Enhanced cleaning: to be identified;
  - Social Workers carry forward: £200,000.
- 5.9 The Council's draft accounts for 2019/20 have been prepared and identify an uncommitted General Fund balance of £0.877m at 31 March 2020. This position provides for approval of all submitted carry forward requests, including that noted above in respect of Social Workers. It is noted that this uncommitted balance could change following the audit of the Council's accounts.
- 5.10 The Council has a General Fund Contingency of £4m, £0.926m of which has already been committed to teacher / support staff temporary contracts. This leaves an available General Fund Contingency of £3.074m.

- 5.11 As noted earlier in this report, £100m of additional education funding is to be distributed by the Scottish Government. No detail has been provided on allocations, conditions, ring-fencing as yet. It is reasonable to estimate an allocation for Angus Council in the order of £2.0m. However, until formal communication from the Scottish Government, it would be necessary for the Council to underwrite funding of the above noted additional costs itself. In light of this, the following summary cost / funding position is highlighted:-

	£m	£m
<b>Funding</b>		
Uncommitted General Fund Balance	0.877	
Uncommitted General Fund Contingency	3.074	
Total Available Reserves 31/3/20		3.951
<b>Costs</b>		
Teacher / support staff	1.374	
School transport	0.870	
Enhanced Hygiene / Cleaning	Not known *	
Social Workers	0 **	
Total Costs Requiring Underwritten		2.244
<b>Available Uncommitted Reserves Post Underwriting</b>		<b>1.707</b>
Estimated Scottish Government Grant ***		2.000
Anticipated Available Reserves		3.707

\*to be subject of a further committee report

\*\*already provided for in uncommitted General Fund balance at 31/3/20

\*\*\*amount and conditions still to be notified

- 5.12 It may be noted from the above that total available Reserves would reduce to £1.707m in light of the underwriting of this additional expenditure. This underwriting may be able to be in part or fully removed once confirmation is received from the Scottish Government regarding deployment of the additional £100m national grant funding. If this grant can be fully applied to the additional expenditure in this report, available Reserves would increase to £3.707m, assuming all other matters remain unchanged.

5.13 While potentially having to use the uncommitted balances / contingency funding would reduce the Council's financial resilience for other issues this is considered a reasonable approach in the circumstances given the statutory duties which the Council must comply with as regards the provision of education, as well as the importance of education and lifelong learning and its place in the Council Plan and the urgency with which additional staffing provision needs to be progressed.

- 5.14 Members should be in no doubt that the scale of financial impact arising from the pandemic across a number of service areas but especially in schools and some of the asks being made of the Council by Government policy are placing a great strain on the Council's financial resilience and our ability to respond to the inevitable further financial challenges which lie ahead. Whilst the under-writing of costs and use of contingency funds proposed in this report are commensurate with the Council's policy priorities these decisions have consequences which will need to be accepted in terms of the reduction in our ability to respond to new issues and financial pressures and the increased risk that emergency measures to live within our financial resources may be required at a future point.

## **6. RISK IMPLICATIONS**

- 6.1 Scottish Government have indicated that the expectation is that schools maximise their capacity for pupils to benefit from in-school learning. Failure to replace staff may result in an inequitable offer across our schools and in some schools offering significantly less time in school, with children and young people most in need of support being further disadvantaged.
- 6.2 All local authorities are seeking to recruit to alleviate pressures on staffing and respond to the statement by the Depute First Minister that he would work with authorities to ensure all newly qualified teachers secured a post for the next school year. Delaying a decision to extend contracts may result in some of our newly qualified teachers accepting one year contracts elsewhere and incur reputational risk resulting in them not returning to Angus when neighbouring authorities moved quickly to such an offer. It is anticipated that significant additional resource will be required to effectively support children and young people and close the attainment gap. This includes support for children and families to overcome underpinning adversities in their personal and family lives which impacts on attainment outcomes.
- 6.3 A reduction in transport capacity of the scale indicated for August 2020, due to the need for physical distance, combined with a limited supply of buses in the region may result in the Council being unable to meet its statutory duties as regards the provision of school transport, as outlined in section 4.5
- 6.4 Failure to provide necessary hygiene and safety items may result in increased risk of infection in schools and non-compliance with health and safety requirements.
- 6.5 If there is not additional investment in frontline social work capacity to support the response to immediate concerns, it is likely that there will be delays in progressing referrals and identifying which children are “at risk” and in need of immediate support and protection. This would be a breach of the Council’s statutory duties and would result in further harm to children which could have been avoided.

## **7. CONCLUSION**

This report outlines the continued challenges presented by the risk of COVID-19 and its management in our schools. It also offers the best professional judgement and advice on information available from Scottish Government currently. It identifies the implications for the implementation of full-time education during this pandemic. It outlines challenges should advice change at short notice either in terms of physical distancing or localised rise in infections. It advises on the implementation of public health guidance in settings and in relation to school transport as it stands at this current time.

The report outlines the challenges within the current budget for education to cover all contingencies whilst delivering a quality service for our children and young people.

Even with government funding, in order to support children and families in Angus appropriately, the report concludes that additional funding will be required from contingency reserves. An indication of what this funding is and what it will deliver is detailed in the report but it must be stressed, a number of assumptions have had to be made.

## **8. CONSULTATION**

The Chief Executive, Depute Chief Executive, Director of Children, Families and Justice (Chief Social Work Officer), Director of Finance, Director of Infrastructure, Director of HR, Digital Enablement, IT and Business Support, and the Director of Legal and Democratic were consulted during the preparation of this report.

## 9. EQUALITIES IMPACT ASSESSMENT

An equalities impact assessment has been completed.

**NOTE:** The background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) which were relied on to any material extent in preparing the above report are:

The Education (Scotland) Act 1980; Educational Continuity Direction dated 2 July 2020; The Coronavirus Act 2020

Recovery and Resilience – Steps for Angus Schools: [https://www.angus.gov.uk/sites/angus-cms/files/2020-06/179\\_3.pdf](https://www.angus.gov.uk/sites/angus-cms/files/2020-06/179_3.pdf)

Report No 129/18 - Home to School Transport Policy - Children and Learning Committee 19 April 2018

**REPORT AUTHOR:** Kelly McIntosh

**EMAIL DETAILS:** [childrenandlearning@angus.gov.uk](mailto:childrenandlearning@angus.gov.uk)