

# Report

Report to:	<b>Executive Committee</b>
Date of Meeting:	<b>29 May 2019</b>
Report by:	<b>Executive Director (Finance and Corporate Resources)</b>

Subject:	<b>Recommendations Referred from Resource Committees</b>
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## 1. Purpose of Report

1.1. The purpose of the report is to:-

- ◆ request approval of the following recommendations referred to this Committee by the:-
  - ◆ Education Resources Committee of 7 May 2019
  - ◆ Social Work Resources Committee of 8 May 2019

## 2. Recommendation(s)

2.1. The Committee is asked to approve the following recommendation(s):-

- (1) that the recommendations of the Education Resources Committee in relation to the expansion of the pilot rollout of Breakfast Clubs and the amendment to the Paid Privilege Transport Scheme Policy be approved.
- (2) that the recommendations of the Social Work Resources Committee in relation to the Kinship Care Policy be approved.

## 3. Background

3.1. **Proposal to Expand the Pilot Rollout of Breakfast Clubs (August 2019) – Extract of Minute**

A joint report dated 16 April 2019 by the Executive Directors (Education Resources), (Community and Enterprise Resources) and (Finance and Corporate Resources) was submitted on:-

- ◆ progress achieved with the implementation of the initiative to pilot free breakfast clubs in a number of primary schools during 2018/2019
- ◆ proposals to expand the pilot rollout to all primary schools from August 2019
- ◆ proposals to increase the staffing establishments within Education Resources and Community and Enterprise Resources to meet the requirements of existing breakfast clubs and the expansion of the pilot rollout
- ◆ anticipated costs required to meet the requirements of existing breakfast clubs and the expansion of the pilot rollout

On 24 April 2018, the Education Resources Committee approved the initial rollout of breakfast clubs to 5 primary schools during April to June 2018 (phase 1) before upscaling to 40 schools from August 2018 (phase 2). The pilot would also explore the

option of supporting a local charitable organisation to deliver breakfast clubs in identified schools.

On 27 November 2018, the Education Resources Committee considered an update on the initiative which included detailed information on the evaluation undertaken and also next steps in taking forward breakfast club provision from August 2019. Following that update, the average daily uptake rate had increased from 26 to 35 pupils and the number of breakfasts served daily had increased from 1,050 to 1,450. Discussions had also continued with voluntary sector organisations, such as the Machan Trust, Larkhall, to look at different models of delivery.

Information was provided on actions taken in terms of planning for the expansion of the pilot for breakfast clubs to all primary schools from August 2019. Details of the average daily breakfast clubs uptake rates, in each of the primary schools involved in phases 1 and 2, was provided in Appendix 1 to the report. In view of the increased number of pupils attending some schools, it was proposed that the staffing levels in Education Resources and Community and Enterprise Resources be increased, on a temporary basis initially, as follows:-

Post	Number of Posts (FTE)	Grade/Level	Spinal Column Points	Salary	Total Gross Costs (inc on costs 30.3%)
School Support Assistant	193 x 45 minutes per day	Grade 1, Level 1 to 3	20 to 27	£1,550 to £1,718	£389,833 to £432,079
Facilities Assistant (Cook in Charge)	6 x 1 hour per day	Grade 1, Level 1 to 4	20 to 31	£2,065 to £2,429	£16,146 to £18,987
Facilities Assistant – (Catering)	61 x 1 hour per day	Grade 1, Level 1	20	£2,065	£164,154

It was anticipated that the associated level of funding required to continue with existing breakfast clubs and the extension of the pilot to all primary schools from August 2019 would be £680,000. This would be funded during 2019/2020 by utilising the cumulative projected underspends from the pilot summer holiday lunch clubs and free breakfast clubs programmes, since the introduction of both initiatives in 2018/2019.

#### **The Committee recommended to the Executive Committee:**

- (1) that the expansion of the pilot rollout of breakfast clubs within all primary schools from August 2019 be approved; and
- (2) that the proposed increases in the staffing establishments of Education Resources and Community and Enterprise Resources, required as part of the expansion programme, as detailed above, be approved.

*[Reference: Minutes of 24 April 2018 (Paragraph 6) and 27 November 2018 (Paragraph 8)]*

*Councillor Dryburgh, having declared an interest in this matter, withdrew from the meeting during its consideration*

*[Reference: Minutes of 27 November 2018 (Paragraph 8)]*

### 3.2. **Paid Privilege Transport Scheme – Amendment to Policy – Extract of Minute**

A report dated 10 April 2019 by the Executive Director (Education Resources) was submitted on a proposal to amend the policy of 'paid privilege transport' to allow free provision of privilege transport for pupils with free school meal entitlement.

A paid privilege place was provided where there was spare capacity on an existing dedicated school contract. The privilege scheme had been refined to take account of priority situations and, on 16 May 2018, the Executive Committee approved a recommendation from the Education Resources Committee of 24 April 2018, for the introduction of a new priority for the allocation of paid privilege transport places as follows:-

- ♦ pupils who were entitled to free school meals. Places would be issued to pupils who lived further from the school until all the places had been allocated

The new priority increased the number of priorities for the allocation of places from 4 to 5. It was agreed that, with effect from August 2018, pupils entitled to free school meals would be considered as Priority 3.

In school session 2018/2019, allocated privilege transport places had been available to 36 pupils within the new Priority 3. Only 17 pupils had taken up places which had generated income of £3,230. As part of the Council's commitment to tackling poverty, and in preparation for school session 2019/2020, it was proposed to waive the charge for a privilege transport place within Priority 3 which would be amended to read as follows:-

- ♦ Priority 3 - pupils who were entitled to free school meals. Places would be issued to pupils who lived further from the school until all the places had been allocated. Any privilege transport allocation made under Priority 3 would be free of charge

There were no changes to Priorities 1, 2, 4 and 5 for the allocation of paid privilege places.

**The Committee recommended to the Executive Committee:** that revised Priority 3, to allow free provision for pupils with free school meals, be approved, with effect from August 2019.

*[Reference: Minutes of 24 April 2018 (Paragraph 8) and Executive Committee 16 May 2018 (Paragraph 16)]*

### 3.3. **Kinship Care Policy and Guidance – Extract of Minute**

A report dated 10 April 2019 by the Director, Health and Social Care was submitted on the proposed updated South Lanarkshire Council Kinship Care Policy and Guidance.

The Looked After Children (Scotland) Regulations 2009 defined a Kinship Carer as a person who was related to the child through blood, marriage or civil partnership, or a person with whom the child had a pre-existing relationship.

Information was provided on the eligibility criteria for receiving Kinship Care payments which included a child accommodated by the local authority under Section 25 of the

Children (Scotland) Act 1995. Prior to October 2015, Kinship Care payments were set at £50 per week. On 5 October 2015, the Scottish Government advised local authorities that Kinship Care payments should be paid, at a minimum, at the same rate as Foster Care Allowance, minus child tax credits and child benefit, effective from 1 October 2015.

Following challenges to the interpretation of whether a child had been placed with carers by the local authority, making them eligible to receive Kinship Care payments and determinations on this by the Scottish Public Services Ombudsman (SPSO), it had been accepted that the absence of Kinship Carers would have resulted in those children becoming 'looked after'. In other decisions by the SPSO, it had been identified that the Council was making payments to Kinship Carers under Section 22 of the Children (Scotland) Act 1995, when a Section 25 Order should have been used.

In order to be compliant with relevant legislation and statutory guidance, and in response to the changing landscape of eligibility for Kinship Care payments, a revised Kinship Care Policy and Guidance, attached as Appendix A to the report, had been drawn up by Social Work Resources.

It was also proposed that:-

- ◆ Kinship Care placements, made under Section 22 of the Children (Scotland) Act 1995, be reclassified and formalised under Section 25 of the Act
- ◆ those Kinship Carers reclassified under Section 25 of the Act, following a financial assessment, be provided with financial support, backdated to the date of this Committee, in accordance with age related Foster Care Allowance, minus benefit entitlement

**The Committee decided:**

- (1) that Kinship Carers currently receiving support under Section 22 of the Children (Scotland) Act 1995 be reclassified under Section 25 of the Act;
- (2) that those Kinship Carers reclassified under Section 25 of the Act, following a financial assessment, be provided with financial support, backdated to the date of this Committee, in accordance with age related Foster Care Allowance, minus benefit entitlement; and
- (3) that the revised Kinship Care Policy and Guidance, attached at Appendix A to the report, be endorsed and referred to the Executive Committee for approval.

*[Reference: Minutes of 3 February 2016 (Paragraph 6)]*

**4. Employee Implications**

- 4.1. Employee implications arising from this report have been fully considered by the Resource Committee

**5. Financial Implications**

- 5.1. All financial implications arising from this report have been fully considered by the Resource Committee.

**6. Other Implications**

- 6.1. There are no implications in terms of sustainability or risk arising from this report.

## **7. Equality Impact Assessment and Consultation Arrangements**

- 7.1. There was no requirement to carry out an Equality Impact Assessment or consultation process in terms of this report.

**Paul Manning**

**Executive Director (Finance and Corporate Committee Resources)**

24 May 2019

### **Link(s) to Council Values/Ambitions/Objectives**

Accountable, Efficient and Effective

### **Previous References**

Education Resources Committee of 7 May 2019 (Paragraphs 7 and 8)

Social Work resources of 8 May 2019

### **List of Background Papers**

Reports to Resource Committees

### **Contact for Further Information**

If you would like to inspect the background papers or want further information, please contact:-

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