

## ABERDEEN CITY COUNCIL

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<b>COMMITTEE</b>	Education and Children's Services Committee
<b>DATE</b>	30 April 2024
<b>EXEMPT</b>	No
<b>CONFIDENTIAL</b>	No
<b>REPORT TITLE</b>	Behaviour Report
<b>REPORT NUMBER</b>	F&C/24/121
<b>DIRECTOR</b>	Eleanor Sheppard
<b>CHIEF OFFICER</b>	Shona Milne
<b>REPORT AUTHOR</b>	Shona Milne
<b>TERMS OF REFERENCE</b>	1.1.1,

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### 1. PURPOSE OF REPORT

- 1.1 This report details the current picture in relation to behaviour in our schools, arrangements in place to promote positive behaviour in schools and outlines procedures currently in place to improve incident reporting. The report also details collaborative work undertaken with Trade Unions to develop a shared Action Plan for consideration by the Education and Children's Services Committee. As per Committee instruction (the meeting of 20 February 2024), the report also provides an overview of the January Magpie meet and an update on the work of the sub group of Head Teachers looking at how best to utilise resource.

### 2. RECOMMENDATIONS

That the Committee: -

- 2.1 notes the content of this report;
- 2.2 instructs the Interim Chief Officer Education and Lifelong Learning to work with Trade Unions to co-deliver the Action Plan in Appendix B;
- 2.3 delegates authority to the Interim Chief Officer Education and Lifelong Learning to make any amendments necessary, in consultation with Trade Unions, following the publication of the National Behaviour Plan and update Members of any changes through Service Update; and
- 2.4 instructs the Interim Chief Officer Education and Lifelong Learning to update on progress against the Action Plan through the established performance management reports.

### 3. CURRENT SITUATION

- 3.1 Officers have reviewed a range of data sets, including the EIS national and local reports, to help triangulate all available evidence and draw firm conclusions on behaviour in city schools in order to determine if the challenges being experienced across the city are unique to Aberdeen, or illustrative of the shared

challenges being faced nationally and of how best to support staff, children and young people across Aberdeen City. Data sources have included exclusions data, Request for Assistance data, incident data, child poverty data and SEEMiS data pertaining to the additional support needs of children and young people.

### **Review of local data sets**

- 3.2 A review of all available data sets confirms that:
- the vast majority of children and young people continue to behave well in our schools, with findings not dissimilar from those in the national [The Behaviour in Scottish Schools Research Report](#), published by Scottish Government in November 2023. The issues being witnessed mirror those being witnessed nationally.
  - The cost of living crisis, developmental delays resulting from the periods of school closure, prevalence of parental and pupil mental health and cost of living crisis, is impacting on some children/young people in the classroom and this can be challenging to manage at school level. These changes are fully in keeping with the national picture and require a multi-agency response given the level of risk and vulnerability.
  - There has been no rise in the number of children identified as having social, emotional and behavioural needs since 2020, although staff are now more likely to request support. This could indicate that needs are more complex or that staff resilience is lower than pre-pandemic.
  - There has been no rise in incidents being reported since the new incident reporting system went live in September 2023, it can be concluded that the new system has enabled increased reporting compared to earlier systems in place. However, there are indications that the reporting system is receiving both developmental and behavioural reports and that this hampers easy analysis of data.
  - Exclusion continues to be used in keeping with the legislative framework with a slight rise in exclusion incidents evident.
- 3.3 Officers conclude, that the behaviours evident in city schools are in keeping with the changes seen nationally. For clarity, Aberdeen City is not an outlier in terms of the behaviours of our children and young people and the vast majority of children and young people continue to behave well. However, in keeping with the issues being witnessed nationally, there is a need for local action. The complexity of need now evident in some is challenging to manage at school level and the Trade Unions have raised a number of concerns that require to be addressed.

### **Procedures currently in place to support positive behaviour in schools**

- 3.4 All schools have an established Positive Behaviour/Relationships Policy or equivalent published on individual school websites. These policies are routinely reviewed with all stakeholders and outline the steps taken at school level to promote positive behaviour.
- 3.5 Local school policies reflect current national guidance and will require to be reviewed by all stakeholders in light of the National Behaviour Plan.
- 3.6 A range of supports are available to support children, young people and staff with many of those supports currently available outlined in the Health and

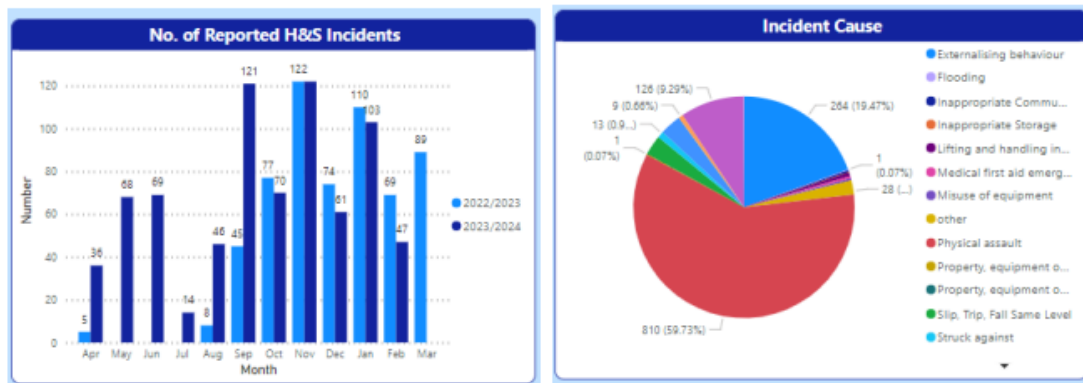
Wellbeing report (F&C/24/120) also being considered at Committee. Of particular relevance are counselling, Place2Be, our Fit Like Family Wellbeing Service and Distress Brief Intervention. Of note also is the range of bespoke support available through our Educational Psychology Service to both develop staff capacity and capability and support individual young people through their Early Intervention Consultation model.

- 3.7 In addition, a range of supports are available through our Request for Assistance process including support for those with English as an Additional Language, those in need of Hearing or Vision Support, or those in need of Dyslexia Outreach or Autism Outreach for example. The Request for Assistance process also allows schools to ask for support from the Fit Like Wellbeing Service, social work services, and school nursing teams.
- 3.8 The increasing complexity evident in some children and young people very much steers a need for a stronger multi-disciplinary response in complex cases. It can be challenging to consistently access the supports required to support children and families at the earliest opportunity given the considerable increase in demand being experienced by multi-agency partners and shortages of health and social care staff across the North East of Scotland.
- 3.9 Education, Children and Young People Committee has undertaken an Inquiry into Additional Support for Learning, and a COSLA Officer gave evidence to the Inquiry on 13 March 2024, we can anticipate that the Committee will produce a Report following their Inquiry and any recommendations will be shared with local authorities through the board. These recommendations may influence future versions of the behaviour plan.
- 3.10 It is increasingly apparent that no single service or approach is ideally suited to address the complexity of issues facing some families now. This complexity is being considered more fully as we develop our model of Family Support.

#### **Incident Reporting**

- 3.11 Over the last 5 years, the education service has been working in collaboration with Trade Unions to realise more consistent incident reporting in schools. The Health and Safety team have provided mandatory training, we have systems to ensure that all school staff access yearly refresher training and continue to design and agree supporting paperwork with Trade Unions and collectively promote the need to report incidents. The current documentation in place, which was agreed with Trade Unions, is available in Appendix A.
- 3.12 Following feedback from Trade Unions, we recently moved to a digital solution for incident reporting. This new system makes it easier to identify trends in order to amend our approaches and support for children, young people and staff. Work is currently on-going to establish an automatic e-mail alert to advise staff when incident reports have been submitted.
- 3.13 Data available from the new system, implemented fully from September 2023, shows no increase in the overall number of incidents being reported since the new system was put in place.





- 3.14 Most incident causes, are noted as 'physical assaults'. A review of the detailed reports shows that many incidents being reported describe developmental concerns. By way of illustration, at the moment a 3 year old throwing a toy across a room could currently be reported as physical assault with a weapon, this would be flagged as prominently as a members of staff being hit by a piece of furniture thrown by a dysregulated young person. It is thought that better splitting of developmental concerns from serious physical assaults would enable better interrogation of the data and swifter action.
- 3.15 Two established Trade Union/Officer groups routinely oversee the data coming through and work together to safeguard school staff. All Trade Unions have agreed the need to review the Terms of Reference of these groups to ensure that they more effectively discharging this role.
- 3.16 The EIS report published on 20 February 2024, suggested that some staff were being encouraged not to report incidents or feel blamed for incidents, this was of concern to officers. The Education Service will collaborate with Trade Unions to review the paperwork supporting the incident reporting system and collaboratively develop an E-learning module detailing all legislative duties and local mechanisms to support increased awareness and knowledge amongst staff. In the meantime, a whistleblowing form has been circulated to staff so that they can raise any concerns directly with us if they feel they are being prevented from completing a form. At the time of writing, no member of staff had completed the whistleblowing form.
- 3.17 Looking at school level data shows a clear correlation between a low volume of incidents with schools who are deemed to be performing well against the Core Quality Indicators. It is important that we continue to implement the school Quality Improvement Framework.
- 3.18 The number of incidences being reported by individuals varies. The data shows that nearly 60% (390 of 677 incident reports) of staff reporting incidents have reported only one incident since the digital system was introduced. The Educational Psychology Service are currently linking with schools and individuals reporting higher levels of incidents to determine appropriate next steps.

- 3.19 The National Behaviour Plan is likely to provide actions for Scottish Government, COSLA, Local Authorities and schools. It is likely to provide further clarity around reporting and trigger a review of our arrangements. The need to be guided by the National Plan is reflected in the Action Plan.

#### **January Magpie meet**

- 3.20 The January Magpie meet provided Anti Bullying leads with the opportunity to collaborate and share the good practice in their schools to ensure consistency across the city. The officer with responsibility for overseeing the implementation of the Anti-bullying policy shared the key messages that had come through from young people in relation to the review of the policy and national messages schools should consider. The number of incidents recorded per school is reviewed monthly to identify any significant increase or decrease. Any significant changes trigger a focus visit to the school from the Anti Bullying lead officer.

#### **Head Teacher working group**

- 3.21 The Cabinet Secretary recently announced her 5 point national behaviour plan at the end of 2023. This will see the Cabinet Secretary:
- Develop a national plan for action, developed in partnership with key stakeholders and informed by Headteachers from Scotland's schools
  - Support spear-headed by our new Chief Inspector, to ensure HMI inspections are documenting the accurate picture of behaviour in Scotland's schools to help support improvement.
  - Funding for staff training to allow our local authorities to best support their teams
  - A call for more accurate and consistent reporting of incidents in our schools
  - A dedicated approach to responding to issues surrounding misogyny
- 3.22 Publication of the National Plan is anticipated imminently and inspections by HMIE are already more focussed on behaviour in schools.
- 3.23 Aberdeen City Council has been allocated £33,000 for the provision of staff training and a group of Head Teachers and Officers have been giving consideration how best to invest this resource. The group consists of headteacher representatives from all sectors, the Interim Chief Education Officer, Quality Improvement Manager with responsibility for additional support needs and Principal Educational Psychologist. The group has gathered data from other authorities in Scotland to identify learning that can inform our work.
- 3.24 Following a visit to a school in another local authority, one city secondary school plan to undertake intensive training delivered by Maybo on the May Inservice Day on behalf of the Group. This will enable the impact of the training to be evaluated and inform final recommendations around the use of the £33,000.
- 3.25 Using the data available through the Request for Assistance PowerBi, the Group are also considering how current outreach services are organised and the impact of the support they offer to schools within the local authority. This work may lead to suggestions on how to rearrange resource to better support the needs of our children, young people and staff.

### **Collaboration with Trade Unions**

- 3.26 Directors meet with Trade Unions (EIS, GMB, Unison and Unite) on a rotational weekly basis, with the Chief Executive joining bi-monthly. The Interim Chief Education Officer and her senior team continue to meet with all Trade Unions on a fortnightly basis, and there are two established Safeguarding School Staff groups comprising all Trade Unions and Officers in place. As referenced earlier, there is a need to review the Terms of Reference for these two groups. Although some recent media coverage suggests that there is a breakdown in relationship between the Education Service and Trade Unions, this is not the case.
- 3.27 The current arrangement in place to address school based issues, is for Trade Unions to raise issues in particular schools directly with the Quality Improvement Manager (Service Manager). The Quality Improvement Manager then works with the Trade Union representative, staff member and school senior leader to resolve issues. This arrangement is successful in almost all cases and will remain in place.
- 3.28 The EIS published their national recommendations at the end of 2023 and published aligned local recommendations following their local survey on 20<sup>th</sup> February 2023. Officers and Trade Union representatives met on the 15<sup>th</sup> March. There was agreement to:
- Work in collaboration to develop an Action Plan, this collaboration will be extended to other Trade Unions.
  - Work at pace and flexibly given the timescales we are working to
  - Collectively aspire to achieve full agreement on the Action Plan, but if this cannot be achieved we will append comments from each of the Trade Unions so that Elected Members have an understanding of what has been collectively agreed and where there is disagreement.
  - Agree a Terms of Reference for the LNCT sub-groups with all parties. With the agreement of other Trade Unions, this group will replace the Safeguarding school staff group.
  - Come together to review progress 6 months after the Plan has been presented to Committee.
  - Agree content of a proposed E-module with Trade Unions and invite feedback
  - Consider the possibility of a joint statement.
  - Should the National Plan not be published in advance of Committee, reference actions to be explored pending publication of the National Plan. If there is a delay to the publication of the National Plan, the officer report will recommend a report back to Committee following its publication.
- 3.29 Officers met with the EIS again on Tuesday 19<sup>th</sup> March to start shaping a shared Action Plan. The draft Action Plan was circulated to all Trade Unions for consideration at the regular Trade Union meeting already scheduled for Wednesday 20<sup>th</sup> March. This meeting clarified that GMB had surveyed their members and had a set of demands they were keen to see taken forward. Unite had surveyed members and planned to advise of their demands following return



of the survey, and Unison intended to survey their members and would advise of their demands in due course.

- 3.30 The GMB shared their demands with the service on Wednesday 20<sup>th</sup> March. Officers met with the GMB on Friday 22<sup>nd</sup> March. Much of the content of the draft Action Plan was welcomed by the GMB. In addition to actions already committed to in the plan, it was agreed to:
- Add an individual staff risk assessment to school risk assessment processes to including how to escalate and some FAQs to support staff
  - Review the advice given to schools to support their development of school Health and Safety Policies, to include the adding of Health and Safety to school staff meeting agendas
  - Report the work being undertaken on the use of resources to Trade Unions when concluded
  - Work in collaboration with Trade Unions to develop some short films on health and safety for inclusion on the education sharepoint site
  - Better exemplify the discussion undertaken between manager and staff member to determine if an incident is reportable through the Health and Safety system and also as part of the de-brief to show how lessons learned help inform updated Person Centred Risk Assessments.
- 3.31 The EIS sent further proposed changes to the Action Plan to Officers on Friday 22<sup>nd</sup> March. These proposals, as well as the changes discussed with the GMB, were added to the draft Action Plan resulting in an updated Action Plan being shared with all Trade Unions on Monday 25<sup>th</sup> March.
- 3.32 Officers met with all Trade Unions on Tuesday 26<sup>th</sup> March. The Action Plan was discussed and some further refinements were made. It was agreed that the Trade Unions and Officers would meet again following the Easter break given that publication of the National Plan would trigger a rapid review of timescales and content within the local Action Plan.
- 3.33 Officers met with all trade unions on Tuesday 16<sup>th</sup> April. Although there was broad agreement on the content of the Action Plan, all acknowledged that the Action Plan will require further consideration following publication of the National Behaviour Plan. Trade Unions expressed a desire to record a commitment to providing additional resource to schools/the school estate in order to increase the capacity of specialist provisions and increase staffing.
- 3.34 Officers then met with the Local Negotiating Committee for teachers on the 18th April. Trade Unions were comfortable with the actions within the Action Plan and all acknowledged that the Action Plan will require further consideration when the National Plan is published.
- 3.35 Written feedback was requested from all Trade Unions for inclusion in this report. The returned responses are detailed below:

The EIS noted that,

- they have engaged with officers to develop the plan and welcome the focus on improving policies around incident reporting, staff training, behaviour management, and handling violence and aggression.

- the plan will evolve over time and will be under regular review to ensure all policies reflect national guidance and remain relevant and effective.
- that until the national guidelines on the definition of violence and aggression is published, the EIS and Aberdeen City Schools adopt a joint public statement affirming that violence and aggression will not be tolerated. Additionally, it recommends visibly posting signs communicating this policy within all school buildings.
- any workload associated with the plan should be integrated into existing school Working Time Agreements and In Service training days.
- there is a need for increased resources, more pupil support assistants, counsellors and direct specialist support in the classroom

The full EIS response is available at Appendix C

GMB noted that,

- Education officers have engaged with GMB resulting in the Action Plan shared at Appendix B
- the development of the generic staff risk assessment which links to the pupil centred risk assessment is positive
- the review of School Health and Safety Policies in consultation with the Trade Unions is also welcomed.
- they believe a working group should be established to review specialist ASN provision within the city and note that this was not included within the plan.

The full GMB response is available at Appendix D

3.36 At the time of publication no written response has been received from UNISON or UNITE who were both represented at all meetings to discuss the plan. With the exception of the request from the EIS and GMB for a review of specialist resources to trigger an increase in resource available for physical and staff resource, all suggestions from Trade Unions have been built into the shared Action Plan. The Head Teacher working group continues to explore our utilisation of resources for the provision of support for those with additional support needs, and this may lead to suggestions on rearranging existing resources.

3.37 The Action Plan will be reviewed with Trade Unions following publication of the National Plan, this may impact on timescales and actions and members will be made aware of any significant changes through Service Update. Progress against the Action Plan will be routinely reported to each Committee meeting.

#### **4. FINANCIAL IMPLICATIONS**

4.1 There are no financial implications arising from this report as the Action Plan in Appendix B can be delivered within existing budget . The costs associated with the provision of training will be met from the Scottish Government Grant. The



additional asks of the Trade Unions related to increased resources would require to be referred to the budget process

- 4.2 Delivery of this Action Plan will require considerable Officer time. It is proposed that the content of the National Improvement Framework Plan for 2024/25 be reduced to reflect the officer time required to drive the Action Plan in Appendix B forward.

## 5. LEGAL IMPLICATIONS

- 5.1 The Health and Safety at Work etc Act 1974 requires that an organisation has a suitably robust safety management system to ensure the health, safety, and welfare of their employees. Where any incident is of sufficient seriousness there is a requirement to report these under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 which provides a potential for the Enforcing Authorities to become involved and carry out their own investigation into the circumstances of the incident. Any investigation could result in prosecution of the organisation and in some cases prosecution of managers and/or employee.

## 6. ENVIRONMENTAL IMPLICATIONS

- 6.1 No negative environmental impacts have been identified.

## 7. RISK

Category	Risks	Primary Controls/Control Actions to achieve. Target Risk Level	*Target Risk Level (L, M or H)  *Taking into account controls/control actions	*Does Target Risk Level Match Appetite Set?
<b>Strategic Risk</b>	Risk of young people being unable to achieve positive outcomes and risk of staff feeling unsupported	Support for young people and staff following incidents in the classroom.	L	Yes
<b>Compliance</b>	Risk of not complying with national guidance and legislative framework.	All training materials and plans reflect current legislation and will be reviewed in light of the national plan when it is available	L	Yes
<b>Operational</b>	Risk of not providing appropriate	Bespoke training will be offered to staff through E-modules,	L	Yes

	support for learners and staff.	webinars and a training programme		
<b>Financial</b>	Risk that there is insufficient officer time to progress Action Plan.	Improvement work will be reduced to ensure sufficient officer time is available.	L	Yes
<b>Reputational</b>	Risk of TU disputes and action	Work closely with the TUs to co-deliver the shared Action Plan	L	Yes
<b>Environment / Climate</b>	No risks identified			

## 8. OUTCOMES

<u><a href="#">COUNCIL DELIVERY PLAN</a></u>	
	<b>Impact of Report</b>
<p><b>Aberdeen City Council Policy Statement</b></p> <p>Commit to realising the potential of each individual, by seeking to widen curriculum choice and implement progressive choices.</p> <p>Commit to closing the attainment gap in education while working with partners across the city.</p>	<p>Provide assurance that Trade Unions and officers are working together to create a plan to address behavioural issues related to the pandemic and the cost of living crisis.</p>
<u><a href="#">Aberdeen City Local Outcome Improvement Plan</a></u>	
<p>Prosperous People - 95% of all our children, including those living in our priority neighbourhoods, will sustain a positive destination upon leaving school by 2026.</p>	<p>Engagement with health and safety staff, school staff and TU colleagues to produce a plan to support learners and staff in all areas of the city. Development of the plan will ensure all staff, including TU reps are clear on the city strategy for supporting behaviour in schools.</p>
<p><b>Regional and City Strategies</b></p> <p>Regional Cultural Strategy</p> <p>Prevention Strategy</p> <p>Children's Services Plan</p>	<p>This work is fully aligned to the city prevention strategy. Work to address poverty and improvement in the Children's services plan, the Child Poverty Action Plan and the National Improvement</p>

National Improvement Framework Plan	Framework Plan with increased engagement of young people will raise attainment.
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## 9. IMPACT ASSESSMENTS

Assessment	Outcome
<b>Integrated Impact Assessment</b>	Integrated Impact Assessment Completed Shona Milne 03/04/24
<b>Data Protection Impact Assessment</b>	No DPIA is required.
<b>Other</b>	

## 10. BACKGROUND PAPERS

None

## 11. APPENDICES

**Appendix A – Incident reporting guidance**

**Appendix B – Agreed Action Plan**

**Appendix C – EIS response**

**Appendix D – GMB response**

## 12. REPORT AUTHOR CONTACT DETAILS

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