

# PERTH AND KINROSS COUNCIL

## Lifelong Learning Committee

27 March 2019

### Statutory Consultation – Blairingone Primary School

#### Report by Executive Director (Education and Children's Services) (Report No. 19/92)

#### PURPOSE OF REPORT

This report informs the Lifelong Learning Committee of the outcome and findings of the statutory consultation exercise undertaken in respect of the formal proposal to close Blairingone Primary School as detailed in the published Consultation Report (attached as Appendix A). This report also seeks approval from the Lifelong Learning Committee to implement the proposal from 28 June 2019.

#### 1. BACKGROUND/MAIN ISSUES

- 1.1 The School Estate Strategy ([Report No. 12/370 refers](#)) sets out the Council's aspirations for our schools and, in particular, the high value we place on learning, through our vision for well designed, maintained and managed schools.
- 1.2 On 30 June 2010, the Council approved the report Securing the Future – Towards 2015 and Beyond ([Report No. 10/357 refers](#)). This report set out our continuing strategy for securing the future, aiming to support the delivery of savings through revised service delivery models and ongoing improvement activities in the Council. Education and Children's Services Service Review Programme within this report contains a re-design project to "review the school estate".
- 1.3 The Council's Transformation Strategy 2015-2020 'Building Ambition' and Organisational Development Framework were approved by Council on 1 July 2015 ([Report No. 15/292 refers](#)). Together they detail how Perth and Kinross Council will deliver transformation over the five year period. Accompanying the strategy was a programme of major reviews which are considered to be key drivers and enablers of transformation across the organisation.
- 1.4 On 24 August 2016, Lifelong Learning Committee ([Report No. 16/347 refers](#)) approved principles to be used as a basis for the transformation review, 'Securing the Future of the School Estate'. The principles approved by Lifelong Learning Committee as a basis for the transformation review were as follows:

- (i) schools should have an occupancy rate where possible greater than 60% of the capacity and ideally should be operating at over 80% capacity;
  - (ii) every school should be rated as A or B, ie at least satisfactory for condition and suitability; and
  - (iii) life expired buildings<sup>1</sup> within the school estate should be prioritised for replacement.
- 1.5 On 2 November 2016, the Lifelong Learning Committee approved [Report No 16/485](#) by the Executive Director (Education and Children's Services). This report details the outcome of the high level review undertaken in respect of the school estate and proposed to proceed with further detailed work. This report approved the development of an options appraisal in relation to the future of Blairingone Primary School due to under-occupancy. The occupancy of the school was 16% at Census 2017.
- 1.6 There were four options identified for Blairingone Primary School. Informal pre-consultation was undertaken with the affected communities of both Blairingone and Fossoway to gather and share information, establish possible alternatives and engage the communities to understand and help shape the proposals for Blairingone Primary School to inform the options appraisal.
- 1.7 Using information obtained during the pre-consultation activities, an options appraisal was developed for Blairingone Primary School. The findings contained within the options appraisal concluded that, of the four options, the only reasonable option is to close Blairingone Primary School because the school roll is not sustainable. None of the other options considered were determined to be reasonable alternatives to closure nor would they allow the school roll to reach a sustainable level.
- 1.8 On 16 May 2018, the Lifelong Learning Committee considered the [Options Appraisal](#) and agreed to commence formal consultation on a proposal to close Blairingone Primary School ([Report No 18/155 refers](#)) in accordance with the Schools (Consultation) (Scotland) Act 2010.
- 1.9 The 2010 Act's principal purpose is to provide strong, accountable statutory consultation practices and procedures that local authorities must apply to their handling of all proposals for school closures and other major changes to schools. These consultation processes are expected to be robust, open, transparent and fair, and seen to be so. They are also expected to be consistent across Scotland.
- 1.10 The 2010 Act makes special arrangements in relation to rural schools, and establishes a presumption against the closure of rural schools.
- 1.11 The result of this is that education authorities must have special regard to a number of factors before formalising a proposal to close a rural school and in

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<sup>1</sup> Life expired buildings are defined as buildings which are uneconomical to maintain.

consulting on and reaching a decision as to whether to implement a rural school closure proposal.

- 1.12 Councils have a statutory duty in terms of the Education (Scotland) Act 1980 to make adequate and efficient provision of school education across their entire area for the current school population and future pattern of demand.
- 1.13 Councils also have a statutory responsibility in terms of the Local Government in Scotland Act 2003 to achieve best value. The organisation of the school estate is therefore kept under regular review, including the need for school provision and other factors, such as altering catchment areas and the provision of school transport.
- 1.14 Most importantly, the Council would wish to optimise the educational experience for every pupil by providing:
  - a range of social and emotional experiences;
  - an enriched and broad learning experience; and
  - the best possible education which meets the needs of all learners.

## **2. STATUTORY CONSULTATION**

- 2.1 The Schools (Consultation) (Scotland) Act 2010 sets out the process which must be followed in undertaking a statutory consultation on a proposal affecting a school.
- 2.2 The Council is required to prepare and publish a Proposal Paper which clearly sets out the proposal on which the Council is consulting. The Proposal Paper must include details of the proposed date for implementation, the educational benefits statement, a summary of the consultation process and details of the supporting evidence or information used to formulate the proposal.
- 2.3 For a school proposal, the Council is required to consult:
  - The parents of the pupils and children at the affected schools
  - The parents of children expected to attend an affected school within 2 years of the date of publication of this proposal document
  - The pupils at the affected schools
  - The Parent Council (if any) of the affected schools
  - The teaching and ancillary staff at the affected schools
  - The trade union representatives of the above staff
  - The Community Councils
  - Relevant users of the affected schools
- 2.4 The 2010 Act also requires that Education Scotland must consider the educational aspects of the Council's proposal and then prepare and submit a report to the Council which the Council must consider when preparing its final Consultation Report.

- 2.5 The Council is then required to prepare and publish its final consultation report. In preparing the report, the Council must consider the report from Education Scotland and other responses to the consultation. The consultation report must explain how the Council has reviewed the proposal, a summary of the points raised during the consultation and the Council's response to them, details of any alleged inaccuracies or omissions and, for rural schools, an assessment of the rural school factors.
- 2.6 The proposal for Blairingone Primary School, subject to the outcome of the consultation process, is that Lifelong Learning Committee agrees that:
- Provision of a school at Blairingone Primary School be permanently discontinued with effect from 28 June 2019, or as soon as possible thereafter;
  - The pupils of Blairingone Primary School catchment area permanently receive their education at Fossoway Primary School from 1 July 2019, or as soon as possible thereafter; and
  - The delineated catchment area of Fossoway Primary School be permanently extended to subsume the whole delineated catchment area of Blairingone Primary School from 1 July 2019.
- 2.7 An electronic link to the [Proposal Paper](#) was issued by letter to the consultees listed within the document, and was also published on the Council's website: [www.pkc.gov.uk](http://www.pkc.gov.uk).
- 2.8 The Proposal Paper made clear to consultees that the consultation period would run from Monday 27 August 2018 until Friday 5 October 2018, which includes a period of 30 school days. Public Notice adverts were also placed in the local press.
- 2.9 The number of letters issued with details of the Proposal Paper was 231.
- 2.10 Two public meetings were held on 6 September 2018 at Fossoway Primary School and 18 September 2018 at Blairingone Primary School. No members of the public attended the meeting on 6 September 2018 and 12 members of the public attended the meeting on 18 September 2018.
- 2.11 Seven written submissions were received during the statutory consultation period representing six individuals, as one member of the public submitted two written submissions. All of the written submissions did not agree with the proposal and five online responses were received of which four responses disagreed with the proposal, with one response agreeing with the proposal.
- 2.12 One parent established an online change.org petition titled "Save our Rural School, Blairingone Primary School" which obtained 374 signatures. Nine signatures were identified as Blairingone or Fossoway residents.
- 2.13 The main points raised at the public meetings were broadly around the same points as the written responses as a number of those who made written

responses also attended the public meetings. In summary, the verbal responses and written representations can be grouped broadly as follows:

- House building projections, the impact on projected pupil rolls, predictions of what the housing market will be in Blairingone and affordable housing planned for Crook of Devon and future growth of the community.
- Consideration of a joint Headship as an interim position until the house building position is known.
- School transport, road safety and whether transport costs had been factored into the proposed savings.
- Whether a nursery and/or Out of School Care Club would increase pupil numbers and how the data for pre-school pupils is obtained.
- The capacity of Blairingone Primary School and Fossoway Primary School and what would happen if there was an influx of pupils.
- What would happen to staff if Blairingone Primary School was to close and whether Blairingone Primary School would be sold.
- Why the school has not been maintained over past years.
- The calculation of proposed savings if the proposal was to be implemented.
- The process for consulting with pupils at Blairingone Primary School.
- The reason for the proposed date of closure and why the decision to defer the report on Blairingone Primary School was taken in March 2018.
- When the outcome of the consultation would be reported back to Committee and the process involving Education Scotland.
- It is not the best use of limited resources to keep schools such as Blairingone open. Council tax payers should not fund a school for a handful of pupils.
- The catchment area should be reviewed to include Powmill.
- The nurturing educational experience provided at Blairingone and larger schools do not suit all pupils. Blairingone received very high ratings from its most recent HM Inspection report (Sept 2013).
- Blairingone Primary is the last remaining community building in the village. and the relationship Blairingone Primary School has with the local Nursing Home.

### **3 EDUCATION SCOTLAND REPORT**

3.1 In accordance with the Schools (Consultation) (Scotland) Act 2010, a report was produced by Education Scotland on the educational aspects of the proposal.

3.2 The report supports the proposal and is summarised below:

- Perth and Kinross Council's proposal to close Blairingone Primary School, has clear educational benefits. Blairingone Primary School children currently enjoy learning in an inclusive and supportive environment. However, Blairingone children will have access to greater learning opportunities, wider experiences and increased socialisation through being part of a larger school at Fossoway. Opportunities to engage in lunchtime,

after school and team events will be increased. Projected numbers of children within the catchment are insufficient to make the school viable. A significant factor in this is parental placing requests to other schools. Fossoway Primary School has the capacity to accommodate additional children. The proposal will assist the council to deliver 'Best Value' through making more efficient and effective use of its resources.

- Blairingone Primary School structure has one composite class across stages Primary 1-7. At the time of the HM Inspector's visit the class consisted of two P2s, one P3, one P6 and one P7. Children currently enjoy a positive and supportive learning environment. There is no physical education hall at Blairingone Primary School.
- Data suggests the roll of Blairingone Primary School has been falling over the last five years. Future projections indicate that pupil numbers are unlikely to increase above their current level. Out of 17 children who could attend the school, currently 12 attend neighbouring schools. If this pattern of parental choice continues, then the future sustainability of Blairingone is more challenging.
- Parents, children and staff from Blairingone Primary School who met with HM Inspectors did not support the proposal. Parents and staff did not agree that there would be any educational benefits for Blairingone children. Concerns were expressed about the perceived loss of the inclusive, supportive environment the children currently experience. Children enjoy the relaxed atmosphere. The small numbers make it easier for them to interact. Parents felt there would be a reduction in the quality of the educational experience and individual attention.
- Parents, including those who live in the Blairingone Primary School catchment area, children and staff from Fossoway Primary School who met with HM Inspectors were supportive of the proposal. They thought that engagement with a wider peer group at age and stage would improve children's learning.
- Parents from Fossoway Primary School thought children would benefit from access to a wider pool of staff including a full-time Pupil Support Teacher. Attending a larger school would better prepare children for the transition to secondary school. Parents thought the proposal would make better use of limited resources in a time of financial constraints. Fossoway children would welcome improved social opportunities and the chance to make new friends.  
They thought Blairingone children would benefit from having access to an increased range of physical education activities and lunchtime clubs and opportunities to participate in inter-school team events.
- The council has clearly assessed the likely benefits to children and in doing so has given due consideration to any reasonable alternatives. Due to insufficient demand, coupled with parents choosing to place their children at other primary schools, none of the options bar closure were

considered as viable or sustainable. The current school building is not used regularly for community activity. The proposal does not impact negatively on children at Fossoway Primary School. Blairingone children will be entitled to free transport. The journey time is not unreasonable when compared with other parts of the authority.

#### **4. CONSULTATION REPORT**

- 4.1 Having considered the verbal representations and Education Scotland's Report, a Consultation Report (attached as Appendix A) was prepared and published for public scrutiny on the Council's website ([www.pkc.gov.uk](http://www.pkc.gov.uk)) from Friday 22 February 2019 until Friday 15 March 2019.

This allowed for the required full three week review of the document prior to a final Committee decision on Wednesday 27 March 2019, and complies with Section 9 (3) and Section 11 of the 2010 Act.

#### **5. CONCLUSION**

- 5.1 Education Scotland has identified that the proposal has clear educational benefits for young people. This includes the larger number and wider range of peers in Fossoway Primary School which allows children to access a learning environment where there are groups of learners at all stages of school, further allowing them to develop their social and interpersonal skills in a broader range of appropriate contexts.
- 5.2 The Council recognises that the Council's proposals have generally not been supported by those parents/carers, staff and the wider community who responded to the proposal. However, the vast majority of those consulted have raised no issues or opposition to the proposal.
- 5.3 If the Council adopts the proposal, it is understood that the educational benefits set out in the Proposal Paper would materialise.
- 5.4 A number of children from Blairingone are already attending Fossoway Primary School as the result of successful placing requests.
- 5.5 The key points that have been highlighted during the consultation period are as follows:
- The report from Education Scotland acknowledges that the proposal has clear educational benefits for pupils.
  - The Council, having had special regard to the rural school factors, does not consider that the proposal would adversely affect the sustainability of the community, or that there would be an adverse effect from the premises no longer being available for community use.
  - Whilst the Council's proposals have generally not been supported by the parents/carers, staff and the wider community who responded to the proposal, the vast majority of those consulted have raised no issues or opposition to the proposal.

## 6. RECOMMENDATIONS

- 6.1 The outcome of the statutory consultation exercise is detailed in the Consultation Report (attached as Appendix A). Having due regard to relevant written and oral representations and Education Scotland's Report, it is recommended that the decision is made to implement the proposal that provision of a school at Blairingone Primary School be permanently discontinued with effect from 28 June 2019, or as soon as possible thereafter. It is also recommended that the pupils of Blairingone Primary School catchment area permanently receive their education at Fossoway Primary School from 1 July 2019 or as soon as possible thereafter. In addition, it is recommended that the delineated catchment area of Fossoway Primary School be permanently extended to subsume the whole delineated catchment area of Blairingone Primary School from 1 July 2019.
- 6.2 A comprehensive Proposal Paper containing an Educational Benefits Statement was produced in relation to the proposal. This allowed for informed consideration to be given to the proposal that provision of a school at Blairingone Primary School be permanently discontinued with effect from 28 June 2019 through formal consultation with key stakeholders. The outcome and findings of the statutory consultation exercise have been widely published. On the basis of the feedback received and taking account of the educational and social benefits of the proposal, it is concluded that the following proposal is the most suitable option and it is now recommended to implement the proposal with effect from 28 June 2019.
- 6.3 It is recommended that the Committee:
- (i) Notes the contents of the Consultation Report (attached as Appendix A); and
  - (ii) Approves the implementation of the following proposal that:
    - Provision of a school at Blairingone Primary School be permanently discontinued with effect from 28 June 2019, or as soon as possible thereafter;
    - The pupils of Blairingone Primary School catchment area permanently receive their education at Fossoway Primary School, from 1 July 2019 or as soon as possible thereafter; and
    - The delineated catchment area of Fossoway Primary School be permanently extended to subsume the whole delineated catchment area of Blairingone Primary School from 1 July 2019.

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**Approved**

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Sheena Devlin	Executive Director (Education and Children's Services)	14/03/19

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## ANNEX

### 1. IMPLICATIONS, ASSESSMENTS, CONSULTATION AND COMMUNICATION

<b>Strategic Implications</b>	<b>Yes / None</b>
Community Plan / Single Outcome Agreement	Yes
Corporate Plan	Yes
<b>Resource Implications</b>	
Financial	Yes
Workforce	Yes
Asset Management (land, property, IST)	Yes
<b>Assessments</b>	
Equality Impact Assessment	Yes
Strategic Environmental Assessment	Yes
Sustainability (community, economic, environmental)	Yes
Legal and Governance	Yes
Risk	Yes
<b>Consultation</b>	
Internal	Yes
External	Yes
<b>Communication</b>	
Communications Plan	Yes

#### 1. Strategic Implications

##### Community Plan / Single Outcome Agreement

1.1 This section should set out how the proposals relate to the delivery of the Perth and Kinross Community Plan/Single Outcome Agreement in terms of the following priorities:

- (i) Giving every child the best start in life
- (ii) Developing educated, responsible and informed citizens
- (iii) Promoting a prosperous, inclusive and sustainable economy
- (iv) Supporting people to lead independent, healthy and active lives
- (v) Creating a safe and sustainable place for future generations

This report relates to all of these objectives.

##### Corporate Plan

1.2 The Perth and Kinross Community Plan 2013-2023 and Perth and Kinross Council Corporate Plan 2013/2018 set out five strategic objectives:

- (i) Giving every child the best start in life;
- (ii) Developing educated, responsible and informed citizens;
- (iii) Promoting a prosperous, inclusive and sustainable economy;
- (iv) Supporting people to lead independent, healthy and active lives; and
- (v) Creating a safe and sustainable place for future generations.

This report relates to all of these objectives.

1.3 The report also links to the Education & Children's Services Policy Framework in respect of the following key policy area:

- Maximising Resources

## **2. Resource Implications**

### Financial

- 2.1 The annual recurring net savings of the preferred option is made up of staff costs and building running costs. The financial implications of this proposal is that there would be a saving of £85,626 to be made if the proposal is to be implemented.
- 2.2 Any savings arising from the proposed option to close Blairingone Primary School would be allocated against Education and Children's Services budget savings targets which have currently been set for the period 2018/19 – 2020/21. This would mitigate against making alternative budget reductions within other areas of Education and Children's Services, with a corresponding reduction in service delivery in that area.
- 2.3 The annual budget is built reflecting cost drivers such as the number of schools, buildings, staff and pupils. Therefore, if Blairingone Primary School were to be closed then future years' budgets would not contain any allowance for staffing Blairingone Primary School and there would be reduced property costs (and possibly no costs, should the building be declared surplus to the Council's requirements). Any per capita budgets relating to individual pupils would continue to be budgeted against the school that these pupils would attend following the closure of Blairingone Primary School.
- 2.4 It is envisaged that the existing Blairingone Primary School would be declared surplus to the requirements of Perth and Kinross Council. This would minimise the financial risks associated with vacant buildings.
- 2.5 A capital receipt would be forthcoming if the building was sold or income could be generated through a lease.
- 2.6 Combining pupils from both catchment areas into one school maximises use of the school estate and represents good asset management, while also enabling the children to continue to attend a rural school. Additionally, the increased roll at Fossoway Primary School contributes towards ensuring a sustainable pupil roll there.

## Workforce

- 2.7 There may be staffing implications relating to the proposal if implemented. Where necessary, any aspect of the implementation of these proposals that impacts on staff would result in consultation with the relevant trade unions and the individuals concerned.

## Asset Management (land, property, IT)

- 2.8 If the proposal to permanently close Blairingone Primary School is approved, it is envisaged that Education and Children's services would declare the building surplus to the requirements of Perth and Kinross Council. This would provide an opportunity for the building to be sold, leased or could present the local community with an opportunity for alternative uses of the building as part of a Community Asset Transfer.

## **3. Assessments**

### Equality Impact Assessment

- 3.1 Under the Equality Act 2010, the Council is required to eliminate discrimination, advance equality of opportunity, and foster good relations between equality groups. Carrying out Equality Impact Assessments for plans and policies allows the Council to demonstrate that it is meeting these duties.

The procedure presented in this report was considered under the Corporate Equalities Impact Assessment process (Eq1A) with the following outcome:

- (i) Assessed as **relevant** and the following positive outcomes expected following implementation:
- The Equality Impact Assessment did not identify that any parent, child or young person would be treated less favourably as a result of this proposal. Pupils would have access to a wider peer group of both sexes at Fossoway Primary School which is a positive impact.
  - In terms of Socio Economic Impact, the assessment identified that there may be a small disadvantage for some parents who would have further to travel when attending meetings or events in school. However, the identified benefits significantly outweigh any disadvantage. It is also not considered to be a significant disadvantage as parents are already travelling to access all other services outside Blairingone village. In addition, a number of pupils from Blairingone catchment area are already attending Blairingone Primary School as the result of successful placing requests.

## Strategic Environmental Assessment

- 3.2 The Environmental Assessment (Scotland) Act 2005 places a duty on the Council to identify and assess the environmental consequences of its proposals.  
However, no further action is required as it does not qualify as a PPS as defined by the Act and is therefore exempt.

## Sustainability

- 3.3 N/A

## Legal and Governance

- 3.4 The Head of Legal and Governance has been consulted in the preparation of this report which has been prepared in accordance with the Schools (Consultation) (Scotland) Act 2010, as amended.

## Risk

- 3.5 N/A

## **4. Consultation**

### Internal

- 4.1 The Head of Legal and Governance has been consulted in the preparation of this report.

### External

- 4.2 This report contains full details of the Statutory Consultation exercise which has been undertaken in respect of this proposal and this is fully detailed in Appendix A.

## **5. Communication**

- 5.1 This is fully detailed in the Consultation Report attached as Appendix A.

## **2. BACKGROUND PAPERS**

No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) were relied on to any material extent in preparing the above report.

## **3. APPENDICES**

Appendix A: Blairingone Consultation Report