

PERTH AND KINROSS COUNCIL

Lifelong Learning Committee

27 March 2019

Statutory Consultation – Greenloaning Primary School

Report by Executive Director (Education and Children’s Services)
(Report No. 19/93)

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 Greenloaning 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

- 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 buildings¹ within the school estate should be prioritised for replacement.
- 1.5 In October 2016, the decision was taken to ‘mothball’ Greenloaning Primary School. This was as a result of a diminishing school roll and resulting under capacity. This means provision in a school is suspended with pupils temporarily zoned to another catchment area. Mutually agreed arrangements were made with the parents of the remaining Greenloaning Primary School pupils to temporarily zone pupils to Braco Primary School.
- 1.6 On 2 November 2016, the Lifelong Learning Committee approved [\(Report No. 16/485 refers\)](#) 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 Greenloaning Primary School due to very low occupancy. The school had a pupil roll of 7 as at the Census in September 2016 with an approved capacity of 49 pupils, giving an occupancy of 14%. The pupil roll was due to be 4 pupils by October 2016, giving an occupancy of 8% prior to the school being mothballed.
- 1.7 There were six options identified for Greenloaning Primary School. Informal pre-consultation was undertaken with the affected communities of both Greenloaning and Braco to gather and share information, establish possible alternatives and engage the communities to understand and help shape the proposals for Greenloaning Primary School to inform the options appraisal.
- 1.8 Using information obtained during the pre-consultation activities, an options appraisal was developed for Greenloaning Primary School. The findings contained within the options appraisal concluded that, of the six options, the only reasonable option is to close Greenloaning 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.
- 1.9 On 21 March 2018, the Lifelong Learning Committee considered the [Options Appraisal](#) and agreed to commence formal consultation on a proposal to close Greenloaning Primary School ([Report No. 18/87 refers](#)) in accordance with the Schools (Consultation) (Scotland) Act 2010.
- 1.10 The 2010 Act’s principal purpose is to provide strong, accountable statutory consultation practices and procedures that local authorities must apply to their

¹ Life expired buildings are defined as buildings which are uneconomical to maintain.

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.

- 1.11 The 2010 Act makes special arrangements in relation to rural schools, and establishes a presumption against the closure of rural schools.
- 1.12 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 consulting on and reaching a decision as to whether to implement a rural school closure proposal.
- 1.13 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.
- 1.14 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.
- 1.15 Most importantly, the Education Authority 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 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 Greenloaning Primary School, subject to the outcome of the consultation process, is that:
- Provision of a school at Greenloaning Primary School be permanently discontinued with effect from 28 June 2019, or as soon as possible thereafter;
 - The pupils of Greenloaning Primary School catchment area permanently receive their education at Braco Primary School, from 1 July 2019 or as soon as possible thereafter; and
 - The delineated catchment area of Braco Primary School be permanently extended to subsume the whole delineated catchment area of Greenloaning 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.
- 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 141.
- 2.10 One public meeting was held in Braco Primary School on Tuesday 11 September 2018. 15 members of the public attended this meeting.
- 2.11 Three online responses were received during the statutory consultation period. No other written representations were received.
- 2.12 In summary, the verbal responses raised at the meeting can be grouped broadly as follows:

- The decant arrangements for Braco Primary School to be refurbished.
- Whether pupils living in Greenloaning would officially become part of Braco catchment area.
- Whether a cost comparison was undertaken for works required at both sites as it is considered that Greenloaning is a superior site.
- Why the wider communities were not made aware of this meeting.
- Population data, projected rolls and potential future growth.
- Why Greenloaning building can't be used as a community resource whilst mothballed.
- School transport and safe walking routes.
- Nursery provision, nursery hours and out of school care provision.
- The capacity of Braco Primary School.
- The use of the village hall for school activities.
- The Community Council use of Greenloaning Primary School prior to mothballing and charges for using the school when it was open.
- Capacity at Braco Primary School to include the expansion of Early Learning and Childcare and future growth of the school to support the expanded catchment area.
- Greenloaning building should be retained for nursery and out of school care provision.

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 has clear educational benefits. The Council has concluded that there is no foreseeable prospect of an increased and stable pupil roll at Greenloaning Primary School. The Council's proposal would be consistent with its statutory duty to secure best value in the use of resources.
- Children attending Braco Primary School would benefit from learning and participation with their peers and have access to a broader range of teachers and other staff. Staff would benefit from greater opportunities for professional dialogue at Braco Primary School including arrangements for peer support in assessment and moderation.
- The Council proposes to undertake refurbishment work at Braco Primary School and the village hall to improve the environment for learning.
- Children, parents and staff who spoke with HM Inspectors supported the proposal and agreed with the educational benefits outlined by the Council.
- The Council put forward a clear rationale for its proposal. Five alternative options were explored in detail, including an option to consider closing

Braco Primary School and extend Greenloaning Primary School. This option would have required a greater number of children to travel from Braco to Greenloaning. The Council concluded appropriately that the permanent closure of Greenloaning Primary School was the only reasonable option.

- The Council considered the likely effects on the local community and concluded that there would be little effect on the sustainability of the community arising from the closure of Greenloaning Primary School. The Council has indicated that the closure of the school would provide an opportunity to use the school building as a facility for community use.
- The Council considered the likely effect of different travel arrangements arising from its proposal and concluded reasonably that given the short distance of approximately two miles between the schools the impact of different travel arrangements would be limited.

4. CONSULTATION REPORT

- 4.1 Having considered the verbal and online 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) 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 The Council recognises there has been very little (1) opposition from parents, staff and pupils towards the proposal. Based on the responses received, there is no support from statutory consultees, and the wider community to keep the school open. Affected parents do not wish to see the school re-opened.
- 5.2 Education Scotland has identified that the proposal has many clear and well-founded educational benefits for young people. This includes the larger number and wider range of peers in Braco 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.
- 5.3 If the Council adopts the proposal, it is understood that the educational benefits set out in the Proposal Paper would materialise. There is evidence that children from Greenloaning have become well-integrated into Braco Primary School since the school was mothballed and the children have adjusted well to the move.

- 5.4 With a declining and unsustainable school roll and facilities requiring investment, potential savings can be secured as a result of the closure, minimising the impact of any cuts to education services and contributing to the Council's vision of best value.
- 5.5 The key points that have been highlighted during the consultation period are as follows:
- The Council's proposals have been supported by the majority of parents/carers, staff and the wider community.
 - The report from Education Scotland acknowledges that the proposal would lead to clear and well-founded 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.

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 Greenloaning 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 Greenloaning Primary School catchment area permanently receive their education at Braco Primary School from 1 July 2019, or as soon as possible thereafter. It is also recommended that the delineated catchment area of Braco Primary School be permanently extended to subsume the whole delineated catchment area of Greenloaning Primary School from 1 July 2019.
- 6.2 A comprehensive Proposal Paper containing an Educational Benefits Statement was produced in relation to the proposal. Pupils are already attending and are benefiting by attending Braco Primary School which was evident when Education Scotland visited the school. The Proposal Paper allowed for informed consideration to be given to the proposal that education provision at Greenloaning 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 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 Greenloaning Primary School be permanently discontinued with effect from 28 June 2019, or as soon as possible thereafter;
 - The pupils of Greenloaning Primary School catchment area permanently receive their education at Braco Primary School, from 1 July 2019 or as soon as possible thereafter; and
 - The delineated catchment area of Braco Primary School be permanently extended to subsume the whole delineated catchment area of Greenloaning Primary School from 1 July 2019.

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Approved

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ANNEX

1. IMPLICATIONS, ASSESSMENTS, CONSULTATION AND COMMUNICATION

Strategic Implications	Yes / None
Community Plan / Single Outcome Agreement	Yes
Corporate Plan	Yes
Resource Implications	
Financial	Yes
Workforce	Yes
Asset Management (land, property, IST)	Yes
Assessments	
Equality Impact Assessment	Yes
Strategic Environmental Assessment	Yes
Sustainability (community, economic, environmental)	Yes
Legal and Governance	Yes
Risk	Yes
Consultation	
Internal	Yes
External	Yes
Communication	
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 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 £123,511 to be made if the proposal is to be implemented.
- 2.2 The annual cost of mothballing Greenloaning Primary School is £1,650 which is made up of costs for energy and property maintenance.
- 2.3 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".
- 2.4 Therefore, any savings arising from the proposed option to close Greenloaning Primary School would be allocated against Education and Children's Services budget savings targets. 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.
- 2.5 The annual budget is built reflecting cost drivers such as the number of schools, buildings, staff and pupils. If Greenloaning Primary School were to be closed, then future years' budgets would not contain any allowance for staffing Greenloaning 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 Greenloaning Primary School.
- 2.6 It is envisaged that the existing Greenloaning Primary School would be declared surplus to the requirements of Perth and Kinross Council once the refurbishment works at Braco Primary School are completed. This would minimise the risks associated with vacant buildings.

Workforce

- 2.7 There are no staffing implications relating to the proposal. Appropriate arrangements were made for staff at Greenloaning Primary School when the school was mothballed in October 2016 and these arrangements have been in place since then.

Asset Management (land, property, IT)

- 2.8 If the proposal to permanently close Greenloaning Primary School is approved, 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 Braco 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 Greenloaning village. In addition, a number of pupils from Greenloaning catchment area were already attending Braco Primary School as the result of successful placing requests prior to Greenloaning Primary School being mothballed.

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: Consultation Report