

Agenda Item	16.
Report No	CLH 47/18

HIGHLAND COUNCIL

Committee: Care, Learning and Housing Committee

Date: 18 October 2018

Report Title: **Statutory Consultation – Gaelic Medium Catchment Proposals for Ullapool Primary School**

Report By: **Director of Care and Learning**

1. Purpose/Executive Summary

- 1.1 This Report seeks Members' agreement to conduct a statutory consultation proposing the establishment of a Gaelic Medium (GM) catchment area for Ullapool Primary School.

2. Recommendations

- 2.1 Members are asked to agree to proceed to statutory consultation, on the basis of the Proposal attached to this Report.

3. Background

- 3.1 There are 171 currently operational primary schools in Highland, of which 20 currently offer Gàidhlig Medium Education (GME).
- 3.2 The current arrangements under which pupils access GME are not particularly well defined, and have evolved over time. Most schools do not have defined catchment areas for GME, and current policy in such cases is to provide transport “within reasonable travelling distance”. This is often interpreted as meaning up to 15 miles, but there are variations and distances travelled are often longer.

4. The Statutory Guidance

- 4.1 On 1 February 2017 Bòrd na Gàidhlig issued new Statutory Guidance on GME. The Guidance includes a recommendation that local authorities should establish catchment areas for schools that offer GME, and that these catchment areas would normally overlay a number of English Medium catchment areas. A catchment area for GME provision should be an area in which the education authority thinks it is reasonable for pupils wishing to receive GME provision to travel to school, and should have the potential to attract parents to choose GME provision for their children.
- 4.2 The establishment of GM catchment areas is subject to statutory consultation under the Schools (Consultation) Act Scotland 2010. These are resource intensive exercises, not only for Highland Council but also for Education Scotland, who have to appoint an Inspector to assess each proposal. The Council has been progressing statutory consultations to establish GME catchments across those locations in Highland currently offering GME. It is necessary to stagger the exercise given the volume of GME provision, and other statutory consultations to be progressed. Further proposals will be brought to future Committees, covering other areas.

5. Ullapool Primary

- 5.1 Ullapool Primary School has offered GME since 1993, and is the only primary school within the Associated School Group to do so. Most pupils who have attended GME have been from within the Ullapool Primary School catchment itself, but some have attended from Achiltibuie and from Badcaul. Pupils who have travelled from distance have used the existing transport to Ullapool High School. The Proposal Paper to be issued for consultation (Appendix 1) confirms these arrangements.
- 5.2 The Proposal Paper sets out the suggested GM catchment for Ullapool Primary. If implemented, the proposal would provide entitlement to GME for pupils across 5 existing English Medium catchment areas. The proposed GM catchment excludes the English Medium catchment for Scoraig Primary. It is not practicable to provide daily travel between Ullapool and Scoraig, owing to the remoteness of the Scoraig Peninsula.

6. Implications

- 6.1 Resource - The Proposal seeks to maximise access to GME whilst still considering and balancing financial implications, particularly with regard to school transport. No additional costs are envisaged at present as a result of the proposal.
- 6.2 Legal - The Proposal will be issued for statutory consultation as required by the Schools (Consultation) (Scotland) Act 2010, It also complies with the provisions for

school transport set out within the Education (Scotland) Act 1980; with the provisions relating to Gaelic Medium Education contained within the Education (Scotland) Act 2016; and with statutory guidance on the creation of GM catchment areas, issued by Bòrd na Gàidhlig.

- 6.3 Community (Equality, Poverty and Rural) - There are no specific impacts on equality, poverty or rural issues, beyond those already considered as part of access to GME.
- 6.4 Climate Change/Carbon Clever – Since travel to school would be provided by means of existing transport, any additional greenhouse gas emissions would be negligible.
- 6.5 Risk - There are no identified risks arising specifically from this proposal.
- 6.6 Gaelic - The Proposal, if implemented, would clarify the transport entitlement for children accessing Gaelic Medium education at Ullapool Primary School, and would maximise the opportunities for children to access such provision, within reason.

Designation: Director of Care and Learning

Date: 4 October 2018

Authors: Brian Porter, Head of Resources
Ian Jackson, Education Officer

Background Papers: Appendix 1 – Proposal Paper

Appendix 2 – Catchment Maps

THE HIGHLAND COUNCIL

The proposal is to establish a Gaelic Medium catchment area for Ullapool Primary School

EDUCATIONAL BENEFITS STATEMENT

THIS IS A PROPOSAL PAPER PREPARED IN TERMS OF THE EDUCATION AUTHORITY'S AGREED PROCEDURE TO MEET THE REQUIREMENTS OF THE SCHOOLS (CONSULTATION) (SCOTLAND) ACT 2010

INTRODUCTION

The Highland Council is proposing, subject to the outcome of the statutory consultation process:

- To establish a Gàidhlig Medium (GM) catchment area for Ullapool Primary School. The new catchment will overlay the current English Medium (EM) catchments of Ullapool Primary School, Achiltibuie Primary School, Badcaul Primary School, Lochinver Primary School, and Stoer Primary School. Particular arrangements will apply for transport to Ullapool from the latter four catchment areas
- To formalise the current arrangements relating to Gàidhlig Medium Education (GME) in Ullapool High School, under which the catchment area for Ullapool High School will apply to both Gàidhlig Medium and English Medium education.

Existing primary school catchments for the provision of English Medium education will be unaffected.

The proposed changes, if approved, will be implemented at the conclusion of the statutory consultation process.

If implemented as drafted, the proposed GM catchment for Ullapool Primary School will include all of the primary school catchments within the Ullapool ASG, except for that of Scoraig Primary School. The distances and travel times to Ullapool from the Scoraig catchment would make it impractical to include the peninsula within the GM catchment.

Any identified parental demand for local provision of GME from within the Scoraig catchment would be assessed in accordance with the Education (Scotland) Act 2016.

SUMMARY OF THE CONSULTATION PROCESS

PUBLICATION INFORMATION

Proposal Paper Published

The proposal paper will be available for inspection, free of charge, at:

- Ullapool Primary School
- Achiltibuie Primary School
- Badcaul Primary School
- Lochinver Primary School
- Scoraig Primary School
- Ullapool Public Library

and published on the Highland Council website:

www.highland.gov.uk/schoolconsultations

Copies of this Proposal Paper are also available on request from:

Business Support Team
Care and Learning Service
Highland Council
Camaghael Hostel
Fort William
PH33 7NE
E-mail: Education.Consultations@highland.gov.uk

To request this information in an alternative format, e.g. large print, Braille, audio formats, or suitable language, please also contact the Business Support Team, Care and Learning Service, Camaghael Hostel, Fort William PH33 7NE
E-mail: Education.Consultations@highland.gov.uk

Formal notice of the Proposal and relevant information will be given and be made available, free of charge, to the consultees listed as follows:

- (i) Parents of pupils attending Ullapool Primary School; including parents of pre-school pupils;
- (ii) Parents of pupils attending Achiltibuie Primary School; including parents of pre-school pupils;
- (iii) Parents of pupils attending Badcaul Primary School; including parents of pre-school pupils;
- (iv) Parents of pupils attending Lochinver Primary School; including parents of pre-school pupils;
- (v) Parents of pupils attending Scoraig Primary School; including parents of pre-school pupils;
- (vi) The Parent Councils of each of the above schools;

- (vii) All staff of the schools listed above.
- (viii) Members of Parliament and Members of the Scottish Parliament for the area affected by the proposal;
- (ix) Trade union representatives;
- (x) All Community Councils for the areas covered by the Proposal;
- (xi) Bòrd na Gàidhlig;
- (xii) Comunn na Gàidhlig;
- (xiii) Education Scotland;
- (xvii) Highland Youth Convenor

Advertisement in Local Media

A notice announcing the public meeting will be placed in the *Ross-shire Journal* and on the Highland Council's Facebook page.

Consultation Period

The consultation for this Proposal will run from 29 October 2018 and will end on 10 December 2018. This period allows for the statutory minimum of six weeks, including at least thirty school days.

Public Meeting

A public meeting will be held, the details of which are set out below:

Ullapool Primary School, 12 November 2018 at 6.30pm.

Anyone wishing to attend the public meeting is invited to do so. The meeting will be convened by the Council, will be chaired by a senior elected councillor, and will be addressed by officers of the Care and Learning Service.

The meeting will be an opportunity for the public to hear more about the proposal; to ask questions about the proposal; and to have the views of all stakeholders recorded so that they can be taken into account. A note will be taken at the meeting of questions asked and views expressed. This note will be published on the Council website. The meeting will also be recorded.

The note will be forwarded to Education Scotland, along with other submissions and comments received by the Council during the consultation process.

Meetings with Pupils and Staff

School staff will arrange to discuss the proposal with pupils (who are considered to be of a suitable age and maturity) in the affected schools. A record of questions, responses and views will be taken and this will be published in the Consultation Report.

Responses to the Proposals

Interested parties are invited to respond to the Proposals by making written or electronic submissions on the Proposals to:

Ian Jackson
Education Officer (Resources)
Camaghael Hostel
Fort William
PH33 7NE
Email: Education.Consultations@highland.gov.uk

Or via an online form, a link to which can be found on

www.highland.gov.uk/schoolconsultations

When responding, you are invited to state your relationship with the school – for example, “pupil”, “parent”, “carer”, “relative”, “former pupil”, “teacher in school”, “member of the community” etc. However it is not compulsory to do so.

Those sending in a response, whether by letter or electronically should know that their response will be open to public scrutiny and may have to be supplied to anyone making a reasonable request to see it. If they do not wish their response to be made publicly available, they should clearly write on the document: “I wish my response to be considered as confidential with access restricted to Councillors and Council Officers of Highland Council”. Otherwise, it will be assumed that the person making the response agrees to it being made publicly available. All written responses must be received by the last day of the consultation period, 10 December 2018 at 5.00pm.

Involvement of Education Scotland

When the Proposal Document is published, a copy will also be sent to Education Scotland by the Council. Education Scotland will also be sent, by 7 January 2019, a copy of any relevant written representations that are received by the Council from any person during the consultation period. Education Scotland will also receive the summary note of the public meeting that will be held and so far as is practicable a copy of any other relevant documentation. Education Scotland will then prepare a report on the educational aspects of the proposal not later than 25 January 2019. In preparing their report, Education Scotland may visit the affected schools and make such enquiries of people there as they consider appropriate.

Review of Consultation Exercise

Highland Council will review the proposal having regard to the Education Scotland Report, written representations that it has received, and oral representations made at the public meeting. It will then prepare a Consultation Report. This Report will be published in electronic and printed formats and will be sent to anyone who submitted a written representation during consultation. It will be available on the Council website as well as at the affected school and local library, free of charge. The Report will include a summary of the written and oral representations made during

consultation and a copy of the Education Scotland Report, together with the Council's considered response to the issues raised. The Report will include details of details of any alleged inaccuracies and/or omissions and how these have been handled. The Consultation Report will be published at least 3 weeks prior to being submitted to the Council's Care, Learning and Housing Committee, who will make a recommendation to the full Highland Council.

In publishing the report the Council will invite any person or party to make further representations to the Committee prior to its meeting. A notice to this effect will also be published on the Highland Council website.

At the present time the Council intends to publish its Report in March 2019 prior to submission to the Council's Care, Learning and Housing Committee in May or June 2019. However, this timescale may change depending on the nature of issues raised during consultation, and the need to give full consideration to those issues. In the latter event, the Report may not be submitted until a later Committee meeting.

Any proposal approved by the Care, Learning and Housing Committee would require to be confirmed by a subsequent meeting of the full Highland Council.

Note on Corrections

If any inaccuracy or omission is discovered in this Proposal paper, either by the Council or any other person, the Council will determine if relevant information has been omitted or, if the paper contains an inaccuracy. The Council will then take appropriate action, which may include the issue of a correction or the reissuing of the Proposal or the revision of the timescale for the consultation period, if appropriate. In that event, relevant consultees and HMI will be advised.

PROPOSAL

Legislative Background

- 1.1 The proposal is advanced within the context of all applicable legislation. Amongst other duties, education authorities are required to secure adequate and efficient provision of school education (S.1 of the Education Act 1980); to publish or otherwise make available information as to their arrangements for the placing of children in schools under their management (S.28 of the 1980 Act) and to promote and support Gaelic Medium education and learning (S.15 of The Education (Scotland) Act 2016. Statutory Guidance issued by Bòrd na Gàidhlig early in 2017 specifies that local authorities should establish catchment areas for Gàidhlig Medium education. The Guidance goes on to say that a catchment area for GME provision should be an area in which the education authority thinks it is reasonable for pupils wishing to receive GME provision to travel to school, and should have the potential to attract parents to choose GME provision for their children. Catchment areas for GME provision will normally overlay a number of school catchment areas.
- 1.2 In common with all public bodies in Scotland, the Highland Council also has a duty to provide Best Value. This includes making arrangements to secure continuous improvement in performance whilst maintaining an appropriate balance between quality and cost; and, in making those arrangements and securing that balance, to have regard to economy, efficiency, effectiveness, equal opportunities requirements and to contribute to the achievement of sustainable development.

Reason for the Proposal

- 2.1 This proposal is being advanced for the following reasons:
 - Highland Council has not previously specified catchment area for many of its schools offering GME. This has led to a lack of clarity for parents in respect of entitlement to GME, (see paragraph 2.2 below).
 - Bòrd na Gàidhlig has issued statutory guidance recommending that local authorities create catchment areas for GME.
- 2.2 The current criteria for providing transport to GME in Highland are not particularly well defined, and have evolved over time. The minimum distance and road safety criteria are the same as for English Medium education. The Council currently has an informal arrangement under which transport to GME can be provided “within reasonable travelling distance”. This has been generally interpreted as meaning up to 15 miles, but there are numerous variations.

Informal Consultation

- 3.1 Informal discussions have been held with the Head Teachers and Chairpersons of the Parent Councils of Ullapool Primary School, Achiltibuie Primary School; Badcaul Primary School; and Lochinver Primary School; and with local elected councillors. No opposition has been expressed.

Current and Planned Provision of Gàidhlig Medium Education within the Ullapool ASG

- 4.1 At secondary school level, Ullapool High School offers GME.
- 4.2 There are 6 primary schools within the ASG, one of which, Stoer Primary, is currently mothballed. Within the ASG, Ullapool Primary is the only school to offer GME at the primary stage.

Ullapool Primary School

- 5.1 Ullapool Primary is situated within the town of the same name. It has an extensive catchment area stretching from Aultguish in the south-east to Elphin and Ledmore in the north. There are presently 138 pupils in P1-7, 83 in EM and 55 in GM. There are also 26 children in the Nursery – 20 in GM and 6 in EM. A further 11 children are due to join the nursery during the course of session 2018-19, 9 in GM and 2 in EM. The school has spacious accommodation. The main building contains classrooms, offices, a medical room, the school hall, canteen and ASN facilities. The nursery classes are housed in self-contained accommodation. The school also has several demountable units used as a music room, art room, and meeting rooms. The extensive grounds include a playing field, wildlife garden and vegetable garden. Ullapool Drill Hall is immediately adjacent to the school, and pupils can also access the local swimming pool.
- 5.2 Gàidhlig Medium education was first established at Ullapool Primary in 1993 and was extended to nursery age pupils in 1999.

Proposed School Catchments for GME

- 6.1 The 5 other primary schools within the Ullapool ASG are located at some distance from Ullapool itself. Approximate travel distances and times to Ullapool Primary from the other schools are set out below:

Achiltibuie Primary – Ullapool Primary – 24 miles, 32 minutes travel time.

Badcaul Primary – Ullapool Primary – 31 miles, 47 minutes travel time.

Lochinver Primary – Ullapool Primary – 30 miles, 57 minutes travel time.

Stoer Primary – Ullapool Primary – 42 miles, 73 minutes travel time.

- 6.2 The community of Scoraig is not connected to the national road network. Secondary school pupils from Scoraig are transported by charter boat across Little Loch Broom on a Monday morning and Friday afternoon, where they link with a bus to Ullapool High School. During the school term the pupils stay in a school residence in Ullapool from Monday evening to Friday morning.
- 6.3 Since even secondary age pupils from Scoraig are unable to travel daily to Ullapool, it would not be practical to include Scoraig within the GME catchment for Ullapool Primary School.
- 6.4 The statutory guidance specifies that a catchment area for GME provision should be an area in which the education authority thinks it is reasonable for pupils wishing to receive GME provision to travel to school, and should have the potential to attract parents to choose GME provision for their children.
- 6.5 The distances involved in the Ullapool ASG are undoubtedly something of a deterrent to parents in the other schools enrolling their children into GME at Ullapool PS. Nevertheless, currently there are 3 pupils in this category, and there have been others in the past.
- 6.6 The Council is sympathetic to the idea that Gàidhlig Medium Education should be accessible as many pupils Highland as possible, provided it is practical and reasonable to provide access.
- 6.7 The Council therefore proposes that the GM catchment for Ullapool Primary will overlay the English Medium catchments of Achiltibuie, Badcaul, Lochinver Stoer and Ullapool Primaries, but with restrictions on transport as set out below.
- 6.8 In considering the principles of Best Value – see paragraph 1.2 above - Highland Council has noted that to provide dedicated transport from the areas covered by the Achiltibuie, Badcaul, Lochinver and Stoer catchments could result in an unacceptably high level of additional cost to the taxpayer.
- 6.9 The Council therefore proposes that the provision of school transport from the catchment areas of Achiltibuie, Badcaul, Lochinver and Stoer Primaries to GME at Ullapool Primary will be on the basis of utilising the existing transport for Ullapool High School. Dedicated transport by taxi or minibus will not be provided.
- 6.6 The map at **Appendix 2** shows the current school catchments for the Ullapool ASG (outlined in red), with the proposed GM catchment outlined in blue.
- 6.7 No changes are proposed for these catchments in respect of English Medium education.
- 6.8 For the purposes of GME, the Ullapool High School catchment will be the same as the school's existing catchment.

Educational Benefits

- 7.1 The Proposal forms part of Highland Council's overall approach to the promotion of Gàidhlig medium education. Up to now, Highland Council's admission arrangements to GME have been informal and based on a "reasonable distance" (often applied as a 15 mile radius) from each school offering GME. In some locations these radii have overlapped, and the "15 mile" principle has not always been applied consistently. The creation of GM catchment areas, extended throughout Highland, will mean that admissions to GME will in future be more formal and robust.
- 7.2 The Proposal therefore helps to consolidate our existing provision of GME, and allows for the more efficient use of resources. It should be considered alongside other measures being undertaken to promote Gaelic and the benefits of bilingualism.

Effects on School Transport

- 8.1 Within the Ullapool Primary School catchment, pupils attending GME are offered school transport on the same basis as children attending English Medium education. Paragraph 6.9 above explains why no other effects on school transport are anticipated.

Effects on Staff and School Management Arrangements

- 9.1 Because of the long distances involved in travelling from the other catchments into Ullapool, the Council does not expect any significant impact on school rolls. Nor do we expect any impact on staff within the schools of the Ullapool ASG.

Effect on the Local Communities


- 10.1 The proposal is not expected to have any impact on the wider local community.

Recommendation

- 11.1 Highland Council recommends the adoption of a Gàidhlig Medium catchment area for Ullapool Primary School, along the lines set out in this paper.
- 11.2 This consultation paper is issued in terms of the authority's procedures to meet the relevant statutory requirements. Following the consultation period, a report and submissions received will be presented to the Care, Learning and Housing Committee of the Highland Council.

Ullapool GM Catchment Area

Showing Primary Catchment Boundaries

- Key: Ullapool GM Catchment area is within the blue line 
- Ordinary Primary Catchment areas are shown in red 