

Agenda Item	12.
Report No	CLH 09/19

HIGHLAND COUNCIL

Committee: Care, Learning and Housing

Date: 24 January 2019

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

Report By: **Interim 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 Mallaig 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. Mallaig Primary

- 5.1 Mallaig Primary School is the only primary school within the Mallaig Associated School Group (ASG) to offer GME. Most pupils who attend GME are from within the Mallaig Primary School catchment itself, but some who attend travel from the catchments of Lady Lovat PS (in Morar) and Arisaig Primary 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 Mallaig Primary. If implemented, the proposal would provide entitlement to GME for pupils across 3 of the 8 existing English Medium catchment areas in the ASG. The remaining 5 primary schools comprise 4 island schools (Canna, Eigg, Muck and Rum) and Inverie Primary School. Canna Primary is currently mothballed as there are no primary age pupils on the island. Inverie Primary School is located on the Knoydart Peninsula which is not connected to the national road network and which in transport terms is effectively an island. The distances and travel times to Mallaig from these 5 schools would make it impractical to include them within the GM catchment.

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 Mallaig Primary School, and would maximise the opportunities for children to access such provision, within reason.

Designation: Interim Director of Care and Learning

Date: 20 December 2018

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

Background Papers: Appendix 1 – Proposal Paper

Appendix 2 – Map of Current School Catchments

Appendix 3 – Proposed GM Catchment for Mallaig PS

THE HIGHLAND COUNCIL

The proposal is to establish a Gaelic Medium catchment area for Mallaig 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 Mallaig Primary School. The new catchment will overlay the current English Medium (EM) catchments of Mallaig Primary School, Lady Lovat Primary School, and Arisaig Primary School.
- To formalise the current arrangements relating to Gàidhlig Medium Education (GME) in Mallaig High School, under which the catchment area for Mallaig 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 Mallaig Primary School will include 3 of the 8 primary school catchments within the Mallaig ASG. The remaining 5 primary schools comprise 4 island schools (Canna, Eigg, Muck and Rum) and Inverie Primary School. Canna Primary is currently mothballed as there are no primary age pupils on the island. Inverie Primary School is located on the Knoydart Peninsula which is not connected to the national road network and which in transport terms is effectively an island. The distances and travel times to Mallaig from these 5 schools would make it impractical to include them within the GM catchment.

Any identified parental demand for local provision of GME from within the 4 island schools and Inverie 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:

- Mallaig Primary School
- Lady Lovat Primary School
- Arisaig Primary School
- Inverie Primary School
- Eigg Primary School
- Muck Primary School
- Rum Primary School
- Mallaig 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 Mallaig Primary School; including parents of pre-school pupils;
- (ii) Parents of pupils attending Arisaig Primary School; including parents of pre-school pupils;
- (iii) Parents of pupils attending Lady Lovat Primary School; including parents of pre-school pupils;
- (iv) Parents of pupils attending Inverie Primary School; including parents of pre-school pupils;

- (v) Parents of pupils attending Eigg Primary School; including parents of pre-school pupils;
- (vi) Parents of pupils attending Muck Primary School; including parents of pre-school pupils
- (vii) Parents of pupils attending Rum Primary School; including parents of pre-school pupils
- (viii) The Parent Councils of each of the above schools;
- (ix) All staff of the schools listed above.
- (x) Members of Parliament and Members of the Scottish Parliament for the area affected by the proposal;
- (xi) Trade union representatives;
- (xii) All Community Councils for the areas covered by the Proposal;
- (xiii) Bòrd na Gàidhlig;
- (xiv) Education Scotland;
- (xvii) Highland Youth Convenor

Advertisement in Local Media

A notice announcing the public meeting will be placed in the *Lochaber Times* and on the Highland Council's Facebook page.

Consultation Period

The consultation for this Proposal will run from 4 February 2019 and will end on 22 March 2019. 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:

Mallaig Primary School, 20 February 2019 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.

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, 22 March 2019 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 23 April 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 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 14 May 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 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 August 2019, prior to submission to the Council's Care, Learning and Housing Committee on 17 October 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 local elected councillors of Highland Council and with the Head Teachers of Mallaig Primary School, Lady Lovat Primary School; and Arisaig Primary School. The Parent Councils all of the local primary schools, and all of the local Community Councils, were also notified. The only comment received was from Mallaig Community Council, who expressed the view that current informal arrangements work well and that the creation of a GM catchment represented a waste of scarce resources.

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

- 4.1 At secondary school level, Mallaig High School offers GME.
- 4.2 There are 8 primary schools within the ASG. Mallaig Primary is the only one to offer GME at the primary stage.

Mallaig Primary School

- 5.1 Mallaig Primary is situated within the village of the same name, with a catchment area covering mainly the village itself. There are presently 48 pupils in P1-7, 26 in EM and 22 in GM. There are also 13 children in the Nursery – 8 in EM and 5 in GM. A further 1 child is due to join the nursery during the course of session 2018-19. The school has spacious accommodation. There are seven classrooms, a multi-purpose hall with adjacent canteen, music room/computer suite and learning support base. The English and Gaelic Medium nursery classes are integral within the school building.

Proposed School Catchments for GME

- 6.1 Only two of the seven other primary schools within the Mallaig ASG are within reasonable travelling distance of Mallaig. Approximate travel distances and times to Mallaig Primary from these two schools are set out below:

Lady Lovat Primary – Mallaig Primary – 2.4 miles, 5 minutes travel time.

Arisaig Primary – Mallaig Primary – 7 miles, 11 minutes travel time.

- 6.2 Arisaig Primary does have an extensive catchment area, extending east to Arienskill and south to Roshven.
- 6.3 The community of Knoydart, served by Inverie Primary School, is not connected to the national road network. Secondary school pupils from Knoydart are transported by ferry to Mallaig on a Monday morning and Friday afternoon. During the school term the pupils stay in a school residence in Mallaig from Monday evening to Friday morning.

- 6.4 Similarly, secondary school age pupils from the 4 island schools are transported by charter boat to Mallaig. During the school term the pupils stay in the school residence in Mallaig, travelling home every second weekend.
- 6.5 Since even secondary age pupils from these 5 schools are unable to travel daily to Mallaig, it would not be practical to include their catchments within the GME catchment for Mallaig Primary School.
- 6.6 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.
- 6.7 The Council believes that Gàidhlig Medium Education should be accessible as many Highland pupils as possible, provided it is practical and reasonable to provide access.
- 6.8 The Council therefore proposes that the GM catchment for Mallaig Primary will overlay the English Medium catchments of Mallaig, Lady Lovat, and Arisaig Primaries.
- 6.9 The map at **Appendix B** shows the current school catchments for the Mallaig ASG (outlined in red), whilst the proposed GM catchment is shown on the map at **Appendix C**.
- 6.10 No changes are proposed for these catchments in respect of English Medium education.
- 6.11 For the purposes of GME, the Mallaig 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 Currently 5 children use school transport to access GME at Mallaig Primary School. In the mornings all 5 travel by Service bus. Two pupils travel under parental contracts in the afternoon to the Arisaig area and 3 pupils travel with a local contractor to the Morar area. The separate arrangements for the afternoon transport are due to differing finish times between the primary and secondary schools.
- 8.2 The Proposal is not expected to have any effects on current transport arrangements. Future enrolments in GME from outwith the statutory walking distance will be assessed in the same way as at present, with appropriate arrangements being made.

Effects on Staff and School Management Arrangements

- 9.1 The proposed GM catchment reflects existing practice that has developed on an informal basis. The Council does not expect any significant impact on local school rolls. Nor do we expect any impact on staff within the schools of the Mallaig ASG.

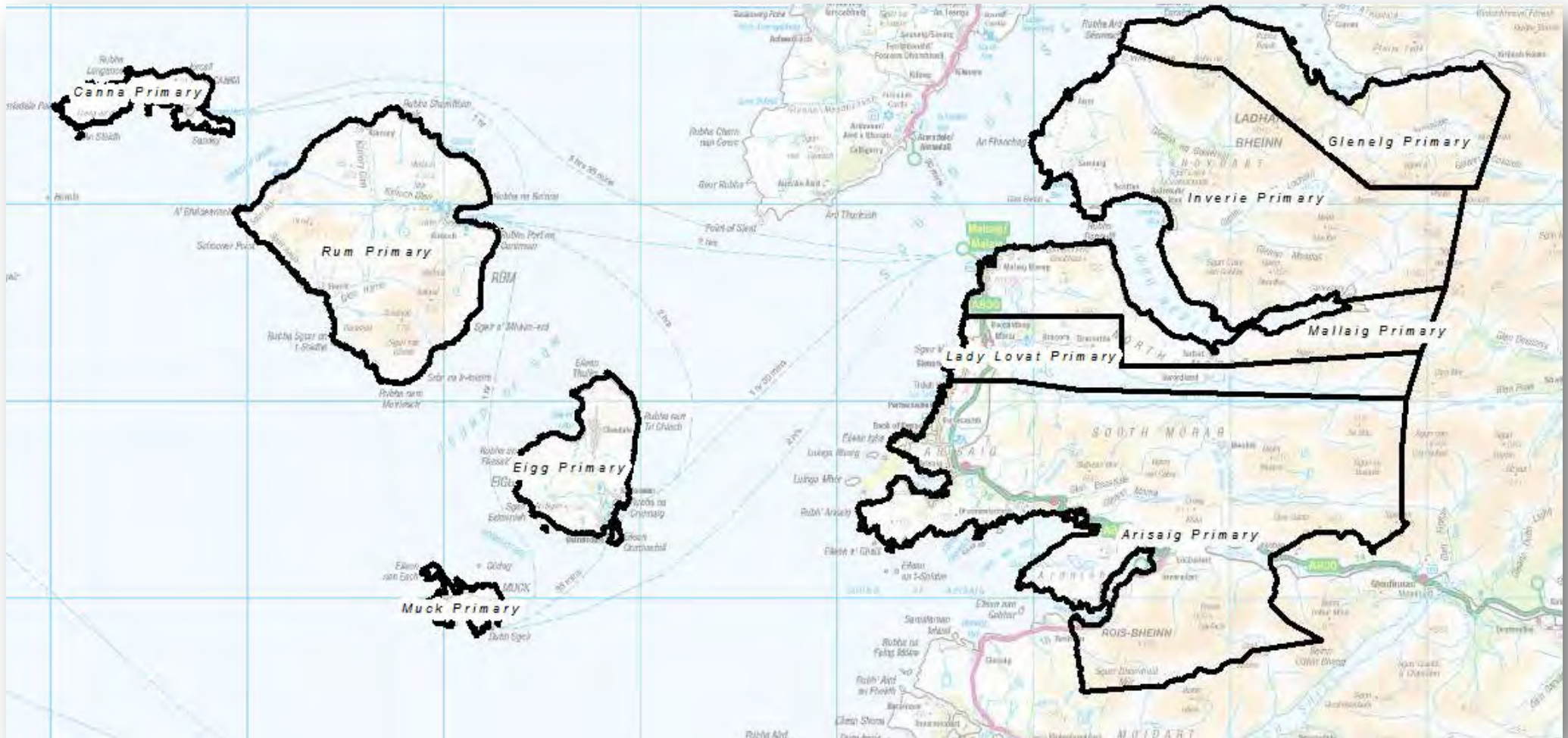
Effect on the Local Communities

- 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 Mallaig 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.

Appendix 2 Mallaig Primary Catchment Areas



Appendix 3 Proposed Mallaig Gaelic Medium Catchment

