

Agenda Item	9.
Report No	CLH 77/19

HIGHLAND COUNCIL

Committee: Care, Learning and Housing

Date: 5 December 2019

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

Report By: Chief Executive

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 Gairloch 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. Implications

- 3.1 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.
- 3.2 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.
- 3.3 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.
- 3.4 Climate Change/Carbon Clever – Since travel to school would be provided by means of existing transport, any additional greenhouse gas emissions would be negligible.

- 3.5 Risk - There are no identified risks arising specifically from this proposal.
- 3.6 Gaelic - The Proposal, if implemented, would clarify the transport entitlement for children accessing Gaelic Medium education at Gairloch Primary School, and would maximise the opportunities for children to access such provision, within reason.

4. Background

- 4.1 There are 171 currently operational primary schools in Highland, of which 20 currently offer Gàidhlig Medium Education (GME).
- 4.2 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.

5. The Statutory Guidance

- 5.1 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.
- 5.2 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. As at the date of this report, of the 20 primary schools offering GME, 9 consultation exercises have been completed, and 1 other is in progress. Further proposals will be brought to future Committees, covering other parts of Highland.

6. Gairloch Primary

- 6.1 Gairloch Primary School is the only primary school within the Gairloch Associated School Group (ASG) to offer GME. Currently all but one of the pupils who attend GME at the school are from the Gairloch Primary catchment itself.
- 6.2 The Proposal Paper (**Appendix A**) sets out the suggested GM catchment for Gairloch Primary. If implemented, the proposal would provide entitlement to GME for pupils across all of the existing English Medium catchment areas in the ASG. The Proposal is based on historic practice within the ASG. The Proposal Paper does however invite views on whether the catchments areas of Kinlochewe PS, Shieldaig PS and Torridon PS should be included, as the distances and time of travel involved are borderline for what might be considered “reasonable”. There would also be a presumption that any travel to access GME from other school catchments would be via existing buses travelling to Gairloch High School.

Designation: Chief Executive

Date: 6 November 2019

Authors: Brian Porter, Head of Resource and Ian Jackson, Education Officer

Background Papers: Appendix A – Proposal Paper for Consultation
Appendix B – Map of Proposed GM catchments

THE HIGHLAND COUNCIL

The proposal is to establish a Gaelic Medium catchment area for Gairloch 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 Gairloch Primary School. The new catchment will overlay the current English Medium (EM) catchments of Gairloch Primary School, Poolewe Primary School, and Bualnaluib Primary School. Particular arrangements will apply for transport to Gairloch from the other catchment areas.

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

If implemented as drafted, the proposed GM catchment for Gairloch Primary School will include all 6 primary school catchments within the Gairloch ASG. One of the schools, Torridon Primary, is currently mothballed. The distances and travel times to Gairloch from the catchment areas of Kinlochewe, Shieldaig and Torridon mean that any children travelling to Gairloch would have very long journeys to school. The Council would particularly welcome views on whether the catchment areas of these schools should be included within the proposed GM catchment.

Any identified parental demand for local provision of GME from within any of the schools featured above would be assessed in accordance within the terms of the Education (Scotland) Act 2016.

Highland Council is making this Proposal to comply with Statutory Guidance issued by Bòrd na Gàidhlig under Section 9 of the Gaelic Language (Scotland) Act 2005. Part

1 of the Statutory Guidance specifically relates to the Education (Scotland) Act 2016 and the duty placed on education authorities to promote and support Gaelic education. The Guidance includes a specific requirement on local authorities to create GM catchment areas for schools that offer Gaelic Medium Education (GME).

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

SUMMARY OF THE CONSULTATION PROCESS

PUBLICATION INFORMATION

Proposal Paper Published

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

- Gairloch Primary School
- Bualnaluib Primary School
- Kinlochewe Primary School
- Poolewe Primary School
- Shieldaig Primary School
- Gairloch 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 Office

The Fingal Centre

Portree

IV51 9 ES

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, The Fingal Centre, Portree, IV51 9ES

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 Gairloch Primary School; including parents of pre-school pupils;
- (ii) Parents of pupils attending Bualnaluib Primary School; including parents of pre-school pupils;
- (iii) Parents of pupils attending Kinlochewe Primary School; including parents of pre-school pupils;
- (iv) Parents of pupils attending Poolewe Primary School; including parents of pre-school pupils;
- (v) Parents of pupils attending Shieldaig 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) Education Scotland.

Advertisement in Local Media

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

Consultation Period

The consultation for this Proposal will run from 9 December 2019 and will end on 31 January 2020. 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:

Gairloch High School, 22 January 2020 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:

Norma Young

Area Care and Learning Manager (West)

Care and Learning Office

The Fingal Centre

Portree

IV51 9ES

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, 31 January 2020 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 10 February 2020, 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 28 February 2020. 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 Council 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.

The Council intends to publish its Report in April 2020 prior to submission to the relevant Council Committee in May 2020. 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 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, and the Council must comply with this Guidance. 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 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:
- Bòrd na Gàidhlig has issued statutory guidance recommending that local authorities create catchment areas for GME.
 - Highland Council has not previously specified catchment areas 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).
- 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, with staff of Bòrd na Gàidhlig, and with the Head Teachers of each of the primary schools in the area, as well as with the Head Teacher of Gairloch High School. Contact was also made with the Parent Councils of each of the above schools, and with all the local Community Councils. An explanation of the Proposal was provided and comments invited. At the time of writing only one response had been received, from Shieldaig Community Council. The Community Council felt it was a long way for primary school children to travel daily from Shieldaig, but ultimately it would be down to parental choice. The Community Council understood the financial constraints on travel and the proposed provision for pupils to use the High School bus.

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

- 4.1 There are 6 primary schools within the ASG, although one, Torridon Primary, is currently mothballed. Gairloch Primary is the only one to offer GME at the primary stage. Gairloch High also offers GME.

Gairloch Primary School

- 5.1 Gairloch Primary is located within the village of the same name. Presently the school has 46 pupils across P1-7 in English Medium classes and 17 pupils in Gàidhlig Medium classes. There are also 9 children in the English medium nursery and 3 in Sgoil-àraich (Gàidhlig Medium pre-school nursery).
- 5.2 Of the 17 GM pupils at present, all but one are from within the Gairloch Primary catchment itself.
- 5.3 The school is co-located with Gairloch High School and has good quality accommodation with 5 teaching classrooms, a GP room, nursery, library, open resource area, staffroom, and office. There is a tarred playground area and access to the High School playing field. Meals are provided via the High School canteen.

Proposed School Catchments for GME

- 6.1 There are 5 other primary schools within the Gairloch ASG. Approximate travel distances and times to Gairloch Primary from the other schools are set out below:

Bualnaluib Primary – Gairloch Primary – 13.3 miles, 24 minutes travel time.

Kinlochewe Primary – Gairloch Primary – 20.7 miles, 30 minutes travel time.

Poolewe Primary – Gairloch Primary – 5.7 miles, 10 minutes travel time.

Shieldaig Primary – Gairloch Primary – 36.6 miles, 61 minutes travel time.

Torrison Primary – Gairloch Primary – 30.1 miles, 50 minutes travel time.

- 6.2 It should be noted though, that each of the schools in the ASG has a wide catchment area, and travel from the furthest ends of each catchment will be considerably longer than the distances and times given above.
- 6.3 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.
- 6.4 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.
- 6.5 It may be argued that it is not reasonable or practical to include the catchments of Kinlochewe, Shieldaig or Torrison in the Gairloch GM catchment, due to the distances and travel times involved, particularly from more outlying points in those catchments. The Council is however aware that local informal practice has always advertised the GM Department at Gairloch Primary as being available to any pupil within the Gairloch ASG. Given this historic expectation and practice within the area, the Council proposes to define the new GM catchment to include all of the ASG, subject to comments received during the consultation.
- 6.6 The Council therefore proposes that the GM catchment for Gairloch Primary will overlay the English Medium catchments of all 6 of the primary schools within the ASG, but with restrictions on transport as set out below.
- 6.7 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 Kinlochewe, Shieldaig and Torrison catchments could result in an unacceptably high level of additional cost to the taxpayer.
- 6.8 The Council therefore proposes that school transport to GME at Gairloch Primary from the Poolewe and Bualnaluib catchments will normally be on the

basis of utilising the existing transport for Gairloch High School. Dedicated school transport will not be provided.

- 6.9 The map at **Appendix B** shows the current school catchments for the Gairloch ASG (outlined in red), with the proposed GM catchment outlined in blue.
- 6.10 No changes are proposed for these catchments in respect of English Medium education.
- 6.11 For the purposes of GME, the Gairloch 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. It is acknowledged that bilingualism has educational benefits as it provides the user with a better sense of the structure of language, and bilingual children often find it easier to pick up other languages. The continued availability of Gaelic medium education in the Gairloch ASG, as evidenced by the new catchment, will provide children with the opportunity to develop these skills for life.
- 7.3 The creation of a GM catchment area will demonstrate the Council's commitment to the long-term future of Gaelic Medium education. Evidence of this commitment may help with the known problem with "drop-out" from GME.

Effects on School Transport

- 8.1 Within the Gairloch Primary School catchment, pupils attending GME are offered school transport on the same basis as children attending English Medium education. Paragraph 6.8 above explains why no other effects on school transport are anticipated.

Effects on Staff and School Management Arrangements

- 9.1 At the present time there are 17 children attending GME at Gairloch Primary, all but one of whom are from the Gairloch catchment area itself. Because of the distances involved in travelling from most of the other catchments into Gairloch, the Council does not expect any significant impact on school rolls. Nor do we expect any impact on staff within the schools of the Gairloch ASG.

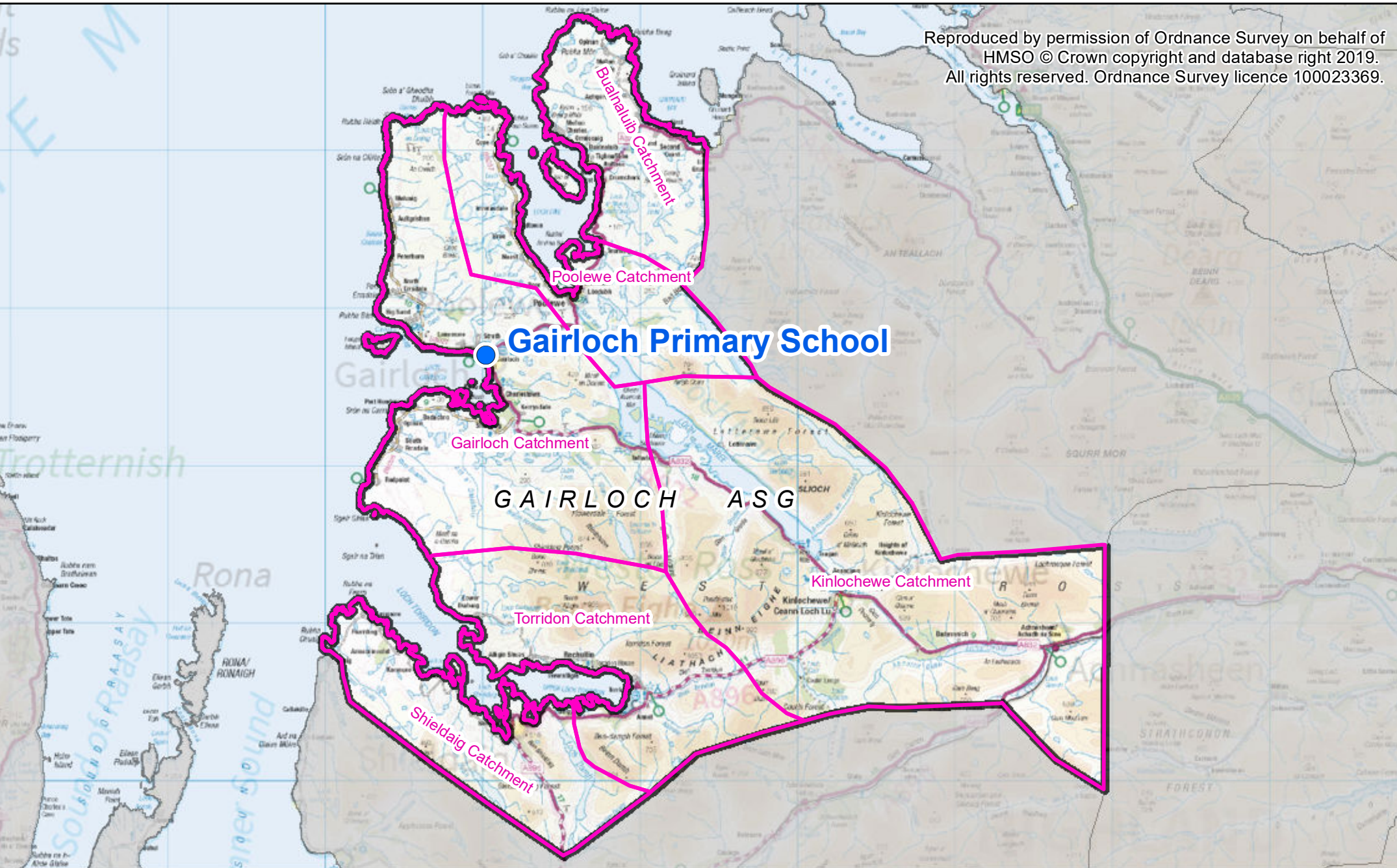
Effect on the Local Communities

- 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 Gairloch 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 relevant Committee of the Highland Council.

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Proposed Gairloch Primary School Gaelic Medium Catchment



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