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## **ST MARGARET'S RC PRIMARY SCHOOL CONSULTATION OUTCOME REPORT**

**Report by Service Director, Children and Young People**

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### **SCOTTISH BORDERS COUNCIL**

**26 April 2018**

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#### **1 PURPOSE AND SUMMARY**

- 1.1 Following the completion of a public consultation process as set out in the Schools (Consultation) (Scotland) Act 2010 (as amended), this report requests that Scottish Borders Council agree to recommend the approval of the proposal to close St Margaret's RC Primary School, Hawick and for the children currently attending the school being offered a place at a catchment school.**
- 1.2 At its meeting on 7 November 2017, the Executive Committee agreed to the commencement of a statutory consultation regarding the proposed closure of St Margaret's following a sustained drop in pupil numbers.
- 1.3 A statutory consultation was undertaken from 22 November 2017 to 22 January 2018.
- 1.4 A consultation report in respect of the proposals was prepared and published on 8 March 2018. The Consultation Report is attached as Appendix 1. The Consultation Report was advertised in the press, with all interested parties given a three week period until 29 March 2018 to raise concerns or pose alternative solutions through written or electronic submissions. No concerns or alternative solutions were submitted during this period.

#### **2 RECOMMENDATIONS**

- 2.1 I recommend that Scottish Borders Council agree to recommend that:-**
  - 2.1.1 St Margaret's RC Primary School, Hawick is closed; and**
  - 2.1.2 The children that currently attend the school are offered places within a catchment area primary school based on their home address.**

### **3 BACKGROUND**

- 3.1 St Margaret's RC Primary School, Hawick (St Margaret's) is a denominational primary school within Hawick High School's catchment zone. St Margaret's has capacity for 100 pupils. There are currently 14 pupils attending the school, 10 of which are currently registered as being baptised Roman Catholic. There were no admissions into Primary 1 for the current school year 2017/18. Only 3 pupils have been admitted into P1 over the last 3 years.
- 3.2 The school roll has fallen significantly over the last 20 years from 56 in 1997 to 14 in this current school year. The school has operated at an average capacity of 22% over the last 10 years, with the roll falling below 20 since 2012. Current projections indicate no increase in demand for admissions at St Margaret's in the next 2 years. As admissions to St Margaret's have continued to decline over the last 2 decades it can be extrapolated that demand for denominational education within the town has reduced in that period.
- 3.3 When Council Officers met with parents as part of School Estates Review process, the parents indicated that they were content with the learning provision at St Margaret's, but that they had concerns about the challenges that their children sometimes faced regarding integration into the community. The parents were very positive about the support that the school receives from the local Priest. They also commended the Saturday Polish School, which is in receipt of some funding from the Council. The Service Director, Children and Young People shared concerns with parents regarding the children's inclusion in the community as the school roll comprised a majority of pupils who spoke English as an additional language and that there was only a single composite class P1-P7. The Service Director also expressed concerns that the requirements within the Curriculum for Excellence, for team skills and group work with children of a similar age, were limited at St Margaret's. While this is similar to the position in small rural schools, the context is different as inclusion issues for the children within their local rural community is not a factor. The parents did state that they would like to see their children have broader experiences, but they also stated apprehension about the children being outwith this small group at primary school age.
- 3.4 Since the commencement of the School Estates Review process the roll at St Margaret's Hawick has fallen by a further 17%. Council Officers continue to have concerns that St Margaret's, set within the context of the town of Hawick, may not support an inclusive approach for the children's education and may not always prepare the children socially for the transition to Hawick High School. The small, diminishing roll also limits the ability to offer a full range of curricular and learning opportunities for the children and some children at key stages may have limited opportunities to form an age related peer group. In addition the school does not comprise a hall so the children are required to travel to Drumlanrig St Cuthbert's Primary School for certain PE lessons. Officers' concerns and the educational benefits that are associated with the proposal are covered in more detail in the Proposal

Paper which is contained in Appendix 1 of the Consultation Report annexed as Appendix 1.

- 3.5 Council Officers also have concerns regarding a small number of children being in such a large building, when there are many schools in their own catchment area with space and capacity. This is arguably not the best use of such a large building within the town, or the best environment for the children and does not represent a best value approach.
- 3.6 The Proposal Paper was published in English and Polish on 22 November 2017; the consultation period ran from 22 November 2017 to 22 January 2018. In accordance with the statutory requirements and process set out in the Proposal Paper, Education Scotland have reviewed the consultation process and have visited the school and met with staff, parents and pupils from St Margaret's and neighbouring schools. Education Scotland has prepared a report regarding the consultation process and an assessment of the educational benefits attached to the proposal. A copy of Education Scotland's report and our responses to all their comments are contained in the Consultation Report.
- 3.7 Officers have considered the terms of the Education Scotland report and all the consultation responses received and have responded in detail to the comments and questions in sections 6 and 8 of the Consultation Report. During the Consultation Period, 9 responses were received. 56% were in agreement with the proposal to close St Margaret's.
- 3.8 In terms of the Schools (Consultation) (Scotland) Act 2010 as amended (2010 Act) the Council must publish the Consultation Report for a period of 3 weeks to provide interested parties an opportunity to raise concerns or pose alternative suggestions through written or electronic submissions. The Consultation Report was published on 8 March 2018 with all interested parties given until 29 March 2018 to respond.
- 3.9 Taking full cognisance of the responses and the identified education benefits for the children, Officers recommend that Scottish Borders Council approves the closure of St Margaret's and that the children are offered a place in a catchment area school.

## **4 IMPLICATIONS**

### **4.1 Financial**

A financial template has been completed by Finance as part of the statutory consultation process and is annexed to the Proposal Paper.

### **4.2 Risk and Mitigations**

- 4.2.1 There is a risk that the Scottish Ministers will call the proposals to close the school in for review, referring the proposal to the Schools Closure Review Panel. Ministers have an 8 week period from the date of the Council's decision to consider whether the decision and consultation should be reviewed. The grounds for call in concern (1) failure to comply with the requirements of the 2010 Act or (2) that the Council has failed to take into account a material

consideration. In the event that the closure is called in and the Schools Closure Review Panel does not support the closure decision, the Council would be unable to consult on the school for a minimum period of 5 years. This significant risk has also been mitigated by Council officers closely adhering to the terms of legislation and having carried out pre-consultation engagement as part of the Schools Estate Review process. In addition officers have liaised and worked closely with Catholic Church representatives regarding all of the denominational schools in the region. The majority of consultation responses were in support of the proposal and Education Scotland's report confirms that they agree with the educational benefits attached to the proposals. All comments in the report regarding transition timing and planning and religious instruction have been addressed in full in the Consultation Report.

- 4.2.2 Given that St Margaret's is a denominational school any closure proposal also requires consent from the Secretary of State before implementation. As part of this process the Secretary of State requires to be satisfied that adequate arrangements have been made for the religious instruction of the children. In the event that the Secretary of State is not satisfied with the arrangements then he can impose conditions as he sees fit regarding the provision of religious instruction. If there is no agreement regarding the proposal between the Council and the Church, the Secretary of State is also required to consider written representations from the Church regarding the potential impact of a closure and then assess whether there has been a comparative deterioration in the position between denominational and non-denominational schools in the area. These risks have been mitigated through officers working closely with Church representatives regarding the proposal and to agree a programme of religious instruction, education and observance for the St Margaret's pupils. The programme is contained in the Consultation Report. The Church has confirmed their support to the Council's approach.

#### **4.3 Equalities**

An Equalities Impact Assessment was carried out on the proposals. If St Margaret's does close this will result in there no longer being a denominational school in the Hawick area. This is mitigated by the diminishing demand for denominational education as evidenced by the declining roll and the education and inclusion benefits gained by the children attending their local catchment school in Hawick. This will also be further mitigated by the Council's planned programme to provide adequate religious instruction, education and observance for the St Margaret's pupils.

#### **4.4 Acting Sustainably**

The St Margaret's proposal sits within the broader context of the School Estates Review which has sustainability embedded as a key consideration. The sustainability of St Margaret's is a consideration in terms of this proposal.

**4.5 Carbon Management**

This proposal is carbon neutral

**4.6 Rural Proofing**

This proposal does not relate to new or amended strategy and rural proofing is not an applicable consideration.

**4.7 Changes to Scheme of Administration or Scheme of Delegation**

There are no changes to either the Scheme of Administration or the Scheme of Delegation as a result of the proposals in this report

**5 CONSULTATION**

The Chief Financial Officer, the Monitoring Officer, the Chief Legal Officer, the Chief Officer Audit and Risk, the Service Director HR and the Clerk to the Council have been consulted and any comments received have been incorporated into the final report.

**Approved by**

**Donna Manson**

**Service Director Children and Young People**

**Signature .....**

**Author(s)**

Name	Designation and Contact Number
Donna Manson	Service Director Children and Young People

**Background Papers:** Consultation Report dated 8 March 2018 in relation to proposal to close St Margaret’s RC Primary School Hawick

**Previous Minute Reference:** Executive Committee 7 November 2017

**Note** – You can get this document on tape, in Braille, large print, various computer formats and as well as obtaining information on other language translations and additional copies, by contacting the address below.

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