

SCHOOLS (CONSULTATION) (SCOTLAND) ACT 2010 – DALMALLY PRIMARY SCHOOL

1.0 EXECUTIVE SUMMARY

- 1.1 This report provides details of a draft Proposal to extend Dalmally Primary School's catchment area, formulated in accordance with the requirements of the *Schools (Consultation) (Scotland) Act 2010*.
- 1.2 It is recommended that the Community Services Committee agrees to adopt the draft Proposal (as set out in **Appendix A**) as a "Relevant Proposal" that should now proceed to a statutory consultation under the *Schools (Consultation) (Scotland) Act 2010*, in accordance with the timeframe as set out in the draft Proposal Paper.

SCHOOLS (CONSULTATION) (SCOTLAND) ACT 2010 – DALMALLY PRIMARY SCHOOL

2.0 INTRODUCTION

2.1 Under the *Schools (Consultation) (Scotland) Act 2010*, if a local authority proposes to alter the catchment area of a school, it must undertake a statutory consultation with the “relevant consultees” affected by this proposal. In this instance, Dalmally Primary School and Crianlarich Primary School (Stirling Council) are the “affected schools” in terms of the 2010 Act.

2.2 Any formal consultation exercise on the Proposal contained within the draft Proposal Paper at **Appendix A** will proceed in terms of the requirements of the 2010 Act. The consultation period would commence on 26th August 2024 (with due written notice of the Proposal issued to the relevant consultees under the Act) and end on 4th October 2024. Written representations must be received by the closing date in order to be taken into account.

3.0 RECOMMENDATIONS

3.1 It is recommended that Community Services Committee agree to adopt the draft Proposal, as set out in **Appendix A**, as a “Relevant Proposal” that is now to proceed to a statutory consultation under the *Schools (Consultation) (Scotland) Act 2010*, in accordance with the timeframe as set out with the draft Proposal Paper.

4.0 DETAIL

4.1 Dalmally Primary School is a co-educational, non-denominational school serving the villages of Dalmally and Loch Awe along with the surrounding area. The school, built in 1975, is situated in the Glenview housing scheme in Dalmally. The School and its pre-5 unit cater for children from the age of 3 through to 12.

- 4.2 Dalmally Primary School's catchment area includes the previous catchment area of Bridge of Orchy Primary School, which was closed in 2004, but based on the Council's decision upon closure, families with children living within the catchment area of the former Bridge of Orchy Primary School have had the choice of sending their children to either Dalmally Primary School or Crianlarich Primary School – which is in the Stirling Council area.
- 4.3 Following a recent review, the Education Service has identified a number of potential issues with the current arrangement which, in effect, can place pupils in a school outwith the Argyll and Bute Council area (if families were to choose Crianlarich Primary School over Dalmally Primary School). Whilst that arrangement was agreed with Stirling Council at the time, a number of concerns have been identified by the Education Service as to how sustainable such an arrangement could be in the future, as well as concerns about how such an arrangement could be managed and fulfilled. In order to rectify this historic issue, the Education Service propose conducting a statutory consultation exercise on the re-alignment of the catchment area of Dalmally Primary School to subsume the entire previous catchment area of Bridge of Orchy Primary school.
- 4.4 The draft Proposal Paper (**Appendix A**) suggests extending the catchment area for Dalmally Primary School to include the previous catchment area of Bridge of Orchy Primary School in its entirety. It is proposed that this will clarify the general arrangement for the placing of school pupils living within that area. If a family of a new primary school aged pupil wished for their child to attend Crianlarich Primary School, this could be facilitated under the statutory placing request procedures.
- 4.5 A proposal to alter the catchment area of a school is a "Relevant Proposal" in terms of Schedule 1 to the 2010 Act, and as such, is subject to a statutory consultation process.
- 4.6 If such a process is commenced, the Education Service will give notice of the Proposal to the relevant consultees and invite representations on the Proposal, hold a public meeting to discuss the proposal, and involve Education Scotland in the consultation process. Full details of the consultation process are set out within the draft Proposal Paper (**Appendix A**).

5.0 CONCLUSION

- 5.1 Attached to this report is a draft Proposal Paper in respect of Dalmally Primary School, detailing a draft catchment area Proposal recommended for adoption by the Committee so that it can be considered further by proceeding to a statutory consultation exercise.

6.0 IMPLICATIONS

- 6.1 **Policy** - If this Proposal is adopted it will result in a statutory consultation exercise on the same. At the conclusion of the statutory consultation, the Proposal will be reviewed and a Consultation Report will be presented to a future meeting of the Committee where a decision will be made by the Committee on whether or not to implement the proposal.
- 6.2 **Financial** - A change to a school catchment area may directly impact on the staffing, and school transport costs of Dalmally Primary School and/or the other affected schools. It should be noted that there are also costs associated with carrying out a statutory consultation exercise under the 2010 Act.
- 6.3 **Legal** - Any relevant proposal requires to be considered by way of a statutory consultation, carried out in accordance with the 2010 Act, prior to being implemented.
- 6.4 **HR** - An extension of Dalmally Primary School's catchment area could have future implications on the head teacher's salary, as there is a relationship between salaries and roll size as determined by the job sizing process. A corresponding increase or decrease of the school rolls of the other affected schools could also have a corresponding impact on their head teachers, and a potential to increase or decrease teaching staff numbers.
- 6.5 **Fairer Scotland Duty**: none at present
- 6.5.1 *Equalities - protected characteristics* – If a statutory consultation exercise is agreed, officers will conduct an Equalities and Socio-Economic Impact Assessment (EQSEIA) on the consultation exercise, which would be incorporated into the Service's final Consultation Report, to be presented to Committee at a later date.
- 6.5.2 *Socio-economic Duty* - If a statutory consultation exercise is agreed, officers will conduct an Equalities and Socio-Economic Impact Assessment (EQSEIA) on the consultation exercise, which would be incorporated into the Service's final Consultation Report, to be presented to Committee at a later date.
- 6.5.3 *Islands* - none
- 6.6 **Climate Change** - none
- 6.7 **Risk** – none at present
- 6.8 **Customer Service** – none at present
- 6.9 **The Rights of the Child (UNCRC)** – School pupils are an important category of “relevant consultees” in terms of the 2010 Act. Given the importance of their views, if the draft Proposal is adopted, officers will facilitate engagement sessions with pupils in the affected schools during the consultation period in order to gather their views on the Proposal.

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APPENDICES

Appendix A – Proposal Paper