

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

1.0 EXECUTIVE SUMMARY

- 1.1 Skipness Primary School was mothballed in 2016 with the Council agreeing that if there were no registered pupils by the close of the registration period for session 2018/19 the Council would consult formally on the future of school provision at Skipness Primary School.
- 1.2 The statutory process for the closure of a rural school is laid out in the Schools (Consultation) (Scotland) Act 2010, as amended by the Children and Young People (Scotland) Act 2014. The Act as amended introduces a presumption against the closure of rural schools and a requirement to carry out additional steps, before and during the consultation exercise.
- 1.3 It is recommended that the Community Services Committee members:
- a) Note the decision of the Council in September 2016;
 - b) Agree that the Education Service will undertake the required preliminary consultation, in compliance with the preliminary requirements as set out in the Schools (Consultation) (Scotland) Act 2010 for Skipness Primary School and prepare a report for members' consideration at the December 2019 meeting of Community Services Committee

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2.0 INTRODUCTION

- 2.1 In September 2016, the Community Services committee agreed that if there were no registered pupils by the beginning of session 2018/19, that Skipness Primary School be considered for formal closure through a statutory public consultation in accordance with the Schools (Consultation) (Scotland) Act 2010.
- 2.2 When considering the future of a rural school the Education Authority must meet the preliminary requirements of s.12A the Schools (Consultation) (Scotland) Act 2010 as amended.
- 2.3 As the school in question is a “rural school” in terms of Section 14 of the 2010 Act, there are preliminary requirements that require to be addressed which include consideration of any proposal and the alternatives to that in regard to:
- a) The likely educational benefits;
 - b) The likely effect on the local community having regard to the sustainability of the community and the availability of the school premises to the community;
 - c) The likely effect that would be caused by any different travelling arrangements on the school's pupils and staff and any other users of the school's facilities and any environmental impact.

3.0 RECOMMENDATIONS

- 3.1 It is recommended that the Community Services Committee members:
- a) Note the decision of the Council in September 2016;
 - b) Agree that the Education Service will undertake the required preliminary consultation, in compliance with the preliminary requirements as set out in the Schools (Consultation) (Scotland) Act 2010 for Skipness Primary School and prepare a report for members’ consideration at the December 2019 meeting of Community Services Committee

4.0 DETAIL

- 4.1 It was agreed that the Skipness Primary School building was to be mothballed (retained on a care and maintenance basis) until June 2018 and if there were no registered pupils by the beginning of session 2018/19 that the school be

considered for formal closure through a statutory public consultation in accordance with the Schools (Consultation) (Scotland) Act 2010 (the Act).

- 4.2 In terms of the guidance issued regarding the 2010 Act, Councils may consider mothballing a school, and any school mothballing should be reviewed on at least an annual basis.
- 4.3 As of August 2019 there are no registered pupils at Skipness Primary School.
- 4.4 All members of staff from Skipness Primary School were redeployed in other posts within the authority in 2016 or accepted redundancy.

5.0 CONCLUSION

- 5.1 When considering the future of a rural school the Education Authority must meet the preliminary requirements of s.12A the Act.

Where an education authority is formulating a closure proposal as respects a rural school, the authority must, in accordance with the Act—

- a) identify its reasons for formulating the proposal,
 - b) consider whether there are any reasonable alternatives to the proposal as a response to those reasons,
 - c) assess, for the proposal and each of the alternatives to the proposal identified under paragraph (b) (if any)—
 - i. the likely educational benefits in consequence of the implementation of the proposal, or as the case may be, alternative,
 - ii. the likely effect on the local community in consequence of such implementation,
 - iii. the likely effect that would be caused by any different travelling arrangements that may be required in consequence of such implementation
- 5.2 The Education Service should now undertake a preliminary consultation exercise in compliance with the preliminary requirements as set out in the Act for Skipness Primary school and prepare a report on the outcome of that exercise for members' consideration at the December 2019 meeting of Community Services Committee.

6.0 IMPLICATIONS

- 6.1 Policy – An authority that is considering formulating a rural school closure proposal must satisfy the preliminary requirements set out in s.12A of the Act before starting to prepare its proposal paper.
- 6.2 Financial – there are financial implications for each option.
- 6.3 Legal – The preliminary requirements must be carried out, in regard to Skipness Primary School in satisfaction of s.12A of the Schools (Consultation) (Scotland) Act 2010 as amended

- 6.4 HR – None
- 6.5 Fairer Scotland Duty – None at present
 - 6.5.1 Equalities – None at present
 - 6.5.2 Socio-economic Duty – None at present
 - 6.5.3 Islands – None at present
- 6.6 Risk – None at present
- 6.7 Customer Service – None at present

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