



Appendix A



## **Argyll and Bute Council**

### **Education**

### **CONSULTATION REPORT**

Report on the outcome of the consultation relating to the proposal to rezone the catchment area of St Joseph's Primary School.

**August 2023**

This document has been issued by Argyll and Bute Council in regard to a proposal in terms of the *Schools (Consultation) (Scotland) Act 2010* as amended.

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Appendix 1 – Proposal Paper

Appendix 2 – EQESIA

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Appendix 4 – Education Scotland Report

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## 1. Summary of the Proposal

1.1 The proposal is to rezone the catchment area for St Joseph's Primary School so that it is extended to the whole of the Helensburgh and Lomond area, with effect from 24<sup>th</sup> August 2023.

## 2. Introduction

2.1 This is a Consultation Report prepared in compliance with the *Schools (Consultation) (Scotland) Act 2010*, as amended (the 2010 Act), on the above proposal.

2.2 The purpose of this report is to:

- Provide a record of the total number of written responses made during the statutory consultation period;
- Provide a summary of the written responses;
- Provide a summary of oral representations made at the public meeting, held on 25<sup>th</sup> April 2023.
- Provide a statement of the Council's response to those written and oral representations;
- Provide the full text of Education Scotland's report and a statement of the Council's response to this report;
- State how the Council reviewed the proposal following the representations received during the statutory consultation period and receipt of the report from Education Scotland; and
- Provide details of any omission from, or inaccuracy in, the Proposal Paper and state how the Council acted upon these.

## 3. Background

3.1 St. Joseph's Primary is a Roman Catholic, co-educational primary school, situated in the upper east end of Helensburgh. St Joseph's is one of four denominational primary schools in Argyll and Bute. It was built in 1977 to replace the old St. Joseph's School and it covers the stages of Primary 1 to Primary 7. The current school roll is 138 as per the table below:

	P1	P2	P3	P4	P5	P6	P7	Total
St Joseph's Primary School - Helensburgh	18	25	15	24	16	20	20	138

3.2 On 26<sup>th</sup> October 2022 St Joseph's Primary School Parent Council unanimously agreed at its AGM to make a formal request to the Council to consider rezoning the school's current catchment area.

3.3 In considering all requests to re-align catchment areas, the Council has had due regard to its specific statutory duties as laid out in the 2010 Act, as amended.

3.4 St Joseph's Primary School Parent Council feels that the catchment area for their school should include all of the Helensburgh and Lomond area. The current catchment area is a historic boundary legacy, inherited from Strathclyde Regional Council in 1995. At present there are 5 children of primary school age, from 2 families, living in the portion of the Helensburgh and Lomond area which is currently excluded from St Joseph's Primary School's catchment area. They attend St Joseph's Primary School as a result of placing requests. The table below illustrates the current catchment area size for the four denominational primary schools in Argyll and Bute.

School	Size of catchment area in hectares
St Andrew's PS	12,835 (this is the whole island of Bute)
St Columba's PS	153,184
St Mun's PS	24,760
St Joseph's PS	34,632
Proposed rezoned catchment for St Joseph's PS	<b>44,662</b>

3.5 The School Roll of the affected schools as per May 2023 is:

Establishment	P1	P2	P3	P4	P5	P6	P7	Total
Arrochar Primary School	5	6	5	8	5	8	6	<b>43</b>
Cardross Primary School	16	22	25	25	28	28	22	<b>166</b>
Colgrain Primary School	36	34	20	34	46	43	39	<b>252</b>
Garelochhead Primary School	12	15	15	11	10	19	20	<b>102</b>
Hermitage Primary School	53	55	52	51	55	53	63	<b>382</b>
John Logie Baird Primary School	9	16	12	11	18	10	21	<b>97</b>
Kilcreggan Primary School	9	11	15	10	15	10	12	<b>82</b>
Luss Primary School	2	1	0	1	2	2	1	<b>9</b>
Rhu Primary School	26	25	21	18	21	29	32	<b>172</b>
Rosneath Primary School	7	14	11	13	15	11	8	<b>79</b>
Parklands	5	7	7	5	1	1	3	<b>29</b>

3.6 On 9<sup>th</sup> March 2023, Argyll and Bute Council's Community Services Committee adopted the proposal as a "relevant proposal" in terms of the 2010 Act and agreed to proceed with the statutory consultation process.

[Agenda for Community Services Committee on Thursday, 9 March 2023, 10:30 am - Argyll and Bute Council \(argyll-bute.gov.uk\)](#)

## 4. Equality and Socio-Economic Impact

4.1 The Council, as a public authority, has a duty under the *Equality Act* 2010, the Public Sector Equality Duty 2011, the Fairer Scotland Duty and the *Islands (Scotland) Act* 2018 to have due regard to their provisions when making strategic financial decisions. This is done through assessing the potential impact of the decision on equality through Equality and Socio-Economic Impact Assessments (EQSEIAs). The full EQSEIA in respect to the proposal to rezone the catchment area for St Joseph's Primary School is attached as **Appendix 2**.

4.2 The EQSEIA identifies no negative impact.

## 5. The Consultation Process

5.1 Following the Council's decision of 9<sup>th</sup> March 2023 – where it agreed to adopt the proposal as a “relevant proposal” in terms of the 2010 Act and issue it as a basis for consultation – the Proposal Paper was made available on the Argyll and Bute Council website.

5.2 A copy of the Proposal Paper was made available to the following “relevant consultees” in terms of the 2010 Act:

- The Parent Councils of the affected schools;
- The parents of the pupils at the affected schools;
- Early Years Establishments in the local area, which gave access to parents who have children expected to attend the affected schools within two years of the publication of the Proposal Paper;
- The pupils at the affected schools (in so far as the Education Authority considered them to be of suitable age and maturity);
- All Argyll and Bute Council employees at the affected schools;
- Trade union representatives of employees at the affected schools;
- Community Councils within the affected localities;
- Roman Catholic Arch Diocese of Glasgow;
- All relevant users of the affected schools, and
- Argyll and Bute Community Planning Partners.

5.3 A copy of the Proposal Paper was also made available to:

- All Elected Members of Argyll and Bute Council representing the Helensburgh and Lomond area;
- Argyll and Bute Youth Forum;
- Education Scotland (formerly Her Majesty's Inspectorate of Education, HMIE);
- The Constituency MSP for the area of the affected schools;
- List MSPs for the area of the affected schools;
- The MP for the area of the affected schools;

- Police Scotland;
- NHS Highland;
- Argyll and Bute Council's School Transport Team;
- Scottish Fire and Rescue Services; and
- Care Inspectorate.

5.4 The Proposal Paper was also available at the following locations:

- Council Offices
- All libraries in Helensburgh and Lomond
- All Helensburgh and Lomond area/locality offices
- The schools affected by the proposal

5.5 The steps listed below were also taken to ensure that the proposal was made widely available:

- Notice of the proposal and of publication of the Proposal Paper was placed within local newspapers;
- The Proposal Paper was published on the Argyll and Bute Council website; and
- Notice was given that the Proposal Paper could be made available in alternative forms or translated by contacting Argyll House, Dunoon.

5.6 There were 24 emails sent which contained the notice and summary proposal.

5.7 The consultation period started on 16<sup>th</sup> March 2023 and ended on 12<sup>th</sup> May 2023 – a minimum of 6 weeks which included at least 30 school days, as required by Section 6(4) of the 2010 Act. Interested parties wishing to make written responses to the proposal were invited to respond no later than close of business on 12<sup>th</sup> May 2023

5.8 A public meeting was held on 25<sup>th</sup> April 2023 in St Joseph's Primary School at 7.00pm. Anyone wishing to attend the meeting and participate was welcome to do so. The meeting was convened by the Education Authority who presented reasons for bringing forward the proposal. There was an opportunity for questions to be asked and comments to be made.

5.9 This Consultation Report is the Council's response to the issues raised regarding the proposal during the consultation period. It will be published on the Council's website for a period of no less than 3 weeks prior to the final consideration of the proposal by the Council's Community Services Committee on 24<sup>th</sup> August 2023.

## 6. Pupil Engagement

- 6.1 Officers from the Education Service invited engagement on the proposal from children, staff and parents (and all other relevant consultees) from St Joseph's Primary School and the other affected schools.
- 6.2 The proposal, could have an impact on pupils, parents, communities and schools. In this regard, pupils' views are a significant part of the consultation process and pupils potentially impacted by the rezoning took part in a focus group to identify both positive and negative impacts of the proposal.
- 6.3 The pupils were given information regarding the Council's proposal and asked for their thoughts and ideas through a series of questions which are detailed in **Appendix 5** along with pupil responses which can be summarised as follows:
- Pupils recognised that it is positive for Roman Catholic families to have the choice for their children to go to a Roman Catholic school and learn about their faith.
  - Pupils shared concerns that it is unfair that most families in Helensburgh and Lomond can choose a faith-based education and receive transport to St Joseph's, but a small minority of people within the Helensburgh and Lomond area currently have to put in a placing request and aren't entitled to receive transport to school.
  - Pupils were able to think about the views of others and how parents, families and community members might feel about the proposal but felt that access to denominational education should be freely available to all within a wider catchment area
  - Pupils voiced that they liked being included in the consultation and felt that this was really important.

## 7. Engagement with Staff and Parents

- 7.1 A further focus group took place on 24<sup>th</sup> April 2023 with staff and parents at St Joseph's Primary School. A note of what was discussed with this group is also detailed within **Appendix 5**.
- 7.2 The staff and parents attending that session were unanimously of the view that all children should have the right to Catholic Education regardless of postcode, and without financial implications (i.e. transport costs).

## 8. Responses to the Consultation Exercise

- 8.1 0 written consultation responses were received by the Council during the consultation.

8.2 Oral responses to the proposal were gathered at the public meeting held at St Joseph's Primary School on 25<sup>th</sup> April 2023. One parent attended along with officers from the Education Authority and an Education Scotland inspector. Minutes of the public meeting are attached as **Appendix 3**. The one member of the public present intimated that they were in favour of the proposal.

## **9. Education Authority Response to Written and Oral Representations**

9.1 Who has discretionary power to agree transport to St Joseph's Primary School?

9.1.1 **Response:** The Council's School Transport Team (Roads and Infrastructure Services) are responsible for arranging travel to school.

9.2 It's been over a year and a half since this matter was originally raised by Councillor Trail. Why has it taken so long to now get to a consultation exercise?

9.2.1 **Response:** Councillor Trail did raise this at a Council meeting and this was referred to the Community Services Committee who, on 16<sup>th</sup> December 2021 agreed to take forward a statutory consultation to extend the catchment area for St Joseph's Primary. There was a delay in commencing this process, as the Education Service was already involved in another large piece of work at the time, and officers did not have capacity to run both exercises simultaneously.

9.3 Is there a timescale which the Council must follow when a parental request is made to change the catchment area of a school, if so what is it?

9.3.1 **Response:** A parental request does not in itself trigger a statutory duty to conduct a review of a catchment area under the 2010 Act.

9.4 By what agreement can pupils go to Our Lady and St Patricks High School?

9.4.1 The right for all pupils in the Hermitage Academy catchment area to choose to attend Our Lady and St Patricks High School as a denominational school was established in 1995, at the time of disaggregation.

## **10. Education Scotland Report**

10.1 In accordance with the 2010 Act, following the close of the consultation period, the Education Authority provided Education Scotland with a summary of the oral representations made at the public meeting, and all other relevant documentation. The Education Authority would usually also provide Education Scotland a copy of all written representations, but as detailed above, none were received.

10.2 Education Scotland reviewed the Council's proposal with a particular focus on the educational aspects of the proposal. They attended the public

meeting on 25<sup>th</sup> April 2023 and visited the affected schools to meet with pupils and gather their views.

10.3 Education Scotland thereafter produced their report on the educational aspects of the proposal. This report is produced in full at **Appendix 4**.

10.4 Education Scotland's report supports the proposal and is summarised below:

- Education Scotland note that the Council have set out a clear rationale for the proposal. All stakeholders who met with HM Inspectors were in favour of the proposal.
- Education Scotland's view is that implementation of the proposal would decrease the need for placing requests, and reduce the need for parents to pay for school transport.
- Education Scotland agree that the proposal has potential educational benefits, and will offer greater parental choice.
- If the proposal is to be implemented, Education Scotland recommends that the Council works with schools and communities to mitigate any likely negative impact.
- As part of any implementation of the proposal, Education Scotland recommend that the Council would benefit from working with stakeholders to consider solutions which may alleviate accessibility concerns at Luss Primary School. This could enhance the sustainability of schools in the area.

## **11. Education Authority Response to Education Scotland Report**

11.1 The Council welcomes the report from Education Scotland and accepts its findings.

11.2 However, the Council notes Education Scotland's recommendation (as per the final bullet point at Paragraph 10.4, above) that the Council would benefit from working with stakeholders to consider solutions which may alleviate concerns raised about accessibility at Luss Primary School (one of the affected schools). Officers agree that addressing any issues which may be identified could enhance the sustainability of schools in the area. However, this particular issue has, until now, not been raised with the Council. Therefore, the Education Service will now undertake to work with the Luss Primary School community to address the particular issue that has been raised. However, given that it is a distinct matter from the proposal being considered, it will be taken forward by the Education Service as a matter separate from this consultation exercise.

## **12. Compliance with Section 9(1) of the Schools (Consultation) (Scotland) Act 2010**

12.1 After the Education Authority received Education Scotland's report, officers carried out a further review of the proposal following the close of the consultation, having regard (in particular) to:

- a) Representations made by the focus groups
- b) Oral representations made at the public meeting, and
- c) Education Scotland's report.

12.2 The Education Authority has listened carefully to the points made at by focus groups, those made at the public meeting, and have considered equally carefully the Education Scotland report. The proposal was reviewed to consider whether any of the representations made led the Council to reconsider the proposal. None of the representations led the Council to conclude that there are any viable alternatives to implementation of the proposal. The Educational Benefits Statement was also reviewed in respect of the Education Scotland report and representations made. There were no factors included in the Education Scotland report or representations made requiring any aspect of the Educational Benefits Statement to be reconsidered. Having reviewed the Education Scotland report and feedback from consultees, the Council has concluded that implementation of the proposal continues to be the most appropriate response to the underlying reasons for formulating it.

12.3 Therefore, the Council has had regard to the points made at, the focus groups, the public meeting and those within Education Scotland's report. Thereafter, a review of the proposal was carried out, which has concluded that implementation of the proposal will provide greater equity for children and families. It will make clear children's right to a place in St Joseph's Primary School and, where appropriate, associated transport for the duration of their primary education. This would offer additional educational choice to these pupils, without the need for them to make a placing request.

## **13. Alleged Omissions or Inaccuracies**

13.1 Section 10(3) of the 2010 Act places a requirement on the Council to provide details of any inaccuracy or omission in the Proposal Paper which has either been identified by the Council or raised by consultees. This provision also requires the Council to provide a statement on the action taken in respect of the inaccuracy or omission, or if no action was taken, to state that fact and why.

13.2 In the course of the statutory consultation, there were no areas identified by the respondents or the Council as being inaccurate or omitted from the Proposal Paper.

## **14. Conclusion**

14.1 There are currently five pupils, from two families attending St Joseph's Primary School who live outwith the catchment area and, as such, are not entitled to free school transport.

14.2 Should the catchment area be rezoned as proposed, there would be increased accessibility to denominational education for children in the rezoned catchment area. There may be future implications in terms of staffing and transport costs should there be an increase in the school roll of St Joseph's Primary School should this proposal be implemented, but they would be addressed by the Education Service at the relevant point. The need to possibly address any future implications is far outweighed by the likely educational benefits that implementation of this proposal would produce.

## **15. Recommendation**

15.1 On the basis of the oral representations made in response to this consultation exercise, Education Scotland's report, and taking into account the educational benefits for the children involved, it is recommended that the catchment area for St Joseph's Primary School be rezoned so that it is extended to the whole of the Helensburgh and Lomond area, with effect from 24<sup>th</sup> August 2023.