

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

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**1.0 EXECUTIVE SUMMARY**

- 1.1. This report provides details of a draft proposal for Skipness Primary School formulated in accordance with the requirements of the Schools (Consultation) (Scotland) Act 2010.
- 1.2. It is recommended that the Community Services Committee agree to adopt the draft proposal, as set out in Appendix 1, as a “relevant proposal” that is now to proceed to a statutory consultation under the Schools (Consultation) (Scotland) Act 2010, as amended.

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**2.0 INTRODUCTION**

- 2.1 Skipness Primary School has been mothballed since October 2016 and since that time has had no pupils enrolled.
- 2.2 On 5<sup>th</sup> September 2019, the Community Services Committee agreed that the Education Service would undertake the required preliminary consultation and an Options Appraisal for Skipness Primary School. The Community Services Committee received a report on 10<sup>th</sup> December, 2019 providing details of the Options Appraisal; carried out in accordance with the preliminary requirements set out in Section 12A of the Schools (Consultation)(Scotland) Act 2010, as amended (the Act). The Committee agreed to note the outcome of this consideration of the preliminary requirements and requested that officers formulate a draft proposal which, if approved, will trigger the formal consultation process under the Act.
- 2.3 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, introduced a presumption against closure of a rural school and details specific preliminary requirements which the education authority is required to follow prior to formulating a rural school closure proposal.
- 2.4 There is a requirement to have special regard to the rural schools factors and it is necessary to consider and assess any reasonable alternatives to closure. It is also necessary to consider the impact on the wider community of a potential closure and the impact of any different travel arrangements. These factors have been considered in the preliminary requirements which were undertaken prior to the Proposal Document being drafted.
- 2.5 Councils, as an Education Authority, have a statutory duty in terms of the Education (Scotland) Act 1980 to make adequate and efficient provision of school education across their entire area for the current school population and

future pattern of demand. This is reflected in “Our Children, Their Future” which is the Education Vision and Strategy for Argyll and Bute Council.

- 2.6 The Proposal Document attached to this report addresses the various requirements in terms of the Act and recommends that members agree to move to a formal consultation on the proposal to close Skipness Primary School.

### **3.0 RECOMMENDATION**

- 3.1 It is recommended that the Community Services Committee agree to adopt the draft proposal, as set out in Appendix 1, as a “relevant proposal” that is now to proceed to a statutory consultation under the Schools (Consultation) (Scotland) Act 2010, as amended.

### **4.0 DETAIL**

- 4.1 Skipness Primary School has been mothballed since October 2016 and since that time has had no pupils enrolled. Skipness Primary School has been designated as a “rural school” in accordance with Section 14 of the Act.

- 4.2 The statutory process for the closure of a rural school is laid out in the Schools (Consultation) (Scotland) Act 2010 (the Act) as amended by the Children and Young People (Scotland) Act 2014. The Act introduced a presumption against closure of a rural school and details specific requirements which the education authority is required to follow if they are considering formulating a proposal to do so. This includes a consideration of certain preliminary requirements and this has been previously carried out and reported to the Community Services Committee. The draft proposal at Appendix 1, if accepted, will allow officers to proceed to a statutory consultation on the proposal, in line with the process as set out in the Act and detailed at Section 21 of the attached Proposal Document.

- 4.3 The draft proposal at Appendix 1 includes an assessment of;

- The school roll and predicted school roll,
- Teacher numbers,
- The condition of the building.

- 4.4 The Council has also undertaken an assessment of likely educational benefits or effects which these proposals may have if implemented on:

- The pupils of any affected school
- Any other users of the school’s facilities
- Any children who would (in the future but for implementation) be likely to become pupils of the schools
- The pupils of any other schools in the Council area

4.5 The Council has also taken special regard to the following factors if this proposal was to be implemented, as Skipness Primary School is classified as a rural school:

- Likely effect on the local community
- Availability of the school's premises and other facilities for use by the school community
- Likely effect caused by different travelling arrangements
- Environmental impact
- Financial Impact

4.6 In addition, the Council has also considered how to minimise or avoid any adverse effects that may arise from the implementation of this proposal.

4.7 Further details of the proposal for Skipness Primary School are contained within Appendix 1.

## **5.0 CONCLUSION**

5.1 Attached to this report is a draft Proposal Document in respect of Skipness Primary School which sets out details of a draft proposal recommended for adoption in order that it can now proceed to a statutory consultation under the Act.

## **6.0 IMPLICATIONS**

6.1 Policy - preparation of draft proposal for statutory consultation is in accordance with previous decisions of the Community Services Committee.

6.2 Financial - The financial implications are considered in the draft proposal and will be subject to consultation if agreed.

6.3 Legal - The proposal paper for Skipness Primary School has been prepared after satisfaction of the Preliminary Requirements of s.12A and in compliance with the general requirements of the Act.

6.4 HR – None at present

6.5 Fairer Scotland Duty - None at present

6.5.1 Equalities - protected characteristics - 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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**For further information contact:**

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29<sup>th</sup> January 2020

## **APPENDICES**

Appendix 1:  
Draft Proposal Document for the closure of Skipness Primary School