

**ARGYLL AND BUTE COUNCIL GAELIC LANGUAGE PLAN**

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**1.0 EXECUTIVE SUMMARY**

This report advises Council of an issue that has arisen in relation to the Council's Gaelic Language Plan. It explains the duties of the Council under the Gaelic Language (Scotland) Act 2005 to prepare a plan and the role that Bòrd na Gaidhlig has in approving that plan.

The paper sets out that Bòrd na Gaidhlig have proposed two amendments to the plan that are considered to be material and require a Council decision to proceed.

The paper notes that if agreement cannot be reached with Bòrd na Gaidhlig, the matter will be referred to Scottish Ministers.

It is recommended that Council:

- 1.1 Note the current status of the Council's Gaelic Language Plan
- 1.2 Note that the majority of actions in the plan continue to be delivered;
- 1.3 Agree the amended Target recommended by Bòrd na Gaidhlig: Up to 90% of all primary schools in the Council area will offer Gaelic at L2 or L3;
- 1.4 In respect of the proposed amendment to the Plan by Bòrd na Gaidhlig to establish a Gaelic School agree no further change to the Council's draft Plan as previously approved by the Community Services Committee.

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**2.0 INTRODUCTION**

- 2.1 The Council has a duty under the Gaelic Language (Scotland) Act 2005 to prepare and publish a Gaelic Language Plan. These plans are submitted to Bòrd na Gàidhlig, a body corporate established by Scottish Ministers, which under section 3(1) or under subsection (3)(b) of this section, must
- (a) approve the plan, or
  - (b) propose modifications to it.
- 2.2 The Plan was agreed by Community Services Committee and sent to the Bòrd for approval. The Bòrd had several comments on the Plan and these have been the subject of correspondence between Council Officers and the Bòrd over a period of time, including some delays during Covid.
- 2.3 The majority of proposed modifications to the Plan were not considered to be material and minor amendments were made. This paper presents two proposed modifications to the plan that officers consider to be material and so are presented to Council for a decision.
- 2.4 Ultimately if we cannot agree the proposed modifications, the matter will be referred to Scottish Ministers.
- 2.5 In the intervening period, the Council has continued to progress with implementation of the agreed actions in the plan, reporting this progress to the Community Services Committee and Bòrd na Gàidhlig acknowledge the positive contribution that the Council is making to the Gaelic Language, particularly in Education, through the delivery of these actions.

### 3.0 RECOMMENDATIONS

It is recommended that Council:

- 3.1 Note the current status of the Council's Gaelic Language Plan
- 3.2 Note that the majority of actions in the plan continue to be delivered;
- 3.3 Agree the amended Target recommended by Bòrd na Gàidhlig: Up to 90% of all primary schools in the Council area will offer Gaelic at L2 or L3;
- 3.4 In respect of the proposed amendment to the Plan by Bòrd na Gàidhlig to establish a Gaelic School agree no further change to the Council's draft Plan as previously approved by the Community Services Committee.

### 4.0 DETAIL

- 4.1 The Council prepared, consulted on, reported to Community Services Committee and then submitted our Gaelic Language Plan as required by the Gaelic Language (Scotland) Act 2005 to Bòrd na Gàidhlig.
- 4.2 Bòrd na Gàidhlig considered the plan and proposed a series of amendments. These were reported to the Gaelic Policy Lead Group and agreed to implement those that did not constitute a material change. Any proposals that were considered to be material were then raised with Bòrd na Gàidhlig. This took place over a period of time and reaching a final solution was delayed by Covid prioritisation.
- 4.3 Agreement was reached on all changes apart from two, which are considered to be a material departure from the plan and from Council policy and priorities. These are:

- 1 - **Action 2.5:** We will encourage the uptake of Gaelic at L2 within all primary schools in the Council area.

**Target:** Most (75-90%) of all primary schools in the Council area will offer Gaelic at L2 or L3

**BnG proposed amendment:** A commitment should be given that 100% of primary schools in the Council area will offer Gaelic at L2 or L3

- 2 - **Action 2.11** In the event of a material change in circumstance, the Council will further consider the feasibility of a Gaelic Primary School.

**Target:** As circumstances dictate, further investigate the options of a Gaelic School in Argyll

**BnG proposed amendment:** A commitment should be given to plan for and establish a Gaelic Medium School in Argyll.

4.4 The Head of Customer Services wrote to Bòrd na Gàidhlig on 7<sup>th</sup> April 2022 advising that the Council did not agree with the aforementioned proposed amendments, setting out the reasons why. These reasons are as follows:

4.4.1 **BnG proposed amendment: A commitment should be given that 100% of primary schools in the Council area will offer Gaelic at L2 or L3**

Argyll and Bute Council is committed to furthering the Gaelic Language and continues to promote it and to develop the curriculum. However, the Council does not consider that a 100% commitment to offering Gaelic at L2 or L3 is achievable and therefore will commit to Most schools (75-90%) offering Gaelic at L2. The Council as Education Authority makes support and resources available for all schools that wish to pursue Gaelic at L2 or L3. The Council cannot, however, compel individual schools to pursue Gaelic. It is a matter for the School Community, engaging with parents and carers representatives, to determine what options are most appropriate.

The Council has considered carefully the target set out and had regard to a number of factors including, the national GLP, the extent to which persons connected with Education use the Gaelic language or seek access to Gaelic Education and the potential for developing the use of the Gaelic language in connection with Education in a manner that is achievable and deliverable. Given the mixed use and uptake of Gaelic across the Council area and the Council's statutory duties, the proposal to commit to Most schools (75-90%) offering Gaelic at L2 is an ambitious but achievable target in all the circumstances.

4.4.2 Following further discussion with Bòrd na Gàidhlig, it was agreed that the target would change to:

**Target** Up to 90% of all primary schools in the Council area will offer Gaelic at L2 or L3

4.4.3 **BnG proposed amendment: A commitment should be given to plan for and establish a 3-18 Gaelic Medium School in Argyll.**

The Council, as Education Authority, has a statutory responsibility in terms of the Education (Scotland) Act 1980 to secure that there is made for their area adequate and efficient provision of school education and further education. The Council fully discharges that duty while remaining fully compliant with the requirements of the Act.

4.4.4 The powers of the Bòrd are particularly related to increasing, monitoring, encouraging and facilitating the promotion, use and understanding of Gaelic with an advisory role for Government and Public Bodies. Its role in the development of a GLP is to work with public bodies such as the Council is to facilitate the production of plans that will encourage and facilitate the use and understanding of Gaelic in the functions of the Council and enable members of the public, who may wish to use Gaelic, in conducting their daily business with the public authority and employees of the public authority to use Gaelic in the workplace as

part of their normal duties, ensuring that Gaelic continues to be used and that the linguistic diversity of the whole of Scotland is enriched. The Councils proposed GLP achieves those goals.

- 4.4.5 In forming this view, the Council has, once again, had regard to a number of factors including, the national GLP, the extent to which persons connected with Education use the Gaelic language or seek access to Gaelic Education and the potential for developing the use of the Gaelic language in connection with Education in a manner that is achievable and deliverable.
- 4.4.6 The Council currently delivers Gaelic education in the area in an equitable and inclusive way. Our ambition is to maximise Gaelic learning potential across the entire area, the second largest local authority area in Scotland, and not to restrict this geographically to a single building in a single settlement. The approach that we currently take to Gaelic learning is more equitable and inclusive across all of our communities.
- 4.4.7 The demands of establishing a 3-18 school building in Argyll and Bute will place significant and potentially unaffordable cost pressures on both Capital and Revenue budgets, thus reducing funds available to delivering on other statutory education functions and, if delivered in that economic environment, would adversely affect the equity and inclusivity of the current provision leading to a worse outcome overall. The Council wishes to focus its finite resources on the quality of Gaelic Education services rather than on buildings. The Council's Learning Estate Strategy, August 2021 contains no provision in regard to a new Gaelic School; there is no provision in any capital plan for a Gaelic School and there is a lack of certainty around the Council's ability to recruit to and provide the revenue funding for the additional staffing complement that would be required to run a Gaelic School.
- 4.4.8 Whilst the Bòrd have the ambition to establish a 3-18 Gaelic Medium School in Argyll, ultimately, the provision of school infrastructure is one that lies directly with the Council and outwith the province of the Act.
- 4.4.9 If, however, there were to be a material change to the Council's current position, we would undertake to review that position.
- 4.5 Bòrd na Gàidhlig responded to advise that their position remains the same and that they are not prepared to accept the Council's position on this and finally approve the Plan.
- 4.6 This means that the matter, as it is material to the allocation of resources and consideration of Council policy, is referred to members for a decision.
- 4.7 Council should note that all other aspects of the plan are considered to be compliant with the Act and that progress is good.

## **5.0 CONCLUSION**

5.1 The Council has been advised to make material changes to the Gaelic Language Plan by Bòrd na Gàidhlig. This is outwith the remit of officers to determine and therefore the matter is referred to members for determination.

## **6.0 IMPLICATIONS**

6.1 Policy No policy implications directly from this paper.

6.2 Financial There would be unplanned financial costs to the Council if it were to agree to Bòrd na Gadhlig's proposed modification to the plan,

6.3 Legal - The Council has a duty under the Gaelic Language (Scotland) Act 2005 to prepare and publish a Gaelic Language Plan, which has been done and agreed by Community Service Committee. This plan was submitted to Bòrd na Gàidhlig, which under section 3(1) or under subsection (3)(b) of this section, has recommended a modification to this plan. The Council has a statutory duty under the Education (Scotland) Act 1980 to secure...adequate and efficient provision of school education and further education. The Council fully discharges that duty while remaining fully compliant with the requirements of the Act.

6.4 HR – None directly from this report.

6.5 Fairer Scotland Duty:

6.5.1 Equalities - protected characteristics – The Plan as currently approved by the Council has been impact assessed and has no adverse impacts

6.5.2 Socio-economic Duty – The Plan as currently written has no adverse impacts.

6.5.3 Islands – As above

6.6 Climate Change – Construction of new buildings have a climate change impact.

6.7 Risk – Potential disagreement with Bòrd na Gaidhlig and Scottish Ministers

6.8 Customer Service – None

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