

**SCHOOLS (CONSULTATION) (SCOTLAND) ACT 2010 – ST JOSEPH’S PRIMARY SCHOOL, HELENSBURGH**

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**1.0 EXECUTIVE SUMMARY**

- 1.1 This report provides details of a draft proposal to extend St Joseph’s 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 agree to adopt the draft proposal (as set out in **Appendix 1**) as a “relevant proposal” that should now proceed to a statutory consultation under the *Schools (Consultation) (Scotland) Act 2010*.

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## 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:

- Arrochar Primary School
- Cardross Primary School
- Colgrain Primary School
- Garelochhead Primary School
- Hermitage Primary School
- John Logie Baird Primary School
- Kilcreggan Primary School
- Luss Primary School
- Parklands Primary School
- Rhu Primary School
- Rosneath Primary School

would be the “affected schools”.

2.2 Any formal consultation exercise on the proposal contained within the Proposal Paper at **Appendix 1** will be undertaken in accordance with the *Schools (Consultation) (Scotland) Act 2010*. The consultation period would start on 16<sup>th</sup> March 2023 (with due written notice of the proposal issued to the relevant consultees under the Act) and end on 12<sup>th</sup> May 2023. Written representations must be received by the closing date in order to be taken into account.

### 3.0 RECOMMENDATION

- 3.1 It is recommended that 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 per the timeframe as set out within the Proposal Paper.

### 4.0 DETAIL

- 4.1 St. Joseph’s Primary is a Roman Catholic, co-educational primary school, situated in the upper east end of Helensburgh. It was built in 1977 to replace the old St. Joseph’s School and it covers the stages of Primary 1 to Primary 7.
- 4.2 If the catchment area for St Joseph’s Primary School was rezoned it would mean that pupils from a wider geographical area would be able to attend a denominational school without their parents having to make a specific placing request.
- 4.3 The draft Proposal Paper (**Appendix 1**) suggests extending the catchment area for St Joseph’s Primary School to include the entire Helensburgh and Lomond area. The current catchment area is a historic boundary legacy, inherited from Strathclyde Regional Council in 1995. At present there are 2 children of primary school age 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.
- 4.4 On 16<sup>th</sup> December 2021, the Community Services Committee agreed to note the terms of a referral from the full Council relating to St Joseph’s Primary School’s catchment area. The Committee further agreed to take forward a statutory consultation (in terms of the *Schools (Consultation) (Scotland) Act 2010*) to extend the catchment area for St Joseph’s Primary School to cover the whole of the Helensburgh and Lomond area; noting that a report on the statutory procedure to be undertaken would be presented to Committee in due course once resource pressures on the Education Service were eased. The draft Proposal Paper at **Appendix 1** sets out in detail the proposal to extend St Joseph’s Primary School’s catchment area, and the statutory consultation exercise that is required to be followed prior to deciding whether to implement such a proposal.
- 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 Therefore, if the Council adopts such a proposal it requires:

- to prepare an Educational Benefits Statement which sets the educational effects and benefits for pupils, prospective pupils and other users of St Joseph's Primary School;
- to prepare and publish a Proposal Paper;
- to give notice of the proposal to the relevant consultees and invite representations;
- to give notice of, and hold, a public meeting to discuss the proposal;
- to involve Education Scotland.

4.7 The consultation requires to be run over a minimum period of six weeks, which must include at least 30 school days.

4.8 It is not a requirement that all pupils who attend denominational schools must be of that particular religious persuasion. The law requires that every school under the management of the Education Authority must be open to pupils of all denominations.

4.9 In the case of Roman Catholic schools, where applications for places from those living within the catchment area exceed the number of places available, the Education Authority may give priority to those applicants whose children have siblings at the school and applicants who have a declared affinity with the religious beliefs of the school.

## **5.0 CONCLUSION**

5.1 Attached to this report is a draft Proposal Paper in respect of St Joseph's 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 St Joseph's 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 under a statutory consultation, carried out in accordance with the 2010 Act, prior to being implemented.

- 6.4 HR – An extension of St Joseph’s 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 – None.
- 6.5.2 Socio-economic Duty – None.
- 6.5.3 Islands – None.
- 6.6 Climate Change – None
- 6.7 Risk – None at present.
- 6.8 None at present.

**Douglas Hendry - Executive Director with responsibility for Education  
Councillor Yvonne McNeilly - Policy Lead for Education**

**Wendy Brownlie - Head of Education: Performance and Improvement**

**For further information contact:**

Tina Sartain  
Education Manager  
[tina.sartain@argyll-bute.gov.uk](mailto:tina.sartain@argyll-bute.gov.uk)

9<sup>th</sup> February 2023

## **APPENDICES**

Appendix 1 – Proposal Paper