



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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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 24th 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 25th 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 26th 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	44,662

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	43
Cardross Primary School	16	22	25	25	28	28	22	166
Colgrain Primary School	36	34	20	34	46	43	39	252
Garelochhead Primary School	12	15	15	11	10	19	20	102
Hermitage Primary School	53	55	52	51	55	53	63	382
John Logie Baird Primary School	9	16	12	11	18	10	21	97
Kilcreggan Primary School	9	11	15	10	15	10	12	82
Luss Primary School	2	1	0	1	2	2	1	9
Rhu Primary School	26	25	21	18	21	29	32	172
Rosneath Primary School	7	14	11	13	15	11	8	79
Parklands	5	7	7	5	1	1	3	29

3.6 On 9th 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 9th 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 16th March 2023 and ended on 12th 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 12th May 2023

5.8 A public meeting was held on 25th 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 24th 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 24th 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 25th 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 16th 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 25th 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 24th August 2023.



Education

PROPOSAL PAPER

**We are looking for your views on a
*proposal to rezone the catchment area
of St Joseph's Primary School.***

Closing date for responses: 12th May 2023

A public meeting will be held on:

**25/4/2023 at St Joseph's Primary School
at 7.00 pm**

This document has been issued by Argyll and Bute Council for consultation under the terms of the *Schools (Consultation) (Scotland) Act 2010*.

If you need this information in another language or format, please contact us to discuss how we can best meet your needs.

Phone: 01369 708576

Email: argyllhouwereception@argyll-bute.gov.uk

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1.0 THE PROPOSAL AND CONSULTATION PROCESS

1.1 Proposal

Argyll and Bute Council is seeking views on the following proposal, namely:
“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”.

1.2 Decision to undertake the consultation

On 16th December 2021, Argyll and Bute Council’s 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 procedure (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.

1.3 Consultation on the proposal

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’.

The formal consultation on the proposal within this document will be undertaken under the terms of the *Schools (Consultation) (Scotland) Act 2010* (“the Act”). The consultation period will start on **16th March 2023** (with due written notice of the proposal issued to the relevant consultees listed in Appendix 1) and end on **12th May**

2023. Written representations must be received by the close of business on the closing date in order to be taken into account.

1.4 Public meeting

A public Meeting will be held on Tuesday 25th April at 19.00 in St Joseph's Primary School to discuss the proposal. Anyone wishing to attend the public meeting is invited to do so. The meeting will provide those in attendance with an opportunity to:

- Hear about the proposal;
- Ask questions about the proposal, and
- Express views about the proposal.

A note will be taken of the views expressed during the public meeting and of any questions asked so that they can be taken into account as part of the consultation process. In addition to the public meeting, written representations will be able to be made during the consultation period. A copy of the Consultation Response Form can be found at the end of this Proposal Paper.

1.5 Pupil views

Pupils will be invited to comment during the consultation process, through a session facilitated by a Council Officer, ensuring that they have an opportunity to contribute their views.

1.6 Education Scotland (formerly HM Inspectorate of Education, HMIE)

At the start of the consultation period the Council will provide Education Scotland with this proposal paper. When the consultation period has ended, the Council will collate all of the written and oral representations. Thereafter, this information will be provided to Education Scotland and include;

- A copy of written representations made to the Council on the proposal (or summary of them if agreed with Education Scotland);
- A summary of oral representations made at the public meeting, and
- Other relevant documentation, so far as is practicable.

Education Scotland will prepare a report on the educational aspects of the proposal taking account of the above, and in so far that Education Scotland considers them relevant, any written representations made directly to them. Education Scotland may also visit the schools affected by the proposal and make any other enquiries as they consider appropriate. Education Scotland require to send their report to the Council no later than 3 weeks (or longer if agreed with the Council) after having received the information from the Council.

1.7 Consultation Report

After receiving Education Scotland’s report, the Council will review the proposal taking account of written representations received during the consultation period, oral representations made during the public meeting and Education Scotland’s report. The Council will then prepare and publish a Consultation Report which will include a recommendation on the proposal and make it available for inspection. The Consultation Report will be published no later than three weeks before it is formally considered by the Council.

1.8 **Inaccuracies or omissions**

Where inaccuracies or omissions are discovered within this Proposal Paper, the Council will determine whether relevant information has been omitted or, if there has been an inaccuracy. Appropriate action will then be taken by the Council which may include issuing corrections, reissuing a corrected proposal paper or an extension of the consultation period. In any of these events all relevant consultees (and where applicable the notifier(s) of any omissions or inaccuracies) and Education Scotland will be advised of the appropriate action.

2.0 **IMPLEMENTATION DATE FOR THE PROPOSAL**

2.1 The proposal, if accepted, would be implemented from **24th August 2023**.

3.0 **DETAIL**

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 i.e. St Columba’s Primary School is in Oban; St Mun’s Primary School is in Dunoon; and St Andrew’s Primary school is situated on the Isle of 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 136 as per the table below:

St Joseph's Primary School - Helensburgh	P1	P2	P3	P4	P5	P6	P7	Grand Total
	21	15	23	17	20	20	20	136

3.2 On 26th October 2022 St Joseph’s Primary School Parent Council unanimously agree 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 will have due regard to its specific statutory duties as laid out in the *Schools (Consultation) (Scotland) Act 2010*, as amended.

3.4 The existing catchment area of St Joseph’s Primary School is shown in Appendix 2. The request by St Joseph’s Primary School Parent Council, and by

the referral from the full Council as detailed at Paragraph 1.2, above, is for the catchment area to be increased to include all of the Helensburgh and Lomond area.

- 3.5 St Joseph's Primary School Parent Council feels that the catchment area for their school should include all of the schools within Helensburgh and Lomond. 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. The table below illustrates the current catchment area size for the 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	44,662

- 3.6 The School Roll of the affected schools as per September 2022 is:

School	P1	P2	P3	P4	P5	P6	P7	Grand Total
Arrochar Primary School	6	6	9	5	9	5	10	50
Cardross Primary School	19	25	26	26	28	21	28	173
Colgrain Primary School	35	17	32	47	43	39	44	257
Garelochhead Primary School	12	15	9	10	19	21	21	107
Hermitage Primary School	55	49	51	54	51	59	50	369
John Logie Baird Primary School	16	13	10	19	11	20	14	103
Kilcreggan Primary School	11	15	11	15	10	13	10	85
Luss Primary School	1	0	1	1	2	1	5	11
Parklands Primary School	5	7	4	1	1	3	2	23
Rhu Primary School	24	19	17	21	28	32	30	171
Rosneath Primary School	15	10	10	14	11	7	13	80

4.0 EDUCATIONAL BENEFITS STATEMENT – ASSESSMENT OF THE LIKELY EFFECTS OF THE PROPOSAL

4.1 Benefits for present pupils of St Joseph’s Primary School

Should the catchment area be rezoned, there may be benefits for current pupils such as additional opportunities for personal and social development through an increased roll. From a curricular perspective, there would be no particular changes, however an increased school roll may well bring additional opportunities for children to develop socially and emotionally, particularly in developing them as confident individuals.

4.2 Benefits for future pupils of St Joseph’s Primary School

If the catchment area was rezoned it would mean that pupils from a wider geographical location would be able to attend a denominational school without their parents having to make a specific placing request. These pupils would also benefit from additional opportunities for personal and social development in St Joseph’s Primary School. From a curricular perspective, there would be no particular changes, however an increased school roll may well bring additional opportunities for children to develop socially and emotionally, particularly in developing them as confident individuals.

4.3 Effects on other users of the school’s facilities

Effects on any other users of the school’s facilities would be negligible.

4.4 Pupils of other schools in the area

Currently, pupils who live in the proposed rezoning area are able to make a placing request to attend St Joseph’s Primary School if they wish. However, the cost of transport is met by the family, not the local authority. If the proposal was to be implemented, then parents of children who currently attend other schools in the area may now be able to send their children to St Joseph’s Primary School for a Catholic education should they wish, without having to make a placing request, or pay for travel.

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.

There would be the following benefits to pupils:

- the increased opportunity for children to experience a faith based curriculum which works in partnership with the Catholic Church to provide spiritual growth and to celebrate faith in Jesus Christ; and

- potentially an increased number of prospective pupils – thereby adding to the diversity, strength and vibrancy of the school community.

If this proposal was to be implemented there would be a positive effect on children who currently do not attend St Joseph's Primary School and who wish to have a denominational education. There could also be a benefit to current and future children who attend the school.

If this proposal was implemented, all pupils who reside in the proposed rezoning area would fall within the new catchment area for St Joseph's Primary School as well as their local non-denominational school. This would offer additional educational choice to these pupils, which would not be subject to a placing request.

4.5 Implications for pupils if the proposal was not implemented

If this proposal is not implemented the children who currently live in the rezoning area, and who may move into the rezoning area, who wish to attend St Joseph's Primary School will continue to have to make a placing request should they wish to attend. They would also have to pay the cost of transport to and from school. This may also be a potential barrier for parents who wish to provide a denominational education for their children and be educated in accordance with their faith.

5.0 ASSESSING THE IMPACT ON THE LOCAL COMMUNITY AFFECTED BY THESE PROPOSALS

5.1 There may be implications for the local communities of the affected primary schools. Potentially, children who attend these schools may opt to attend St Joseph's Primary School. This may lead to a reduction in school rolls for pupils in these schools. Currently there is one school which has a school roll of less than twenty, and a reduction in their roll could have an impact on the ethos of these schools in their own communities.

6.0 EMPLOYEE IMPLICATIONS

6.1 Staffing arrangements will continue to be consistent with the Argyll and Bute Council Staffing Standards and other local arrangements.

6.2 If many children choose to go to St Joseph's Primary School instead of their non-denominational catchment school, this may also have an impact on staffing in both schools. If the school roll of St Joseph's Primary School increases it may require more staff, and if the other non-denominational schools sustain a corresponding drop in their school rolls, they may require to review their staffing arrangements. The Education Authority do not anticipate the numbers of pupils involved as a result of this proposed catchment extension to hugely impact other non-denominational schools.

7.0 OTHER ISSUES

- 7.1 There will most likely be increased transport costs for the Council should this rezoning take place. Any additional transport requests could may well incur additional costs. It is not considered that the proposal would be likely to incur a large cost to transport.
- 7.2 It is not a requirement that all pupils who attend denominational schools must be of that particular religious persuasion. Every school under the management of the Education Authority must be open to pupils of all denominations.
- 7.3 Religion and belief is a protected characteristic under the *Equality Act 2010*, which the Council, as a public authority, must have regard to when making decisions of this nature. If the Council were to rezone the catchment area for St Joseph's Primary School so as to increase the availability of denominational primary school education for children in the Helensburgh and Lomond area whose parents so wish to opt for it, this would be in accordance with the spirit of the 2010 Act. Denominational schools are afforded further statutory protections in terms of the *Education (Scotland) Act 1980*, and associated Education legislation.

8.0 CONCLUSION

- 8.1 This is a proposal to rezone the catchment area of St Joseph's Primary School, following requests to that effect from the previous Council (in December 2021) and the school's Parent Council. It is recommended that a statutory consultation exercise take place in respect of this under the terms of the *Schools (Consultation) (Scotland) Act 2010*. There are currently 2 pupils who attend the school who live out with the catchment area, who are not entitled to free school transport. Should the catchment area be rezoned, there would be increased accessibility to denominational education for children in the rezoned catchment area (i.e. the Helensburgh and Lomond area). There may be implications in terms of staffing and transport costs should there be an increase in the school roll of St Joseph's as a result of any rezoning.

Members are invited to adopt the draft proposal and proceed to a statutory consultation exercise under the 2010 Act to consider extending the catchment area of St Joseph's Primary School.

9.0 RESPONDING TO THE PROPOSAL

- 9.1 Interested parties are invited to respond to the proposal by making written or electronic submissions on the proposal using the form attached no later than close of business on **12th May 2023**.

Responses can be submitted to:

Argyll and Bute Council
Customer Services: Education
Argyll House
Alexandra Parade
Dunoon, PA23 8AJ
Email: argyllhoucereception@argyll-bute.gov.uk

- 9.2 Those sending in a response, whether by letter or electronically should be aware that their response will be open to public scrutiny and may have to be supplied to anyone making a reasonable request to see it.
- 9.3 If they do not wish their response to be publicly available, they should clearly write on the document: "I wish my response to be considered as confidential with access restricted to elected members and council officers of Argyll and Bute Council." Otherwise, it will be assumed that the respondent agrees to their response being made publicly available.

Appendix 1

Distribution list and how to access a copy of the proposal document

A copy of this proposal document will be provided to the following 'relevant consultees' in terms of the Act:

- The Parent Councils of the affected schools;
- The parents of the pupils at the affected schools;
- A copy of the proposal will be provided to all Early Years Establishments in the local area, giving access to parents who have children expected to attend the affected schools within two years of the publication of this proposal paper;
- The pupils at the affected schools (in so far as the Education Authority considers 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 Archdiocese of Glasgow;
- All relevant users of the affected schools, and
- Argyll and Bute Community Planning Partners.

A copy of this proposal document will also be made available to:

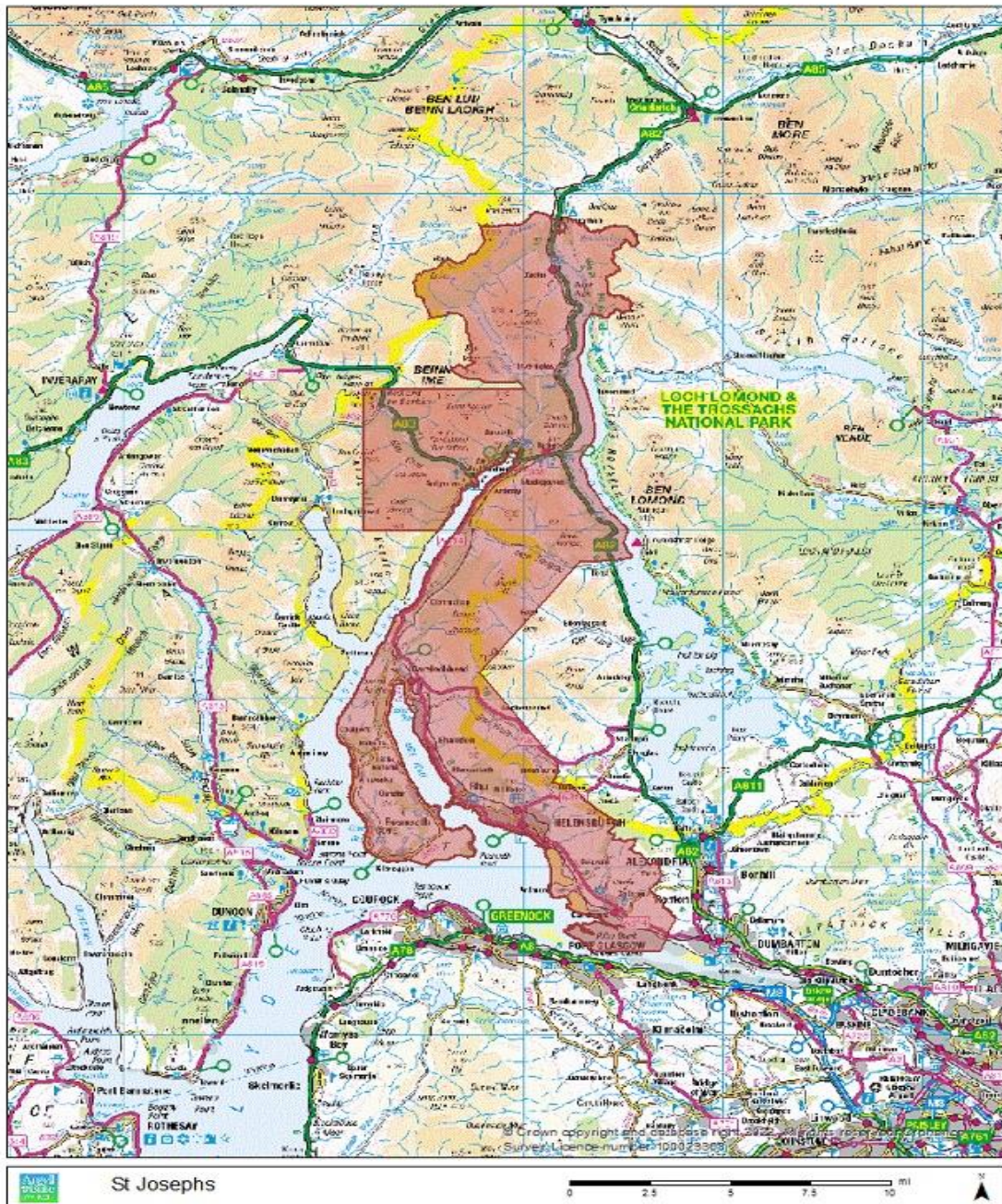
- All Elected Members of Argyll and Bute Council representing the Helensburgh and Lomond area;
- Argyll and Bute Youth Forum;
- Education Scotland (formerly Her Majesty's Inspectorate of Education, HMIE);
- The Constituency MSP of the affected schools;
- List MSPs for the area of the affected schools;
- The MP for the area of the affected schools;
- Police Scotland;
- NHS Highland;
- Argyll and Bute School Transport;
- Senior Local Officer, Scottish Fire and Rescue Services, and
- Care Inspectorate

The steps listed below have also been taken to ensure that the proposal is widely available:

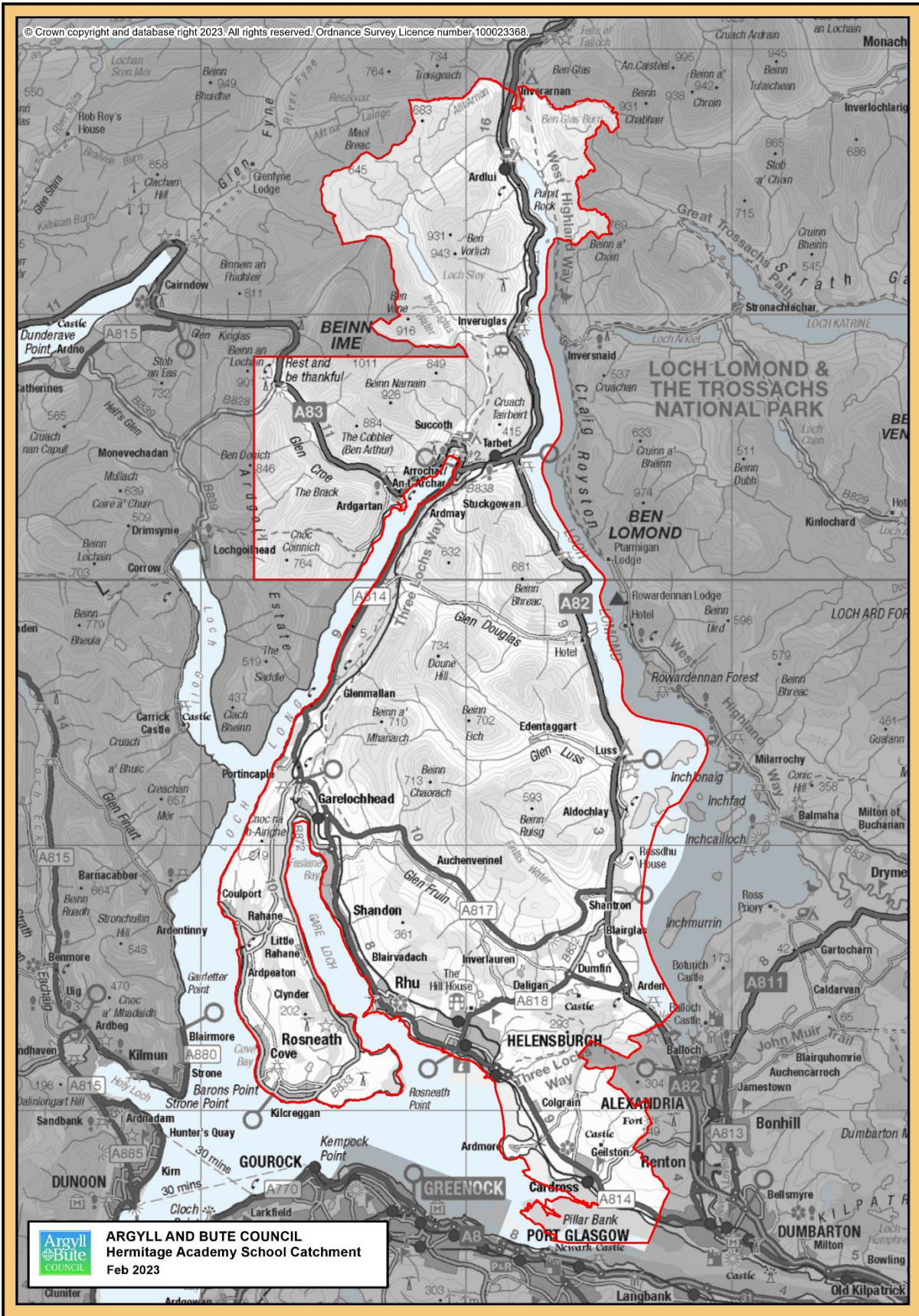
- The proposal document will also be published on the Argyll and Bute Council website;
- This document can be made available in alternative forms or translated by contacting Argyll House, Dunoon, telephone: 01369 708576 or argyllhouse@argyll-bute.gov.uk;
- The proposal paper will also be available at the following locations:
 - a) Council Offices
 - b) All libraries in Helensburgh and Lomond
 - c) All Helensburgh and Lomond area/locality offices
 - d) The schools affected by the proposal

Appendix 2

Map detailing the current catchment area for St Joseph's Primary School:



Map detailing proposed catchment area for St Joseph's Primary School:



10. CONSULTATION RESPONSE FORM

Education Service



Please use this form to let us know what you think about the proposal

You can complete this feedback form in Adobe Acrobat and print it out, or print and complete it by hand, using block capital letters. Return the form to: Customer Services: Education, Argyll House, Alexandra Parade, Dunoon, PA23 8AJ
Or as an e-mail to argyllhouse-reception@argyll-bute.gov.uk.

The closing date for comments is **12th May 2023**.

Proposal

Argyll and Bute Council is seeking the views on the following proposal, namely:

- To rezone the catchment area of St Joseph's Primary School to cover the whole of the Helensburgh and Lomond area.

Name	
Address	

I agree with the proposal (please tick) Yes No Undecided

If you wish to comment on the proposal please use the space below, or attach another sheet

--

I am responding in my capacity as a (please indicate by ticking the appropriate box)

Parent/ carer of child at St Joseph's Primary School	<input type="checkbox"/>	Trade Union	<input type="checkbox"/>
Parent/ carer of child at affected primary school (please specify)	<input type="checkbox"/>	Elected representative	<input type="checkbox"/>
Pupil	<input type="checkbox"/>	Community Council	<input type="checkbox"/>
St Joseph's PS Parent Council	<input type="checkbox"/>	Member of the public/ community	<input type="checkbox"/>
Affected PS Parent Council	<input type="checkbox"/>	Member of staff	<input type="checkbox"/>
	<input type="checkbox"/>	Church	
Other Group	<input type="checkbox"/>	Details: _____	

Handling your response - Please note that:

- We will use the information you provide for the purpose(s) of this consultation, including statistical and analytical purposes;
- We will pass a full copy of your written response to Education Scotland or a summary of it if agreed with them; and
- We are subject to the provisions of the Freedom of Information (Scotland) Act 2002 and therefore would have to consider any request made under that Act for information relating to written responses/ records of oral representations made to us relating to this consultation.

Electronic publication and additional copies

This consultation, and all other consultation exercises, can be viewed online on the consultation web pages of the Council website at:


www.argyll-bute.gov.uk/consultations

Public internet can be accessed at your local library.

Thank you for taking time to respond.

Argyll and Bute Council: Equality and Socio-Economic Impact Assessment

Section 1: About the proposal

Title of Proposal	
Proposal to extend the catchment area of St Joseph's Primary School	
Intended outcome of proposal	
The change to the catchment area that is proposed will result in St Joseph's Primary School's catchment area covering the whole of the Helensburgh and Lomond area.	
Description of proposal	
Implementation of the extended catchment area will ensure equity of access to denominational education to all within the Helensburgh and Lomond area.	
Business Outcome(s) / Corporate Outcome(s) to which the proposal contributes	
BO18: All our children and young people are supported to realise their potential. Corporate Outcome: Education, skills and training maximise opportunities for all.	
Lead officer details:	
Name of lead officer	Tina Sartain
Job title	Education Manager
Department	Education,
Appropriate officer details:	
Name of appropriate officer	Wendy Brownlie and Jennifer Crocket
Job title	Heads of Education
Department	Education
Sign off of EqSEIA	
Date of sign off	25/07/2023
Who will deliver the proposal?	
Education Service	

Section 2: Evidence used in the course of carrying out EqSEIA

Consultation / engagement
<ul style="list-style-type: none">• Stakeholder responses as part of statutory consultation• Pupil engagement views• Parental engagement views• Views gathered at public meeting
Data

- School rolls
- Geographical location of pupils

Other information

Gaps in evidence

None.

Section 3: Impact of proposal

Impact on service users:

	Negative	No impact	Positive	Don't know
Protected characteristics:		x		
Age		x		
Disability		x		
Ethnicity		x		
Sex		x		
Gender reassignment		x		
Marriage and Civil Partnership		x		
Pregnancy and Maternity		x		
Religion			x	
Sexual Orientation		x		
Fairer Scotland Duty:				
Mainland rural population		x		
Island populations		x		
Low income		x		
Low wealth		x		
Material deprivation		x		
Area deprivation			x	
Socio-economic background		x		
Communities of place		x		
Communities of interest		x		

If you have identified any impacts on service users, explain what these will be.

Implementation of the extended catchment area will ensure equity of access to denominational education to all within the Helensburgh and Lomond area.

If any 'don't know's have been identified, at what point will impacts on these groups become identifiable?

Impact on service deliverers (including employees, volunteers etc):

	Negative	No impact	Positive	Don't know
Protected characteristics:		x		

	Negative	No impact	Positive	Don't know
Age		X		
Disability		X		
Ethnicity		X		
Sex		X		
Gender reassignment		X		
Marriage and Civil Partnership		X		
Pregnancy and Maternity		X		
Religion			X	
Sexual Orientation		X		
Fairer Scotland Duty:				
Mainland rural population		X		
Island populations		X		
Low income		X		
Low wealth		X		
Material deprivation		X		
Area deprivation			X	
Socio-economic background		X		
Communities of place		X		
Communities of interest		X		

If you have identified any impacts on service deliverers, explain what these will be.

Implementation of the extended catchment area will ensure equity of access to denominational education to all within the Helensburgh and Lomond area.

If any 'don't know's have been identified, at what point will impacts on these groups become identifiable?

How has 'due regard' been given to any negative impacts that have been identified?

Section 4: Interdependencies

Is this proposal likely to have any knock-on effects for any other activities carried out by or on behalf of the council?

No

Details of knock-on effects identified

Section 5: Monitoring and review

How will you monitor and evaluate the equality impacts of your proposal?

Ongoing engagement and feedback with St Joseph's Primary School and the other affected schools.

Monitoring of school rolls in the Helensburgh and Lomond area.

St Joseph's Public Consultation Meeting

St Joseph's Primary School

25 April 2023

Panel

Douglas Hendry, Executive Director

Jen Crocket, Chief Education Officer/Head of Education-Wellbeing, Inclusion and Achievement

Wendy Brownlie, Head of Education – Performance and Improvement

In attendance

Graeme McMillan - Transformation Programme Manager

Tina Sartain – Education Manager

Brendan Docherty – Education Manager

Mr Robert Hind – Education Scotland

Michelle Collins - Head Teacher of St Joseph's Primary School

Admin:

Fiona Ferguson – Directorate Support Officer

Laura Blackwood – Directorate Support Officer

1 parent

Welcome and introductions were made by Douglas Hendry.

Ms Crocket and Mrs Brownlie then spoke to a prepared presentation on the proposal this included, the background to the proposal, the reasons for the proposal the educational benefits which the Council believe would be achieved upon implementation of the proposal and information on how stakeholders can submit formal responses to the consultation.

Question 1

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

Panel Response

Panel advised that the transport service are responsible for arranging travel to school. It was suggested by the panel that this issue could be picked up at the end of the meeting as this meeting has been arranged in regard to extending the catchment area for St Joseph's.

Question 2

It's been over a year and a half since this was raised by Councillor Trail why has this taken so long?

Panel Response

Correct in your understanding. Councillor Trail did raise this at a Council meeting and this was referred to the Community Services Committee who, on 16th December 2021 agreed to take forward a statutory consultation to extend the catchment area for St Joseph's. You are also correct that there was a delay in this kicking off, as the Education Service was already involved in another large piece of work and officers did not have capacity to run these both at the same time.

Question 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?

Panel Response

The panel confirmed that a parental request does not in itself trigger a statutory duty to conduct a review of a catchment area under the 2010 Act.

Question 5

The issue of there being an empty seat on the mini bus which travels to school on the same route which this parent travels was raised again.

Panel Response

The panel advised that this was a matter for transport and not the Education Service.

Question 6

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

Panel Response

The panel advised that 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.

There were no further questions on the proposal and Ms Crocket suggested that a conversation with Michelle Collins and Brendan Docherty may be the best way to address the other issues which were raised tonight and this was agreed by the parent.

The parent in attendance wanted to have on record that she was refused transport for her son while she was being treated for cancer and has epilepsy.

Mr Hendry thanked those in attendance and closed the meeting at 7.40pm.

Schools (Consultation) (Scotland) Act 2010

Report by Education Scotland addressing educational aspects of the proposal by Argyll and Bute Council to rezone the catchment area of St Joseph's Primary School.

May 2023

1. Introduction

1.1 This report from Education Scotland has been prepared by His Majesty's Inspectors of Education (HM Inspectors) in accordance with the terms of the [Schools \(Consultation\) \(Scotland\) Act 2010](#) ("the 2010 Act"). The purpose of the report is to provide an independent and impartial consideration of Argyll and Bute Council's proposal to rezone the catchment area of St Joseph's Primary School. Section 2 of the report sets out brief details of the consultation process. Section 3 of the report sets out HM Inspectors' consideration of the educational aspects of the proposal, including significant views expressed by consultees. Section 4 summarises HM Inspectors' overall view of the proposal. Upon receipt of this report, the Act requires the council to consider it and then prepare its final consultation report. The council's final consultation report should include this report and must contain an explanation of how, in finalising the proposal, it has reviewed the initial proposal, including a summary of points raised during the consultation process and the council's response to them. The council has to publish its final consultation report three weeks before it takes its final decision.

1.2 HM Inspectors considered:

- the likely effects of the proposal for children and young people of the school; any other users; children likely to become pupils within two years of the date of publication of the proposal paper; and other children and young people in the council area;
- any other likely effects of the proposal;
- how the council intends to minimise or avoid any adverse effects that may arise from the proposal; and
- the educational benefits the council believes will result from implementation of the proposal, and the council's reasons for coming to these beliefs.

1.3 In preparing this report, HM Inspectors undertook the following activities:

- attendance at the public meeting held on 25 April 2023 in connection with the council's proposal;
- consideration of all relevant documentation provided by the council in relation to the proposal, specifically the educational benefits statement and related consultation documents, written and oral submissions from parents and others;
- visits to the site of St Joseph's Primary School and Luss Primary School, including discussion with relevant consultees.

2. Consultation process

2.1 Argyll and Bute Council undertook the consultation on its proposal(s) with reference to the [Schools \(Consultation\) \(Scotland\) Act 2010](#).

2.2 The council undertook the consultation between 16 March and 12 May 2023. The council published information on the proposal on their website. Information about the proposal was made available to stakeholders including children, parents and carers of the schools affected by the proposal. The council facilitated discussions with the children and Parent Council from St Joseph's Primary School and they all agreed with the proposal. One parent attended the public meeting at St Joseph's Primary School who supported the proposal. They queried the delay in proceeding with the catchment review. The council acknowledge they progressed with the proposal following further representation from St Joseph's Primary School Parent Council. Argyll and Bute Council received no written responses in relation to this statutory consultation.

3. Educational aspects of proposal

3.1 The council sets out a clear rationale for extending the catchment area for St Joseph's Primary School to cover the whole of the Helensburgh and Lomond area from August 2023. They believe that children from a wider geographical area will have the opportunity to attend a denominational school. There are currently three children living in the portion of Helensburgh and Lomond area out with the catchment who chose to attend St Joseph's Primary School through a placing request. If the council proceeds with the proposal, all children who reside in the rezoned catchment area would have the ability to attend St Joseph's Primary School or their local non-denominational school. This would reduce potential barriers such as payment for travel to school and the need for placing requests. HM Inspectors agree that this will also offer additional educational choice and resolve an inherited catchment anomaly. The council has also considered the implications for the local communities of the affected primary schools. They acknowledge that this may lead to a reduction in school rolls for pupils of these schools.

3.2 HM Inspectors met with stakeholders in the two schools most likely to be affected by the proposal. All children, staff and parents were supportive of the proposed changes to the catchment area. Children at St Joseph Primary school understand the benefits from a potential increase in the number of children attending. They particularly welcome opportunities for increased friendships for a larger geographical area. Children from Luss Primary School who met with HM Inspectors expressed some concern about the potential negative impact that this may have on their school roll. They believe their school playground could be adapted to be more inclusive for children with additional support needs. Should the council proceed with the proposal, HM Inspectors recommend that they work with schools and communities to mitigate any likely negative impact.

3.3 HM Inspectors discussed potential education benefits with parents from St Joseph's Primary School. They value the opportunity to send their children to the closest school and agree this adds to the diversity, strength and vibrancy of the school. Parents and carers from Luss Primary School were given the opportunity to speak with HM Inspectors. However, no one attended. The two headteachers had each discussed the proposals with their respective Parent Councils and they reported that there were no concerns raised regarding the council's proposal.

3.4 HM Inspectors discussed the proposal with a representative from the Roman Catholic Church in Helensburgh who is in favour of the proposal. They believe this will reduce financial burden on families who currently pay for school transport. They agree that the new catchment area will present increased opportunities for children to experience a faith-based curriculum and will strengthen St Joseph's Primary School.

4. Summary

Overall, Argyll and Bute Council have set out a clear rationale for rezoning all of the Helensburgh and Lomond area to St Joseph's Primary School. All stakeholders who met with HM Inspectors are in favour of the proposal. The council's proposal, should it proceed, will decrease the need for placing requests and reduce the need for parents to pay for school transport. HM Inspectors agree that the proposal has potential educational benefits and will offer greater parental choice.

In taking forward the proposal, 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.

HM Inspectors
May 2023

St Joseph's Primary School Focus Groups

Both focus groups were undertaken by Tina Sartain on 24th April 2023 with Head Teacher, Michelle Collins, observing.

1. Pupil Focus Group – 5 x P6 pupils

Q1. Do you know about a consultation to change the boundary of your school catchment area that is being carried out by the council at the moment?

A. All pupils answered yes, they had learned about it in school.

Q2. What do you think about the fact that the catchment currently means that some pupils who may want to attend the school have to ask for this through a placing request?

A. Pupil 1: think it's not fair because people living in Luss might want to come to this school and they can't get catholic education if they want it.

Pupil 3: I think the catchment should be extended so that everyone can choose to come here

Pupil 4: It's not fair the way it is just now because if you live in Luss, or if you went to St Joseph's and the you moved to Luss, then you wouldn't be able to get the bus to come here and you would end up having to move schools and leave your friends. If your parents couldn't afford to pay for transport you would have to move to Luss Primary School and leave your friends but if you lived in another place you would be able to get the bus to school for free.

Pupil 2 and Pupil 5 were also in agreement that the catchment as it currently stands is unfair for people living in the Luss area who might want to attend St Josephs.

2. Parent/Staff Focus Group – Parent council chair and 2 parent council members, who are also staff.

Parent council chair was aware of current boundary status. He felt that if people were to find out that the choice of denominational education was being denied to some parents within a geographical area this could be politically contentious. The right of parents to access denominational education should be available to all within the catchment and the current situation should be remedied as soon as possible.

The other parents/staff members were unaware of the current boundary situation but were then in agreement with the chair that it requires to be changed and brought in line with the right of parents to choose Hermitage Academy or Our Lady and St Patricks.