



## HIGHLAND COUNCIL

### EDUCATION CULTURE & SPORT SERVICE

#### CONSULTATION REPORT ON THE PROPOSAL TO CHANGE EDUCATION PROVISION AT BANAVIE PRIMARY SCHOOL BY DISCONTINUING THE DEDICATED ADDITIONAL SUPPORT NEEDS FACILITIES

This report has been prepared following a review of the proposal to:

**Change education provision at Banavie Primary School by discontinuing the dedicated Additional Support Needs facilities**

Having had regard (in particular) to:

- Relevant written representations received by the Council (from any person) during the consultation period
- Oral representations made to it (by any persons) at the public meeting held in Fort William on 28<sup>th</sup> April 2011.
- Her Majesty's Inspectorate of Education report

This document has been issued by the Highland Council under the requirements of the Schools (Consultation) (Scotland) Act 2010.

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## **1.0 Background**

- 1.1 The Education Culture & Sport Committee (ECS) at its meeting on 10 March 2011 agreed that a statutory consultation be undertaken on the proposal to close the dedicated Additional Support Needs (ASN) facilities at Banavie Primary School, on the basis that there would be no pupils in the class from the end of the current school year.
- 1:2 **Appendix 1** is the original consultative paper and provides full details of the above proposal.

## **2.0 Consultation process**

- 2.1 The formal consultation period ran from 21st March 2011 to 20<sup>th</sup> May 2011 and written representations on the proposal were sought from interested parties as defined within the Schools (Consultation) (Scotland) Act 2010.
- 2.2 In accordance with statutory requirements, the following were consulted:
- The parents of Primary School-age pupils and Pre School pupils in all schools within the Lochaber High School Associated School Grouping (ASG).
  - Staff of the Primary Schools within the Lochaber High School ASG and trade union representatives.
  - The P4 to P7 pupils attending Banavie Primary School
  - The Parent Councils of the Primary Schools within the Lochaber HS ASG
  - The local Community Councils and other community groups
  - The appropriate Members of the Scottish Parliament and Member of Parliament
  - Her Majesty's Inspectorate for Education (HMIE)

2.3 The proposal document was also advertised in the local press and on the Highland Council web-site.

2.4 A public meeting was held in Fort William on the 28<sup>th</sup> April 2011. This meeting was advertised in advance in the local press and on the Highland Council web-site. The Minute of that meeting is appended – **Appendix 2.**

## **3.0 Responses received**

- 3.1 5 written submissions were received during the consultation period. Details of these submissions are appended – **Appendix 3.**
- 3.2 The written submissions were received from:

- The parents of a child who was due to enter the dedicated ASN facility in August 2013. (2 letters)
- The grandparents of the above child
- An ASN teacher who has worked within the dedicated ASN facility at Banavie PS
- Kilmallie Community Council

#### **4.0 Issues raised during the consultation period**

4.1 The points raised in the written correspondence received can be summarised thus:-

- Although generally inclusion is good for society, it does not always meet the needs of the individual. The needs of the child must always come first.
- Some children with ASN gain from having their needs met within a specialist environment rather than a mainstream setting.
- Statements in the consultation paper concerning facilities for meeting special needs in the future were vague and potentially misleading. Kilmallie Community Council, in particular, sought firm commitments about the availability of special needs facilities in the new build Primary Schools planned for the greater Fort William area, and about the future use of the existing dedicated ASN facilities in Banavie Primary School.
- The concentration of specialist knowledge in the dedicated ASN facilities at Banavie Primary School is extremely valuable and its loss would be devastating.
- Pupils with special needs should be able to access part-time mainstream and part-time special needs education.
- Children with special needs need to form their own peer groups. Some children find it hard to integrate with children in mainstream classes due to cognitive, physical, emotional, social and communication deficits.
- If the facility is closed, where will children with special needs be sent?
- The Council should not be looking to reduce the number of special needs teachers.
- The present facilities in the dedicated ASN facility at Banavie Primary School are adequate for a small number of pupils. Any shortcomings in the physical environment are more than made up for by the dedication of the staff.
- Children with special needs should not be included in mainstream simply for the sake of inclusion.

4.2 Many of the issues raised at the public meeting were the same as those raised in the written submissions. Two additional concerns were raised. One was that mainstream education of children with special needs does not work because the authority does not provide enough resources to meet pupil needs in the mainstream setting. A further

concern was raised about parents having been discouraged from enrolling pupils within special classes in the past.

## **5.0 Summary of the issues raised by Her Majesty's Inspectorate for Education (HMIE)**

5.1 A copy of the HMIE report is appended – **Appendix 4**

5.2 The issue raised in the HMIE can be summarised thus:

- The proposal has the potential to offer only limited educational benefits to children who may enrol in Banavie Primary School and to children within the wider community in Lochaber
- These benefits relate mainly to the staffing efficiencies that would accrue which would contribute to the overall benefit of children and young people in the Council area
- The Council should respond to concerns expressed during the consultation period regarding the extent and the nature of the facilities for children with additional support needs to be provided in the new Primary School provision to be provided by the Council in the greater Fort William area during the next 3 years.
- Further work is required by the Council to assess the educational benefits of the possible temporary closure of the dedicated ASN facilities at Banavie Primary School, allowing for re-opening as needed.

5.3 The Service's response to these issues is contained within section 11 below

## **6.0 Highland Council's response to the issues raised during the consultation period.**

6.1 The Council agrees that the needs of the child must come first. Meeting the needs of children with additional needs does not mean simply placing a child in a mainstream class with the same support as other children. Adequate support must be provided in terms of staffing, equipment, building adaptations and differentiation within the curriculum.

6.2 The Council agrees that the educational interests of the vast majority of children with additional needs are best met within their local school. However, it is accepted that some children may benefit from having at least part of their education within some form of specialised facility. Again such a facility might allow for interaction between pupils with similar characteristics.

6.3 The Council confirms that the current ASN accommodation at Banavie Primary School will in future be used as accommodation for learning

support purposes. It is also confirmed that the new Primary Schools to be built in the greater Fort William area, will contain dedicated facilities for meeting the needs of pupils with additional support needs. These facilities will be appropriately resourced, based on specialist advice, to ensure that the design process accommodates all recommendations made. It is estimated that the new amalgamated Primary School in Fort William will open during financial year 2013-14 and the new integrated joint-campus Primary School in Caol will open during financial year 2014-15.

- 6.4 The dedication of the staff in the dedicated ASN facility at Banavie Primary School has never been in dispute and the Council values the experience and expertise of both the teaching and non-teaching staff. As there are no pupils for the class after the school holidays, the staff will be deployed into other duties within the area learning support team. This change in deployment will take place irrespective of whether or not the facility formally closes.
- 6.5 The Council does not consider that allocating a teacher to a special class with a very small number of pupils (perhaps as low as one) is an effective use of resources. Each of the operational areas within the ECS Service maintains a team of peripatetic learning support teachers as well as a team of auxiliaries. Both teaching and non-teaching are deployed across schools according to an assessment of pupil needs.
- 6.6 The Council does not accept that mainstream education for children with additional needs is rendered ineffective by a lack of resources. Within the Primary School sector there is a rigorous system for allocating resources against need. The allocation system involves all schools submitting detailed evidence of the level of additional needs amongst their pupils, and the evidence being reviewed by a group that includes education officers, educational psychologists and the area learning support team leaders. Head Teacher representatives are included in the group on a rotating basis. The allocation system is therefore evidence based, impartial and open to scrutiny by Head Teachers.
- 6.7 The Council is sympathetic to the notion that a temporary closure of the dedicated ASN classrooms is considered, allowing for re-opening as needed following agreement with the appropriate specialist practitioners. This position would be reviewed when the new Primary School provision planned for the greater Fort William area comes on stream between 2013 and 2015.

## **7.0 Review of proposals following the consultation period**

- 7.1 Following receipt of written representations received by Highland Council and consideration of oral representations made at public

meetings held during the consultation period, officials reviewed the proposals.

7.2 The feedback from the consultation was considered by a range of Council officials. This ensured that the Council met the requirements of sections 9 (1), and 13 (3) (b) of the 2010 Act.

7.3 The outcome of this review process is reflected in the conclusion and recommendations outlined below.

## **8.0 Alleged omissions or inaccuracies**

8.1 There were no omissions or inaccuracies that were notified to Highland Council during the consultation period

## **9.0 Procedures for ministerial call-in**

9.1 Since the recommendation is to amend the original proposal to a temporary closure section 10 (4) of the Schools (Consultation) (Scotland) Act 2010 will not apply. On this basis, if the ECS Committee on the 9<sup>th</sup> August 2011 agrees to accept the recommendation there will be no requirement to notify Scottish Ministers. The need to notify Scottish Ministers only applies when a recommendation to close an educational establishment on a permanent basis is approved.

## **10.0 Legal issues**

10.1 The Council has complied in full with the requirements of the Schools (Consultation) (Scotland) Act 2010 throughout this statutory consultation.

10.2 As provided for in section 1 of the 1980 Act it is the duty of the Council to ensure adequate and efficient provision of school education within Highland, such education to be directed towards the development of the personality, talents and mental and physical abilities of children or young persons to their fullest potential (Standards in Scotland's Schools Etc. Act 2000). That said, as will all Council duties, the Council has a duty to make arrangements to secure best value and in securing best value the Council is required to maintain an appropriate balance between, inter alia, the quality of its performance of its functions and the cost to the authority of that performance (Local Government in Scotland Act 2002, section 1). In coming to any decision the above factors should be taken into account.

## **11.0 Conclusion**

11.1 It is apparent from the feedback received, as detailed in sections 4 and 5 above, that there are concerns about the original proposal being implemented on a permanent basis. This is until such time that there is greater clarity about the ASN provision being provided within the 2 new

Primary Schools planned for the greater Fort William area within the next 2 to 4 years.

- 11.2 The Council is sympathetic to these concerns. On this basis, officials recommend that the dedicated ASN facilities at Banavie Primary School should be closed on a temporary basis and it may be re-opened, during the period until suitable alternative facilities are available in the greater Fort William area, if there is an identified need and following agreement with the appropriate specialist practitioners. This is on the understanding that permanent closure of the ASN facilities at Banavie Primary School will be proposed when the new Primary Schools planned for the greater Fort William area open within the next 2 to 4 years.
- 11.3 This is on the understanding that the new Primary Schools will provide the appropriate level of ASN facilities for all Pre School and Primary School-age pupils in the Lochaber area.

## **12.0 Recommendations**

12.1 It is therefore recommended that:

- The dedicated ASN facility at Banavie Primary School is closed on a temporary basis and it may be re-opened during the period until suitable alternative facilities are available in the greater Fort William area if there is an identified need and following agreement with the appropriate specialist practitioners.
- The permanent closure of the ASN facilities at Banavie Primary School will be proposed when the new Primary Schools planned for the greater Fort William area open within the next 2 to 4 years. A further statutory consultation will be carried out at that time.

**Hugh Fraser**

**Director Education Culture & Sport**

**15<sup>th</sup> July 2011.**

**Appendix 1** – The proposal document

**Appendix 2** – Minute of public meeting held in Fort William on the 28<sup>th</sup> April 2011.

**Appendix 3** – Written submissions received

**Appendix 4** – HMIE report