

Agenda Item	7(b)
Report No	G/9/21

HIGHLAND COUNCIL

Committee: Gaelic Committee

Date: 18 May 2021

Report Title: Statutory Consultation – Gaelic Medium Catchment Proposal for Newtonmore Primary School

Report By: Executive Chief Officer, Education

1. Purpose/Executive Summary

- 1.1 This Report seeks Members' agreement to conduct a statutory consultation proposing the establishment of a Gaelic Medium (GM) catchment area for Newtonmore Primary School. The proposal will be submitted for formal decision to the Education Committee on 20 May 2021.
- 1.2 Currently there are pupils who live in the Aviemore, Alvie, Kingussie and Gergask catchments who attend GME at Newtonmore Primary School. The Proposal, if implemented, would therefore formalise arrangements which have developed through custom and practice.

2. Recommendations

- 2.1 Members are invited to discuss the proposal and note that the Education Committee will be advised of Gaelic Committee Members' views, prior to taking its decision.

3. Implications

- 3.1 Resource - The Proposal seeks to maximise access to GME whilst balancing financial implications, particularly with regard to school transport. No additional costs are envisaged at present as a result of the proposal. There is an outside possibility of additional costs arising in future if there were to be enrolments in GME from the south-west end of the Gergask PS catchment. Currently there are no children living in that area.
- 3.2 Legal - The Proposal will be issued for statutory consultation as required by the Schools (Consultation) (Scotland) Act 2010, It also complies with the provisions for school transport set out within the Education (Scotland) Act 1980; with the provisions relating to Gaelic Medium Education contained within the Education (Scotland) Act 2016; and with statutory guidance on the creation of GM catchment areas, issued by Bòrd na Gàidhlig.

- 3.3 Community (Equality, Poverty and Rural) - There are no specific impacts on equality, poverty or rural issues, beyond those already considered as part of access to GME.
- 3.4 Climate Change / Carbon Clever – Wherever possible school transport would be provided by means of existing transport. Any additional greenhouse gas emissions would be negligible.
- 3.5 Risk - There are no identified risks arising specifically from this proposal.
- 3.6 Gaelic – The Proposal, if implemented, would provide improved clarity on the transport entitlement for children accessing Gaelic Medium education at Newtonmore Primary School.

4. Overview

- 4.1 There are 171 currently operational primary schools in Highland, of which 20 currently offer Gàidhlig Medium Education (GME).
- 4.2 The current arrangements under which pupils access GME are not particularly well defined, and have evolved over time. Around half of schools do not have defined catchment areas for GME, and current policy in such cases is to provide transport “within reasonable travelling distance”. This is often interpreted as meaning up to 15 miles, but there are variations and distances travelled are often longer.
- 4.3 Statutory Guidance on GME, issued by Bòrd na Gàidhlig, includes a recommendation that local authorities should establish catchment areas for schools that offer GME, and that these catchment areas would normally overlay a number of English Medium catchment areas. A catchment area for GME provision should be an area in which the education authority thinks it is reasonable for pupils wishing to receive GME provision to travel to school, and should have the potential to attract parents to choose GME provision for their children.
- 4.4 The establishment of GM catchment areas is subject to statutory consultation under the Schools (Consultation) Act Scotland 2010. These are resource intensive exercises, not only for Highland Council but also for Education Scotland, who have to appoint an Inspector to assess each proposal. The Council has been progressing statutory consultations to establish GME catchments across those locations in Highland currently offering GME. It is necessary to stagger the exercise given the volume of GME provision, and other statutory consultations to be progressed. The programme of consultations was halted in March 2020 due to the suspension of normal business with the onset of the COVID-19 pandemic. As at the date of this report, 11 GM catchments have been created. Further proposals will be brought to future Committees, covering other parts of Highland.
- 4.5 Newtonmore Primary School is the only primary school within the Kingussie Associated School Group (ASG) to offer GME. Currently there are 103 pupils in P1-7, of whom 30 are in GME. Five of the GM pupils are from outwith the Newtonmore Primary catchment itself. There are 13 pupils in the GM nursery, of whom 6 are from outwith the Newtonmore catchment.
- 4.6 The Proposal Paper (Appendix A) sets out the suggested GM catchment for Newtonmore Primary. A map of the current school catchments is at Appendix B. If implemented, the proposal would provide entitlement to GME for pupils across all 5

catchments within the ASG. There would be a presumption that any travel to access GME from other school catchments would be via existing transport, wherever possible.

5. **Next Steps**

- 5.1 Subject to a Committee decision to proceed to statutory consultation, a public meeting will be held to discuss the Council's proposal, and there will be considerable opportunity for stakeholders to submit views to the Council in advance of any final decision being made. At this stage, it is expected the statutory consultation timeline would see a final recommendation being considered by the Committee early in 2022, though this may be subject to change to ensure the Council has sufficient time to consider and respond to matters arising from the consultation.

Designation: Executive Chief Officer – Education

Date: 27 April 2021

Author: Ian Jackson, Education Officer (Resources)

**Appendix A
THE HIGHLAND COUNCIL**

EDUCATION COMMITTEE

The proposal is to establish a Gaelic Medium catchment area for Newtonmore Primary School

EDUCATIONAL BENEFITS STATEMENT

THIS IS A PROPOSAL PAPER PREPARED IN TERMS OF THE EDUCATION AUTHORITY'S AGREED PROCEDURE TO MEET THE REQUIREMENTS OF THE SCHOOLS (CONSULTATION) (SCOTLAND) ACT 2010

INTRODUCTION

The Highland Council is proposing, subject to the outcome of the statutory consultation process:

1. To establish a Gàidhlig Medium (GM) catchment area for Newtonmore Primary School. The new catchment will overlay the current English Medium (EM) catchments of Newtonmore Primary School, Alvie Primary School, Aviemore Primary School, Gergask Primary School, and Kingussie Primary School.
2. To formalise the current arrangements relating to Gàidhlig Medium Education (GME) in Kingussie High School, under which the catchment area for Kingussie High School will apply to both Gàidhlig Medium and English Medium education.

Existing primary school catchments for the provision of English Medium education will be unaffected.

The proposed changes, if approved, will be implemented at the conclusion of the statutory consultation process.

If implemented as drafted, the proposed GM catchment for Newtonmore Primary School will include all of the primary school catchments within the Kingussie ASG.

Any future parental demand for local provision of GME from within the Alvie, Aviemore, Gergask, and Kingussie school catchments would be assessed in accordance with the Education (Scotland) Act 2016.

SUMMARY OF THE CONSULTATION PROCESS

PUBLICATION INFORMATION

Proposal Paper Published

The proposal paper will be available for inspection, free of charge, at:

- Newtonmore Primary School
- Kingussie Primary School
- Alvie Primary School
- Aviemore Primary School
- Gergask Primary School
- Badenoch Public Library, Kingussie
- Aviemore Public Library

and published on the Highland Council website:

www.highland.gov.uk/schoolconsultations

Copies of this Proposal Paper are also available on request from:

Business Support Team (Education)
Highland Council Headquarters
Glenurquhart Road
Inverness
IV3 5NX
E-mail: Education.Consultations@highland.gov.uk

To request this information in an alternative format, e.g. large print, Braille, audio formats, or suitable language, please also contact the Business Support Team (Education), Highland Council Headquarters, Glenurquhart Road, Inverness, IV3 5NX
E-mail: Education.Consultations@highland.gov.uk

Formal notice of the Proposal and relevant information will be given and be made available, free of charge, to the consultees listed as follows:

1. Parents of pupils attending Newtonmore Primary School; including parents of pre-school pupils;
2. Parents of pupils attending Kingussie Primary School; including parents of pre-school pupils;
3. Parents of pupils attending Alvie Primary School; including parents of pre-school pupils;
4. Parents of pupils attending Aviemore Primary School; including parents of pre-school pupils;
5. Parents of pupils attending Gergask Primary School; including parents of pre-school pupils;
6. The Parent Councils of each of the above schools;
7. All staff of the schools listed above.
8. Members of Parliament and Members of the Scottish Parliament for the area affected by the proposal;
9. Trade union representatives;
10. All Community Councils for the areas covered by the Proposal.
11. Bòrd na Gàidhlig; and

12. Education Scotland;

Advertisement in Local Media

A notice announcing the public meeting will be placed in the *Badenoch and Strathspey Herald* and on the Highland Council's Facebook page.

Consultation Period

The consultation for this Proposal will run from 31 May 2021 and will end on 3 September 2021. This period allows for the statutory minimum of six weeks, including at least thirty school days.

Public Meeting

A public meeting will be held, the details of which are set out below:

Newtonmore Primary School, 24 August 2021 at 6.30pm.

Anyone wishing to attend the public meeting is invited to do so. The meeting will be convened by the Council, will be chaired by a senior elected councillor, and will be addressed by officers of the Education Service.

The meeting will be an opportunity for the public to hear more about the proposal; to ask questions about the proposal; and to have the views of all stakeholders recorded so that they can be taken into account. A note will be taken at the meeting of questions asked and views expressed. This note will be published on the Council website. The meeting will also be recorded.

The note will be forwarded to Education Scotland, along with other submissions and comments received by the Council during the consultation process.

Responses to the Proposals

Interested parties are invited to respond to the Proposals by making written or electronic submissions on the Proposals to:

Ian Jackson
Education Officer (Resources)
Camaghael Hostel
Fort William
PH33 7NE
Email: Education.Consultations@highland.gov.uk

Or via an online form, a link to which can be found on

www.highland.gov.uk/schoolconsultations

When responding, you are invited to state your relationship with the school – for example, “pupil”, “parent”, “carer”, “relative”, “former pupil”, “teacher in school”, “member of the community” etc. However it is not compulsory to do so.

Those sending in a response, whether by letter or electronically should know that their response will be open to public scrutiny and may have to be supplied to anyone

making a reasonable request to see it. If they do not wish their response to be made publicly available, they should clearly write on the document: "I wish my response to be considered as confidential with access restricted to Councillors and Council Officers of Highland Council". Otherwise, it will be assumed that the person making the response agrees to it being made publicly available. All written responses must be received by the last day of the consultation period, 3 September 2021 at 5.00pm.

Involvement of Education Scotland

When the Proposal Document is published, a copy will also be sent to Education Scotland by the Council. Education Scotland will also be sent, by 20 September 2021, a copy of any relevant written representations that are received by the Council from any person during the consultation period. Education Scotland will also receive the summary note of the public meeting that and so far as is practicable a copy of any other relevant documentation. Education Scotland will then prepare a report on the educational aspects of the proposal not later than 8 October 2021. In preparing their report, Education Scotland may visit the affected schools and make such enquiries of people there as they consider appropriate.

Review of Consultation Exercise

Highland Council will review the proposal having regard to the Education Scotland Report, written representations that it has received, and oral representations made at the public meeting. It will then prepare a Consultation Report. This Report will be published in electronic and printed formats and will be sent to anyone who submitted a written representation during consultation. It will be available on the Council website as well as at the affected school and local library, free of charge. The Report will include a summary of the written and oral representations made during consultation and a copy of the Education Scotland Report, together with the Council's considered response to the issues raised. The Report will include details of any alleged inaccuracies and/or omissions and how these have been handled. The Consultation Report will be published at least 3 weeks prior to being submitted to the Council's Education Committee, who will make a recommendation to the full Highland Council.

In publishing the report the Council will invite any person or party to make further representations to the Committee prior to its meeting. A notice to this effect will also be published on the Highland Council website.

At the present time the Council intends to publish its Report in November 2021, prior to submission to the Council's Education Committee early in 2022. However, this timescale may change depending on the nature of issues raised during consultation, and the need to give full consideration to those issues. In the latter event, the Report may not be submitted until a later Committee meeting.

Any proposal approved by the Education Committee would require to be confirmed by a subsequent meeting of the full Highland Council.

Note on Corrections

If any inaccuracy or omission is discovered in this Proposal paper, either by the Council or any other person, the Council will determine if relevant information has been omitted or, if the paper contains an inaccuracy. The Council will then take appropriate action, which may include the issue of a correction or the reissuing of the

Proposal or the revision of the timescale for the consultation period, if appropriate. In that event, relevant consultees and HMI will be advised.

PROPOSAL

Legislative Background

- 1.1 The proposal is advanced within the context of all applicable legislation. Amongst other duties, education authorities are required to secure adequate and efficient provision of school education (S.1 of the Education Act 1980); to publish or otherwise make available information as to their arrangements for the placing of children in schools under their management (S.28 of the 1980 Act) and to promote and support Gaelic Medium education and learning (S.15 of The Education (Scotland) Act 2016. Statutory Guidance issued by Bòrd na Gàidhlig early in 2017 specifies that local authorities should establish catchment areas for Gàidhlig Medium education. The Guidance goes on to say that a catchment area for GME provision should be an area in which the education authority thinks it is reasonable for pupils wishing to receive GME provision to travel to school, and should have the potential to attract parents to choose GME provision for their children. Catchment areas for GME provision will normally overlay a number of school catchment areas.
- 1.2 In common with all public bodies in Scotland, the Highland Council also has a duty to provide Best Value. This includes making arrangements to secure continuous improvement in performance whilst maintaining an appropriate balance between quality and cost; and, in making those arrangements and securing that balance, to have regard to economy, efficiency, effectiveness, equal opportunities requirements and to contribute to the achievement of sustainable development.

Reason for the Proposal

- 2.1 This proposal is being advanced for the following reasons:
 - Highland Council has not previously specified catchment areas for many of its schools offering GME. This has led to a lack of clarity for parents in respect of entitlement to GME, (see paragraph 2.2 below).
 - Bòrd na Gàidhlig has issued statutory guidance recommending that local authorities create catchment areas for GME.
- 2.2 The current criteria for providing transport to GME in Highland are not particularly well defined, and have evolved over time. The minimum distance and road safety criteria are the same as for English Medium education. The Council currently has an informal arrangement under which transport to GME can be provided “within reasonable travelling distance”. This has been generally interpreted as meaning up to 15 miles, but there are numerous variations.

Informal Consultation

- 3.1 Informal discussions have been held with local elected councillors of Highland Council and with the Head Teachers of Newtonmore Primary School, Kingussie Primary School; Alvie Primary School; Aviemore Primary School and Gergask Primary School. The Parent Councils all of the local primary schools, and all of the local Community Councils, were also notified.

Current and Planned Provision of Gàidhlig Medium Education within the Kingussie ASG

- 4.1 At secondary school level, Kingussie High School offers GME.
- 4.2 There are 5 primary schools within the ASG. Newtonmore Primary is the only one to offer GME at the primary stage.

Newtonmore Primary School

- 5.1 Newtonmore Primary is situated within the village of the same name. Its catchment area extends north-eastwards to Ballachroan. To the south the catchment encompasses Dalwhinnie and extends to the boundary between Highland Council and Perth and Kinross Council. The school has a current roll of 103 in P1-7. There are currently 6 classes - 4 English Medium and two Gàidhlig Medium, as well as English Medium and Gàidhlig Medium nursery classes. The outdoor accommodation comprises a tarred and paved play area, an enclosed grass playing area to the rear, and a seated area for outdoor classroom activities. The school hall offers a multi-purpose area for the school and community.
- 5.2 Currently there are 30 pupils accessing GME in the P1-7 stages, all but 5 of whom are from the Newtonmore PS catchment. There are currently 13 pupils within the GM nursery, 6 of whom are from outwith Newtonmore.

Proposed School Catchments for GME

- 6.1 Approximate travel distances and times to Newtonmore Primary from the other schools in the ASG are set out below:
- Aviemore Primary – Newtonmore Primary – 15.7 miles, 26 minutes travel time.
 - Alvie Primary – Newtonmore Primary – 10.2 miles, 18 minutes travel time.
 - Kingussie Primary – Newtonmore Primary – 2.8 miles, 5 minutes travel time.
 - Gergask Primary – Newtonmore Primary – 8.1 miles, 14 minutes travel time
- 6.2 Gergask Primary does have an extensive catchment area, extending as far as the western end of Loch Laggan, approximately 21 miles/32 minutes' drive from Newtonmore. Although this area would normally be considered beyond the normal distance for transport to GME, it would be unrealistic to split the Gergask catchment in two for the purposes of GME, and in any case all enrolment in GME is voluntary.

- 6.3 The Council believes that Gàidhlig Medium Education should be accessible as many Highland pupils as possible, provided it is practical and reasonable to provide access.
- 6.4 The Council therefore proposes that the GM catchment for Newtonmore Primary will overlay the English Medium catchments of Newtonmore, Alvie Aviemore, Gergask and Kingussie Primaries,
- 6.5 Currently Newtonmore PS has 6 classrooms plus a nursery room, all of which are being utilised (see paragraph 5.1 above). At present the single nursery room is used for both the EM and GM nurseries. An extension is being constructed, which will allow the two nurseries to operate separately.
- 6.6 Current overall projections for the school suggest a small drop in the roll over the next few years, followed by a rising roll from 2025-26 onwards. In the next few years the Council expects to see a rise in the number of pupils opting for GME and a fall in the numbers for English Medium. Eventually we expect this to result in the school have 3 classes in GME and 3 in English Medium education.
- 6.7 The map at **Appendix B** shows the current school catchments for the Newtonmore ASG (outlined in red). The new GM catchment will encompass all 5 primary school catchments.
- 6.8 No changes are proposed for these catchments in respect of English Medium education.
- 6.9 For the purposes of GME, the Kingussie High School catchment will be the same as the school's existing catchment.

Educational Benefits

- 7.1 The Proposal forms part of Highland Council's overall approach to the promotion of Gàidhlig medium education. Up to now, Highland Council's admission arrangements to GME have been informal and based on a "reasonable distance" (often applied as a 15 mile radius) from each school offering GME. In some locations these radii have overlapped, and the "15 mile" principle has not always been applied consistently. The creation of GM catchment areas, extended throughout Highland, will mean that admissions to GME will in future be more formal and robust.
- 7.2 The Proposal therefore helps to consolidate our existing provision of GME, and allows for the more efficient use of resources. It should be considered alongside other measures being undertaken to promote Gaelic and the benefits of bilingualism.

Effects on School Transport

- 8.1 Currently 5 children from outwith the Newtonmore PS catchment use school transport to access GME at Newtonmore Primary School.
- 8.2 The Proposal is not expected to have any effects on current transport arrangements. Future enrolments in GME from outwith the statutory walking

distance will be assessed in the same way as at present, with appropriate arrangements being made.

Effects on Staff and School Management Arrangements

- 9.1 The proposed GM catchment reflects existing practice that has developed on an informal basis. The Council does not expect any significant impact on local school rolls in the short term.
- 9.2 As indicated at paragraph 6.6 above, it is possible that in the next few years the school will move to having 3 GM and 3 EM classrooms. Any staff changes arising from changing patterns of enrolment will be handled via the Council's standard redeployment policies.

Effect on the Local Communities

- 10.1 The proposal is not expected to have any impact on the wider local community.

Recommendation

- 11.1 Highland Council recommends the adoption of a Gàidhlig Medium catchment area for Newtonmore Primary School, along the lines set out in this paper.
- 11.2 This consultation paper is issued in terms of the authority's procedures to meet the relevant statutory requirements. Following the consultation period, a report and submissions received will be presented to the Education Committee of the Highland Council.

END OF PROPOSAL PAPER

