



## HIGHLAND COUNCIL

### EDUCATION AND LEARNING SERVICE

#### REVIEW OF THE PROPOSAL TO DISCONTINUE PROVISION OF EDUCATION AT UIG PRIMARY SCHOOL, RE-ASSIGNING ITS CATCHMENT AREA TO THAT OF KILMUIR PRIMARY SCHOOL

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

- To discontinue education provision at Uig Primary School, re-assigning its catchment area to that of Kilmuir Primary School.

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 person) at the public meeting held at Uig Village Hall on 19 June 2019.
- The report from Education Scotland.

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

## CONTENTS

1.0 Background

2.0 Consultation process

3.0 Review of the proposals following the consultation period

4.0 Responses received

5.0 Overview of Issues Raised During the Consultation Period

6.0 Summary of issues raised during the consultation period, and Highland Council's responses

- 7.0 Summary of issues raised by Education Scotland, and Highland Council's responses
- 8.0 Effects on the Community
- 9.0 Alleged omissions or inaccuracies
- 10.0 Further Review of Alternatives to Closure
- 11.0 Procedure for Ministerial Call-in
- 12.0 Legal issues
- 13.0 Financial implications
- 14.0 Equality Impact Assessment
- 15.0 Conclusion
- 16.0 Recommendation

Appendices:

- Appendix 2** - Minute of public meeting held in Uig Village Hall on 19 June 2019
- Appendix 3** - List of written submissions received
- Appendix 3i-3viii** - Copies of individual written responses
- Appendix 4** - Report from Education Scotland (English language version)
- Appendix 5** - Report from Education Scotland (Gàidhlig language version)
- Appendix A** - The proposal document and appendices
- Appendix B** - Uig Primary School Catchment
- Appendix Bi** - Kilmuir Primary School Catchment
- Appendix Bii** - Kilmuir Primary School Proposed New Catchment
- Appendix C** - Uig rolls and projections
- Appendix D** - Financial Analysis

## 1.0 Background

- 1.1 Highland Council's Care, Learning and Housing (CLH) Committee, at its meeting on 29 May 2019, agreed that a statutory consultation be undertaken on the proposal to discontinue the provision of education at Uig Primary School, re-assigning its catchment to that of Kilmuir Primary School.
- 1.2 **Appendix A** is the original consultative paper and provides full details of the above proposal. **Appendices B - D** are the appendices to the original proposal.
- 1.3 A statutory consultation into the proposed closure of Uig Primary School was undertaken during 2010, after the school roll fell to two pupils, one of whom was in P7. Following a review of the oral and written representations made, Highland

Council decided to close Uig Primary School on a temporary basis, pending a longer-term review.

- 1.4 Having once again reviewed the status of Uig Primary, it is the Council's view that re-opening the school would have a negative educational impact, both on the pupils from Uig itself, and the pupils who remain at Kilmuir Primary. Further details on this are provided in Sections 6 and 10 below.
- 1.5 Uig Primary School is designated as a rural school under the terms of the Schools (Consultation) (Scotland) Act 2010. In that context, the Council has had special regard to:
- any viable alternative to the closure proposal; alternatives were considered at Sections 6-10 of the Proposal Paper (**Appendix A**) and have been reconsidered again in the light of responses received to consultation – see Sections 5-10 below.
  - the likely effect on the local community in consequence of the proposal (if implemented), with reference in particular to (a) the sustainability of the community, (b) the availability of the school's premises and its other facilities for use by the community. The effect on the local community was considered at Section 14 of the Proposal Paper (**Appendix A**) and is further considered at Sections 8 and 10 below, taking into account representations received during consultation.
  - the likely effect caused by any different travelling arrangements that may be required in consequence of the proposal (if implemented) with reference in particular to;
  - the effect caused by such travelling arrangements including (in particular), (i) that on the school's pupils and staff and any other users of the school's facilities, (ii) any environmental impact. The effects on school transport were considered at Section 12 of the Proposal Paper, (**Appendix A**) and reconsidered again in the light of responses received to consultation – see Sections 6 and 10 below.

## 2.0 Consultation process

- 2.1 The formal consultation period ran from Tuesday 4 June 2019 to Friday 30 August 2019. Written representations on the proposal were sought from interested parties as defined within the Schools (Consultation) (Scotland) Act 2010, as amended.
- 2.2 In accordance with statutory requirements, the following were consulted:
- (i) Parents of pupils attending Kilmuir Primary School; including parents of pre-school pupils;
  - (ii) The Parent Councils of Kilmuir Primary School.
  - (iii) The Parent Council of Kilmuir Primary School
  - (iv) Members of Parliament and Members of Scottish Parliament for the area affected by the proposal;
  - (v) Staff of Kilmuir Primary School;
  - (vi) The Head Teacher of Macdiarmid Primary School
  - (vii) The Parent Council of Macdiarmid Primary School

- (viii) Trade Union representatives;
- (ix) Uig Community Council
- (x) Kilmuir Community Council
- (xi) Bòrd na Gàidhlig
- (xii) Highland Youth Convenor
- (xiii) Uig Mission Church

2.3 The proposal document was also advertised on the Highland Council website.

2.4 A public meeting was held in Uig on 19 June 2019. The meeting was advertised in advance on the Highland Council website and Facebook page, and in the *West Highland Free Press*. The minute of the meeting is at **Appendix 2**.

2.5 During the public consultation exercise, an alternative to closure was suggested, which would involve re-opening Uig Primary School as a school offering English Medium education for the whole of the current Uig and Kilmuir catchments, with Kilmuir Primary becoming a Gaelic Medium school for the same area.

2.6 Council officials arranged to meet informally with local parents on 16 March 2020 to discuss this suggested alternative to closure, but the meeting was postponed due to the COVID outbreak and the associated suspension of normal business within the Council. A discussion eventually took place on 9 December 2020. A detailed assessment of this option is included in Section 10 below.

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

3.1 Following receipt of written representations received by Highland Council and consideration of oral representations made at the public meeting, officials reviewed the proposals.

3.2 The feedback from the consultation was considered by a range of Council officials. This ensured that the Council met the requirements of the 2010 Act.

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

### **4.0 Responses received**

4.1 A list of those who responded in writing during the public consultation is at Appendix 3. There were 7 written responses (not including the pupil questionnaires). Copies of these responses can also be found at Appendices 3i-3viii.

4.2 The views of pupils at Kilmuir Primary School (which included the pupils living within the Uig catchment area) were sought by means of an age adapted questionnaire. The views of the pupils are summarised at Section 5 below.

## 5.0 Overview of Issues raised during the consultation period

- 5.1 Of the 23 pupils who returned questionnaires, 14 thought we should re-open Uig Primary, whilst nine thought we should continue to mothball the school. There were no returns supporting the closure of Uig School.
- 5.2 Education Scotland Inspectors who visited the school reported that children who met with HM Inspectors all wanted the current arrangements to stand. The discussion between the pupils and Education Scotland therefore had a different outcome to that between the pupils and the school/council staff. It may be that this arose from different approaches taken.
- 5.3 The arguments advanced by the pupils in favour of continued mothballing, and those in favour of re-opening the school, are set out at Issues 1-8 below. The responses encountered by Education Scotland are set out at paragraph 7.3 below.
- 5.4 Of the 7 written responses received from parents and other stakeholders, one did not express an opinion on the future of the school, raising another matter instead. Two responses expressed support for closure, one from an individual and the other from Bòrd na Gàidhlig. The latter organisation expressed support on the grounds of educational benefit to those children attending Gàidhlig Medium education.
- 5.5 Two of the written responses suggested that Highland Council should merge Uig and Kilmuir schools by providing a new school for the whole area, that would provide improved accommodation and offer all local children a choice of English or Gàidhlig Medium education. The new school could also provide both EM and GM nursery, the former currently not being offered in either the Kilmuir or Uig catchments.
- 5.6 The remaining two responses opposed the closure of Uig Primary and argued the school should re-open.
- 5.7 The public meeting was well-attended given the small local population, (see **Appendix 2**). A total of 68 questions and answers are recorded in the note. Those issues not fully answered on the evening itself are addressed in Responses 21 and 22 below.
- 5.8 One speaker at the public meeting challenged the wording of paragraph 3.1 of the Proposal Paper, which said that “*no pupils have attended Uig Primary School since the end of session 2009-10.*” It was pointed out that parents have not had the option to send their children to Uig Primary since that time.
- 5.9 The wording of the Proposal Paper was intended to show that the closure of Uig Primary would, in practical terms, mean no change for parents and children. The Council is happy to acknowledge the comment that parents have not the option to send their children to Uig Primary since 2010. Paragraph 3.1 of the Proposal Paper was not meant to imply otherwise.

- 5.10 The main arguments put forward are summarised below, together with the responses from the Council. Where different responses raise similar issues, these have been “grouped” for the purposes of the response.

## 6.0 Responses to the Issues raised in Public Consultation

- 6.1 Arguments advanced by the children in favour of continued mothballing are set out at Issues 1-3 below, and addressed at Responses 1-3.

### Issue 1

There are good and bad points to all the options.

If Uig Primary re-opened, then Kilmuir would lose a lot of pupils and could be closed down itself.

On the other hand, re-opening Uig would mean shorter travel times for children from Uig.

### Response 1

The Council agrees that re-opening Uig PS would mean shorter travel distances for the Uig pupils. We also agree that if Uig PS re-opened, Kilmuir would lose a lot of pupils and that this would be an educational disadvantage compared to the current situation. We don't however think that Kilmuir PS would end up closing down if Uig re-opened.

### Issue 2

If Uig re-opened, we wouldn't get to see our friends from Kilmuir and I would miss them so much.

It would take a few years to repair Uig and deal with the mould, the peeling paint, the leaks and the lack of heating. Also, the Council would need to buy new equipment and toys.

The children would get fewer opportunities like the Mod.

### Response 2

It wouldn't take years to get Uig Primary ready for re-opening, but it would take time and money. The Council agrees with the rest of the comments.

### Issue 3

If Uig re-opened we might lose the pop up café and church.

### Response 3

The Church has now moved on anyway.

- 6.2 Arguments advanced by the children in favour of re-opening Uig PS are set out at Issues 4-8 below, and addressed at Responses 4-8.

**Issue 4**

The Council should re-open Uig Primary as the travel times from Uig to Kilmuir are too long.

If Uig Primary re-opened, children could get home for longer.

It would be better to re-open Uig because when there lots of tourists on the road it can take a long time to get to Kilmuir.

**Response 4**

Whilst the Council acknowledges that children from Uig have longer to travel than they did when Uig PS was open, the distances involved are well within the normal travel times for children in Highland.

**Issue 5**

If Uig PS re-opened then children could walk, run or cycle to school.

If Uig PS re-opened the Council would save on transport as most of the Uig kids could walk or cycle to school. The one big bus that goes from Uig to Kilmuir could replace the two small ones that operate for Kilmuir Primary, and that would mean saving fuel and helping the environment.

**Response 5**

The Council's Proposal Paper recognised that the larger merged school implies an increase in the number of pupils entitled to school transport compared to the number who could walk/cycle to school were Uig Primary to be re-opened, and inconvenience for parents who wish to take their child to/from school during the school day, should they require to do so.

The Proposal Paper set out Council's estimates for the additional CO<sub>2</sub> equivalent emissions that arise from transporting children daily from Uig to Kilmuir, compared to a scenario in which Uig PS was re-opened. Based on 190 school days per session, the figure was 0.874 tonnes of CO<sub>2</sub> equivalent emissions per school year. This can only ever be an estimate as emissions are affected by the speed at which vehicles are driven and the type of road travelled. However, it is reasonable to state that the effect is negligible.

**Issue 6**

Uig school should re-open as most of the children at Kilmuir are from Uig.

**Response 6**

For the current school year there are 23 pupils at Kilmuir in P1-7. Seventeen are from Kilmuir and six are from Uig.

**Issue 7**

Keeping Uig mothballed is a waste of ground and space.

**Response 7**

For much of the period Uig Primary has been mothballed, a Licence to Occupy was provided to Uig Mission Church, who made use of the building. The Church have now vacated the building and if the school were closed the building would be transferred or sold and so would be used in another way.

**Issue 8**

Kilmuir PS should be made a Gaelic only school and Uig PS re-opened as an English Medium School

**Response 8**

This issue is considered in detail in Section 10 below “Further Review of Alternatives to Closure.”

- 6.3 The arguments advanced in written responses are set out at Issues 9-20 below, and addressed at Responses 9-20.

**Issue 9**

Having small local schools makes the community on Skye what it is, special, well rounded children. Given our landscape and weather it's unreasonable to expect children to travel 5 miles to school.

**Response 9**

Section 12 of the Proposal Paper examined the transport arrangements that have operated between Uig and Kilmuir since August 2010. The distances involved are well within the normal range of travel for children in Highland. It is acknowledged that the road from Uig to Kilmuir is narrow and steep, but the area is coastal and only rarely affected by snow and ice. Since 2017 (which is as far back as the Council has checked, there have been no occasions when the school transport from Uig failed to operate on a day when the school itself was open.

**Issue 10**

Uig school was mothballed in a period when the numbers were low and after a period where Highland Council employees had been unofficially persuading prospective parents that the school was about to be closed. I know this as I was going to place my own 3 children there but was persuaded not to by the teacher in Uig at the time. The reality is Highland Council's own figures at the time of mothballing had Uig School's roll increase to be the highest of the three rural North End schools (Uig, Kilmuir and Staffin) by 2017. It should not have been mothballed and should absolutely not be closed.

It is important to acknowledge that pupil numbers from the legacy Uig catchment area remain strong. (Based on your information, 41 pupils over the last 6 years) So the proposed school closure is being driven not by low numbers but by other factors. Viewed in a wider context, this number of pupils would place it as one of the larger rural primary schools on Skye.

**Response 10**

At the time Uig was mothballed, the issue was less a lack of numbers than the number of placements in other schools. As previously mentioned the roll of the school had fallen to two at the time of mothballing, and one of those pupils was in P7. The situation arose from parental choice.

The Council is surprised at the suggestion that teaching staff in the school were discouraging parents from enrolling. Clearly the incidents took place 10 years ago or more. Head Teachers are required to enrol children into their school where those children reside within catchment, and this has long been Highland Council policy.

**Issue 11**

Uig is the main centre of economic activity in the area. It needs a school. Removal of the school will undoubtedly affect future viability of the village. The amount of children that currently are bussed to Kilmuir school on a daily basis shows the potential roll of the reopened school. The closure of the school will represent a drastic failure of planning in the area. Uig will become the only major village on the Island without a school. This cannot be allowed to happen. There are major plans for the pier area and an increased ferry capacity will see the economic activity in the area increase significantly. There are also plans for more housing as well as food and retail units at the pier.

**Response 11**

It is acknowledged that Transport Scotland and the Council are involved in a project to upgrade the pier at Uig and build a new terminal building as part of a wider project to upgrade and increase the capacity of the ferry routes to the Western Isles. The Council has also adopted a development brief for the Uig

jetty environs which includes potential housing and commercial developments.

The mothballing of Uig Primary in 2010 did not arise because of a shortage of pupils in the school catchment, but because of a pattern of pupils from Uig opting to access Gàidhlig Medium education in Kilmuir, or making placing requests to attend school in Portree. The Council has not seen evidence to suggest this pattern will change in future, and has no reason to suppose that parents who have made placing requests for the schools in Portree will withdraw their children in favour of a re-opened Uig Primary School.

The Highland Council's school roll projections include a calculation of additional pupils expected to derive from newly constructed housing.

### **Issue 12**

The village is in the difficult position that many of the young people are quite used to getting bussed 6 miles to attend another school, so the parents are unwilling to commit to them attending the reopened school. This should NOT be used as an excuse for not reopening the school. It is incumbent on Highland Council to make the transition from their current school to Uig school as easy as possible. To fail to do this would be negligent on the part of HC.

### **Response 12**

In the event that Uig Primary School were to re-open, Highland Council agrees that work would need to be undertaken to make the transitions back to Uig as smooth as possible. We would however, also need to take parental choice into account, and could not require existing pupils at Kilmuir to transfer to the re-opened Uig Primary School. These children were enrolled at Kilmuir Primary when it was the nearest available school and it would be unfair to disrupt the education of children with a compulsory transfer to Uig Primary. In the Council's view, this would be a breach of natural justice. Younger siblings of such pupils would also be granted a place in Kilmuir Primary, provided their older sibling(s) were still attending that school.

Parents could in any case make placing requests for their children to continue to attend Kilmuir. The right to do this is enshrined in legislation, and such requests must be granted unless certain specified circumstances apply. Normally we would not arrange or fund transport for pupils on placing requests, but would do for those pupils who had attended Kilmuir prior to Uig re-opening.

The Council would of course make transition as easy as possible for those children who sought to transfer back to a re-opened Uig Primary.

**Issue 13**

I see no reason why we should keep Uig Primary school mothballed and I would vote with Highland Council education to formally close the school.

**Response 13**

This response is noted.

**Issue 14**

Even though some of the children are too young, P4 and upwards should be consulted and all the school children should have an opportunity to see Uig School and attend it for a hour or so but also the ones in Portree to see the two primary schools there to give them an idea of facilities available there and then ask then the same question. North end should have a new school to replace the two elderly buildings. This is what both communities should be striving for.

Given what the EM numbers reflect in terms of school choice, the second-class status of EM at Kilmuir school and the practical difficulties of Uig pupils attending Kilmuir, it now seems logical to re-evaluate the Uig EM catchment area. The data shows that 60% of parents/pupils are already choosing to go elsewhere. This must be done on the basis that if agreed, dedicated door to door transport for primary pupils will be provided from the legacy Uig catchment area direct to Portree primary school.

From an educational point of view this would ensure the pupils are in class groups of the appropriate age and ability, be accommodated in appropriate facilities, take advantage of the additional opportunities available at Portree Primary and be in the right location for after school activities.

However, it is not the right choice for the community. If rural communities are to thrive, families must find them attractive places to live, which includes the appropriate provision of school facilities. In terms of the combined Uig Kilmuir catchment area, this means one new school catering equally for EM and GM located in Uig, the only location which would minimise placing requests outwith the catchment area. This was Highland Council's proposal many years ago and will continue to be the best long-term option for the West Trotternish area.

**Response 14**

The suggestion of transferring the Uig PS catchment to that of Portree PS is considered at paragraphs 10.11-10.13 below.

Under Highland Council policy, school transport is provided only to the designated school for a particular address. If the Uig PS catchment is transferred to that of Kilmuir, transport will be provided only to Kilmuir.

The issue of a merged school is considered at paragraph 10.10 below.

### **Issue 15**

Support for Gaelic Medium education by Uig parents/pupils is robust. 21 of the 41 pupils who have started school from the Uig catchment area over the last 6 years have attended GM. More than 21 would have started their education in GM as some have transferred from GM to EM as they progress through school. Yet Uig Primary School was never assigned a GM teacher and GM is excluded from the only proposed option on reopening. As GM is now a core part of the education system, it is hard to see how a school can reopen successfully without it.

### **Response 15**

The Highland Council has 171 primary schools, 20 of which offer Gaelic Medium Education. The Portree ASG is comparatively well-provisioned with GME, as it is offered in 6 of the 15 primary schools within the ASG. Only 14 of our remaining 155 primary schools offer GME. A significant number of children in Highland have no access to GME within reasonable travelling distance.

Highland Council does have a legal duty to assess any requests from parents for the provision of Gaelic Medium Education in schools, and would have done so had any such request been received from parents in Uig. Any such assessment would of course have taken into account the effect of such provision on the existing GM classes at Kilmuir Primary.

Highland Council does not have the resources to provide GME in every Primary School in Highland, nor are there staff available for such an aim. In terms of expanding the provision of GME, Highland Council's current priority is to consolidate our existing provision and increase the numbers attending the GM schools and Departments we have already set up.

### **Issue 16**

There is no nursery or sgoil araich provision included in the proposal. This is critical in maintaining a healthy school roll.

The only preschool provision at Kilmuir is at Sgoil Araich. EM nursery was only available for the 2013/14 and 2014/15 sessions. My daughter attended the 2013/14 session where 4 were in Sgoil Araich and 4 in Nursery. I was discouraged from putting her in the nursery class despite my request. If I had, there would have been 5 in nursery and 3 in Sgoil Araich. This would have created an unwelcome statistic no doubt but the main point is that there was clear demand for English Nursery when it was available. I understand that any other requests by parents for English nursery provision in other years have been met with the response that it is not available. This must be considered particularly in light of the expansion of nursery hours. There is no

capacity to house extended hours for EM nursery at Kilmuir without creating additional space. Another demountable at an additional cost of £340,000? From a cost and commonsense perspective, there is no alternative than to use Uig Primary School for this. Urgent clarification on how the council proposes to deal with this is required.

### **Response 16**

Highland Council would consider requests from parents for an English Medium nursery at Kilmuir Primary School, to complement the existing sgoil-araich. The number of children to be enrolled at the nursery would need to be sufficient for the operation of a viable nursery class.

At present 4 children are expected to enrol in Kilmuir Nursery for session 2021-22. There is anecdotal evidence that local parents have a preference for the nurseries in Portree, with parental employment patterns and the availability of after-school care being factors in the exercise of parental choice.

### **Issue 17**

Your numbers confirm that over 6 years from the legacy Uig catchment area, there were a total of 20 pupils enrolled in English Medium. 8 went to Kilmuir but 12 attended other schools. (11 at Portree Primary) That is 60% of English Medium pupils going out with their catchment area school. This is a particularly high percentage, far higher than other schools in Highland Region I expect. The question must be asked, why?

### **Response 17**

The Council cannot provide details of the reasons for every placing request, as this would breach parent/pupil confidentiality. We can say though that the most common reason cited was the availability of after-school childcare in Portree.

Prior to Uig Primary being mothballed there were a high number of placing requests out of the school, this being a significant factor in why the school was originally mothballed.

### **Issue 18**

Direction of travel is wrong. Kilmuir school is located in a more rural community where unlike Uig there are no retail and service options. Essentially, any mileage Uig parents accumulate is wasted and unnecessary and cannot be incorporated into other routine trips. Furthermore, it is really inconvenient to include an Uig – Kilmuir trip when heading to Portree. This happens frequently as all after school activities are Portree based. It also means travelling off a trunk road onto a single track road which over the Easter to October period is impacted by tourist traffic. School transport cannot be relied on as the Uig children are always last on the list, arriving

home no sooner than 45 minutes after the end of the school day. Parents must go to school to collect them in order to be in time for activities. From my experience, I needed to collect from school at the end of the day 3 days a week. This was in addition to 2 trips earlier in the day for sgoil araich drop off and collection. Previously it has been acknowledged the difficulty in attracting teachers for rural school. Arguably, it would be easier to recruit someone to work in Uig than Kilmuir. All existing teaching staff commute daily through Uig to Kilmuir School. It is hard to see this changing any time in the future.

### **Response 18**

The Council accepts that travel from Uig to Kilmuir is inconvenient for those who wish to travel to Portree after school hours. This has to be balanced against other factors, such as the negative effect on Kilmuir Primary School (a rural school) were the Uig catchment to be reallocated to Portree PS or Bun-sgoil Ghàidhlig Phort-Rìgh.

Although this proposal relates to a school closure, part of the intention behind it involves ensuring the viability and sustainability of Kilmuir Primary School.

### **Issue 19**

There are poor facilities at Kilmuir Primary. For years the English medium class was not accommodated in a proper classroom. It was housed in a small room located off an existing classroom. Note, the two GM classes were accommodated in the schools 2 classrooms. At one stage the English class due to its size had to be taught in the school dining room. Class time was interrupted on a daily basis in order to set up for lunch. The class would have lost the equivalent of 6 full school days in the year as a result of this disruption. No attempt was made to share this burden amongst classes by rotating them round all the available space.

There has since been a 2-classroom demountable provided for English Medium but as a parent of a child starting school, it is heart breaking to think your child will spend 7 years of their primary education in accommodation like this. This on top of 18/24 months in Sgoil Araich which itself is provided outwith the main school building in a semi-permanent structure. Where else in Highland Region will children spend their entire pre-school and primary years in temporary accommodation? Other schools use demountables but the time spent in them is limited. This is particularly frustrating as Uig school remains mothballed and sits in a much more convenient location. Contrast this further with the recent investment in BSGP and the ongoing upgrade to Portree Primary.

Car parking at Kilmuir is a problem. The demountable has taken up car parking space. Staff parking takes up the majority of the spaces which leaves sgoil araich parents parking on the road. There is a similar problem at the end of the day as many parents collect their children from school. This is far from ideal.

There are no proper playground facilities/equipment at Kilmuir school. Children play on grass which often turns to mud. The location is very exposed and often dangerous as doors (buildings and vehicles) have to be opened and closed with caution. Smaller children are held on to as they are moved from building to building or vehicle.

### **Response 19**

Paragraphs 4.7 and 4.8 of the original Proposal Paper set out that Uig Primary School is currently rated “C” (poor) for Building Suitability and “B” (satisfactory) for Building Condition. The Condition Survey did however identify a number of issues for rectification, of varying seriousness. The total cost of these was estimated at around £125,000, a figure that would not address any of the Suitability issues.

The Council will continue to invest in its school estate within the budget available, and according to its assessed priorities. We propose to continue engaging with the Kilmuir Primary School Parent Council about the building issues at the school.

It is self-evident that continuing to maintain and invest in 2 schools in the locality would be more expensive than doing so in one.

### **Issue 20**

Bòrd na Gàidhlig welcomes the recommendation that Highland Council recommends that Uig Primary School, currently "mothballed," is closed and the catchment area re-assigned to that of Kilmuir Primary School. This will ensure that with the projected school roll of Kilmuir Primary that the GME provision will consist of 2 classes and therefore adheres to the recommendations in the Statutory Guidance regarding total immersion from P1 – P3.

### **Response 20**

The Council notes and agrees with this response.

- 6.4 The note of the public meeting is at **Appendix 2**. Sixty-eight questions and comments are recorded. The majority of these questions were answered during the discussion and can be found in the note. Others were also raised in the written responses and are covered above. Further responses to two of the issues are provided below. These should be read alongside the answers provided in the note of the meeting at Appendix X (at questions 45, 47, and 67).

### **Issue 21**

Is the Uig PS building listed?

**Response 21**

Subsequent to the meeting officials confirmed that the building was not listed and advised the community accordingly.

**Issue 22**

How much has it cost to put the demountables into Kilmuir, including leasing costs, groundworks etc?

**Response 22**

Subsequent to the meeting officials advised that the total cost of the demountable units installed at Kilmuir Primary was approximately £340,000.

6.5 It was suggested at the public meeting (see Qs 28-30 of the meeting note at Appendix 2) that the community of Uig is not fully included within Kilmuir School.

6.6 Kilmuir Primary School have previously held events in Uig as well as Kilmuir. Examples of these events include:

December 8<sup>th</sup> 2018 - Uig Xmas Gala at Uig Hall – Kilmuir School had Parent Council Stall at the event

December 14<sup>th</sup> 2018 – Group of Kilmuir Pupils Sang at the Uig Pop Up Café

January 28<sup>th</sup> 2019 - Kilmuir School Family Quiz Event in Uig Hall

Monday 25<sup>th</sup> March 2019 – Kilmuir Eco Council planted trees in Uig

Summer 2019 onward ...Kilmuir School Cookery Book on sale in Uig Filling Station and Rankins shop

November 2019 – Curry Take –Away event - Deliveries being arranged to Uig Hall. Order forms in the filling station and Rankins in Uig

6.7 Clearly the restrictions that arose to deal with the COVID-19 pandemic prevented the school holding community events of any sort from March 2020 onwards. A new Head Teacher was appointed to Kilmuir Primary in October 2020.

**7.0 Summary of the issues raised by Education Scotland**

7.1 In line with legislative requirements, Education Scotland was invited to submit comments on the Council's proposals. A copy of the report from Education Scotland is appended – **Appendix 4**. A Gàidhlig version is at **Appendix 5**.

7.2 In their report, Education Scotland recognised that the Highland Council's proposal has the potential to deliver overall educational benefit. Children in both EME and GME are able to learn in groups with other children of similar ages and stages in a more suitable learning environment. They welcome the opportunities for team and group activities during and after school. The provision for both GME and EME is well-established at Kilmuir Primary School

since Uig Primary School was mothballed in 2010. Current transition arrangements from early years to primary are working well.

- 7.3 Education Scotland noted that children who met with HM Inspectors all wanted the current arrangements to stand. They valued learning and socialising in larger peer groups. They considered the current arrangements better in terms of the opportunities and experiences they gain in Kilmuir Primary School. They would not want friendships to be split if Uig Primary School was open again. They think re-opening the school would not be a good use of the council's money. They would prefer money to be spent improving the facilities for play in Kilmuir Primary School. As noted at paragraph 5.2, these views were contrary to those expressed in the pupil questionnaires.
- 7.4 Education Scotland further noted that parents who spoke with HM Inspectors were mixed in their views. All were sensitive to the importance of schools within their communities. Half of the parents would like to see Uig Primary School re-open. They believe that the ability to attend a school close to home brings advantages in terms of being able to walk or cycle to school with their children. Half took an alternative view and thought the current arrangement should continue with children attending Kilmuir Primary School and Uig Primary School continuing to be mothballed. They felt that their children benefit from the larger pupil numbers in terms of educational opportunities and socialising.
- 7.5 Lastly, Education Scotland noted that as a statutory consultee, Bòrd na Gàidhlig welcomes the proposal that The Highland Council recommends that Uig Primary School, currently mothballed, is closed and the catchment area re-assigned to that of Kilmuir Primary School. Their response is set out in more detail at Issue 20 and can be read in full at Appendix 3viii.
- 7.6 Two issues were identified for further consideration, and are set out below.

### **Issue 23**

Should the proposal go ahead, the Council should work with the community to explore how to make best use of the former Uig Primary School building.

### **Response 23**

Any constituted community development body can ask for a community asset transfer, and Highland Council would welcome an application in relation to Uig, within the terms of community empowerment legislation. The constituted body will need to have at least 20 members and have charitable status. The community body will need to explain what the building is to be used for and to demonstrate community benefit as least equal to the value of the asset.

Once constituted, the community body has the right to seek whatever terms and conditions they want for the transfer.

It is for the community to take these issues forward in the first instance, although the council would be more than willing to assist.

#### **Issue 24**

The Council should explore with stakeholders how to maintain and improve play facilities in Kilmuir Primary School.

#### **Response 24**

The Council was in discussion with the Kilmuir Parent Council during the latter part of 2019, over the play facilities at the school. The engagement with parents was halted by the Coronavirus pandemic, but the Council will be revisiting this issue with the Parent Council.

### **8.0 Effects on the Community**

- 8.1 Paragraphs 14.1 to 14.3 of the Proposal Paper set out the Council's assessment of the effects of closure on the local community, and advised that Highland Council would be keen to work with the local community to see whether the current school building could be turned over to community use.
- 8.2 Further discussion on the potential community use of the school building took place at the public meeting on 19 June 2019 (see Appendix 2). The issue was also covered in the Report by Education Scotland (Appendix 4 and 5). In the event the closure is approved, the Council would welcome a community bid for the future use of the building.
- 8.3 The Education Scotland report noted that there is a village hall in Uig (used as the location for the public meeting on 19 June 2019) and that there was the potential for greater community use of the school building.
- 8.4 The consultation exercise did not identify any other effects on the community from the proposal.

### **9.0 Alleged omissions or inaccuracies**

- 9.1 Education Scotland notified the Council of an inaccuracy in Section 12.7 of the Proposal Paper, which referred to 2013-14 as the last full session in which Uig Primary School operated.
- 9.2 The above statement was made in the context of examining any disruption to transport from Uig to Kilmuir PS, caused by weather conditions. The statement should have read that there were no occasions in 2017 when school transport failed to operate due to adverse weather. Between January 2018 and the publication of the Proposal Paper, there were 3 occasions when Kilmuir PS itself closed due to adverse weather conditions. There were however no occasions when the school was open and the transport failed to operate.

- 9.3 The Council has carefully considered the impact of this inaccuracy on the Proposal but has concluded it does not represent a material consideration relevant to the Authority's decision as to implementation of the proposal. The information on disruption to school transport is the same as in the Proposal Paper, i.e. there have been no occasions during the last two school sessions in which school transport from Uig to Kilmuir failed to operate on a day when the school itself was open. The revised statement does not alter the options for consideration, i.e. it does not introduce a new option, nor fundamentally rule out an existing option.

## **10.0 Further Review of Alternatives to Closure**

- 10.1 Throughout the consultation the Council has had special regard to the provision for rural schools within Section 12 of the Schools (Consultation) (Scotland) Act 2010. In particular, the Council has had special regard to the following:

- any viable alternative to the closure proposal;

Paragraph 6.1 of the Proposal Paper identified the following alternatives to closure:

- i. to continue with the current "mothballing" arrangement.
- ii. to re-open Uig Primary as an English Medium School, with its current catchment area
- iii. to re-open Uig Primary as a school offering both English Medium and Gaelic Medium education, with its current catchment area
- iv. either of options ii. and iii. above with an expanded catchment area.

- 10.2 Kilmuir Primary School has 23 children enrolled in P1-7 for the current school session, 17 from the Kilmuir catchment and 6 from the Uig catchment. There are 16 pupils in Gaelic Medium, (10 from Kilmuir and 6 from Uig) and 7 pupils in English Medium (all from Kilmuir). These figures indicate that the scenarios outlined in paragraphs 8.4, 9.4 and 9.5 of the Proposal Paper remain valid for the current session. A re-opened Uig Primary would have smaller classes than the already small classes at Kilmuir Primary, with all the associated educational disadvantages set out in the Proposal Paper. The detailed reasons for the Council's view are set out in Section 12 of the Proposal Paper and in the Education Scotland Report at Appendix 4.
- 10.3 There is no evidence to support the argument that a re-opened Uig Primary would attract pupils from Uig who attend Portree Primary or Bun-sgoil Ghàidhlig Phort-Rìgh. Parents have made placing requests for these children from a variety of reasons, the most common being the availability of wraparound childcare in Portree.
- 10.4 Uig Primary has now been mothballed since 2010. Given the length of time that has passed, continued mothballing has little to recommend it.

- 10.5 Having reconsidered each of the alternatives identified at Section 6 of the Proposal Paper, the Highland Council has concluded that the alternatives to closure would not deliver the educational benefits of the proposal.
- 10.6 Several further alternative approaches were suggested during the consultation exercise:
- Re-open Uig Primary School as a school offering English Medium education for the whole of the current Uig and Kilmuir catchments, with Kilmuir Primary becoming a Gaelic Medium school for the same area.
  - Replace both Uig and Kilmuir Primary Schools with a new merged school covering the combined catchment areas. The merged school would be a “new build”.
  - Reallocate the Uig PS catchment to Portree PS rather than to Kilmuir Primary School
- 10.7 The first option identified at paragraph 10.6 above would require the closure of all the English Medium classes at Kilmuir Primary and would therefore be subject to statutory consultation. The proposal would result in Kilmuir Primary becoming a standalone Gàidhlig Medium school, with 18 pupils.
- 10.9 Highland Council has sought views from the parents at Kilmuir Primary on this suggestion. The meeting called was poorly attended, but those who did express a view were firmly against the closure of the English Medium class at Kilmuir Primary.
- 10.10 The second option at paragraph 10.6 would involve the closure of both Uig Primary and Kilmuir Primary, with the two schools being replaced with a single new build. Whilst in some ways an attractive option, there is no provision within the Highland Council’s capital programme for a new build in the area.
- 10.11 The third option outlined at paragraph 10.6 would also involve the closure of Uig Primary School.
- 10.12 It is close to 15 miles from Uig to Portree, compared to just over 5 miles from Uig to Kilmuir. Although the road to Portree is much better it is still a longer journey to Portree. Google Maps suggests that the travel time is 22 minutes one-way, as opposed to 14 minutes to Kilmuir.
- 10.13 As is set out above, a decision to re-zone the Uig catchment to Portree would have a significant impact on Kilmuir Primary. On the basis of current figures, Kilmuir would be reduced to a school of 18, with a single GM and a single EM class. This would have a negative effect on Kilmuir PS and the children who attend it.
- 10.14 As set out above, The Council believes that the closure of Uig Primary School would have the effect of sustaining Kilmuir Primary School, which is itself a rural primary school in the category classed as “very remote.”

- 10.15 The Council has also reconsidered the likely effect on the local community in consequence of the proposal (if implemented), with reference in particular to;  
 (a) the sustainability of the community, (b) the availability of the school's premises and its other facilities for use by the community;

The potential community impact of the proposal was considered at Section 14 of the Proposal Paper and is further considered at Response 23 and Section 8 above.

- 10.16 The Council has further reconsidered the likely effect caused by any different travelling arrangements that may be required in consequence of the proposal (if implemented) with reference in particular to (a) the effect caused by such travelling arrangements including (in particular), (i) that on the school's pupils and staff and any other users of the school's facilities, (ii) any environmental impact, (b) the travelling arrangements are those to and from the school of (and for) the school's pupils and staff and any other users of the school's facilities.

The impact of the proposal on travel time was considered at Sections 12 and 18 of the original proposal paper and again at Responses 1,4, 5, 9, 12 and 18 above. Since Uig Primary School has been mothballed since July 2010, implementation of the proposal would not require the introduction of any different travelling arrangements for pupils or staff. Whilst it is accepted that the travel times would be shorter were Uig PS to re-open, the travel times to Kilmuir are not excessive and are well within the normal range of school journeys in Highland.

## **11.0 Procedure for Call-in by the Scottish Ministers**

- 11.1 As set out in The Schools (Consultation) (Scotland) Act 2010, Highland Council is required to notify the Scottish Ministers of its decision and provide them with a copy of the Proposal Paper and Consultation Report. The Scottish Ministers have an eight-week period from the date of that final decision on 9 September 2021 to decide if they will call-in the proposal. Within the first three weeks of that eight-week period, the Scottish Ministers will take account of any relevant representations made to them by any person. Therefore, anyone who wishes to make representations to the Scottish Ministers can do so up until midnight on 29 September 2021. The Scottish Ministers will have until midnight on 3 November 2021 to take a decision on the call-in of the Closure Proposal.
- 11.2 Anyone wishing to make a representation to the Scottish Ministers requesting them to call-in the decision to close Uig Primary School is asked to email [schoolclosure@scotland.gov.uk](mailto:schoolclosure@scotland.gov.uk) or to write to **School Infrastructure Unit, Learning Directorate, The Scottish Government, Area 2A South, Victoria Quay, Edinburgh EH6 6QQ** by midnight on 29 September 2021.
- 11.3 Until the outcome of the eight-week call-in process has been notified to Highland Council, it will not proceed to implement the Proposal. If the Scottish Ministers call-in the proposal, it will be referred to a School Closure Review Panel.

## **12.0 Legal issues**

- 12.1 Throughout this statutory consultation Highland Council has complied in full with the requirements of the Schools (Consultation) (Scotland) Act 2010, as amended.
- 12.2 As provided for in section 1 of the Education (Scotland) Act 1980, 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). As with all Council duties, the Council also 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). Each of the above, and all other legislative requirements, have been taken into account in the preparation of this Report.

## **13.0 Financial Implications**

- 13.1 Advice on the financial implications of the proposal was issued as Appendix D to the Proposal Paper.

## **14.0 Equality Impact Assessment**

- 14.1 An Equality Impact Assessment was issued with the proposal paper and can be found at Section 16 to the Proposal Paper. The consultation exercise did not identify any additional equality issues.

## **15.0 Conclusion**

- 15.1 The consultation process has complied fully with legislative requirements and has provided an opportunity for all parties to identify key issues of concern. These issues have been fully considered and the Council's response detailed in sections 5, 6, 7, 8 and 10 above. For the reasons set out in detail in sections 5-10 above, Highland Council considers that implementation of the closure proposal is the most appropriate response to the reasons for the proposal.
- 15.2 The most significant reason for closure is that all the available evidence suggests that the number of children who would attend a re-opened Uig Primary School would be too low to make the school viable, and that there would consequently be educational disadvantages arising from such a decision. Other factors include the length of time that Uig Primary has been mothballed, and the condition of the Uig PS building. Lastly, Kilmuir Primary School is itself a very remote rural school.
- 15.3 Education Scotland staff visited Kilmuir Primary School, and the site of Uig Primary School, to speak to parents, pupils and staff. They also had the

opportunity to review in detail the proposal document and all written responses.

- 15.4 The Executive Chief Officer (Education), on reviewing all of the submissions, the note of the meeting, and the Education Scotland report; and having had special regard to alternatives to closure, to the community impact and to the impact of travelling arrangements; concludes that the proposal offers educational benefits and that implementation of the Proposal in full is the most appropriate response to the reason for formulating the Proposal. The reasons for this conclusion are set out at Section 5-10 above.

## **16.0 Recommendation**

- 16.1 It is therefore recommended that Highland Council approves the proposal to discontinue education provision at Uig Primary School, re-assigning its catchment area to that of Kilmuir Primary School.

Nicky Grant  
Executive Chief Officer (Education)  
**4 August 2021**