

**REPORT TO: CHILDREN & YOUNG PEOPLE'S SERVICES COMMITTEE ON
9 JUNE 2010**

SUBJECT: CABRACH PRIMARY SCHOOL

BY: DIRECTOR OF EDUCATIONAL SERVICES

1. REASON FOR REPORT

- 1.1 The purpose of this report is to advise Committee of the procedures and timescales with regard to the potential closure of Cabrach Primary School.
- 1.2 This report is submitted to Committee in terms of Section D3 of the Council's Administrative Scheme relating to the closure of schools and other educational establishments under the control of the Council as education Authority.

2. RECOMMENDATION

- 2.1 **It is recommended that Committee scrutinises and notes the information contained in this report.**

3. BACKGROUND

- 3.1 The roll of Cabrach school is currently 2 but officers have been formally notified that both pupils will be leaving the school on or around 10 June 2010. This will leave the school with no pupils and no realistic prospect of enrolments in the foreseeable future.
- 3.2 At the meeting of Policy and Resources Committee on 25 May 2010 Members agreed to instruct officers to take whatever actions are necessary to close the school at the earliest opportunity.
- 3.3 The legislation regarding school closures changed with effect from 5 April 2010 when the Schools (Consultation) (Scotland) Act 2010 came fully into force. This has placed various requirements upon Councils. In particular a statutory timetable and procedure is set down for consultations with a view to closure of a school. In addition, special safeguards are prescribed before rural schools may be closed. The local authority must have regard to three factors before deciding to propose and consult on a rural school closure. The first factor is whether there is any viable alternative to the closure proposal. The second is the likely effect of the closure on the local community. The third is the likely consequences of closure on the travel and transport arrangements of the school's pupils, staff and other users, and the effect on them as well as the overall environmental impact of the proposals. These issues will be addressed fully in the proposal document. **Appendix 1** illustrates the timescales with specific regard to Cabrach. The consultation period must include at least 30 days of term time. If the process commences in August 2010, the earliest a closure decision can be taken by Committee is December 2010. There is then the potential for a further 6 weeks of

deliberation by the Scottish Government. In summary, the earliest a closure of Cabrach school can be effected is likely to be mid February 2011.

- 3.4 Members should note that, given the particular situation in Cabrach with no pupils on the roll, the school will be mothballed meantime. In effect the school remains in existence and the delineated zone remains unaltered. The building will be maintained in working order and staff will be temporarily redeployed either into vacancies or will be retained in a supernumerary capacity. These arrangements will remain in place until such time as a final decision is reached with regard to the future of the school.
- 3.5 Copies of the relevant legislation have been placed in the Members' Library and Portal for reference.

4. **SUMMARY OF IMPLICATIONS**

- (a) **Single Outcome Agreement/Service Improvement Plan**
The contents of this paper accord with the aims of the Single Outcome Agreement.
- (b) **Policy and Legal**
These are detailed in the report.
- (c) **Resources (Financial, Risks, Staffing and Property)**
There will be some savings during the remainder of the current financial year until such time as a final decision is reached on the future of the school. There will however continue to be costs associated with staff and the maintenance of the building.
- (d) **Consultations**
The Senior Management Team of Educational Services has been consulted and agrees with the contents of this report. Rhona Gunn, Acting Principal Solicitor, Deborah Brands, Principal Accountant, and Grant Cruickshank, Principal Personnel Adviser have been consulted and are in agreement with the relevant aspects of the report.

5. **CONCLUSION**

5.1 That Committee scrutinises and notes the information contained in this report.

Author of Report: Alistair C. Farquhar, Head of Educational Resource Services.

Background Papers:

Ref: DMD/JR/Reports/Children and Young People's Services
Committee/9 June 2010/Cabrach Primary School

APPENDIX 1

- **18 August 2010** - Proposal paper to Children & Young People's Services Committee
- **23 August - 4 October 2010** – 6 week Consultation period (including public meetings)
- **11 October – 29 October 2010** – HMle consideration and report.
- **No later than 12 November 2010** – Publish Consultation report.
- **12 November – 3 December 2010** –Time for further public consideration
- **8 December 2010** - Children & Young People's Services Committee decision.
- Then submit report to Scottish Government within 6 working days if Council has decided to close the school.
- There follows a 6 week period during which Ministers may decide to “call-in” the proposal. This period will end **late January 2011**. If the Ministers decide to indicate prior to late January that they do not intend to call in the proposal, then the Council's closure decision proceeds. If there is a “call-in” then the final decision rests with Scottish Ministers. There is no timescale specified in the legislation as regards this element. However, Scottish Government officials indicate that Ministers would endeavour to reach a decision as quickly as possible.