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**REPORT TO: CHILDREN AND YOUNG PEOPLE'S SERVICES COMMITTEE ON  
27 APRIL 2016**

**SUBJECT: RESPONSE TO CONSULTATION ON ESTABLISHING A NEW  
PRIMARY SCHOOL FOR SOUTH-EAST ELGIN**

**BY: CORPORATE DIRECTOR (EDUCATION AND SOCIAL CARE)**

**1. REASON FOR REPORT**

- 1.1 The purpose of this report is to inform the Committee on the outcome of the public consultation on the proposals to establish a new primary school to serve the delineated zone in south-east Elgin.
- 1.2 This report is submitted to Committee in terms of Section III (C) 23 and 25 (a) of the Council's Scheme of Administration to consider and make recommendations on capital and minor works programmes and monitor problems relating to school capacities and available accommodation.

**2. RECOMMENDATIONS**

**2.1 It is recommended that the Committee considers the Consultation Report as detailed in Appendix 1 and agrees:**

- (i) to establish a new primary school, with nursery provision, to serve the agreed catchment area for the delineated geographical zone in south-east Elgin with the school located in the area identified within Appendix 2 subject to Full Council agreeing to include this project within the 10 year capital plan review.**
- (ii) the new school be established initially at a temporary site at East End Primary School Annexe until the new school building is complete. (The temporary accommodation will initially accommodate P1 children and will accommodate P1-3 in future years.)**
- (iii) the implementation date for these proposals will be 15 August 2016, for the temporary accommodation, except that the nursery will only commence once the new school building opens.**
- (iv) the new school will relocate to its permanent site on the completion of the new school building. The target date for this is August 2018.**

**Subject to the decisions taken on paragraph 2.1 (i) to (iv) it is further recommended that Committee:**

- (v) instructs the Corporate Director (Education and Social Care) to consult with interested stakeholders on a name for the new school in order that this Committee can agree the name at its next meeting;**
- (vi) instructs the Corporate Director (Education and Social Care) to provide regular information reports on the operational arrangements for the new school including any arrangements which impact on, or require joint working with, East End Primary School;**
- (vii) considers the suggestion from East End Primary School parents to provide transport to East End Primary School from the Pinefield, Reynolds Crescent, Barlink Road and Waulkmill Road areas (page 6 of the Consultation report refers).**

### **3. BACKGROUND**

- 3.1 On 9 December 2015 the Children and Young People's Services Committee agreed (paragraph 5 of the minute refers):
- (i) to the proposal to establish a new primary school, with nursery, to serve the agreed catchment area for the delineated geographical zone in south east Elgin;
  - (ii) that this primary school will be located in the area identified within **Appendix 2** of the report;
  - (iii) to the proposal for the new school to be established initially at a temporary site at East End Primary School Annexe;
  - (iv) to note that the temporary accommodation will be able to cater for a restricted age range (P1-3) and when a new school is built the school will be able to cater for all primary classes (P1-7);
  - (v) to the proposal for the implementation date for the new school to be brought forward to August 2016, using temporary accommodation until such time as a new school is built;
  - (vi) to grant delegated authority to the Corporate Director (Education and Social Care) to progress statutory consultation, with statutory consultees and other interested parties, on those proposals as contained within the Proposal Paper attached as **Appendix 4** of the report;
  - (vii) to grant delegated authority to the Corporate Director (Education and Social Care) to review the proposals following consultation and receipt

of Education Scotland's report on the proposals and thereafter to prepare and publish a consultation report; and

(viii) that a further report be presented to Committee for a final decision on implementation of the proposals following publication of the Consultation Report.

- 3.2 The Moray Council consulted in line with the requirements of the Schools (Consultation) (Scotland) Act 2010. This required the authority to adopt a robust and transparent framework for consultations on establishing a new primary school. The process required the authority to actively involve and consult with all stakeholders and other school users. The authority was required to produce statements setting out its assessment of the effects on children and young people and other users of any affected establishments, including educational benefit statements relating to the proposals.
- 3.3 The consultation process is summarised as follows:
- Consultation papers were distributed to a wide range of stakeholders and interested parties.
  - A notice to advise of the consultation arrangements was placed in the local press.
  - A dedicated page was set up on the Council website for both information, and to enable interested parties to respond to the proposals.
  - The public consultation period ran from 14 December 2015 – 4 February 2016 inclusive, a total of 30 days of term time.
  - In relation to the proposals, two public consultation meetings were held on 6 January 2016 (afternoon and evening).
  - Officers met with school staff, parent councils, and with representatives of community organisations.
  - Head teachers at East End and New Elgin Primary Schools consulted with pupils at these schools.
- 3.4 As part of the consultation process, officers ensured that the views and opinions of all respondents were recorded and given due consideration. In order to ensure a rigorous and thorough evaluation of the responses received, Education and Social Care Senior Officers read every response and summarised the key aspects of responses in order to provide the Committee with a detailed objective analysis.
- 3.5 Officers focused on identifying the main issues and concerns, giving each response equal consideration. This was done to ensure the basis of each response was fully explored and evaluated, regardless of the number of respondents advancing each point. Thereafter, conclusions and recommendations were offered in relation to the responses received.
- 3.6 In any major consultation there is a possibility that errors may occur, therefore procedures were put in place to identify, amend and record any errors. No errors were highlighted during the consultation; however one allegation of inaccuracy is addressed in the Consultation Report.

- 3.7 As part of the procedure required under the Schools (Consultation) (Scotland) Act 2010, HM Inspectors from Education Scotland completed a report on the proposals and consultation. The Education Scotland report, received on 4 March 2016, is generally supportive of the Council's proposals.
- 3.8 The original proposals have been reviewed in light of all representations received, including the Education Scotland report.

#### **4. RESPONSE TO THE CONSULTATION**

- 4.1 A total of 382 responses to the consultation were received. 91% of those who responded were in favour of establishing a new primary school to serve the south-east Elgin catchment area and 63% agreed with the proposal to establish the new school from August, initially in temporary accommodation at East End Primary School Annexe.
- 4.2 The Consultation Report (**Appendix 1**) was published on 18 March 2016. This publication was supported by a press release. A copy of the report was placed on the Council's website and printed copies are available on request.

The Consultation Report contains:

- An introduction and background
- An analysis of the responses to consultation
- A summary of the main oral points raised, along with the education authority response
- A summary of the written points raised, along with the education authority response
- A summary of the report by Education Scotland
- Conclusions
- Recommendations

The appendices to the report contain:

- The original Proposal Paper
  - The full Education Scotland report
  - Links to summaries of the public meetings
- 4.3 Details of the public meetings, meetings with school staff and meetings with parent councils along with collated comments and enquiries are available on the Members' Portal.

#### **5. MAIN ISSUES RAISED IN THE CONSULTATION**

- 5.1 The main issues arising from this consultation were:
- ensure siblings can attend the same schools;
  - address overcrowding at New Elgin Primary;
  - ensure effective induction arrangements for new P1 pupils enrolling at the proposed new school;
  - provide transport for East End Primary pupils;

- address traffic congestion around East End Primary;
- improve car parking at East End Primary;
- address the impact of any loss of accommodation at East End Primary;
- address concerns over shared facilities between East End Primary and proposed new school;
- address concerns over starting and finishing times at the proposed new school; and
- ensure close educational links between East End Primary and the proposed new school.

5.2 In response to the above points officers reviewing the proposals have concluded that:

- The proposals have the potential to reduce overcrowding at New Elgin Primary School and should decrease the potential for siblings to have to attend separate schools.
- If proposals are agreed, staff appointments should be made in early May 2016 with transition programmes, for the children enrolling into P1, starting in early June 2016.
- The cost of transporting East End pupils to school is estimated at £360 per day as two buses would be required. The costs of providing transport to all East End Primary School pupils from the Pinefield, Barlink Road, Waulkmill Road and Reynolds Crescent areas is estimated at £70k per annum (two buses). There is no budget for the provision of this transport. In view of the cost implications, it is not recommended to pursue this presently and it is outwith current guidelines.
- Traffic and car parking issues are dealt with in the Consultation Report.
- Officers are working closely with the head teacher to provide solutions to any potential negative impacts on East End Primary School. This will be an ongoing process as the new school becomes operational. Officers have suggested short term accommodation solutions.
- Practical details, on a number of operational and educational matters, will have to be agreed between the two head teachers, if the proposals go ahead.

5.3 The main points from the Education Scotland report were:

- The proposal has a number of potential educational benefits for learners
- A new school building has potential educational benefits for learners and also has potential benefits to the community.
- The aspect of the proposal to establish the new school initially at a temporary site at East End Primary School Annexe has potential educational benefits for children attending the new school.

- The proposal will also assist the Council to achieve best value by addressing capacity issues across its school estate in the Elgin area.
- The Council will need to show how it has taken account of any issues raised during the consultation. Specifically, the Council will need to: explain clearly how children attending the temporary new school will experience a broad range of learning experiences with older and younger children within a 'shared campus' environment; respond to stakeholders' concerns regarding traffic management around the school and travel plans; and share its plans to support children's transitions into P1 at the temporary accommodation.

5.4 In response to the above points officers reviewing the proposals have concluded that there is a strong case for establishing a new school, initially in temporary accommodation, before relocating to the permanent site.

5.5 Officers are engaging with parents over plans for P1 induction and plans for curriculum delivery in a shared campus environment.

## **6. SUMMARY OF IMPLICATIONS**

### **(a) Moray 2023: A Plan for the Future/Service Plan**

The contents of this report relate to Moray 2023 Priority 2 – 'Ambitious and confident children and young people'.

### **(b) Policy and Legal**

Proposals to establish a new school have been undertaken in line with the Schools (Consultation) (Scotland) Act 2010. Following consultation and the publication of the Consultation Report the Council may proceed to implement the proposal in whole or in part but it may not vary a proposal. Any change to a proposal would have to be treated as a new proposal and again be the subject of the consultation process outlined in the 2010 Act.

### **(c) Financial implications**

There will be both capital and revenue costs associated with the proposals for the new and temporary school which will require to be progressed through the capital plan process.

1. The capital cost of a new primary school is estimated at £10-12m. The costs of temporary accommodation are included in the 2016/17 Capital Plan.
2. Revenue costs are estimated at £133k in the first year (August 2016 – March 2017), equivalent to £236k for a full academic year. This is based on costs for a 50 pupil school in Moray and covers staffing, energy, property and resource costs. Costs will increase year on year as additional teachers and support staff are appointed.

3. The start-up resourcing (textbooks, consumables etc.) costs are estimated at £40k in the first year.
4. Furniture costs will be £36k and ICT costs will be £26k, which covers telephones, wireless access points and smartboards. The furniture and ICT will be used by East End Primary following the relocation of the new school.
5. Transport cost to the temporary school (one bus) is estimated at a maximum of £34k per annum and may well be significantly less if parents elect to transport children to school themselves.

The cost of providing transport to all East End Primary School pupils from the Pinefield, Barlink Road, Waulkmill Road and Reynolds Crescent areas is estimated at £70k per annum (two buses). There is no budget for the provision of this transport.

**(d) Risk implications**

1. Failure to address primary school capacity issues in Elgin will increase the risk of children, resident within certain school zones, being unable to attend their zoned school. It may also necessitate children being transported from Elgin to schools in neighbouring towns and villages in the future.
2. There is a risk that, by failing to implement the temporary arrangements from August 2016, parents who have expressed a desire to enrol their children in the temporary school accommodation from August 2016 may be unable to subsequently secure a place for their child in a school of their choice. There is therefore a risk that this could increase the number of Placings Appeals to the Schools Placings and Exclusions Appeals Committee and therefore could ultimately result in appeals to the Sherriff Court.
3. There is also a risk of construction of the new school building not being complete for August 2018, in which case modular accommodation may have to be deployed at the East End Annexe site.

**(e) Staffing implications**

The provision of a new school from August 2016 will result in a need for additional staffing. Recruitment of an acting head teacher and teaching staff will be carried out in line with human resources policies and procedures. Plans are in place to ensure that, if the above proposals are approved, teaching staff can be in post by early May.

**(f) Property**

If a decision is taken to establish a new school this will be the subject of regular reports to this Committee.

**(g) Equalities**

An equality impact assessment has been carried out on these proposals. This concludes that introducing these proposals will not have an adverse impact on any of the groups listed. In addition, there were no issues raised about equality, in terms of equalities legislation, during this consultation. The equality impact assessment is attached as **Appendix 3**.

**(h) Consultations**

1. The Corporate Director (Education and Social Care); Education and Social Care Senior Management Team; Lindsey Stanley (Business Support Manager); Quality Improvement Officers in Education and Social Care; Deborah Brands (Principal Accountant); the Legal Services Manager (Litigation and Licensing); Katrina McGillivray, Senior Human Resources Adviser; Dave Malpas (Senior Traffic Engineer); the Equal Opportunities Officer; the Public Transport Manager and Caroline Howie (Committee Services Officer) have been consulted on this report and agree with the sections of the report relating to their areas of responsibility.
2. The head teacher of East End Primary School and the acting head teacher of New Elgin Primary School have been consulted and any views expressed have been taken into account when preparing this report.

**7. CONCLUSION**

- 7.1 **Officers believe there is a very strong case to establish a new primary school, with nursery provision, to serve the agreed catchment area for the delineated geographical zone in south-east Elgin with the school located in the area identified. The proposal has a number of potential educational benefits for current and future learners. The proposal will also assist the council in addressing capacity issues across its school estate in Elgin.**
- 7.2 **The aspect of the proposal to establish the new school initially at a temporary site at East End Primary School Annexe has potential educational benefits for children attending the new school.**
- 7.3 **The Committee should consider the Consultation Report and decide on whether it wishes to progress a new primary school for south-east Elgin in terms of the proposals made and consulted on.**
- 7.4 **The Committee should consider the suggestion from East End parents to provide transport to East End Primary School from the Pinefield, Reynolds Crescent, Barlink Road and Waulkmill Road areas.**



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Background Papers:

Ref: