



**REPORT TO: CHILDREN AND YOUNG PEOPLE'S SERVICES COMMITTEE ON
22 JUNE 2016**

**SUBJECT: RESPONSE TO CONSULTATION ON REZONING SECONDARY
SCHOOLS**

BY: CORPORATE DIRECTOR (EDUCATION AND SOCIAL CARE)

1. REASON FOR REPORT

- 1.1 The purpose of this report is to inform Committee on the outcome of the public consultation on the proposals to rezone Forres Academy, Lossiemouth High School, Elgin Academy, Elgin High School and Milne's High School.
- 1.2 This report is submitted to Committee in terms of Section III C (25) (b) of the Council's Scheme of Administration to review school zoning.

2. RECOMMENDATION

2.1 It is recommended that the Committee:

- (a) considers and notes the Consultation Report as detailed in Appendix 1;**
- (b) agrees to implement fully the proposed new secondary school catchment areas for Forres Academy and Lossiemouth High School, as detailed in the Proposal Paper and shown in Appendix 5, to be effective from 24 October 2016;**
- (c) agrees to implement in part the proposed new secondary school zones for Elgin Academy, Elgin High School and Milne's High School, as detailed in the Proposal Paper and shown in Appendix 5, to be effective from 24 October 2016; and**
- (d) in relation to any proposals that may only be part implemented at this time, instructs the Corporate Director (Education and Social Care) to provide a further report to Committee on draft proposals for rezoning Lhanbryde Primary School, Seafeld Primary School, East End Primary School, the new primary school for south east Elgin, and any consequential changes to the zones for Elgin High School, Elgin Academy and Milne's High School.**

3. BACKGROUND

- 3.1 On 9 December 2015 the Children and Young People's Services Committee agreed to:
- i) proposals for secondary school zones;
 - ii) authorise the Corporate Director (Education and Social Care) to progress to statutory consultation, with statutory consultees and other interested parties, on those proposals; and
 - iii) grant delegated authority to the Corporate Director (Education and Social Care) to review the agreed proposals following consultation and receipt of Education Scotland's report on the proposals and thereafter to prepare and publish a consultation report. (Paragraph 6 of the minute refers).
- 3.2 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 changes to school zones (catchment areas). 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 9 February to 24 March 2016 inclusive, a total of 30 days of term time.
 - In relation to the proposals, 4 public consultation meetings were held on 16, 22 and 24 February 2016 (afternoon and evening on the latter date).
- 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 that Committee is provided 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 to the Corporate Director (Education and Social Care) 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.
- 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 6 May 2016, is generally supportive of the Council's proposals.
- 3.8 Senior Officers in Education and Social Care have reviewed the original proposals in light of all representations received, including the Education Scotland report.

4. RESPONSE TO THE CONSULTATION

- 4.1 A total of 34 responses to the proposals were received, most of which were supportive.
- 4.2 The Consultation Report (**Appendix 1**) was published on 27 May 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 along with the education authority response
- Conclusions and recommendations

The appendices to the report contain:

- A map showing the catchment areas recommended for approval
- The original Proposal Paper
- Summaries of the public meetings and the comments and enquiries received
- The full Education Scotland report

- 4.3 For ease of reference the maps which show the current and proposed catchment areas are shown as appendices to this report.
- Appendix 2** shows current catchment areas delineated by red boundary lines, with the proposed new catchment areas colour coded and delineated by black boundary lines.
- Appendix 3** shows the proposed new catchment areas colour coded and delineated by black boundary lines.
- Appendix 4** shows current catchment areas delineated by red boundary lines, with the proposed new catchment areas colour coded and delineated by black boundary lines. Areas of the existing catchment areas now recommended to

be retained as part of their current catchment areas are shown by hashed lines (Elgin Academy in blue and Elgin High School in purple).

Appendix 5 shows revised catchment areas recommended for approval by the Council.

- 4.4 Details of the public meetings 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:

- There is a need to provide reassurance to parents regarding siblings who may be affected by the proposal.
- There is a need to demonstrate that the Council has engaged appropriately with all relevant consultees as determined by legislation.
- Considerations were raised on issues for particular local areas. These are described below
 - (a) A number of parents from the Troves area requested that children resident in the Troves (Hallowood Road) area should continue to be zoned to Elgin Academy.
 - (b) There was a request that children resident in the area currently zoned to Lhanbryde Primary School and Elgin Academy which lies to the north of the A96 and to the west of the river Lossie should continue to be zoned to Elgin Academy.
 - (c) There was a request to move the catchment area of Elgin High School west to include Hardhillock Farm and houses.

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

- There are clear educational benefits to the proposal.
- The proposal would help enhance continuity in learning and pastoral and curricular transition.
- There is a strong case for implementing the proposals.
- There is, however, a justifiable case for retaining, at the moment, some of the original catchment area boundaries, for the reasons described in the consultation report, but further proposals should be reported to Committee for future consideration.
- Parents can be assured that if siblings are affected by the proposal they can make out-of-zone placing requests for the secondary school of their choice if younger children wish to attend the same secondary school as an older sibling. Priority for admission will be in accordance with the Council's Admissions to Schools Policy and Procedures.
- The Council is confident that it has consulted with all relevant consultees as required by legislation. However, the fact that any consultees chose not to make a written response should not be interpreted as the Council not having undertaken appropriate consultation.

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 introduce new school catchment areas must be handled in line with the Schools (Consultation) (Scotland) Act 2010. Following consultation and the publication of a Consultation Report the Council may proceed to implement a 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

Establishing revised school catchment areas will not create, in isolation, any financial implications. The removal of the dual zoning and split zoning would mean that, in the longer term, The Moray Council would only provide transport, for eligible pupils, to one zoned secondary school for each Associated Schools Group. This may result in some small savings on transport costs. In the short term, there are unlikely to be any additional transport costs where pupils in a particular area are entitled to transport to different secondary schools. Vehicles will increase or decrease in size each year, as appropriate, therefore the interim arrangements will be relatively cost neutral.

(d) Risk implications

Failure to address zoning issues may increase the risk of children, resident within certain school zones, being unable to attend their zoned school in the future.

There is a further risk that the very small response rate to the consultation may not be representative of the views of the Moray community; however officers are confident that every opportunity was taken to enable the public and interested stakeholders to respond.

(e) Staffing implications

There are no staffing implications arising from this report.

(f) Property

There are no property issues arising from this report.

(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 not any issues raised about equality during this consultation. The equality impact assessment is attached as **Appendix 6**.

(h) Consultations

The Corporate Director (Education and Social Care); the Education and Social Care Senior Management Team; the 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; 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.

7. CONCLUSION

7.1 Committee should consider the Consultation Report on rezoning secondary schools and decide on implementation in respect of the catchment areas for each school.

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Background Papers: