

EAST DUNBARTONSHIRE COUNCIL: EDUCATION SERVICE

**REPORT ON THE STATUTORY CONSULTATION ON THE PROPOSED
CHANGES TO THE ARRANGEMENTS FOR ADMISSIONS AND THE
TRANSFER OF PUPILS FROM PRIMARY TO SECONDARY TO ALL EAST
DUNBARTONSHIRE PRIMARY AND SECONDARY SCHOOLS**

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SECTION 1 - BACKGROUND

- 1.1** East Dunbartonshire Council's (the "Council") current school provision and arrangements for admissions and Primary 7 to S1 transfer arrangements are underpinned by legislative requirements in the Education (Scotland) Act 1980. This requires the Council to:
- i. provide adequate and efficient management of its school estate and provide sufficient places for their pupil population;
 - ii. adhere to the general principle that children should be educated in line with their parents' wishes;
 - iii. ensure that all admissions must comply with class size legislation and national staffing agreements; and
 - iv. enable parents to express a preference for a particular school that they may want their child to attend by submitting a placing request, which an authority must grant if places are available in the school unless there is valid legal reason not to do so.
- 1.2** The Council operates a catchment policy where every address in the authority is allocated to a primary and secondary school in both the denominational (Roman Catholic) and non-denominational sectors.
- 1.3** Parents can make a placing requests to another school instead of the catchment school, if they wish. These are only considered for any remaining places after catchment places are accommodated. Placing requests are granted unless there is a valid legal reason not to do so.
- 1.4** The Council aims to provide sufficient places for children, who live within the delineated catchment area. Roll projections are updated annually and are based on analysis of population data, interpreted through current trends. While some schools have high occupancy levels, others have low occupancy. This can be due to high demand from the catchment area and/or due to placing requests from out with the area. In the rare event, a school is over-subscribed when places are allocated in Primary 1 and S1, the Education Service would take all reasonable steps to ensure that children from the catchment area can be accommodated within the school. If this was not possible, the school would be deemed to be over-subscribed and places allocated using the priority list detailed in **Appendix 1: Revised Admissions Policy**.
- 1.5** On 24 October 2019, the Council's Education Committee gave approval for a statutory consultation to be carried out in accordance with the Schools Consultation (Scotland) Act 2010. The Report (EPB-225-19-JM) outlined plans to consult on the proposed changes for all Council denominational (Roman Catholic) and non-denominational primary and secondary schools to :
- i. the admissions arrangements, including Primary 1 and during a school session;

- ii. the arrangements for the transfer of pupils from a primary school to a secondary school;
- iii. the arrangements for admission to the Educational Specialist Provision within East Dunbartonshire.

1.6 The consultation document detailed the main changes to the admissions policy including a procedure to be followed in the event of a school being oversubscribed for catchment places. The consultation also detailed the revised arrangements for the educational specialist provision within the Council. The educational benefits of the proposals were also detailed. A copy of the consultation document is contained in **Appendix 3**.

SECTION 2 - CONSULTATION PROCESS

2.1 A process for consultation was established under the 2010 Act and documentation was developed that included information on:

- The proposal;
- The consultation process;
- The public meetings;
- Educational benefits; and
- Issues anticipated in the proposal.

The consultation started on the 28 October and was scheduled to end on 6 December 2019. The consultation was extended until 10 January 2020, due to the large volume of responses received and the issues raised.

2.2 A letter was sent to all statutory consultees identified (see Section 2.9). The letter from the Chief Education Officer explained the process and how to respond. The proposal document (the “Proposal”) was available on the Council website, with paper copies available from the Council Offices. The consultation letter and Proposal are attached as **Appendices 2 and 3**.

2.3 The consultation letter was sent to all Head Teachers and Parent Councils of all schools in East Dunbartonshire.

2.4 The Proposal was circulated to Elected Members, local Members of the Scottish Parliament and Members of Parliament.

2.5 Details of the Proposal were made available on a dedicated section of the Council’s website (www.eastdunbarton.gov.uk/consultations). This provided full details on the Proposal as well as how to respond. Responses could be completed on line or printed and sent by post. The consultation was publicised in the press and on social media throughout the consultation period.

2.6 In response to questions raised during the consultation, a Frequently Asked Question section was set up on the Council’s website. There was a request for updated roll projections for all secondary schools; this was provided and published on the FAQs section.

2.7 Consultees were requested to confirm their address and their relationship with the affected schools. They were also asked whether or not they agreed with the Proposal, offered the opportunity to give reasons for their agreement or otherwise, and to include any additional comments.

2.8 During the first three weeks of the consultation, a number of key issues were raised. On 25 November further information was issued to all consultees. (**Appendix 4**) This included details of the extension of the consultation period,

two additional public meetings and a commitment to consider these issues following feedback received during the consultation:

- The need to review the application of distance criteria and to include the consideration of the length of time in attendance at the primary school as a separate criteria;
- The need to take into account local primary schools, where the associated secondary school is not within 5 miles; and
- The number of places allocated within the Education Specialist Provision.

2.9 In total four public meetings were held:

- Bearsden Academy on 13 November;
- Bishopbriggs Academy on 25 November;
- St Ninian's High School on 3 December; and
- Bearsden Academy on 5 December.

The purpose of the meetings was to provide further background on the Proposal and to provide an opportunity for questions and clarification. The additional two meetings provided an opportunity for further feedback on the proposed changes to the original Proposal. The Council's Chief Solicitor and Monitoring Officer chaired the meetings. Officers from the Education Service gave a short presentation and answered questions. The Convener of Education and other elected members were in attendance. A report on the meetings is detailed in **Appendix 5**.

2.10 Pupils in Primary 4 to 7 and those in S1 to S6, who attend schools in the Council were consulted and their views were gathered and recorded (see Section 3.6). This consultation was carried out in accordance with the advice issued by the Scottish Commissioner for Young People.

2.11 The Parent Council Forum is attended by Parent Council Chairs. At the meeting on 18 November, a presentation was given by the Chief Education Officer. There was an opportunity for discussion and questions on the Proposal.

2.12 **Consultees**

Consultees were identified according to Schedule 2 of the 2010 Act. All consultees were sent a copy of consultation letter with a copy of the consultation document available on line or through a paper copy. The consultees contacted included:

- **Parent Councils**
The Parent Councils of all Council primary and secondary schools.
- **Parents of pupils at affected schools**

Parents and carers of pupils attending all Council primary and secondary schools contacted using information held by the schools.

- **Parents of any children expected by the education authority to attend affected schools within two years**
Parents and carers of children in local authority early years' centres and partner providers.
- **Staff at affected schools**
All staff in the Council's primary and secondary schools.
- **Any other users of any affected school that the education authority considers relevant**
Celtic Football Club as there is a partnership agreement for the Celtic Academy within St Ninian's High School. Rangers Football Club as there is a partnership agreement for the Rangers Academy within Boclair Academy.
- **Community Councils**
The relevant Community Councils within the Council area were consulted.
- **Trade Unions**
All relevant Trade Unions were consulted.
- **Pupils**
Consultations were held within all primary and secondary schools, led by the Pupil Council supported by staff. Pupils in Primary 4 to 7 and S1 to 6 were invited to take part.
- The Director of Education of Glasgow City Council and the Director of Education and Families of North Lanarkshire Council were issued with the consultation information.
- The Roman Catholic Church was issued with the consultation letter through the Archdiocese in Glasgow.
- The Bord na Gaidhlig and Comann nam Parant were consulted due to the proposed changes to the arrangements for Gaelic Secondary Medium Education.

SECTION 3 - RESPONSES TO THE CONSULTATION

- 3.1** As detailed in Section 2, the consultation information was issued to all statutory consultees. Consultees were asked to identify their role (e.g. parent, staff) and their association with a school, where relevant.
- 3.2** There was a high response to the consultation. There was a total of 2136 responses. 239 (11.19%) agreed and 1897 (88.81%) disagreed with the Proposal. A large volume of responses were received at an early stage in the consultation and a number of key issues were identified. As a result, the Council extended the consultation period and committed to reviewing the proposal to take account of the views expressed. **Section 5** details the main issues raised through the consultation.
- 3.3** Four public meetings were held:
- Bearsden Academy on 13 November;
 - Bishopbriggs Academy on 25 November;
 - St Ninian's High School on 3 December; and
 - Bearsden Academy on 5 December.

A note of the issues discussed at the meeting are attached as **Appendix 5**.

- 3.4** In accordance with the 2010 Act, the Council planned and engaged in a consultation with the pupils in Primary 4 to 7 in all primary schools and S1 to S6 in all secondary schools within East Dunbartonshire.

The consultation was led by the Pupil Council in each school and support provided by the Head Teacher or Depute Head Teacher. Pupils were given a presentation at an assembly and invited to ask questions. Pupils then completed an online response form. This provided them with the option of agreeing or disagreeing with the Proposal, as well as the opportunity to make comments. The comments made by pupils are considered in Section 5 with the other comments or issues raised. There was a majority of pupils in agreement with the Proposal. 3868 pupils responded to the consultation; 2151 (55.61%) agreed with the Proposal and 1717 (44.39%) disagreed.

- 3.5** A response was received from the Comann nam Parant and the Bord na Gaidhlig. This is detailed in Section 5.
- 3.6** A response was received from the Archdiocese of Glasgow. This is detailed in Section 5.

SECTION 4 - EDUCATION SCOTLAND REPORT

1. Introduction

1.1 This report from Education Scotland has been prepared by Her Majesty's Inspectors of Education (HM Inspectors) in accordance with the terms of the [Schools \(Consultation\) \(Scotland\) Act 2010](#) ("the 2010 Act"). The purpose of the report is to provide an independent and impartial consideration of East Dunbartonshire Council's proposal to consult on the admissions policy including from primary to secondary. Section 2 of the report sets out brief details of the consultation process. Section 3 of the report sets out HM Inspectors' consideration of the educational aspects of the proposal, including significant views expressed by consultees. Section 4 summarises HM Inspectors' overall view of the proposal. Upon receipt of this report, the Act requires the council to consider it and then prepare its final consultation report. The council's final consultation report should include this report and must contain an explanation of how, in finalising the proposal, it has reviewed the initial proposal, including a summary of points raised during the consultation process and the council's response to them. The council has to publish its final consultation report three weeks before it takes its final decision.

1.2 HM Inspectors considered:

- the likely effects of the proposal for children and young people of the schools; any other users; children likely to become pupils within two years of the date of publication of the proposal paper; and other children and young people in the council area;
- any other likely effects of the proposal;
- how the council intends to minimise or avoid any adverse effects that may arise from the proposal; and
- the educational benefits the council believes will result from implementation of the proposal, and the council's reasons for coming to these beliefs.

1.3 In preparing this report, HM Inspectors undertook the following activities:

- attendance at the public meetings held on 25 November and 3 and 5 December 2019 in connection with the council's proposals;
- consideration of all relevant documentation provided by the council in relation to the proposal, specifically the educational benefits statement and related consultation documents, written and oral submissions from parents and others; and
- visits to the site of Bearsden Academy, Bishopbriggs Academy and St Ninian's High, Kirkintilloch, including discussion with relevant consultees.

2. Consultation process

2.1 East Dunbartonshire Council undertook the consultation on its proposal(s) with reference to the [Schools \(Consultation\) \(Scotland\) Act 2010](#).

2.2 The original timescale for the consultation was from 28 October to 6 December 2019.

Stakeholders were invited to respond to the council's online questionnaire. Taking into account the level of responses received and issues raised by consultees, the council extended the closing date until 10 January 2020. The original, planned public meeting at Bishopbriggs Academy took place on 25 November 2019. Commendably, in order to update stakeholders of developing issues, the council added a further three meetings. One at Bearsden Academy on 13 November, one at St Ninian's High on 3 December 2019 and another at Bearsden Academy on 5 December 2019. The numbers attending each meeting were over 360; over 260; almost 70; and around 60 respectively.

The council sought to re-assure stakeholders with regard to its response to emerging issues.

These issues related to: - distance from home to school; any local school more than five miles from its associated secondary; and the number of places in the specialist provisions.

2.3 There were 2,136 responses to the online questionnaire completed by stakeholders. Of these, just over 11% were in favour and almost 89% against the council's proposals. The council engaged with children from P4-P7 and young people from S1-S6 with regard to the proposal. In total, 3,868 children and young people shared their views. Almost 56% agreed and over 44% disagreed.

3. Educational aspects of proposal

3.1 HM Inspectors agree that the basis of the consultation is sound in terms of providing clarity to stakeholders in the few instances where insufficient places might be available to children and young people in a delineated catchment area. The proposal will help the council to fulfil its obligation to manage efficiently the school estate and to ensure best value. Providing, as part of the criteria, support for children who have attended an associated primary school aligns with the council's investment in strong cluster working. HM Inspectors agree that effective transitions from primary to secondary schools helps progression in learning in English Medium Education and Gaelic Medium Education (GME). HM Inspectors also note the continuing commitment of the council to support the development of children and young people's talents through the provision of specialist provisions for soccer and music.

- 3.2** Almost all stakeholders agree that the council is right to seek to provide clarity and transparency in how it will deal with the small number of catchments where there may be more children for admission in a school than places available. However, the majority of stakeholders met by HM Inspectors felt the consultation was rushed. They felt that the council could have undertaken earlier, informal groundwork in order to listen, explore with, and explain to parents relevant issues. More than a few parents believed that this resulted in anxiety and concern among children, young people and parents. They reported a continuing degree of confusion and uncertainty. A few felt that the lack of facility to make comment on the original online questionnaire was not helpful.
- 3.3** It would be useful for the council to review their contractual obligations with Celtic and Rangers Football Clubs with regard to their respective Football Academies. In doing so, they would be able to provide re-assurance to parents of young people living in delineated catchments for St Ninian's High and Boclair Academy. Parents and carers expect that young people living in the affected catchments, in all circumstances, would have a higher priority than non-catchment young people attending either of the Football Academies. By formalising the existing tacit agreement with the football clubs, parents and young people would have clarity and re-assurance that this is the case.
- 3.4** There is limited consensus among stakeholders over the order of priority for admissions that was proposed by the council. For example, in the Bishopbriggs area, distance from the catchment secondary school was seen as unfair. Parents who have children attending primary schools at the greatest distance from Bishopbriggs Academy strongly objected to this criteria.
- 3.5** The Archdiocese of Glasgow welcomes and supports the council's desire to provide clarity to parents, children and young people with regard to admissions to East Dunbartonshire Schools. It believes that in the case of a higher demand than available places for any denominational school, then Catholic children and young people (as evidenced by a baptismal certificate) living in the catchment area should be given priority over other children and young people.
- 3.6** Bòrd na Gàidhlig, as a statutory consultee, provided a response to East Dunbartonshire Council. Whilst it is supportive of the intention to provide clarity, it opposes the council's original intention to cap the intake of children and young people wishing to follow GME at Meadowburn Primary and Bishopbriggs Academy. It points out that by capping pupil numbers, the council would not be following Statutory Guidance nor advice in the National Language Plan 2018-23. It welcomes the council's indication that the capping of places will be removed from the final proposal. HM inspectors also highlight the council's responsibility to follow the Statutory Guidance and encourage continuity across stages, for children and young people following GME, including for those with placements.

4. Summary

HM Inspectors agree that the basis of the consultation is sound in terms of providing clarity to stakeholders in the few instances where insufficient places might be available to children and young people in a delineated catchment area. The proposal will help the council to fulfil its obligation to manage efficiently the school estate. Maintaining strong cluster identities supports progression in children's learning as they transition into secondary education.

The lack of pre-consultation work appears to have contributed to confusion for many stakeholders and caused a degree of anxiety that may have been avoided. HM Inspectors recognise that the council has, in these circumstances, allocated more time to the consultation period and attempted to provide clearer, revised information. HM Inspectors welcome the council's indication that it now recognises its responsibility to follow the Statutory Guidance with regard to GME. The council has also worked with the Parent Council of St Nicholas Primary to find a solution which meets the needs of the families of children who attend that school. The strong opposition from stakeholders, mainly parents responding to the questionnaire, is not matched by the views of children and young people. The majority of children and young people are in favour of the proposal. Substantial numbers of comments received by the council indicate that stakeholders have not fully understood how the council plans to operate its new policies. The council has significant work still to do to explain to stakeholders the likely implications of the proposal, should it go ahead.

**HM Inspectors
January 2020**

SECTION 5 - ISSUES IDENTIFIED IN THE CONSULTATION

5.1 Education Scotland

The report by the HM inspectors is detailed in Section 4. HM Inspectors agree that the basis of the consultation is sound in terms of providing clarity to stakeholders in the few instances where insufficient places might be available to children and young people in a delineated catchment area.

The report by HMI inspectors agrees that the Proposal will help the Council to fulfil its obligation to manage efficiently the school estate and to ensure best value.

The educational benefits of the Proposal are acknowledged in the report. It acknowledges the work done as part of 3 to 18 cluster aligns with the priority given to children, who have attended an associated primary school. Cluster working aims to improve transitions for pupils and help progression in learning. The report also notes the Council's continuing commitment to supporting the development of children's talents through the provision of specialist provision.

The findings in the report by HMI inspectors reflect those identified through the consultation and are addressed in the points below.

The report also recommends that the Council should undertake significant work to ensure that the proposed changes to the Admissions Policy are understood by stakeholders. The Council commits to working with Parent Councils and Head Teachers to do this if the proposed changes are approved.

- 5.2** The Council recognises that the Proposal was an emotive issue for many families. The majority of those who responded to the consultation disagreed with aspects of the original Proposal. It is important, therefore, to identify in detail what the issues were for those who disagreed with the Proposal. These are discussed, and potential alterations that could be considered if the Proposal were to proceed are identified.

A number of those who responded were in favour of the Proposal that evidence of residence in the catchment area should be provided when a child transfers from primary to secondary school.

It is important to state that the Council will always take all reasonable steps to ensure it provides sufficient catchment places in its schools. If a school is at risk of being over-subscribed at the placing round, the Education Service would consult with the head teacher to explore other options, in order to accommodate all children, who live in the catchment. Only if there were no other options available would the Council allocate places using the criteria detailed in **Appendix 1: Revised Admissions Policy.**

5.2.1 A total of 430 respondents referred to faith issues in their comments. This includes comments from parents of children who attend a denominational primary school but would wish to transfer to a non-denominational secondary school. These are discussed in Section 5.2.2 below.

The Council is committed to ensuring that it fulfils its statutory responsibility to provide Catholic education. This includes ensuring that those parents, who wish their child to be educated in a denominational school have the right to this from primary through to secondary.

The Council recognises that denominational schools are open to those of all faiths and none.

The response from the Archdiocese of Glasgow recognised the need for the Council to manage its school estate effectively. However the response detailed that a baptismal certificate from the Catholic Church should be the first criteria for allocating places, in the event of a denominational school being over-subscribed.

The Council has carefully considered all of the responses and reviewed the proposed criteria for denominational secondary schools if the school was over-subscribed. It is important to stress that it would only apply to children who lived in the catchment area. Those children enrolled in an associated primary school by way of a placing request would require to make a further placing request to the secondary school and would not be automatically transferred to the associated secondary school.

The criteria in the original proposal aimed to make prioritisation clear for children, whose parents have declared an affinity to the religious beliefs of the school and have a baptismal certificate from the Roman Catholic Church. However this has now been reviewed to ensure priority is given to those whose parents declare an affinity to the religious beliefs of the school and have a baptismal certificate from the Catholic Church. (Refer to **Appendix 1: Revised Admissions Policy**).

The Council is of the view that there is an educational benefit to giving priority to associated denominational primary school schools, due to the 3 to 18 cluster work with the denominational secondary school. As the associated primary school is a denominational school parents have clearly chosen to commit to that sector. Those children, who are transferring from an associated primary school are given priority if the secondary school is over-subscribed. This does not exclude those children who attend a non-denominational primary school within the catchment area, but it gives priority to those who attend an associated denominational primary school and are baptised into the Catholic faith where the denominational secondary school is over-subscribed.

Similarly the Council has considered the criteria to be used if a denominational primary school is over-subscribed. The criteria have been revised to give priority to those children, whose parents declare an affinity to the religious beliefs of the school and are baptised into the Catholic Church are given priority. Refer to **Appendix 1: Revised Admissions Policy**.

- 5.2.2** The majority of children transfer from the associated primary school to the secondary school. However in some communities, parents choose to send their child to a non-denominational secondary school, often because there is not a denominational secondary school within the community.

The initial Proposal meant that there was a significant risk that parents would not choose a denominational primary school for their child, if it meant that they had less chance of a place in the catchment non-denominational secondary school if that secondary school was over-subscribed. The Council viewed this as a risk to the delivery of Catholic education within certain communities.

The Council is committed to fulfilling its statutory duty to provide Catholic education from primary to secondary school. Therefore there will be no change to the associated primary schools for the denominational secondary schools.

However the Council also recognises the requirement to educate children in line with their parents' wishes, where possible.

The revised Proposal, therefore, recognises the particular context where the associated secondary school is not within five miles of the primary school. If the non-denominational secondary school is over-subscribed, Priority B now reads:

- (B) those children who live within the school's delineated catchment area and who attend an associated primary school or *attend an East Dunbartonshire primary school, where the associated secondary school is not within 5 miles of that primary school* – **Refer to Appendix 1: Revised Admissions Policy**.

The change is shown in italics. This priority is applied after those children who live in the catchment area and have a sibling at the school.

- 5.3** Distance from the school as a criteria for both denominational and non-denominational schools was identified as an issue by 305 of those who disagreed with the Proposal. The main reason given was that it disadvantaged some communities which were further away from the school. It was also highlighted in the response by the Archdiocese, as denominational schools have a wider catchment area.

5.3.1 With regard to secondary schools, it is therefore proposed that an additional criteria of length of time in the associated primary school should be added as detailed below:-

Non- Denominational Secondary Schools

Criteria B : Refer to **Appendix 1: Revised Admissions Policy** The change is shown in italics:

- (B) to those children who live within the school's delineated catchment area and who attend an associated primary school or attend an East Dunbartonshire primary school, where the associated secondary school is not within 5 miles of that primary school:-
- (i) to those children who have Additional Support Needs, which can only be met by access to provision located within the requested school and which can be supported by reports/evidence from appropriate professionals;
 - (ii) to those children who have a medical condition, which can only be met by access to the requested school and which can be supported by reports/evidence from the community medicine specialist and/or family doctor or other health professional;
 - (iii) *the length of time the child has attended either the associated primary school or the East Dunbartonshire primary school where the associated secondary school is not within 5 miles of that primary school;*
 - (iv) distance between home and school being the criteria applied, with those children residing nearest to the school as calculated by the Education Authority given priority.

5.3.2 Denominational Secondary Schools

It would be within Criteria C: Refer to **Appendix 1 Revised Admissions Policy**:

- (C) those children who live within the school's delineated catchment area, within East Dunbartonshire and who attend an associated primary school and whose parents declare an affinity with the religious beliefs of the school and who have been baptised in the Roman Catholic Church, in accordance with the following criteria;
- (i) those Catholic children with a sibling in attendance at the school;
 - (ii) to those Catholic children who have Additional Support Needs which can only be met by access to provision located within the requested school and which can be supported by reports/evidence from appropriate professionals;
 - (iii) to those Catholic children who have a medical condition which can only be met by access to the requested school and which can be supported by reports/evidence from the community medicine specialist and/or family doctor or other health professional;

- (iv) those Catholic children who attend an associated primary school and who do not have a sibling attending the secondary school;
- (v) Those children who are not Catholic and who have a sibling in attendance at the school;
- (vi) to those children who are not Catholic and have Additional Support Needs which can only be met by access to provision located within the requested school and which can be supported by reports/evidence from appropriate professionals;,
- (vii) to those children who are not Catholic and who have a medical condition which can only be met by access to the requested school and which can be supported by reports/evidence from the community medicine specialist and/or family doctor or other health professional;,
- (viii) for those children who are not Catholic, distance between home and school being the criteria applied, with those children residing nearest to the school as calculated by the Education Authority given priority.

This change provides more clarity for parents and children and is in line with the clear educational benefits of attending an associated primary school. It will ensure that parents can make informed decisions about their child's education and will provide more certainty for the transition from primary to secondary.

The Council recognises there may be exceptional circumstances, which could have adversely affected the length of time a child had attended an associated primary school. Examples of where this may occur are when a family is placed into homeless accommodation within the school catchment area or if a child becomes looked after and accommodated within the school catchment area. It is not anticipated that this will be a common occurrence but in these circumstances, the Council would retain the right to place a child in a chosen school.

5.3.3 Primary Schools: Both Non-denominational and Denominational

With regard to primary schools, the Council has considered if a similar additional criteria could be included before distance is considered. The Council has broadly followed the proposed revised criteria for denominational secondary schools in the proposed revised admission policy for denominational primary schools. This provides clarity for parents who chose to have their children educated in the denominational sector. The view was expressed that distance disadvantaged some communities, particularly where the primary school was not located within the community.

It is therefore proposed that if a primary school is over-subscribed, that an additional criteria is used prior to the distance from the school. This would be the length of time the parent has lived in the catchment area of the school, based on the evidence provided as part of the application process, unless there are

exceptional circumstances. Examples of exceptional circumstances are homelessness affecting a family or care experienced children being moved into the school catchment area. The list is not definitive. The Council retains the right to place children in schools where there are exceptional circumstances.

- 5.4.1** The Proposal detailed changes to the admission arrangements for the Education Specialist Provision within the Council. Responses were received from the national Comann nam Parant and Bord na Gaidhlig. Both organisations welcomed the proposed change to allocate places to children who attended Meadowburn Primary Gaelic Medium Education Unit (GME) and the Gaelic Medium Education Secondary Provision within Bishopbriggs Academy. However it was highlighted that there should not be a cap on available GME places in order to ensure compliance with the legislative requirements. Therefore the revised Proposal does not specify a maximum number of places. A total of 31 respondents referred to Gaelic in their comments. Most were in favour but a number were not because of the roll pressures on Bishopbriggs Academy. The Council has considered other options for the provision of GME in secondary schools. However the majority of children, who attend Meadowburn Primary Gaelic Medium Unit, reside in the catchment area of Bishopbriggs Academy and so are entitled to a catchment place. There are constraints to expanding GME provision in securing suitably qualified teachers and support staff, so expansion to another secondary school is not a viable option at this time.
- 5.4.2** There were 22 comments related to the Education Specialist Provision of the Football Academies. The main issue was allocating a maximum of 25 places if the school was over-subscribed. The Council values the partnership with Celtic Football Club and with Rangers Football Club and there are clear educational benefits. It is also recognised that the number of places allocated to pupils from the Football Academies is dependent on the number of children who attain the required standard and the number of places available, taking account of the projected number of catchment places. This will be agreed each year between the Council and the clubs and will be capped at a maximum of 25 S1 pupils in each school.
- 5.4.3** The issue of priority being given to pupils at the Music School was raised by 15 people. Almost all disagreed that these pupils should be allocated with the catchment places. However the number of pupils, who attain the required standard to gain entry to the Music School, is relatively low and would not affect the capacity of the school to accommodate catchment children.
- 5.5** A number of people raised the issue of accepting placing requests causing roll pressures in some schools. The Council is legally required to accept placing requests unless there is legitimate reason to refuse. In any event, placing requests are not decided upon until after catchment places have been allocated.
- 5.6** School Estate Planning and the link to Housing Developments

490 respondents and those in attendance at the public meetings raised concerns that the development of new housing in the area was putting pressure on school rolls as well as raising questions on the forward planning for the physical capacity of schools.

It is recognised that new development can have an adverse impact upon existing infrastructure, facilities and public services. However, in the first instance the planning system seeks to mitigate any impacts and Scottish Planning Policy introduces a presumption in favour of sustainable development. Nevertheless, in such circumstances, developer contributions can be sought, where necessary to make the proposed development acceptable in planning terms. Planning obligations are intended to address matters resulting from new Proposal, not existing deficiencies. An impact from a proposed new development on any infrastructure capacity would require to be insurmountable in order to be considered a justifiable reason to refuse a planning application.

Notwithstanding this, it is recognised that new build housing is only small part of the entire housing market in East Dunbartonshire and in particular the second hand market is a much larger proportion of the built environment and is outwith the control of the Council as Planning Authority.

Population projections (NRS 2017), based on the 2011 census, suggest that the population of East Dunbartonshire will increase from 107,540 in 2016 to 118,171 in 2041, an increase of 9.9%. Whilst household projections show continued increase from 45,690 in 2017 to 48,400 in 2026, this is at a greater rate than population increase.

It should be noted that population projections have limitations. The projections are calculations showing what happens if particular assumptions are made about future fertility, mortality and migration. These assumptions are based on past trends and do not take account of any future changes that may occur as a result of policy initiatives but may reflect the past impact of policy or economic changes. These projections are not, therefore, forecasts of what the government expects to happen based on policy.

Taking these limitations into account, the Education Service uses both population projections as well as data provided on an annual basis from the Planning Service to inform school projections. In addition, the Education Service is consulted on any new planning applications for housing developments and assist in the application the policy on developer contributions, where appropriate.

School rolls are therefore dynamic and changes can occur as a result of multiple factors that include but are not restricted to new housing development. General trends such as the rate of turnover in the existing housing stock, rises and falls in the birth rate, natural spikes and dips in demand and declining household sizes can all impact upon school roles.

School roll projections take into account both the sites that are allocated for housing development in the 5 year Local Development Plan but also the houses that have been completed and occupied that are reported on an annual basis through the Housing Land Audit.

The Council is currently reviewing its School Estate Asset Management Plan. Data regarding the current condition and suitability of the school estate, including projected school rolls, is gathered to support the creation of the Plan and is used to inform future investment decisions. Where future roll pressures have been identified, options are considered to address those pressures, which may include the conversion of rooms within a school to support the increased roll or in some circumstances the construction of an extension to create additional capacity. The School Estate Asset Management Plan forms a key part of the Council's updated Corporate Asset Management Plan which will identify future projects for inclusion within the Council's approved 10 year Capital Investment Plan. Where appropriate, funding applications will be made to external bodies, specifically the Scottish Futures Trust, to support development of the Learning Estate.

5.7 The comments made by pupils focused on:

- Wanting to attend a school near their home;
- Wanting to attend a school with their friends or siblings.

The revised policy will provide more certainty for children that they will transfer to the secondary school attended by their siblings, as this is the first criteria for allocating places if a school is over-subscribed.

The majority of children will attend an associated primary school and will then transfer to the secondary school with their friends and in their community.

This policy will provide clarity and ensure clear prioritisation.

SECTION 6 - ALLEGED OMISSIONS OR INACCURACIES

- 6.1** The 2010 Act, as amended, places a requirement on the Council to provide details of any inaccuracy or omission within the consultative document, which has been either discovered by the Education Authority or suggested by any other person. The Education Authority must then determine if relevant information has been omitted or if there has been an inaccuracy and then take appropriate action which may include the issue of a correction or the reissuing of the Proposal paper or the revision of the timescale for the consultation period as appropriate. In that event, relevant consultees and Education Scotland must be advised.

During the consultation period, a submission was received which detailed alleged omissions in the Proposal document. These were considered by the Council and it was deemed that no amendment was required.

SECTION 7 - EQUALITIES IMPACT ASSESSMENT

- 7.1** An Equality Impact Assessment has been completed and is attached in **Appendix 6**. In the rare event that a school was over-subscribed and the priority criteria had to be applied to allocate places, there could be a negative impact on parental choice due to, for example, children from denominational primary schools being prioritised for places in a denominational secondary school. This impact can be justified as Catholic education is enshrined in legislation and the Council is required to provide denominational and non-denominational primary and secondary schools. In addition, the impact will have no educational effect as the child will still receive education to a high standard in another Council school.

There is a statutory requirement for the Education authority to ensure adequate and efficient management of its school estate and provide sufficient places for their pupil population. The Education authority also has a duty to adhere to the general principle that children should be educated in line with their parents' wishes. The proposed changes to the Admissions Policy ensure compliance with these legislative requirements.

There is no educational detriment to a child as effective transition arrangements are in place in all schools.

SECTION 8 - FINDINGS OF THE CONSULTATION

- 8.1** The consultation process was carried out in accordance with the Statutory Guidance. The consultation had a high response from stakeholders, mainly parents and pupils. The majority of pupils were in favour of the Proposal but the majority of other stakeholders, mainly parents were against.

The report from Education Scotland agree that the basis of the consultation was sound in terms of providing clarity to stakeholders and will ensure the Council fulfils its duty to manage the school estate efficiently. The HM Inspectors also endorse the educational benefits of the Proposal in relation to associated primary schools because of the 3 to 18 cluster working with secondary schools.

It is acknowledged that the consultation caused a high level of concern and confusion amongst parents. Pre-consultation may have avoided this but the admissions policy is complex and an emotive issue for parents. The Council responded to the concerns by extending the consultation period and organising three additional public meetings. Information was issued, prior to the final two public meetings, which committed the Council to addressing the key issues raised at that time.

The use of the Frequently Asked Questions on the Council website was helpful in ensuring information was available to parents, in response to issues being raised.

The purpose of a consultation is to gather views and the Council has carefully considered the comments made at the public meetings and submitted on the on-line response form.

The revised Proposal addresses all of the points raised:

- The distance criteria – there is an additional criteria for both primary and secondary schools before distance is applied;
- The particular circumstances where the associated secondary school is not within five miles of the primary school;
- The issues in relation to the Education Specialist Provision : the removal on the cap on the number of GME places and the commitment to review the contract in relation to the Football Academies to ensure that the number of places available does not compromise the capacity of the school to accept catchment places;
- The review of the School Estate to take account of roll projections and housing developments;
- The legislative requirement to provide Catholic Education - the prioritisation of those children who attend the associated denominational primary school and are baptised into the Catholic Church.

SECTION 9 - REVIEW OF THE PROPOSAL

- 9.1** The proposed changes to the original Proposal are detailed in Section 8 above. These do not constitute a material change to the original Proposal and so there is no requirement for a further consultation as defined in the 2010 Act.
- 9.2** The Council acknowledges the need to provide clear information for parents in order that they can make informed decisions about their child's education. If this Proposal is approved, officers from the Education Service, with support from Corporate Communications, will work with the Parent Council Forum and Head Teachers to develop clear and accessible information for parents.

SECTION 10 - COUNCIL DECISION MAKING

- 10.1** Under the 2010 Act, this consultation report must be published for at least three weeks before the Council can decide whether or not to implement the Proposal. This is known as the 'extended consideration period', and is intended to allow interested parties to read the report, and to make their views known to Councillors. To quote from the statutory guidance that accompanies the 2010 Act:

“The intention is that interested parties should have time to see and digest the contents of the consultation report and also have time if they so wish to voice concerns and approach and lobby the councillors who will shortly be deciding on the proposal(s).”

- 10.2** The report will be presented to the meeting of East Dunbartonshire Council on 27 February 2020.
- 10.3** For further information on the consultation process, contact the School Improvement Team

Telephone: 0300 1234510

Email: education.consultation@eastdunbarton.gov.uk

- 10.4** Under the 2010 Act, as amended, this Proposal is not subject to ministerial call-in. As such, the final decision on the Proposal will be taken by the Council, having due regard to the views of stakeholders expressed through the consultation exercise. As a courtesy the Council will inform Scottish Government of the Council's decision

SECTION 11 - LIST OF APPENDICES

- Appendix 1 Revised Admissions Policy including transfer from primary to secondary school
- Appendix 2 Consultation Letter
- Appendix 3 Proposal Document
- Appendix 4 Notification of the Extension to the Consultation, including additional information
- Appendix 5 Note of the Public Meetings
- Appendix 6 Equalities Impact Assessment